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General Business

89590028

ORDINANCE NO. 84-1238

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE VILLAGE OF ROSELLE, DU PAGE AND COOK COUNTIES, ILLINOIS FOR THE PURPOSE OF GRANTING A SPECIAL USE TO ALLOW A DAY CARE CENTER IN A B-2 COMMUNITY BUSINESS DISTRICT (CROSS CREEK OFFICE PARK)

WHEREAS, the Zoning Board of Appeals has held Public Hearing #360 pursuant to published notice as required by law to consider amending the ROSELLE ZONING ORDINANCE to permit the use of real estate hereinafter described as a special use in the B-2 Community Business District to allow a day care center on a designated part of the property commonly known as the Cross Creek Office Park on Nerge Road; and

WHEREAS, the President and Board of Trustees of the Village of Roselle have been advised of the findings and recommendations of the Zoning Board of Appeals with respect to said special use; and

WHEREAS, the procedure to provide for amending the ROSELLE ZONING ORDINANCE heretofore adopted on September 8, 1959, as amended, has been met and complied with; and

WHEREAS, it is desired to amend the ROSELLE ZONING ORDINANCE in the manner considered at said public hearing;

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: That the ROSELLE ZONING ORDINANCE be amended to grant a special use, as provided in the ROSELLE ZONING ORDINANCE, Section VII, Paragraph C-3, Subparagraph "o" entitled "Day Care Center", to use a portion of the real estate designated on Exhibit A of said real estate being commonly known as Cross Creek Office Park, Nerge Road, Roselle, and legally described as:

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Village of Roselle  
37 S. Prospect St.  
Roselle, IL. 60172

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The East 120 feet of that part of Lot 2 in Cross Creek, being a Subdivision of the Northwest 1/4 of the Southeast 1/4 of Section 35, Township 41 North, Range 10, East of the Third Principal Meridian, in Cook County, Illinois, as described as follows:

Commencing at the Southeast corner of said Lot 2; thence Westerly along the South line thereof a distance of 339.53 feet for the place of beginning; thence continuing Westerly on the South line of said Lot 2 a distance of 320.0 feet; thence North 0 degrees 11 minutes 11 seconds East along a line parallel with the East line of said Lot 2; thence Easterly along the North line of said Lot a distance of 300 feet; thence South 2 degrees 21 minutes 38 seconds East a distance of 449.13 feet to the point of beginning, containing 139,204 square feet, more or less.

for the purpose of operating such a day care center.

Provided, however, the granting of such special use is conditioned upon its development and continued operation in accordance with the following conditions:

1. Location - the day care center shall be located in accordance with the access, parking, playground and building provisions shown on Exhibit A, Site Plan, attached hereto.
2. Access - the day care center property shall contain an access easement to provide ingress and egress to the remaining vacant property to the west as shown on Exhibit B, Plat of Survey, attached hereto.
3. Landscaping - the day care center property shall be landscaped and planted in accordance with the design depicted on Exhibit C, Landscape Plan, attached hereto.
4. Construction - the day care center shall be constructed in substantial conformance with the design and materials depicted on Exhibit D, Building Design, attached hereto.
5. Subdivision - developer shall submit a final plat of subdivision containing cross access provisions and covenants to ensure future access to the property located west of the subject property, without the need for additional curb cuts on Nerge Road.

The Special Use would not have been granted were the development and continued operation of that part of the premises used for such a day care center not to be impressed with such conditions. The development of the property, the conduct and operation of the facility, and the issuance of all permits for such development and continued operation shall take place in accordance with the attached documents, the terms of this ordinance and the other applicable ordinances of the Village and as hereafter amended from time to time, and the payment of the fees and charges contained therein.

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SECTION 2: The official zoning map of the Village of Roselle shall be changed to note the use of the land described herein as a special use for a day care center.

SECTION 3: It is hereby found and determined that the foregoing special use is (a) deemed necessary for the public convenience at the location herein described; (b) is designed, located and proposed to be operated that the public health, safety and welfare will be protected; and (c) such special use will not cause substantial injury to the value of the other property in the neighborhood in which it is located.

SECTION 4: This ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law, except that this Ordinance shall not be effective until the owner of the property described herein shall affix his or its signature to a true and correct copy of this ordinance and to the exhibits appended hereto acknowledging that he or it understands that the granting of the Special Use herein is conditioned upon the development of the Special Use in accordance with the documents appended to this ordinance, the other applicable ordinances of the Village and the payment of the fees contained therein.

Provided further, this ordinance and special use permit shall be null and void if this ordinance is not signed within ninety (90) days and the special use permit is not utilized within one hundred eighty (180) days from the date of this ordinance is enacted.

AYES: Clifford, Walsh, Devlin, Rak, Monroe, Asper

NAYS: None

ABSENT: Mayor Sandra Birdsall

PASSED and APPROVED this 23rd day of April, 1984

PUBLISHED in pamphlet form this 1st day of May, 1984

Sandra Birdsall  
President, Village of Roselle

Owner

ATTEST:

Harriet M. Bird  
Village Clerk

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