

ORDINANCE NUMBER 22-14

AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AMENDING THE SPECIAL USE PERMIT FOR A GUN SHOP GRANTED IN ORDINANCE NUMBER 12-36, TO GRANT A SPECIAL USE PERMIT FOR THE ACCESSORY USES OF FIREARM COATING, REFINISHING, ADDING ACCESSORIES AND GENERAL MODIFICATIONS FOR THE PROPERTY LOCATED AT 970 DUNDEE AVENUE, EAST DUNDEE, ILLINOIS

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, on July 30, 2012, the Corporate Authorities approved Ordinance Number 12-36, entitled “An Ordinance Zoning and Granting Certain Special Uses for the Property Commonly Known as the GAT Guns Property with an Address of 14N915 Illinois Route 25” (“Original Special Use Ordinance”), in which the Village approved the rezoning of the property formerly known as 14N915 Illinois Route 25, East Dundee, Illinois, and now known as 970 Dundee Avenue, East Dundee, Illinois (“Property”), and in which the Village approved a special use permit for a gun shop, training facility, indoor shooting range, archery range and related uses; 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 an amended special use permit to allow the uses of firearm coating, refinishing, adding accessories and general modifications as accessory uses to the gun shop on the Property (“Application”) from the owner of the Property, G.A.T. Guns, Inc. (“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 April 7, 2022; and

WHEREAS, the Planning and Zoning Commission reviewed the standards 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, which recommendation and related findings of fact are incorporated herein; 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 permit to allow firearm coating, refinishing, adding accessories and general modifications as accessory uses to the gun shop 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 in Section 2 of the Original Special Use Ordinance, formerly known as 14N915 Illinois Route 25, East Dundee, Illinois and now known as 970 Dundee Avenue, East Dundee, Illinois (P.I.N. 03-36-101-006), to allow firearm coating, refinishing, adding accessories and general modifications as accessory uses to the gun shop on the Property, subject to the conditions in Section 3 below.

SECTION 3: Amendment to Original Special Use Ordinance. Section 3 of the Original Special Use Ordinance is amended to read as follows, with additions underlined and deletions struck through:

The following special uses, subject to the conditions and restrictions imposed herein and in the Annexation Agreement between the village and the Petitioners, which shall be in substantial conformance with the Plan, are hereby granted for the Property:

- a. The continued operation and expansion of the existing retail business engaged in the sale of, among other items, sporting goods, firearms and ammunition, and an indoor pistol and archery range; and
- b. The operation of a firearms, weapons and martial arts training facility in substantial conformance with the Plan; and
- c. The expansion of the indoor shooting (including both pistols and rifles) and archery range in substantial conformance with the Plan; and
- d. Firearms coating, refinishing, adding accessories and general modifications thereto as accessory uses to the gun shop on the Property.

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 April, 2022 pursuant to a roll call vote as follows:

AYES: Mahony, Kunze, Brittin, Saviano, Treiber and Sauder

NAYES: None

ABSENT: None

APPROVED by me this 18th day of April, 2022.



Jeffrey Lynam, Village President

ATTEST:

Katherine Diehl
Katherine Diehl, Village Clerk

Published in pamphlet form this 21st day of April, 2022, under the authority of the Village President and Board of Trustees.

Recorded in the Village records on April 21, 2022.

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

By: _____
G.A.T. Guns, Inc., Applicant

Date: April __, 2022