

## ORDINANCE NO. F -1605

### AN ORDINANCE GRANTING A REAR YARD SETBACK VARIATION AND A PLAT OF CONSOLIDATION ON A CERTAIN PIECE OF PROPERTY COMMONLY KNOWN AS 809 EAST ROOSEVELT ROAD - AUTOZONE

**WHEREAS**, written application has been made requesting a variation to Article 18.5D of the Wheaton Zoning Ordinance to allow the construction of a 6,267 square foot addition with a rear yard setback of 5.4 feet in lieu of the required 15.0 feet, all on certain property legally described herein within the city limits of Wheaton, Illinois ("City"), and commonly known as 809 East Roosevelt Road ("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 December 13, 2011 to consider the requested zoning variation; and the Board has recommended approval of the 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:** The following described property has been and continues to be zoned and classified in the C-3 General Commercial District zoning classification:

THE SOUTH HALF OF LOT 23 AND THE SOUTH HALF OF LOT 24 AND LOT 25 (EXCEPT THE NORTH HALF AND EXCEPT THE WEST 50 FEET OF THE SOUTH HALF THEREOF) IN THE 2<sup>ND</sup> LINCOLN HIGHWAY SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 15, 1921 AS DOCUMENT 150857, IN DUPAGE COUNTY, ILLINOIS; EXCEPTING FROM THE ABOVE DESCRIBED TRACT THAT PART THEREOF TAKEN FOR ROOSEVELT ROAD IN CONDEMNATION CASE 88ED189 AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTH HALF OF SAID LOT 23; THENCE SOUTH 01 DEGREES 06 MINUTES 51 SECONDS WEST (ASSUMED BEARING) ALONG THE EAST LINE OF SAID LOT 23, 167.56 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF ROOSEVELT ROAD; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST, ALONG SAID NORTH RIGHT OF WAY LINE, 325.74 FEET TO A POINT ON THE EAST LINE OF THE WEST 50 FEET OF SAID LOT 25; THENCE NORTH 00 DEGREES 55 MINUTES 37 SECONDS EAST, ALONG SAID EAST LINE, 167.62 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH HALF OF SAID LOT 25; THENCE SOUTH 89 DEGREES 59 MINUTES 17 SECONDS EAST 326.28 FEET TO THE POINT OF BEGINNING.

P.I.N.: 05-16-424-037; -038; -0393

The subject property is commonly known as 809 East Roosevelt Road, Wheaton, IL 60187.

**Section 2:** Pursuant to the Findings of Fact made and determined by the Planning and Zoning Board, a rear yard setback to allow the construction of a 6,267 square foot addition is hereby granted, in full compliance with the following plans: "Site Plan", sheet C1.0, prepared by Kimley-Horn and Associates, Chicago, IL, dated October 7, 2011 and revised December 7, 2011; "Landscape Plan", sheet L1.0, prepared by Norris Design, Glen Ellyn, IL, dated November 23, 2011 and revised December 7, 2011; "Color Elevations", sheet CE-1, prepared by Phillip Pecord, Memphis, TN, dated June 16, 2011; and "Floor Plan", sheet PS1, prepared by Phillip Pecord, Memphis, TN, dated October 5, 2011, and in further compliance with the following conditions, restrictions, and requirements:

1. The dumpster enclosure and final landscaping plan is subject to the approval of staff.

**Section 3:** The AutoZone Plat of Consolidation, as prepared by Vasconcelles Engineering Corporation, an Illinois Professional Land Surveyor, dated November 29, 2011 is hereby approved. The Mayor is authorized to sign the AutoZone Plat of Consolidation and the City Clerk is authorized and directed to attest to the signature of the Mayor.

