

**AN ORDINANCE GRANTING A PARKING LOT LANDSCAPE SETBACK
VARIATION ON CERTAIN PROPERTY COMMONLY KNOWN
AS 1600 EAST ROOSEVELT ROAD - RICHARD SMYKAL, INC.**

WHEREAS, written application has been made requesting a variation from the provisions of Section 6.6.2 of the Wheaton Zoning Ordinance on certain property legally described herein and commonly known as 1600 East Roosevelt Road, Wheaton, Illinois; and

WHEREAS, pursuant to notice as required by the Illinois Municipal Code and the Wheaton Zoning Ordinance, a public hearing was conducted by the Wheaton Board of Zoning Appeals on January 26, 1999, to consider the variation request; and the Wheaton Board of Zoning Appeals has recommended approval of the zoning variation.

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: Pursuant to the Findings of Fact determined by the Wheaton Board of Zoning Appeals, a variation from the requirements of Section 6.6.2 of the Wheaton Zoning Ordinance is granted to permit a landscape setback of zero (0) feet, in lieu of ten (10) feet, thereby eliminating any landscaping adjacent to the west property line of the following-described property:

LOTS 9, 10, AND 11 IN BLOCK 32 IN WHEATON ESTATES, BEING A SUBDIVISION IN SECTION 22, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 12, 1924 AS DOCUMENT 182391 IN DUPAGE COUNTY, ILLINOIS, AND LOTS 12, 13 AND 14 IN BLOCK 32 IN WHEATON ESTATES, BEING A SUBDIVISION IN SECTION 22, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 12, 1924 AS DOCUMENT 182391, IN DUPAGE COUNTY, ILLINOIS, AND THE EASTERLY THIRTY-THREE FEET (33') OF THAT PART OF PROSPECT AVENUE LYING WEST OF AND ADJACENT TO LOTS 11 AND 12 IN BLOCK 32 IN WHEATON ESTATES, A SUBDIVISION IN SECTION 22, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 12, 1924 AS DOCUMENT NO. 182391 IN DUPAGE, ILLINOIS, AND CONSISTING OF 8,547 SQUARE FEET.

PIN: 05-22-103-025 and 05-22-103-028

This property is commonly known as 1600 East Roosevelt Road, Wheaton, IL 60187.

Section 2: The use and operation of the subject property shall be consistent with the site plan entitled, "Proposed Reuse Plan, 1600 E. Roosevelt/1607 E. Taft Parking Area", prepared by Richard Smykal, Inc., dated November 12, 1998 and bearing revised dates of December 1, 1998 and December 12, 1998, which is on file in the office of the City Clerk and is incorporated into this ordinance by this reference.

Section 3: As a condition precedent to the effectiveness of the variation provided for in this ordinance, the eastern drive entrance shall be designated as an exit, only; and the angled parking spaces along the eastern property line shall be re-striped from ninety (90) degree angle spaces to

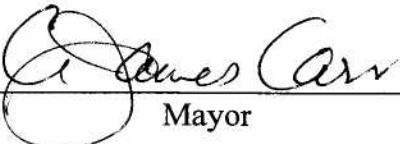
forty-five (45) degree angle spaces, consistent with the eastern Roosevelt Road curb-cut being designated as an "exit only." The re-striping and signs controlling the egress of traffic from the subject property onto Roosevelt Road shall be subject to the reasonable approval of the City Engineer.

Section 4: All ordinances or parts of ordinances in conflict with these provisions are repealed.

Section 5: This ordinance shall become effective from and after its passage, approval, and publication in pamphlet form in the manner prescribed by law.

ATTEST:

Emily M. O'neal
City Clerk



Mayor

Ayes:

Roll Call Vote:

Councilwoman Davenport
Councilman Eckhoff
Councilman Gresk
Mayor Carr
Councilman Johnson
Councilwoman Johnson
Councilman Mork

Nays:

None

Absent:

None

Motion Carried Unanimously

Passed: March 1, 1999

Published: March 1, 1999