

ORDINANCE NO. F-1212

**AN ORDINANCE AMENDING CITY OF WHEATON ORDINANCE NO. E-1811,
“AN ORDINANCE AMENDING THE WHEATON ZONING MAP AND AMENDING
CITY OF WHEATON ORDINANCE NO. E-1792 PERTAINING TO A CERTAIN PIECE
OF PROPERTY COMMONLY LOCATED AT 1733 N. MAIN STREET (EULERT)”,
DATED AUGUST, 1981, AND GRANTING A REAR YARD VARIANCE ON THE
PROPERTY COMMONLY KNOWN AS
1733 NORTH MAIN STREET/RUFFOLO**

WHEREAS, in August of 1981 the City enacted City Ordinance No. E-1811, entitled “AN ORDINANCE AMENDING THE WHEATON ZONING MAP AND AMENDING CITY OF WHEATON ORDINANCE NO. E-1792 PERTAINING TO A CERTAIN PIECE OF PROPERTY COMMONLY LOCATED AT 1733 N. MAIN STREET (EULERT)” (“Original Ordinance”), on certain property legally described herein within the city limits of Wheaton, Illinois (“City”), and commonly located at 1733 N. Main Street (“Subject Property”); and

WHEREAS, written application has been made to amend the Original Ordinance to allow the construction of an addition to convert three self service carwash bays to automatic carwash bays on the subject property; and

WHEREAS, written application has been made requesting a variation from the provisions of Article 18.5D(d) of the Wheaton Zoning Ordinance to allow the construction of an addition with a rear yard setback of 1.5 feet in lieu of the required 10 feet on the subject property; 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 September 26, 2006, to consider the requested amendment to the Original Ordinance and requested setback variance and the Board voted unanimously to recommend approval of the requests, subject to certain conditions.

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 Business District Zoning Classification:

THE SOUTH 82 FEET OF THE WEST 150 FEET OF LOT 5 AND THE NORTH 68 FEET OF THE WEST 150 FEET OF LOT 6 IN BLOCK 4 IN ARTHUR T. MCINTOSH AND CO.'S GENEVA ROAD SUBDIVISION, BEING A SUBDIVISION IN THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 26, 1924 AS DOCUMENT 179449 AND CERTIFICATE OF CORRECTION FILED AUGUST 5, 1924 AS DOCUMENT 180974, IN DUPAGE COUNTY, ILLINOIS.

R2006-237039

P.I.N. 05-09-108-006

The Subject Property is commonly known as 1733 N. Main Street, Wheaton, IL 60187.

Section 2: The special use permit authorized pursuant to the Original Ordinance is hereby amended to allow the construction of an addition to convert three self service carwash bays to automatic carwash bays on the subject property, in full compliance with the plans entitled "*Proposed Carwash Addition*", prepared by *LaPage and Associates Ltd., Wheaton, IL*, in further compliance with the following conditions, restrictions, and requirements:

1. A solid fence shall be erected along the eastern property line to screen the property to the east, meeting the reasonable approval of the Director of Planning and Economic Development; and
2. A vehicle stacking plan shall be submitted, meeting the reasonable approval of the Director of Planning and Economic Development; and
3. A landscape plan shall be submitted, meeting the reasonable approval of the Director of Planning and Economic Development.


Section 3: Pursuant to the Findings of Fact determined by the Wheaton Planning & Zoning Board a variation is hereby granted to Article 18.5D(d) of the Wheaton Zoning Ordinance to allow the construction of an addition with a rear yard setback of 1.5 feet in lieu of the required 10 feet on the subject property in accordance with the plans entitled "*Proposed Carwash Addition*", prepared by *LaPage and Associates Ltd., Wheaton, IL*.


Section 4: In all other respects, the terms and provisions of the Original Ordinance are ratified and remain in full force and effect.

Section 5: All ordinances or parts of ordinances in conflict with these provisions are repealed.

Section 6: This ordinance shall become effective from and after its passage, approval, and publication in pamphlet form in the manner prescribed by law.

