

ORDINANCE NO. F-0634

AN ORDINANCE DENYING A SPECIAL USE PERMIT FOR
AUTOMOTIVE TRANSMISSION REPAIR FACILITY AT
1525 NORTH MAIN STREET - AAMCO

WHEREAS, written application has been made for the issuance of a special use permit to allow an automotive repair facility (transmission repair shop) on the property legally described herein within the city limits of Wheaton, Illinois, and commonly located at 1525 North Main Street; and

WHEREAS, pursuant to notice as required by the Illinois Municipal Code and the Wheaton Zoning Ordinance, public hearings were conducted by the Wheaton Board of Zoning Appeals on June 26, 2001, and August 14, 2001, to consider the issuance of the special use permit.

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-3 General Commercial District zoning classification:

LOT 11, 12, 13, 14, 15, 16, 17, 18, 19 AND 20 (EXCEPT THE EAST 10 FEET OF LOT 201 AND THAT PART OF 16 FOOT ALLEY LYING SOUTH OF THE NORTH LINE OF LOT 12, EXTENDED EASTERLY TO THE WEST LINE OF LOT 11 AND NORTH OF THE SOUTH LINE OF LOT 19, EXTENDED EASTERLY, TO THE WEST LINE OF LOT 20 AND THE EAST ½ OF THAT PART OF SAID ALLEY LYING NORTH OF THE NORTH LINE OF LOT 12 EXTENDED EAST, TO THE WEST LINE OF LOT 11 AND THE EAST ½ OF THAT PART OF SAID ALLEY LYING SOUTH OF THE SOUTH LINE OF LOT 19 EXTENDED EAST, TO THE WEST LINE OF LOT 20 IN BLOCK 3 IN ARTHUR T. MCINTOSH AND COMPANY'S BOULEVARD SUBDIVISION OF PART OF THE NORTH ½ OF THE SOUTH ½ OF SECTION 9 TOWNSHIP 39 NORTH RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 20, 1923 AS DOCUMENT 171777, IN DUPAGE COUNTY, ILLINOIS.

P.I.N'S. 05-09-301-002 05-09-301-004 05-09-301-015

The subject property is commonly known as 1525 N. Main Street, Wheaton, IL 60187.

SECTION 2: The following Findings of Fact are hereby determined:

- A. The operation of a transmission repair facility on the subject property would be detrimental to the public health, safety and general welfare of the City, and more specifically, the residential neighborhood and citizens in the immediate vicinity of the subject property.
- B. The use of the subject property as a transmission repair facility would be

detimental and adverse to the uses and enjoyment of other property in the immediate vicinity of the subject property for those uses presently permitted.

- C. The use of the subject property as a transmission repair facility would substantially diminish property values in the residential neighborhood in the residential neighborhood in the immediate vicinity east of the subject property.
- D. The use of the subject property as a transmission repair facility would impede and adversely effect the orderly development and improvement of the real estate in the immediate vicinity of the subject property for those uses permitted by the City Zoning Ordinance.
- E. The use of the subject property as a transmission repair facility would result in motor vehicle ingress and egress to the subject property causing traffic congestion on the subject property.
- F. In order to use the subject property as a transmission repair facility, special use permit conditions, restrictions and requirements would be necessary; however, the enforcement of the special use permit conditions, restrictions and requirements by the City would be administratively inefficient and contrary to the custom and practice of the City zoning administration.

SECTION 3: Pursuant to the Findings of Fact determined in Section 2 of this ordinance, the special use permit for a transmission repair facility on the subject property is hereby denied.

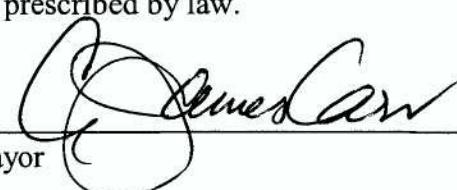
SECTION 4: All ordinances or parts of ordinances in conflict with these provisions are repealed.

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. Consalago
City Clerk

Ayes:


James Carr
Mayor

Roll Call Vote:

Councilman Mouhelis; Councilman Eckhoff;
Councilman Gresk; Councilman Johnson;
Mayor Carr; Councilwoman Johnson; Councilman
Mork; Councilman Mouhelis

Nays:

None

Absent:

None

Motion Carried Unanimously

Passed: September 17, 2001

Published: September 18, 2001