

ORDINANCE NUMBER 21- 34

AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, APPROVING A SPECIAL USE PERMIT FOR OUTSIDE VEHICLE AND EQUIPMENT PARKING AND STORAGE FOR PLOTE PROPERTIES WITH PINS 03-24-400-006, 03-24-400-007, AND 03-25-200-046 IN THE M-1 MANUFACTURING DISTRICT LOCATED IN EAST DUNDEE, ILLINOIS, IL 60118

WHEREAS, the Village of East Dundee (“Village”) is a home rule unit of local government pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, and has the authority to exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, pursuant to Section 157.224 of the Village of East Dundee Zoning Ordinance (“Zoning Ordinance”) and the Village’s home rule authority, the Village President and Board of Trustees of the Village (“Corporate Authorities”) may provide for and allow the classification of special uses in its zoning ordinances; and

WHEREAS, under the authority of the Zoning Ordinance, Plote properties with PINs 03-24-400-006, 03-24-400-007, and 03-25-200-046 located in East Dundee, Illinois (“Property”), as legally described in Section 2 below, in the M-1 Manufacturing District, in which outside vehicle and equipment parking and storage) is allowed if the Corporate Authorities first grant a special use permit; and

WHEREAS, pursuant to the Zoning Ordinance, any person owning or having an interest in property may file an application to use such property for one or more of the special uses provided for in the zoning district in which the land is situated; and

WHEREAS, the Corporate Authorities have received a request for a special use permit for outside vehicle and equipment parking and storage at the Property (“Application”) from the owner of the Property, Plote (“Applicant”); and

WHEREAS, notice of a public hearing on the Application before the Village’s Planning and Zoning Commission was duly given and a public hearing was held on the Application on October 7, 2021; and

WHEREAS, the Planning and Zoning Commission reviewed the standards set forth in Section 157.224 of the Zoning Ordinance for a special use permit and recommended approval of the Application, subject to the conditions in Section 3 below and related findings of fact; and

WHEREAS, the Corporate Authorities have reviewed the Planning and Zoning Commission’s findings of fact and recommendations on the Application, and hereby approve the proposed special use for outside vehicle and equipment parking and storage on the Property, subject to the conditions in Section 3 below;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of East Dundee, Kane and Cook Counties, Illinois, as follows:

SECTION 1: Incorporation. That each Whereas paragraph above is incorporated by reference into this Section 1 and made a part hereof as material and operative provisions of this Ordinance.

SECTION 2: Approval of Special Use Permit. The Corporate Authorities hereby approve the Application and grant a special use permit for the Property legally described as:

PIN 03-25-200-046

PT OF THE E ½ NE ¼ SEC 25-42-8 AS DESC IN DOC 1999K121435 12/28/99
EX THAT PART DESC IN DOC 2001K042571 5/8/01 RANGE CODE: 8 E
TWSHP 42N

Part of PIN 03-25-200-046

THAT PT OF SEC 24-42-8 AS DESC IN DOC 2008K010945 EX AS DIVIDED
PER DOC 2010K069033

Part of PIN 03-24-400-006

THAT PT OF SEC 24-42-8 AS DESC IN DOC 2008K010945 EX AS DIVIDED
PER DOC 2010K069033 EX PT DESC IN DOC 2017K009141

Part of PIN 03-24-400-007

Commonly known as North of Rock Road Drive and Power Drive, East Dundee, IL 60118 for outside vehicle and equipment parking and storage subject to the conditions in Section 3 below.

SECTION 3: Conditions of Approval. That the special use permit granted herein shall be constructed, operated and maintained in accordance with any plans and diagrams submitted as part of the Application, and shall be subject to the following terms and conditions:

1. The Special Use cannot be transferred and shall expire at such time Rock Road Development, LLC ceases outside storage at PIN's 03-25-200-046, 03-24-400-006, and 03-24-400-007.
2. That the Special Use will automatically expire if the High Street Logistics Development Project approved by Ordinance 21-30 is not completed or the terms of the Development Agreement, approved by Ordinance 21-30, are not fulfilled by the Seller or the Developer.

SECTION 4: Severability. That if any Section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such Section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION 5: Repeal. That all ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.

SECTION 6: Effect. That this Ordinance shall be in full force and effect forthwith upon its adoption, approval and publication in pamphlet form as provided by law.

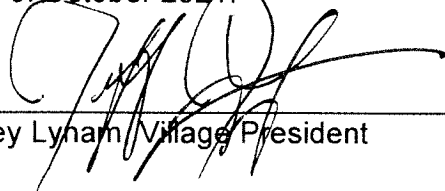
PASSED this 18th day of October 2021 pursuant to a roll call vote as follows:

AYES: Mahony, Kunze, Brittin, Saviano and Treiben

NAYES: Ø

ABSENT: Andresen

APPROVED by me this 18th day of October 2021.



Jeffrey Lyham, Village President

ATTEST:

Katherine Diehl
Katherine Diehl, Village Clerk

Published in pamphlet form this 18th day of October 2021, under the authority of the Village President and Board of Trustees.

Recorded in the Village records on October 20, 2021.

The Applicant acknowledges hereby the reasonableness of the above and foregoing terms and conditions in the Ordinance, and hereby accepts the same.

By: [Signature]
Applicant

Date: October __, 2021