ATTEST:


City Clerk


Mayor

Roll Call Vote

Ayes: Councilwoman Corry
Councilman Johnson
Mayor Carr
Councilman Mouhelis
Councilman Suess
Councilman Bolds

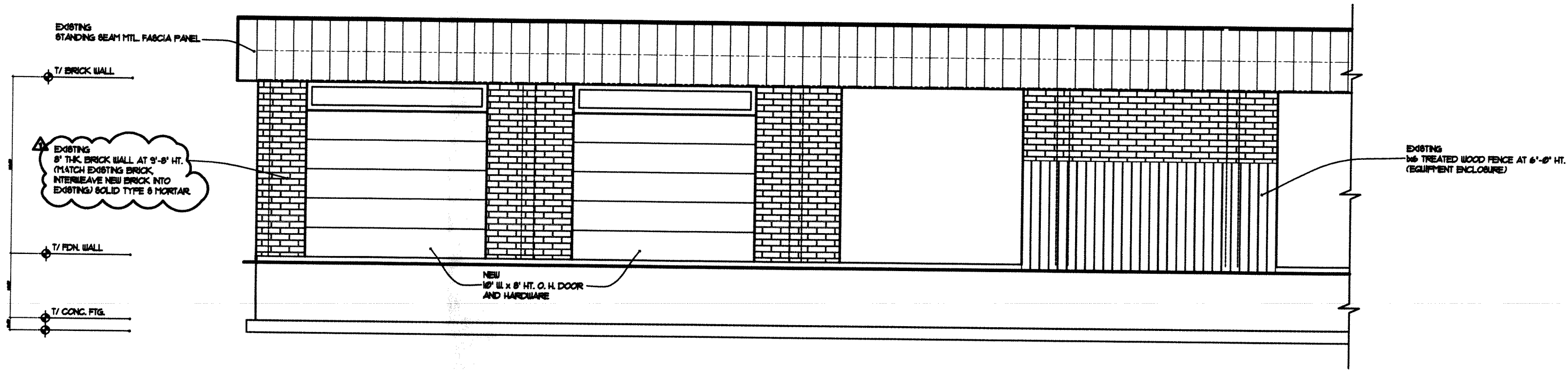
Nays: None

Absent: Councilman Levine

