



AGENDA ITEM # 7D

AGENDA ITEM EXECUTIVE SUMMARY

Village Board Meeting

February 25, 2019

Item Title: Grady's Garage - Special Use for Automotive Repair

Staff Contact: Patrick N. Watkins, Community Development Director

VILLAGE BOARD ACTION

Pass an ordinance granting a special use for automotive repair in a M- Limited Industrial District (Grady's Garage – 45 N. Garden Avenue).

Executive Summary:

Attached is an Ordinance approving a Special Use Permit for an Automotive Repair Facility at 45 N. Garden Avenue. At the February 11 Committee of the Whole meeting staff was directed to proceed with an ordinance approving the special use.

The special use been requested by the petitioner, Grady Walsh, to accommodate his automotive repair business, Grady's Garage.

Implications:

Is this item budgeted? None

Any other implications to be considered? None

Attachments:

Ordinance

ORDINANCE 2019-_____

AN ORDINANCE GRANTING A SPECIAL USE FOR AUTOMOTIVE REPAIR IN A M-LIMITED INDUSTRIAL DISTRICT

(Grady's Garage – 45 N. Garden Avenue)

WHEREAS, Grady Walsh d.b.a. Grady's Garage, (hereinafter "Petitioner"), has petitioned the Village for a special use for automotive repair in the M-Limited Industrial District at 45 N. Garden Avenue (hereinafter the "Property") ; and,

WHEREAS, the Planning and Zoning Commission held public hearing PZ 18-1072 on February 5, 2019 pursuant to a published legal notice and neighborhood notification as required by the Village of Roselle and Illinois State laws, to consider the petition requesting the granting of a special use for automotive repair at the Property; 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 findings and recommendations of the Planning and Zoning Commission with respect to said special use; and,

WHEREAS, the special use described herein is being approved pursuant to the authority set forth in the Roselle Zoning Ordinance, Section 13.11 "Special Uses", Section 10.01 "M-Limited Industrial District (C) Special Uses"; and,

WHEREAS, the Corporate Authorities have decided to grant a special use to allow automotive repair at the Property in a manner consistent the public hearing and applicable ordinances of the Village.

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 is hereby granted for automotive repair at the Property in accordance with: Chapter 13, Section 13.11, "Special Uses", and Section 10.01 "M-Limited Industrial District (C) Special Uses", of the Roselle Zoning Ordinance, and pursuant to the conditions set forth in Section 2 of this Ordinance. The Property is legally described as:

LOT 4 (EXCEPT THE SOUTH 348 FEET AS MEASURED ALONG THE WEST LINE AND EXCEPT THE EAST 331.1 FEET) IN ROSELLE FARM SITES, A SUBDIVISION IN THE NORTH ½ OF SECTION 4, TOWNSHIP 40 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED

JUNE 20, 1946 AS DOCUMENT 500423, AND CERTIFICATE OF CORRECTION RECORDED APRIL 7, 1947 AS DOCUMENT 518569, IN DUPAGE COUNTY, ILLINOIS.

PIN: 02-04-102-009 and commonly addressed as 45 N. Garden Avenue.

SECTION 2: That approval of this special use is subject to the following conditions and restrictions:

- A. Overnight storage of vehicles will be limited to inside the building on the property currently occupied the Occupant or within the fenced contractor's yard directly behind that building; and
- B. Compliance, and continuing compliance, with the building and fire codes.

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

SECTION 4: 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 5: This Ordinance shall be binding upon the Petitioner, the Owner, and their administrators, assigns, beneficiaries, contract purchasers, executors, grantees, heirs, and successors. For purposes of this Ordinance, the terms "Petitioner" and "Owner" shall include all subsequent owners, successors, heirs, or assigns.

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.

AYES:

NAYS:

ABSENT:

PASSED and APPROVED this 25th day of February, 2019.

PUBLISHED in pamphlet form this _____TH, 2019

Mayor, Village of Roselle

ATTEST:

Village Clerk

Petitioner

ATTEST:
