

ORDINANCE NO. F-0177

**AN ORDINANCE AMENDING CITY OF WHEATON ORDINANCE NO. E-940,
"AN ORDINANCE AUTHORIZING THE ISSUANCE OF A CONDITIONAL
USE PERMIT FOR 430 E. ROOSEVELT ROAD" TO ALLOW THE
CONSTRUCTION AND USE OF A GARAGE AND ADDITION TO THE
EXISTING FUNERAL HOME - 423 AND 427 PERSHING AVENUE
AND 430 EAST ROOSEVELT ROAD (WILLIAMS-KAMPP FUNERAL HOME)**

Whereas, on November 6, 1967, the City of Wheaton, Illinois ("City"), enacted City Ordinance No. E-940, "AN ORDINANCE AUTHORIZING THE ISSUANCE OF A CONDITIONAL USE PERMIT FOR 430 E. ROOSEVELT ROAD" ("original ordinance"), authorizing the issuance of a conditional use permit (n/k/a "special use permit") to allow the construction and use of a mortuary on the subject property commonly known as 430 East Roosevelt Road, Wheaton, Illinois; and

WHEREAS, written application has now been made to amend the special use permit granted in the original ordinance to allow the construction and use of an addition to the existing funeral home with front and side-yard setback variations and a garage facility on the property legally described herein; and

WHEREAS, pursuant to notice as required by the Illinois Municipal Code and the Wheaton Zoning Ordinance, a public hearing was conducted on August 12, 1997, by the Wheaton Board of Zoning Appeals.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Wheaton, DuPage County, Illinois, pursuant to its home rule powers, as follows:

Section 1: The following described property has been and continues to be zoned and classified in the O-R Office and Research District classification:

PIN 05-21-200-051

THE EAST 60 FT. OF LOT 18 (EXCEPT THE NORTH 8.0 FEET THEREOF) AND THE WEST 90 FEET OF LOT 17 (EXCEPT THE NORTH 8.0 FEET THEREOF) IN ROOSEVELT HEIGHTS, A SUBDIVISION OF PART OF THE NORTH ½ OF THE NORTH ½ OF SEC. 21, T. 39 N., R. 10, E. OF THE 3RD P.M., IN WHEATON, DUPAGE COUNTY, ILLINOIS.

This property is now commonly known as 430 East Roosevelt Road, Wheaton, IL 60187 ("subject property").

The Zoning Map, which is attached to and forms a part of the Zoning Ordinance of Wheaton, Illinois, is amended by deleting the following described property from the R-3 Single

Family Residential District zoning classification and including them in the O-R Office and Research District Zoning Classification.

PIN 05-21-200-078

THE EAST HALF OF LOT 28 (EXCEPT THE SOUTH 167.0 FEET THEREOF) IN ROOSEVELT HEIGHTS, BEING A SUBDIVISION OF PART OF THE NORTH HALF OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 12, 1919 AS DOCUMENT 138250, IN DUPAGE COUNTY, ILLINOIS.

This property is commonly known as the rear portion of 423 East Pershing Avenue, Wheaton, IL 60187 ("subject property").

PIN 05-21-200-079

THE WEST HALF OF LOT 29 (EXCEPT THE SOUTH 167.0 FEET THEREOF) IN ROOSEVELT HEIGHTS, BEING A SUBDIVISION OF PART OF THE NORTH HALF OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 12, 1919 AS DOCUMENT 138250, IN DUPAGE COUNTY, ILLINOIS.

This property is commonly known as the rear portion of 423 East Pershing Avenue, Wheaton, IL 60187 ("subject property").

Section 2: The original ordinance and the special use permit granted therein are amended by adding the following subsection to Section 2 of the original ordinance:

"6. Pursuant to the Findings of Fact determined by the City Council, the amendment to the original ordinance and the special use permit granted therein are hereby granted and issued to allow the construction and use of an addition to the existing funeral home with front and side-yard setback variations and a 3,600 foot detached garage facility on the subject property in full compliance with the following conditions, restrictions, and requirements:

- A. The "Site Plan" identified as Sheet Number A1, dated October 2, 1997, and the "Garage Floor Plan" identified as Sheet Number B1, dated October 2, 1997 prepared by W. E. Green, Architect, Wheaton, Illinois.
- B. The following variations from the provisions of Article III, Sec. 5, are granted:
 1. A front-yard setback variation of 14.65 feet, in lieu of 20 feet, on the subject property from the right-of-way of Roosevelt Road.

2. For the proposed detached garage, an 8-foot side-yard setback on the west side of the subject property and a 5-foot side-yard setback on the east side of the subject property, in lieu of 15 feet.
7. Prior to the issuance of a building and/or site development permit, Owner shall:
 - A. Prepare a final engineering plan, in conformance with all City Codes and standards, for the subject property. The final engineering plan shall be subject to the reasonable approval of the Director of Engineering.
 - B. Prepare a final plat of subdivision for staff review and approval by the Wheaton City Council.

Section 2: In all other respects, the terms and provisions of the original ordinance are ratified and remain in full force and effect.

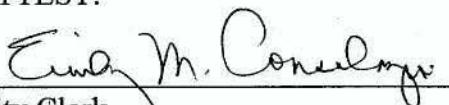
Section 3: All ordinances and parts of ordinances in conflict with these provisions are hereby repealed.

Section 4: This ordinance shall become effective from and after its passage, approval, and publication in pamphlet form in the manner prescribed by law.



Mayor

ATTEST:



Cindy M. Connelly
City Clerk

Ayes:

Roll Call Vote
Councilman Mork
Councilman Gresk
Mayor Pro Tem Eckhoff
Councilman Johnson
Councilwoman Johnson

Nays:

Councilwoman Davenport

Absent:

Mayor James C. Carr

Motion Carried

Passed: October 20, 1997
Published: October 21, 1997



R98-248640

98 NOV 30 PM 2:45

RECORDER
DU PAGE COUNTY

Plamer

*S
4*

Mayor
C. James Carr

City Council
Linda E. Davenport
Grant Eckhoff
Michael J. Gresk
Linda W. Johnson
W. David Johnson
Robert Mork

City Manager
Donald B. Rose

CITY OF WHEATON, ILLINOIS

ORDINANCE NO. F-0177

AN ORDINANCE AMENDING CITY OF WHEATON ORDINANCE NO. E-940, "AN ORDINANCE AUTHORIZING THE ISSUANCE OF A CONDITIONAL USE PERMIT FOR 430 EAST ROOSEVELT ROAD" TO ALLOW THE CONSTRUCTION AND USE OF A GARAGE AND ADDITION TO THE EXISTING FUNERAL HOME-423 AND 427 PERSHING AVENUE AND 430 EAST ROOSEVELT ROAD (WILLIAMS-KAMPP FUNERAL HOME)

I HEREBY CERTIFY that I am the City Clerk of the City of Wheaton, DuPage County, Illinois, and that, as such City Clerk, I have the custody of the papers, entries, records and ordinances of said City.

I FURTHER CERTIFY that the attached is a true and correct copy of City of Wheaton Ordinance No. F-0177 which was adopted by the Wheaton City Council on October 20, 1997. This ordinance was recorded as Document No. R97-166503 on October 31, 1997, and page two of said ordinance was inadvertently omitted. The attached ordinance is the full and complete copy of Ordinance No. F-0177 containing all three pages as adopted.

I have hereunto set my hand and affixed the seal of said City this 16th day of November, 1998.

Emily M. Consolazio
City Clerk

(PREPARED BY/RETURN TO)

Emily Consolazio, City Clerk
City of Wheaton
303 W. Wesley Street
Wheaton, IL 60187