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Eugene "Gene" Moore Fee: \$36.00
Cook County Recorder of Deeds
Date: 03/31/2004 12:11 PM Pg: 1 of 7

(Above space for Recorder's Office Only)

VILLAGE OF ROSELLE
31 S. PROSPECT STREET
ROSELLE, IL 60172

DOCUMENT TITLE PAGE

Document Title: Ordinance No. 2004-3058 - Ordinance Approving a Special
Use for a Health Club in a B-2 Convenience Shopping Center Zoning District

Property Address: 407 N. Roselle Rd., Roselle, IL. 60172

P.I.N.'s: 07-34-402-033

Legal Description: See Attached

Prepared By/Submitted By:
Village of Roselle
31 S. Prospect Street
Roselle, IL 60172

Bill and Return To:
Village of Roselle
31 Prospect Street
Roselle, IL 60172

BOX 164

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ORDINANCE 2004-3058

AN ORDINANCE APPROVING A SPECIAL USE FOR A HEALTH CLUB IN A B-2 CONVENIENCE SHOPPING CENTER ZONING DISTRICT (Curves-407 N. Roselle Road)

WHEREAS, the lessee of 407 N. Roselle Road, Barbara Daleiden, has petitioned the Village for a Special Use Permit to operate a health club in a B-2 Convenience Shopping Center Zoning District to be known as Curves for Women Fitness Center; and,

WHEREAS, the Planning and Zoning Commission held public hearing PZ 03-873 on January 8, 2004, pursuant to a published legal notice and neighborhood notification as required by the Village of Roselle and Illinois State laws, to consider the petition of Barbara Daleiden ("Petitioner") requesting a Special Use Permit for a health club (Curves for Women Fitness Center) in a B-2 Convenience Shopping Center Zoning District; and,

WHEREAS, the President and Board of Trustees of the Village of Roselle have been advised of the findings and recommendation to approve the special use from the Planning and Zoning Commission; and,

WHEREAS, the petitioner has demonstrated just cause for the special use by reason of The Roselle Zoning Ordinance, the compatibility of the proposed land use and existing zoning with the existing land uses and existing zoning in the surrounding area; and,

WHEREAS, it is in the best interest of the public's health, safety and welfare for the Corporate Authorities of the Village of Roselle to approve special uses listed within

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the Village of Roselle Zoning Ordinance in a manner consistent with said public hearing and which meet the findings for a Special Use as described in Section 13.11(G)(2); and,

WHEREAS, the special use described herein is being approved pursuant to the authority set forth in the Village of Roselle Zoning Ordinance, Section 13.11 Special Uses and Section 8.03 B-2 Convenience Shopping Center Zoning District.

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

SECTION 1: A special use is hereby granted for a health club (Curves for Women Fitness Center) in a B-2 Convenience Shopping Center District in accordance with Section 13.11 Special Uses and Section 8.03 B-2 Convenience Shopping Center of the Village of Roselle Zoning Ordinance for the property commonly known as 407 N. Roselle Road (Turner Plaza), with the parcel index number of 07-34-402-033, and legally described as follows:

LOT 1 IN BURLER'S SUBDIVISION, A SUBDIVISION IN THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 41 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 17, 1984 AS DOCUMENT 27256052 AS AMENDED BY CORRECTION CERTIFICATE RECORDED DECEMBER 13, 1984 AS DOCUMENT 27371374 (EXCEPT THAT PART OF THE LAND CONDEMNED IN CASE 90L50100) IN COOK COUNTY, ILLINOIS.

PIN: 07-34-402-033

SECTION 2: The special use for a health club referred to in this Ordinance shall be operated and maintained in accordance with the following exhibits, which are attached hereto and incorporated herein by reference as if fully set forth:

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Exhibit A: Site Plan, dated January 5, 2004

Exhibit B: Interior Layout, dated January 5, 2004.

SECTION 3: This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law, subject to the conditions set forth in Section 2 following. This special use is further subject to all applicable ordinances and codes of the Village of Roselle.

SECTION 4: This Ordinance shall be binding upon the Property Owner, Petitioner, their successors, heirs, contract purchasers, and assigns.

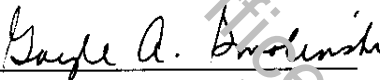
SECTION 5: If any part or portion of this Ordinance is declared invalid by a court of competent jurisdiction, such partial invalidity shall not affect the remainder of this Ordinance.

AYES: Rhode, Plasschaert, Devlin, Eckert, Stephens

NAYS: None


ABSENT: Sass

PASSED and APPROVED this 26th day of January, 2004.



Village President

ATTEST:



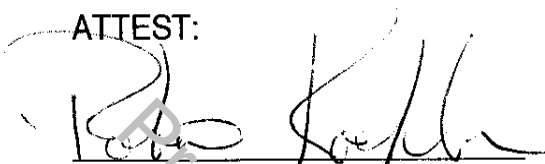
Village Clerk

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PETITIONER:


Barbara Daleiden

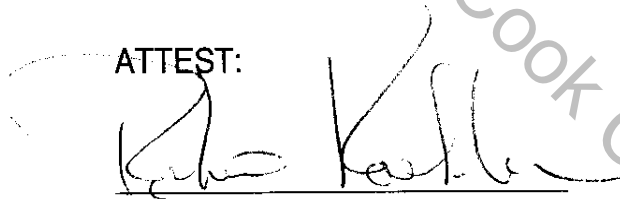
ATTEST:


Kathy Jensen

PROPERTY OWNER:


Kathy Jensen, Property Manager

ATTEST:


Kathy Jensen

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INTERIOR LAYOUT

EXHIBIT B

Lease Area
1,360 sq. ft.

RECEIVED
 JAN 05 2004
 By _____

