

ORDINANCE NO. F-1546

**AN ORDINANCE AMENDING THE WHEATON ZONING ORDINANCE MAP
FOR CERTAIN PARCELS OF PROPERTY COMMONLY KNOWN AS 1400 AURORA WAY -
HOREJS**

WHEREAS, written application has been made to amend the Zoning Map, which is attached to and forms a part of the Zoning Ordinance of Wheaton, Illinois, to allow a rezoning, subdivision and variation request, all on certain property legally described herein within the city limits of Wheaton, Illinois ("City"), and commonly known as 1400 Aurora Way ("subject property"); and

WHEREAS, pursuant to notice as required by the Illinois Municipal Code and the City Zoning Ordinance, a public hearing was conducted by the Planning and Zoning Board on February 8, 2011 to consider the zoning application; and the Board has recommended approval of the rezoning, subdivision and variation request.

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, the Zoning Map which is attached to and forms a part of the City Zoning Ordinance is amended by removing Lot 1 from the R-2 Residential District Zoning classification and adding it to the R-3 Residential District Zoning classification on the following-described real estate:

LOT 1 IN FRY'S DIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 26, 1973 AS DOCUMENT NO. R73-4843, IN THE CITY OF WHEATON, DUPAGE COUNTY, ILLINOIS.

The subject property is commonly known as 1400 Aurora Way, Wheaton, IL 60189.

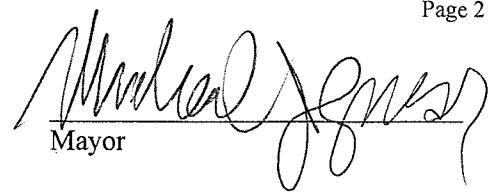
Section 2: Pursuant to the Findings of Fact made and determined by the Planning and Zoning Board, the preliminary plat of subdivision of Horejs Resubdivision, prepared by Scott D. Rattray, dated April 7, 2009 is hereby approved subject to the following conditions, restrictions, and requirements.

- A. A variance to Section 62-178 of the Wheaton City Code is hereby granted to waive the requirement to construct a street width for Aurora Way of 27 feet.
- B. A variance to Section 62-286 of the Wheaton City Code is hereby granted to waive the requirement to construct a City street lighting system along Aurora Way.
- C. A variance to Section 62-290 of the Wheaton City Code is hereby granted to waive the requirement to construct curb and gutter pavement edging along Aurora Way.

Section 3: Pursuant to the Findings of Fact made and determined by the Wheaton Planning and Zoning Board, a variation to Article 8.2.5 of the Wheaton Zoning Ordinance is granted to allow a front yard setback of 40.0 feet in lieu of the required 114.0 feet for Lot 2.

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.



Michael J. Gresk
Mayor

ATTEST:



Sharon Daniels Hagan
City Clerk

Roll Call Vote

Ayes: Councilman Prendiville
Councilman Scalzo
Councilwoman Corry
Councilman Levine
Councilman Mouhelis

Nays: None

Absent: Mayor Gresk
Councilman Suess

Motion Carried Unanimously

Passed: February 22, 2011
Published: February 23, 2011