Motion Carried Unanimously

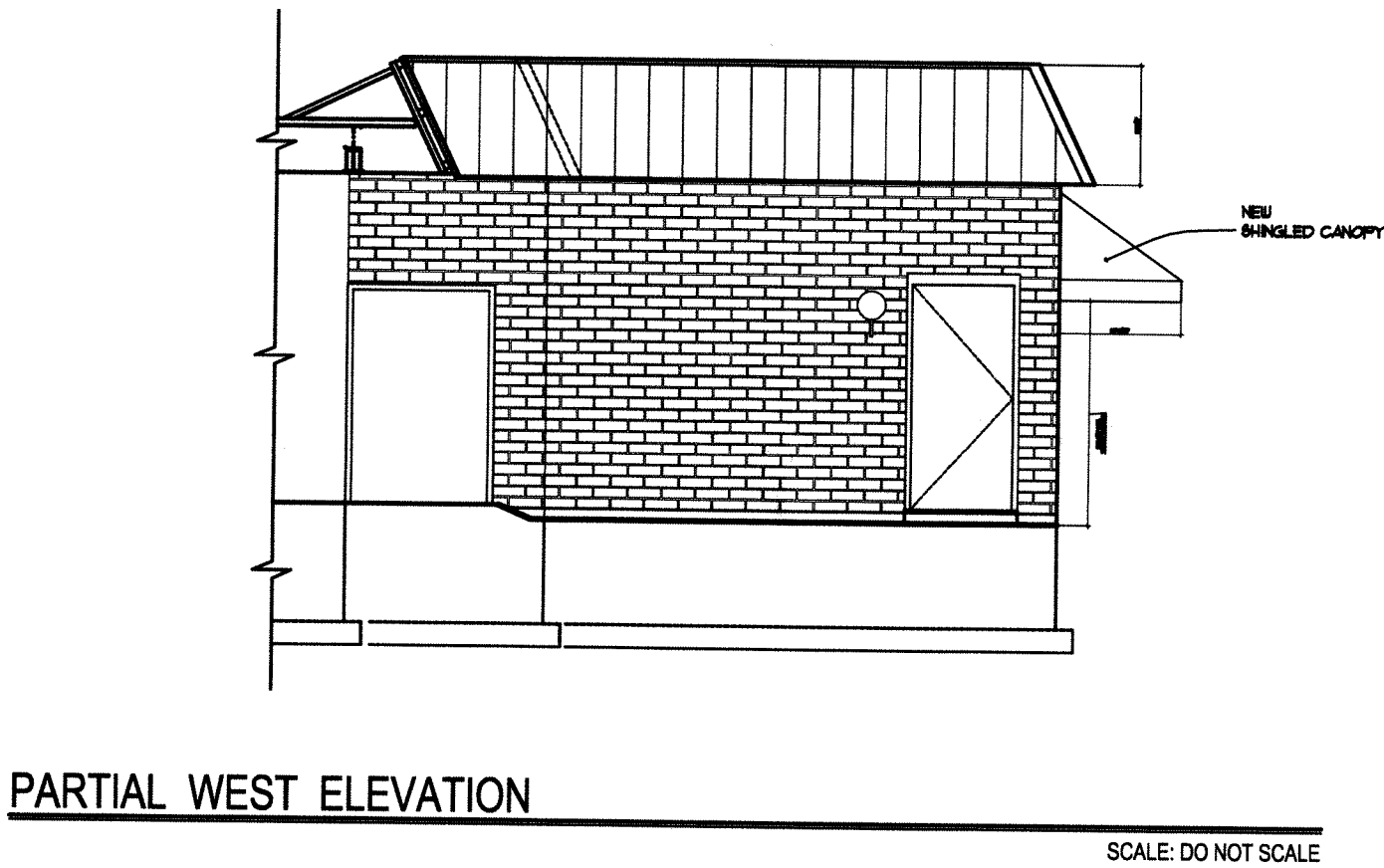
Passed: October 16, 2006
Published: October 17, 2006

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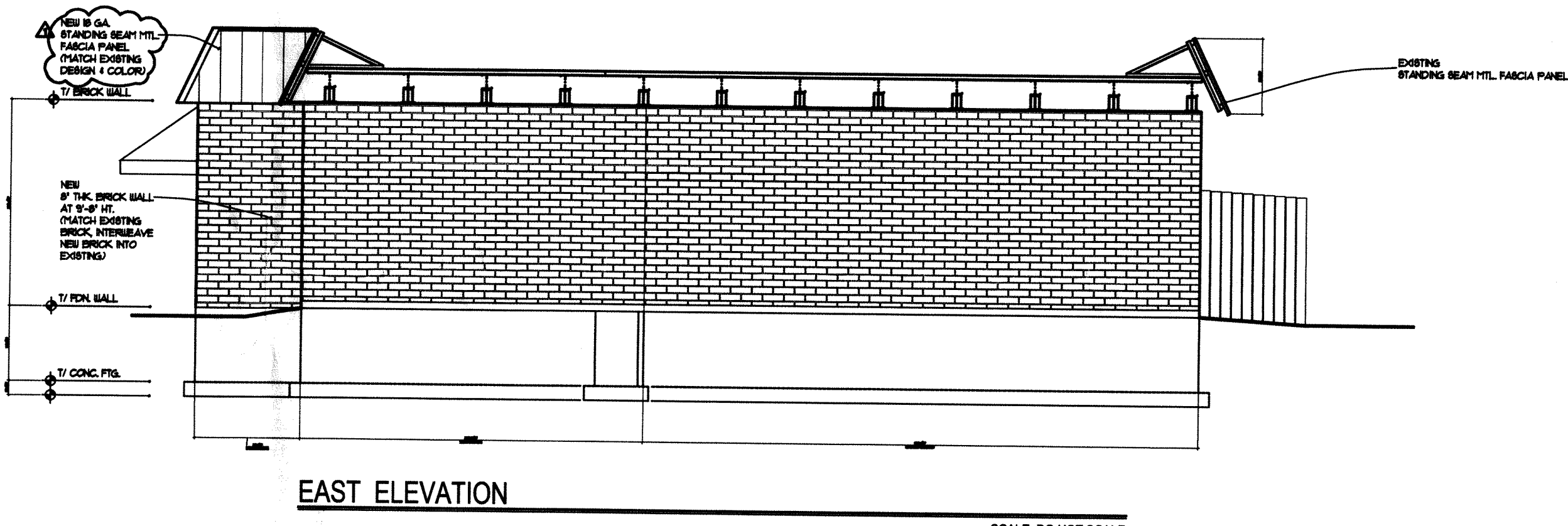
PARTIAL NORTH ELEVATION

