

## **ORDINANCE NO. F-1377**

### **AN ORDINANCE DENYING AN AMENDMENT TO THE TEXT OF THE WHEATON ZONING ORDINANCE TO ALLOW "BED AND BREAKFAST ESTABLISHMENTS" IN SINGLE FAMILY RESIDENTIAL ZONING DISTRICTS**

**WHEREAS**, written application has been made to amend the text of Article II of the Wheaton Zoning Ordinance to add a definition for a "Bed and Breakfast Establishment" and an additional amendment to the text of Articles VII-X of the Wheaton Zoning Ordinance (the R-1 through R-4 Residential Districts) to add a "Bed and Breakfast Establishment" as a Special Use; and

**WHEREAS**, pursuant to notice as required by the Illinois Municipal Code and the City Zoning Ordinance, public hearings were conducted by the Planning and Zoning Board on June 24, 2008 and July 22, 2008 to consider the requested Zoning Ordinance text amendments.

**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:

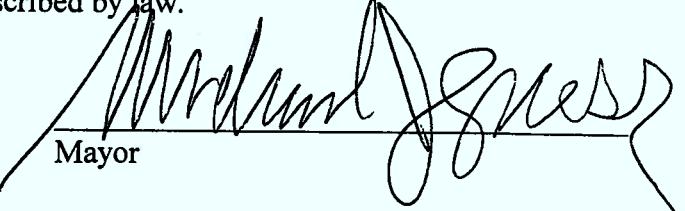
**Section 1:** Pursuant to the Findings of Fact made and determined by the Planning and Zoning Board, and as additionally made in Section 2 of this Ordinance, the application to amend the text of Article II of the Wheaton Zoning Ordinance to add a definition for a "Bed and Breakfast Establishment" and an additional amendment to the text of Articles VII-X of the Wheaton Zoning Ordinance (the R-1 through R-4 Residential Districts) to add a "Bed and Breakfast Establishment" as a Special Use is denied.

**Section 2:** The following additional Findings of Fact are hereby made and determined by the City Council:

1. The Wheaton Zoning Ordinance does not provide for or allow Bed and Breakfast Establishments in the R-1, R-2, R-3 and R-4 Residential Zoning Districts;
2. A Bed and Breakfast Establishment is not an appropriate use in the R-1 through R-4 Residential Zoning Districts in the City of Wheaton;
3. The establishment, maintenance, or operation of any Bed and Breakfast Establishment in the R-1, R-2, R-3 and R-4 Zoning Districts will be detrimental to the public health, safety, morals, comfort, convenience, and general welfare of the City and its residents;
4. Any Bed and Breakfast Establishment in the R-1, R-2, R-3 and R-4 Zoning Districts would be injurious to the uses and enjoyment of other permitted residential uses and property in those zoning districts.

**Section 3:** All ordinances or parts of ordinances in conflict with these provisions are repealed.

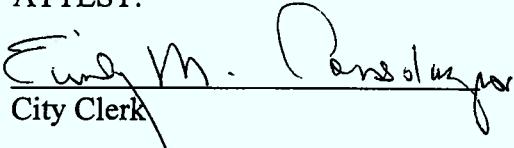
**Section 4:** This ordinance shall become effective from and after its passage, approval, and publication in pamphlet form in the manner prescribed by law.



Michael Gresk

Mayor

ATTEST:



Emily M. Pensolay  
City Clerk

Roll Call Vote:

Ayes: Councilman Mouhelis  
Councilman Suess  
Councilwoman Corry  
Councilman Levine  
Mayor Gresk

Nays: None

Absent: Councilman Johnson  
Councilman Prendiville

Motion Carried Unanimously

Passed: September 15, 2008  
Published: September 16, 2008