

**ORDINANCE NO. F-0427**

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT AND A  
ZONING VARIATION ON A CERTAIN PIECE OF PROPERTY  
COMMONLY KNOWN AS  
324 S. HALE STREET - R. M. DESIGN STUDIO**

**WHEREAS** written application has been made requesting a special use permit to allow the construction of an off-street tandem parking lot and a variation to Article 22.5.15 of the City of Wheaton Zoning Ordinance to reduce the required number of parking spaces from six to five to allow the conversion of a single family residence to a business and professional office on certain piece of property legally described herein and commonly known as 324 S. Hale Street, 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 December 14, 1999, to consider the special use and variation request and the Wheaton Board of Zoning Appeals has recommended approval of the special use permit and 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: The following described property has been and continues to be zoned and classified in the C-4 CBD Perimeter Commercial District:

THE SOUTH 76.7 FEET OF LOT 12 AND THE EAST 26 FEET OF THE SOUTH 76.7 FEET OF LOT 11 IN BLOCK 7 IN J.C. WHEATON'S ADDITION TO THE TOWN OF WHEATON, BEING A SUBDIVISION IN THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 7, 1855 AS DOCUMENT 9567, IN DUPAGE COUNTY, ILLINOIS. P.I.N. 05-16-322-021

The subject property is commonly known as 324 S. Hale Street, Wheaton IL 60187.

Section 2: Pursuant to the Findings of Fact determined by the Wheaton Board of Zoning Appeals, a special use permit is granted to allow the construction of an off-street tandem parking lot and a variation to Article 22.5.15 of the City of Wheaton Zoning Ordinance to reduce the required number of parking spaces from six to five to allow the conversion of a single family residence to a business and professional office accordance with the plans entitled "*2-Story Frame Building, 324 S. Hale prepared by R. M. Design Studio, dated December 11, 1999*" and subject to the following conditions and requirements:

1. The proposed parking lot shall be constructed in accordance with the minimum construction standards and material requirements contained in Article 22.4.5 of the City of Wheaton Zoning Ordinance. The proposed drive approach shall be constructed in accordance with the requirements set forth in Chapter 58 of the Wheaton City Code.

2. The setbacks of the proposed parking lot shall be as dictated by Article 22.3.4 of the City of Wheaton Zoning Ordinance. The proposed parking lot shall be screened from view with a landscape hedge as approved by the Director of Planning.
3. The location and screening of any garbage receptacles shall be subject to the approval of the Director of Planning.
4. Any defective public sidewalk squares adjacent to the site shall be removed and replaced at the direction of the Director of Engineering at the applicant's sole cost and expense prior to the issuance of an occupancy permit.

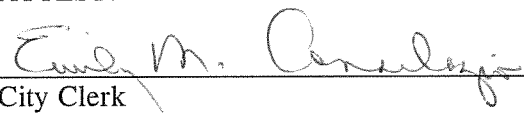
Section 3. This special use permit and the conditions, restrictions and requirements recited herein, shall be considered a declaration of restrictive covenants and shall be binding upon the subject property and its owner, its successors, assigns and grantees. This ordinance shall be recorded in the office of the Recorder of Deeds, DuPage County, Illinois.

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.

  
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Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

Roll Call Vote:

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

Nays:	None
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Absent:	None
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Motion Carried Unanimously

Passed: January 18, 2000  
Published: January 19, 2000