

ORDINANCE NUMBER 22- 41

**AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE,  
COOK AND KANE COUNTIES, ILLINOIS, APPROVING THE  
REZONING OF THE PROPERTY COMMONLY KNOWN AS  
516 EAST MAIN STREET FROM THE R-2 SINGLE-FAMILY RESIDENCE  
ZONING DISTRICT AND THE R-3 SINGLE-FAMILY RESIDENCE  
ZONING DISTRICT TO THE R-4 GENERAL RESIDENCE ZONING DISTRICT**

**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 157.223 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 rezoning; and

**WHEREAS**, pursuant to the Zoning Ordinance, any person owning or having an interest in property may file an application to amend the zoning district classification of the property; and

**WHEREAS**, there is property in the Village commonly known as 516 East Main Street, East Dundee, Illinois, with PINs 03-23-381-005, part of 03-23-381-012 and part of 03-23-381-011 (collectively the "Property"), which is legally described as:

PARCEL 1: THAT PART OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH ALONG THE EAST LINE OF SAID QUARTER SECTION 72.18 FEET FOR THE POINT OF BEGINNING; THENCE NORTH ALONG THE EAST LINE OF SAID QUARTER SECTION, 276 FEET; THENCE NORTHWESTERLY ALONG A LINE THAT FORMS AN ANGLE OF 106 DEGREES 08 MINUTES MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE 68.1 FEET; THENCE SOUTHERLY ALONG A LINE THAT FORMS AN ANGLE OF 83 DEGREES 10 MINUTES MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 95.7 FEET; THENCE SOUTHWESTERLY ALONG A LINE THAT FORMS AN ANGLE OF 200 DEGREES 16 MINUTES MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE 224.2 FEET TO A POINT NORTH 89 DEGREES 59 MINUTES WEST FROM THE POINT OF BEGINNING; THENCE SOUTH 89 DEGREES 59 MINUTES EAST 192 FEET TO THE POINT OF BEGINNING, IN THE VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS.

PARCEL 2: THAT PART OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH ALONG THE EAST LINE OF SAID QUARTER SECTION 72.18 FEET; THENCE NORTH ALONG THE EAST LINE OF SAID QUARTER SECTION, 276 FEET; THENCE NORTHWESTERLY ALONG A LINE THAT FORMS AN ANGLE OF 106 DEGREES 08 MINUTES MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE 68.1 FEET, FOR THE POINT OF BEGINNING; THENCE SOUTHERLY ALONG A LINE THAT FORMS AN ANGLE OF 83 DEGREES 10 MINUTES MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE, 95.7 FEET; THENCE SOUTHWESTERLY ALONG A LINE THAT FORMS AN ANGLE OF 200 DEGREES 16 MINUTES MEASURED CLOCKWISE FROM THE LAST DESCRIBED COURSE 224.2 FEET; THENCE NORTH 89 DEGREES 59 MINUTES WEST, 54.50 FEET TO A CONCRETE MONUMENT; THENCE SOUTH 88 DEGREES 26 MINUTES 20 SECONDS WEST 39.46 FEET TO THE NORTHWEST CORNER OF PARCEL "A" IN THE RESERVE UNIT 1, A PLANNED UNIT DEVELOPMENT, BEING A SUBDIVISION OF PART OF THE NORTHEAST 1/4 AND PART OF THE NORTHWEST 1/4 OF SECTION 26 TOGETHER WITH PART OF THE SOUTHEAST 1/4 AND PART OF THE SOUTHWEST 1/4 OF SECTION 23, ALL IN TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 30, 1995, AS DOCUMENT NO. 95K004847; THENCE NORTHEASTERLY TO THE POINT OF BEGINNING, IN THE VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS.

PARCEL A: PARCEL "A" IN THE RESERVE UNIT 1, A PLANNED UNIT DEVELOPMENT, BEING A SUBDIVISION OF PART OF THE NORTHEAST 1/4 AND PART OF THE NORTHWEST 1/4 OF SECTION 26 TOGETHER WITH PART OF THE SOUTHEAST 1/4 AND PART OF THE SOUTHWEST 1/4 OF SECTION 23, ALL IN TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 30, 1995, AS DOCUMENT NO. 95K004847 AND ALSO BEING A RESUBDIVISION OF PART OF LOTS C AND E, ALL OF LOT D AND PART OF HOWARD AVENUE IN FOX RIVER BLUFFS UNIT 2, BEING A SUBDIVISION OF PART OF SAID SECTION 23 AND 26, ACCORDING TO THE PLAT THEREOF RECORDED ON AUGUST 20, 1929, AS DOCUMENT NO. 326520, IN THE VILLAGE OF EAST DUNDEE, KANE COUNTY, ILLINOIS.

**WHEREAS**, the Property is currently zoned partially in the R-2 Single-Family Residence District (part of PIN 03-23-381-011) and partially in the R-3 Single-Family Residence District (PINs 03-23-381-005 and part of 03-23-381-012); and

**WHEREAS**, the Corporate Authorities have received a request for rezoning of the Property to the R-4 General Residence Zoning District ("Application") from Immanuel Ev. Lutheran Church of Dundee, together with Redeeming Life Outreach Ministries ("Applicant"), and the Applicant also requested related text amendments and special use permit to allow the Applicant to operate a maternity group home on the Property, which requests the Corporate Authorities have separately considered and acted on from the rezoning request addressed in this Ordinance; 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 August 4, 2022, and after the hearing the Planning and Zoning Commission recommended the rezoning be approved, and the findings of fact and recommendation of the Planning and Zoning Commission are attached hereto as **Exhibit A**, made a part hereof and are incorporated as though set forth herein; and

**WHEREAS**, the Corporate Authorities have reviewed the Planning and Zoning Commission's recommendations on the Application, and have determined that approval of the rezoning of the Property to the R-4 General Residence Zoning District would best serve the public's health, safety and welfare;

**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 Rezoning.** The Corporate Authorities hereby approve the Application and approve the rezoning of the Property to the R-4 General Residence Zoning District.

**SECTION 3: 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 4: Repeal.** That all ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same are hereby repealed.

**SECTION 5: 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.

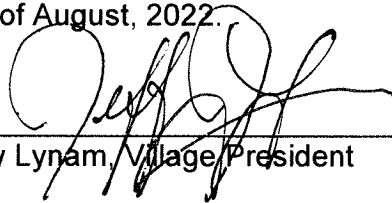
**PASSED** this 22<sup>nd</sup> day of August, 2022 pursuant to a roll call vote as follows:

AYES: Kunze, Brittin, Treiber and Sauder

NAYES: Ø


ABSENT: Mahony and Saviano

**APPROVED** by me this 22<sup>nd</sup> day of August, 2022.



Jeffrey Lynam, Village President

**ATTEST:**

  
Katherine Diehl, Village Clerk

Published in pamphlet form this 22<sup>nd</sup> day of August, 2022, under the authority of the Village President and Board of Trustees.

Recorded in the Village records on August 24, 2022.

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

By:   
Applicant

By:   
Applicant

Date: August 24, 2022

Date: 10/10/22