SCALE: DO NOT SCALE



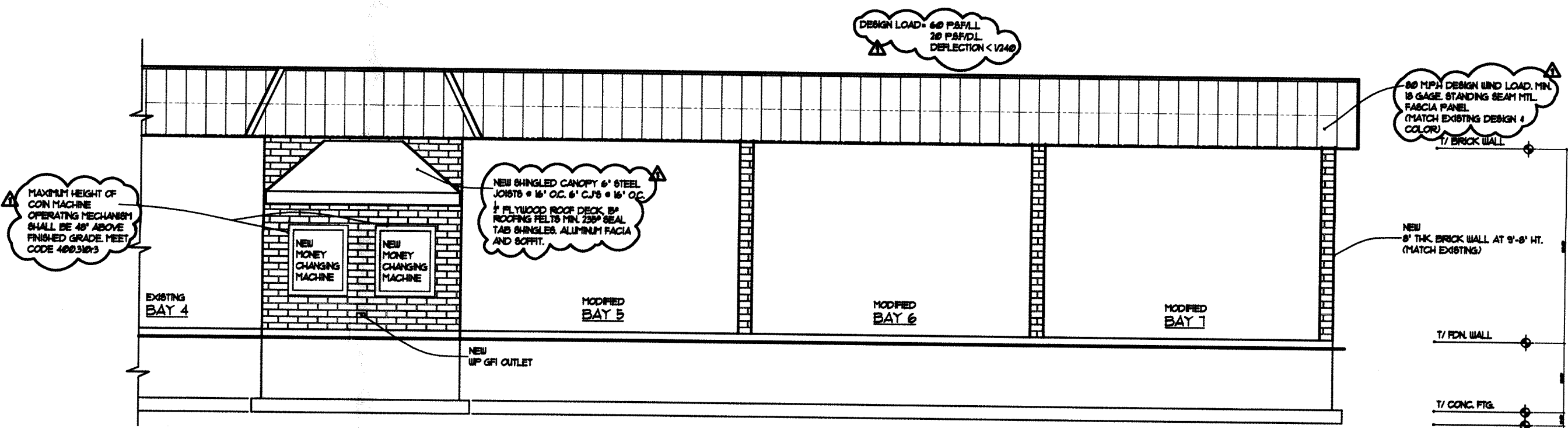
PARTIAL WEST ELEVATION

SCALE: DO NOT SCALE



EAST ELEVATION

SCALE: DO NOT SCALE



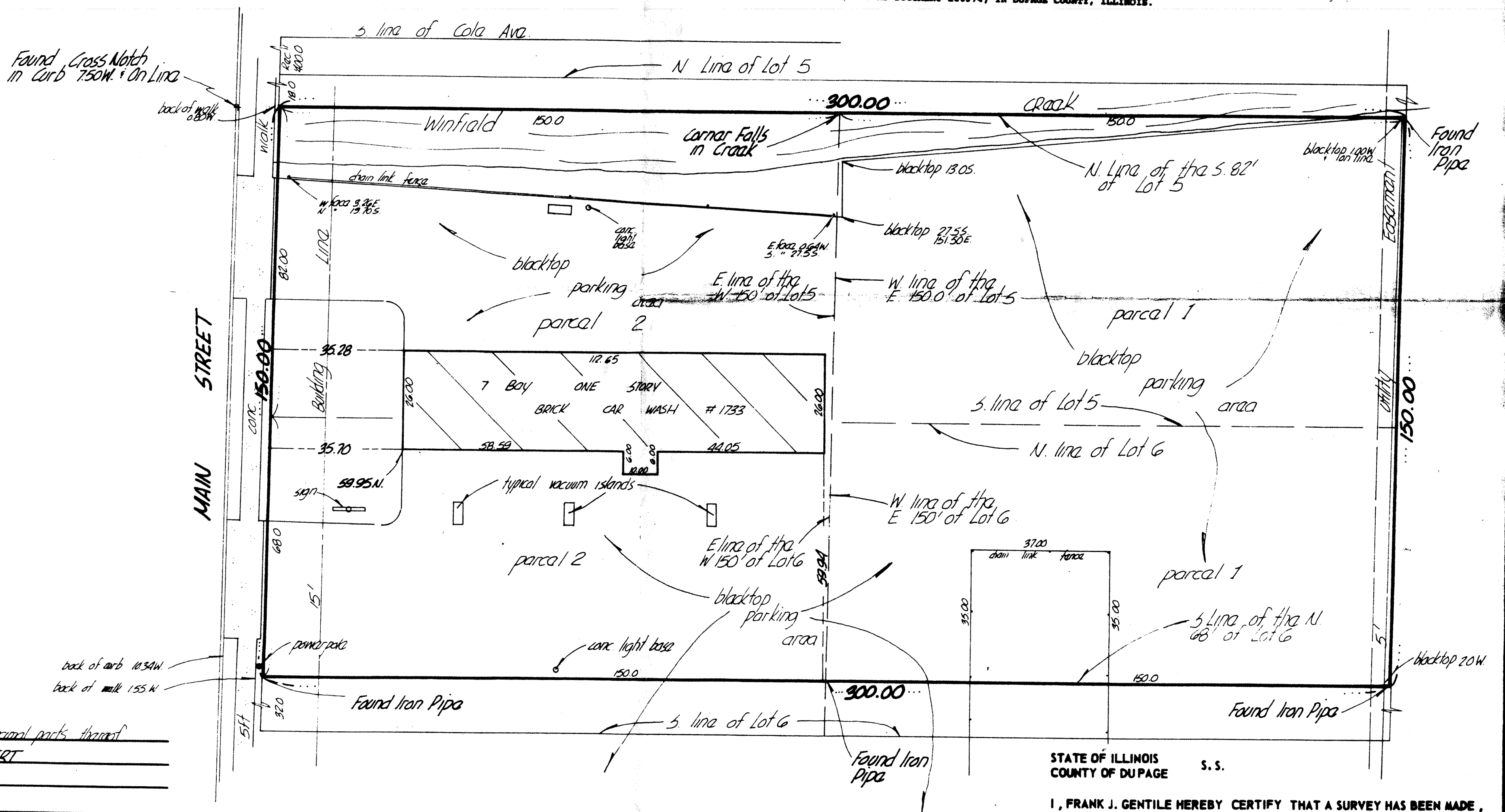
PARTIAL SOUTH ELEVATION

SCALE: DO NOT SCALE

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PARCEL 1: LOT 5 (EXCEPT THE NORTH 18 FEET AND EXCEPT THE SOUTH 82 FEET OF THE WEST 150 FEET) AND LOT 6 (EXCEPT THE SOUTH 32 FEET AND EXCEPT THE NORTH 68 FEET OF THE WEST 150 FEET) IN BLOCK 4 IN ARTHUR T. MC INTOSH AND CO'S GENEVA ROAD SUBDIVISION, BEING A SUBDIVISION IN THE NORTH WEST QUARTER OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 26, 1924 AS DOCUMENT 179449 AND CERTIFICATE OF CORRECTION FILED AUGUST 5, 1924 AS DOCUMENT 180974, IN DUPAGE COUNTY, ILLINOIS.



Surveyed by : js hm

Order No. 87-7108

by: July 10 A.D. 19 87
Frank J. Antill
ILLINOIS REGISTERED LAND SURVEYOR NO. 2248