

VILLAGE OF ELBURN
ORDINANCE NO. 95-11

AN ORDINANCE AMENDING THE ZONING CODE TO
ALLOW AUTO RENTAL, SALES AND SERVICE AND
DRIVE-IN BANKS AS SPECIAL USES IN THE
B-1 DISTRICT AND TO AMEND THE
BOUNDARIES OF THE B-3 DISTRICT

ADOPTED BY THE BOARD OF TRUSTEES
OF THE VILLAGE OF ELBURN THIS 20th
DAY OF March, 1995

Published in pamphlet form by the authority of the Board of
Trustees of the Village of Elburn, Kane County, Illinois this
27rd day of March, 1995.

ORDINANCE NO. 95-11

AN ORDINANCE AMENDING THE ZONING CODE TO ALLOW
AUTO RENTAL, SALES AND SERVICE AND DRIVE-IN BANKS
AS SPECIAL USES IN THE B-1 DISTRICT AND
TO AMEND THE BOUNDARIES OF THE B-3 DISTRICT

WHEREAS, Bob Jass Chevrolet is seeking a change in zoning to allow for the construction of a sales lot on his property at 300 S. Main St.; and

WHEREAS, auto rental, sales and service is currently only permitted as a special use in the B-2 zoning district; and

WHEREAS, Bob Jass Chevrolet is located within the Central Business District; and

WHEREAS, Batavia Savings bank is seeking a change in zoning to allow a drive-in bank at the southeast corner of Route 47 and South Street; and

WHEREAS, drive-in banks are only permitted as a special use in the B-2 zoning district; and

WHEREAS, the Batavia Savings Bank property is located within the Central Business District; and

WHEREAS, the Planning Commission has determined that auto rental, sales and service and drive-in banks should be permitted as a special use in the B-1 Central Business District zoning district; and

WHEREAS, the Planning Commission has determined that the boundaries of the Central Business District should be amended to extend from Shannon St. on the north to the south property lines of the properties abutting the south side of South St. and abutting the east and west sides of Illinois Route 47; and

WHEREAS, the Planning Commission has held a public hearing on March 14, 1995 and recommended approval of this amendment to the Zoning Code;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Elburn, Kane County, Illinois as follows:

SECTION 1: That Chapter 8.2(c)(1) of the Zoning Code be amended by adding the following uses as a permitted special use: auto rental, sales and service and drive-in banks.

SECTION 2: That Chapter 8.3(A)(2) of the Zoning Code is hereby repealed and rescinded in its entirety and replaced with the following:

- (2) For the purpose of this Ordinance, the B-3 Office/Service District shall be limited to land abutting Illinois Route 47 within the following boundaries;
- (a) Properties north of Shannon St. and south of the Campton Township line on the east side of Illinois Route 47;
 - (b) Properties north of Shannon St. and south of the Deaconry property on the west side of Illinois Route 47;
 - (c) Properties bounded by the south lot lines that abut the south side of South St. and north of Stetzer Ave. on both sides of Illinois Route 47
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SECTION 3: That all ordinances and parts of ordinances in conflict with or inconsistent with the provisions of this ordinance are hereby repealed to the extent of any such conflict or inconsistency.

SECTION 4: That if any part or portion of this ordinance shall be declared invalid by a court of competent jurisdiction, such partial invalidity shall not affect the remainder of this ordinance.

SECTION 5: That this ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as is hereby authorized to be done by the President and Board of Trustees.

AYES: Ekstrom, Henderson, Hall, Ludwig, Peterson, Swan

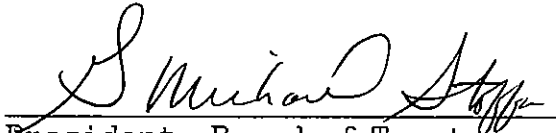
NAYS: None

ABSENT: None

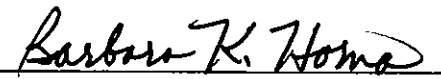
PRESENTED to the Board of Trustees of the Village of Elburn,
Kane County, Illinois this 20th day of March 1995.

PASSED by the Board of Trustees of the Village of Elburn, Kane
County, Illinois this 20th day of March 1995.

Signed by the President of the Board of Trustees of the
Village of Elburn, Kane County, Illinois this 22nd day of
March 1995.



President, Board of Trustees of
the Village of Elburn, Kane
County, Illinois



Clerk, Village of Elburn,
Kane County, Illinois



STATE OF ILLINOIS)
) SS.
COUNTY OF KANE)

CERTIFICATE

I, BARBARA HORNA, certify that I am the acting Village Clerk of the Village of Elburn, Kane County, Illinois.

I further certify that on March 20, 1995 the Corporate Authorities of said municipality passed, and approved Ordinance 95-11, entitled AN ORDINANCE AMENDING THE ZONING CODE TO ALLOW AUTO RENTAL, SALES AND SERVICE AND DRIVE-IN BANKS AS SPECIAL USES IN THE B-1 DISTRICT AND TO AMEND THE BOUNDARIES OF THE B-3 DISTRICT, which provides by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance 95-11, including the ordinance and cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on March 23, 1995 and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Village Clerk.

Dated at Elburn, Illinois this 24th day of March, 1995.



Barbara K. Horna
Village Clerk
Barbara Horna