

## ORDINANCE NO. F-0463

### AN ORDINANCE GRANTING A ZONING VARIATION ON A CERTAIN PIECE OF PROPERTY COMMONLY KNOWN AS 315 W. FRONT STREET - GINO'S EAST

**WHEREAS**, written application has been made requesting a variation to Article 22.2.4 of the City of Wheaton Zoning Ordinance to permit more than one-third of the required parking for a new use to be fulfilled by the utilization of available municipal parking on a certain piece of property legally described herein and commonly known as 315 W. Front Street, Wheaton, IL; 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 May 9, 2000, to consider the variation request and the Wheaton Board of Zoning Appeals has unanimously 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 is granted to allow more than one-third of the required parking for a new use to be fulfilled by the utilization of available municipal parking in substantial compliance with the plans entitled "Gino's East/Wheaton, dated 4/4/00, prepared by K-2 Architects; 315 W. Front Street, Wheaton, Front-Elevation and site and furniture plan dated 21/21/00 and verified 4/4/00. Prepared by K-2 Architects; and subject to the following conditions, restrictions and requirements:

- a. Prior to re-issuance of a site development or building permit, the applicant shall submit a revised site plan which indicates the screening of the rear parking lot. The revised site plan shall be subject to the reasonable approval of the Director of Planning.

The property that is the subject of the variation is legally described as:

THAT PART OF LOT 9 IN BLOCK ONE IN J.C. WHEATON'S ADDITION TO THE TOWN OF WHEATON IN THE WEST HALF OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT; THENCE NORTHERLY ALONG THE WEST LINE OF LOT 9 TO THE NORTHWEST CORNER THEREOF; THENCE EASTERLY, 0.45 FEET ALONG THE NORTHERLY LINE OF SAID LOT TO THE WEST FACE OF AN EXISTING BRICK BUILDING KNOWN AS HOLSTEIN'S GARAGE; THENCE SOUTHERLY ALONG SAID WEST FACE TO THE SOUTH LINE OF LOT 9; THENCE WESTERLY, 1.2 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS; AND ALSO

LOT 8 IN BLOCK ONE IN J.C. WHEATON'S ADDITION TO THE TOWN OF WHEATON IN THE WEST HALF OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPT THAT PART LYING WEST OF THE EAST FACE OF AN EXISTING BUILDING & LYING WEST OF THE EAST FACE OF AN EXISTING BUILDING & LYING WEST OF SAID EAST FACE EXTENDED SOUTHERLY, (ALONG THE WEST LINE OF SAID LOT) IN THE SOUTHERLY 90 FEET THEREOF, SAID EXCEPTION BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 8; THENCE NORTHERLY, 90 FEET

ALONG THE WEST LINE OF SAID LOT TO THE NORTH LINE OF THE SOUTHERLY 90 FEET OF SAID LOT 8; THENCE EASTERLY, 0.31 FEET ALONG THE NORTH LINE OF SAID SOUTHERLY 90 FEET TO THE EAST FACE OF AN EXISTING BRICK BUILDING; THENCE SOUTHERLY ALONG SAID EAST FACE & THE EXTENSION THEREOF LINE OF SAID LOT 8; THENCE WESTERLY, 0.44 FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS; AND ALSO

THAT PART OF THE SOUTH 6.5 FEET OF VACATED ALLEY PER DOCUMENT 311038 LYING CONTAGIOUS (SIC.) AND ADJACENT TO THE ABOVE DESCRIBED PARCEL. P.I.N. 05-16-300-020

The property is commonly known as 315 W. Front Street, Wheaton, IL 60187.

Section 2: All ordinances or parts of ordinances in conflict with these provisions are repealed.

Section 3: 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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James Carr

Mayor

ATTEST:

  
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Emily M. Cerasella  
City Clerk

Roll Call Vote:

Ayes:

Councilman Mork  
Councilwoman Davenport  
Mayor Pro Tem Eckhoff  
Councilman Gresk  
Councilwoman Johnson

Nays:

None

Absent:

Mayor Carr  
Councilman Johnson

Motion Carried Unanimously

Passed: May 15, 2000  
Published: May 16, 2000