

# UNOFFICIAL COPY

ORDINANCE 2018-3994

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT  
TO OPERATE A MASSAGE THERAPY BUSINESS  
(405 N. Roselle Road)**

WHEREAS, the owner of Northwest Massage Therapy, Robert Clark, has petitioned the Village for a special use to operate a massage therapy business in a B-2 Convenience Shopping Center Zoning District located at 405 N. Roselle Road; and,

WHEREAS, the special use described herein is being approved pursuant to the authority set forth in the Village of Roselle Zoning Ordinance, Chapter 13.11 Special Uses and Chapter 8, Section 8.03 Convenience Shopping Center District (C) Special Uses, described herein as being adopted pursuant to the provisions set forth in the Village of Roselle Zoning Ordinance; and,

WHEREAS, the Planning and Zoning Commission held public hearing PZ 18-1071 on November 6, 2018, pursuant to a published legal notice and neighborhood notification as required by the Village of Roselle and Illinois State laws, to consider the proposed special use permit; and,

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

WHEREAS, the Mayor and Board of Trustees of the Village of Roselle have been advised of the positive findings and recommendations of the Planning and Zoning Commission with respect to said special use permit; and,



Doc# 1902406027 Fee \$46.00

EDWARD M. HOODY  
COOK COUNTY RECORDER OF DEEDS  
DATE: 01/24/2019 12:28 PM PG: 1 OF 5

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WHEREAS, the Corporate Authorities have decided to grant the special use permit to operate a massage therapy business in a manner consistent with said public hearing and this ordinance.

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

SECTION 1: A special use permit is hereby granted to operate a massage therapy business in the B-2 Convenience Shopping Center District in accordance with Chapter 13, Section 13.11 Special Uses and Chapter 8, Section 8.03 Convenience Shopping Center District (C) Special uses, of the Village of Roselle Zoning Ordinance pursuant to the conditions and restrictions set forth in Sections 2 and 3 herein for the property commonly known as 405 N Roselle Road, and legally described as:

LOT 1 IN BURLER'S SUBDIVISION OF 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 NO. 27256052, AS AMENDED BY CORRECTION CERTIFICATE RECORDED DECEMBER 13, 1984 AS DOCUMENT NO. 27371374 (EXCEPT THAT PART OF THE LAND CONDEMNED IN CASE 90L51700), IN COOK COUNTY, ILLINOIS.

PIN: 07-34-402-033-0000

SECTION 2: The special use to operate a massage therapy business referred to in this Ordinance shall be operated and maintained in accordance with the Interior Floor Plan, which is attached hereto and incorporated herein by reference as fully set forth as Exhibit "A".

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SECTION 3: That approval of this special use is further subject to the following conditions:

1. The petitioner shall be in full compliance at all times with the regulations and restrictions for massage therapy businesses enforced by the State of Illinois and the Village of Roselle.
2. The business shall not be open to the public any earlier than 9:00 a.m. or any later than 10:00 p.m. on any given day. Appointments or therapy sessions shall not be scheduled before 9:00 a.m. or after 8:00 p.m. on any given day.

SECTION 4: That 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 3. This special use is further subject to all applicable ordinances and codes of the Village of Roselle.

SECTION 5: Provided further, this Ordinance shall automatically become null and void without further action of the Board of Trustees unless, within 30 days of the approval of this Ordinance, it is signed by the Petitioner and returned to the Village Clerk. An extension to this section may be granted by the Village Board following a written request by the Petitioner.

SECTION 6: That 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.

SECTION 7: That upon passage, approval, signing by the Petitioner, and publication of this Ordinance as required by law, the Village Clerk shall record this

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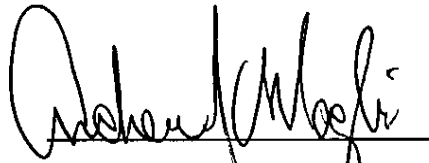
Ordinance and all exhibits in the office of the Cook County Recorder of Deeds. All costs associated with recording shall be solely at the Petitioner's expense.

AYES: Devitt, Trejo, Domke, Pileski, Pransky, Berkshire


NAYS: None

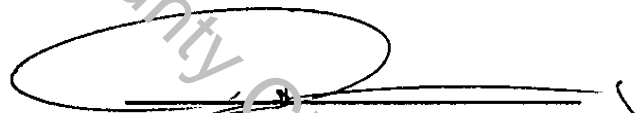
ABSENT: None

PASSED and APPROVED this 10<sup>th</sup> day of December, 2018.

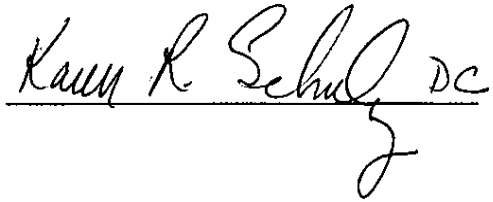
  
\_\_\_\_\_  
Mayor, Village of Roselle

ATTEST:

  
\_\_\_\_\_  
Village Clerk

  
\_\_\_\_\_  
Petitioner

ATTEST:

  
\_\_\_\_\_  
Kay R. Schulz DC

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Entrance

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Treatment Room

Treatment Room

Treatment Room

Treatment Room

Treatment Room

Bathroom