

**ORDINANCE NO. F-0931**

**AN ORDINANCE AMENDING THE WHEATON ZONING MAP  
AND GRANTING A SPECIAL USE PERMIT  
FOR A BANK DRIVE-THRU FACILITY ON THE NORTHEAST CORNER OF  
WESLEY AND SCOTT STREETS/BANK ONE**

**WHEREAS**, written application has been made to:

1. Amend the Zoning Map, which is attached to and forms a part of the Zoning Ordinance of Wheaton, Illinois, to rezone certain real estate legally described in this ordinance from the R-5 Residential district to the C-4 CBD Perimeter Commercial district;
2. Secure a Special Use Permit to allow Bank One to construct a new drive-thru banking facility consisting of a 550 square foot building with three drive-thru banking lanes and two drive-thru ATM lanes on an existing Bank One parking lot and two residential properties commonly located at the northeast corner of Wesley and Scott Streets; and
3. Receive a variation from the provisions of Article 22.3.3 of the City of Wheaton Zoning Ordinance to allow the construction of an on-site surface parking lot adjacent to the proposed drive-thru banking facility building,

all on the property legally described herein within the city limits of Wheaton, Illinois, and commonly known as 307 and 311 E. Wesley Street and 207 N. Scott Street, Wheaton, IL 60187; 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 Planning and Zoning Board on May 25, 2004, June 8, 2004 and June 22, 2004, to consider the zoning amendment, issuance of the special use permit and variation; and the Board has recommended the zoning amendment, issuance of the special use permit and granting of the variation;

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

**Section 1:** 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-5 Residential District and the C-4 CBD Perimeter District zoning classifications and including said property in the C-4 CBD Perimeter District zoning classification:

LOT 2 IN MILO BUTTERFIELD HOMESTEAD BEING A DIVISION OF LOTS 8 AND 0 AND THE WEST 45 FEET OF LOT 10, ALL IN BLOCK 1 OF THE PLAT OF THE TOWN OF WHEATON, IN THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THERE OF JUNE 20, 1853 AS DOCUMENT 7256, IN DUPAGE COUNTY, ILLINOIS.

AND

THE NORTH HALF OF LOT 7 IN BLOCK 1 OF THE TOWN OF WHEATON, A SUBDIVISION IN SECTION 16, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN

DUPAGE COUNTY, ILLINOIS.

PIN NO: 05-16-136-010 AND 05-16-136-007

This property is commonly known as 311 E. Wesley Street and 207 N. Scott Street, Wheaton, IL 60187 ("portion of subject property being rezoned").

The following property is and continues to be zoned in the C-4 CBD Perimeter District:

LOT 1 IN MILO BUTTERFIELD HOMESTEAD BEING A DIVISION OF LOTS 8 AND 0 AND THE WEST 45 FEET OF LOT 10, ALL IN BLOCK 1 OF THE PLAT OF THE TOWN OF WHEATON, IN THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THERE OF JUNE 20, 1853 AS DOCUMENT 7256, IN DUPAGE COUNTY, ILLINOIS.

AND

THE SOUTH HALF OF LOT 7 IN THE TOWN OF WHEATON, IN THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF JUNE 20, 1853 AS DOCUMENT 7256, IN DUPAGE COUNTY, ILLINOIS.

PIN NO: 05-16-136-016

The subject property is commonly known as 307 E. Wesley Street, Wheaton, IL 60187 ("portion of subject property zoned in the C-4 district").

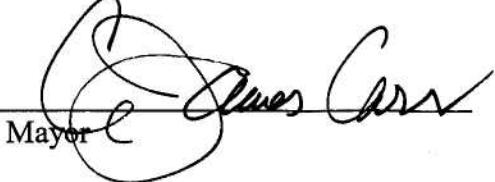
**Section 2:** Pursuant to the Findings of Fact made and determined by the Planning and Zoning Board, a special use permit is hereby issued to allow for the construction and use of a new drive-thru banking facility consisting of a 550 square foot building with three drive-thru banking lanes and two drive-thru ATM lanes in full compliance with the plans prepared by Interplan Midwest LLC, entitled *Site Plan* dated *May 3, 2004*; *Floor Plan Ref. Clg. Plan* dated *May 3, 2004*; and *North Elevation, South Elevation, East Elevation, and West Elevation* dated *April 8, 2004* and in further compliance with the following conditions, restrictions, and requirements:

1. A privacy fence shall be erected along the north property line adjacent to the parking lot, leaving the landscaped northeast and northwest corners of the property open to view from the north; and
2. Owner/Developer shall file a plat of consolidation prior to the issuance of any building permit; the plat shall be subject to the reasonable approval of the Director of Engineering.

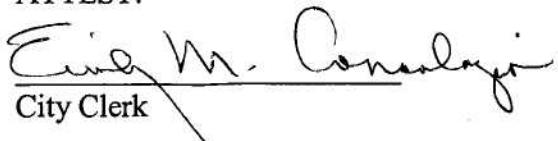
**Section 3:** Pursuant to the Findings of Fact made and determined by the Planning and Zoning Board, a variation from the provisions of Article 22.3.3 of the Zoning Ordinance is granted to allow a four foot parking lot setback.

**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.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
Cindy M. Connelly  
City Clerk

Ayes:

Roll Call Vote  
Councilwoman Johnson  
Councilman Mork  
Councilman Mouhelis  
Councilman Bolds  
Councilwoman Corry  
Councilman Johnson  
Mayor Carr

Nays: None

Absent: None

Motion Carried Unanimously

Passed: July 19, 2004  
Published: July 20, 2004