**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 Gresk  
Mayor

ATTEST:



Anna Bennett Hagan  
City Clerk

Roll Call Vote:

Ayes:	Councilman Mouhelis Councilman Rutledge Mayor Gresk Councilwoman Pacino Sanguinetti Councilman Scalzo Councilman Suess Councilwoman Ives
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Nays:	None
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Absent:	None
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Motion Carried Unanimously

Passed: December 19, 2011  
Published: December 20, 2011



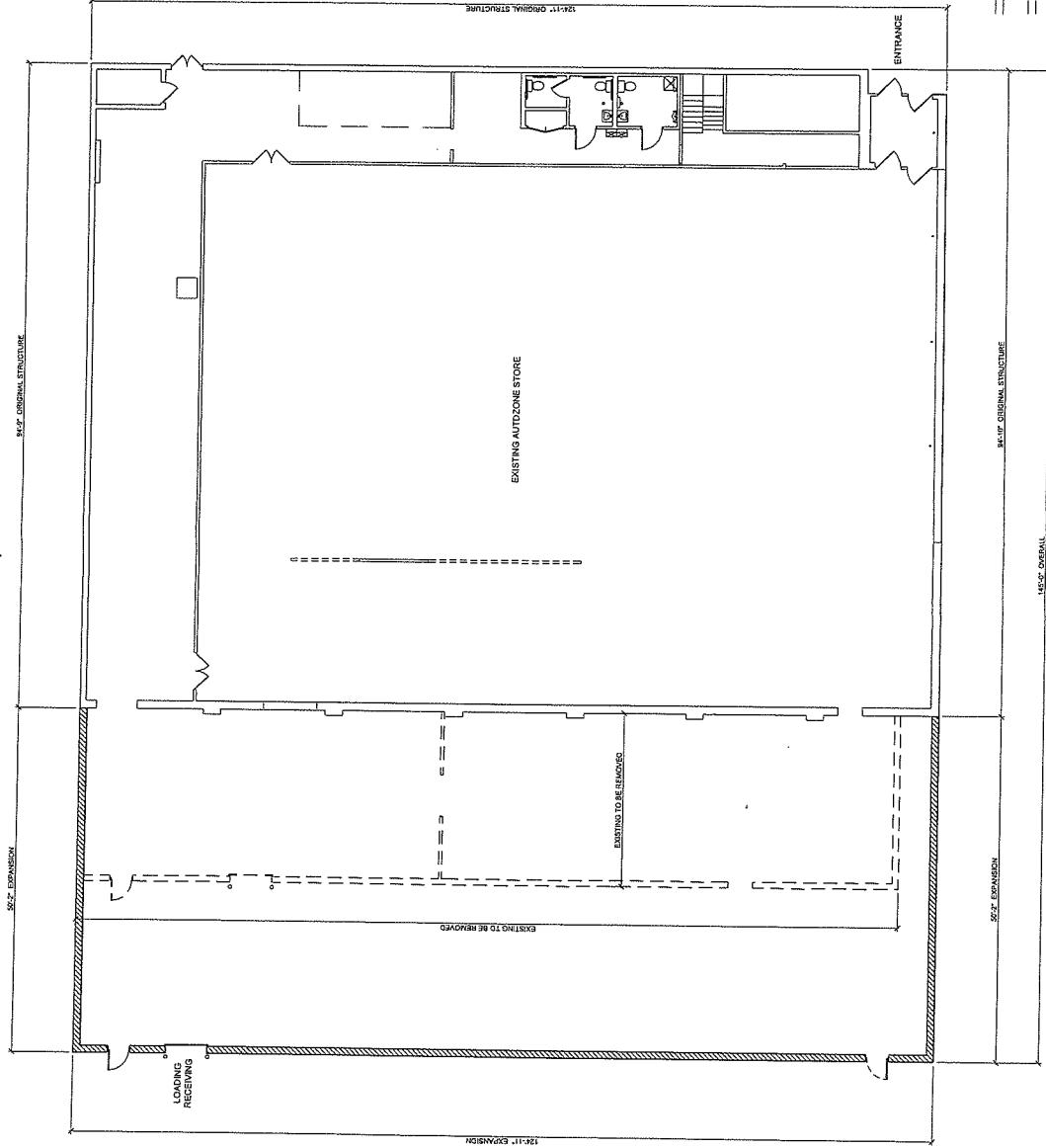




Architect: PHILIP PEPPER	123 South Front Street	Memphis, Tennessee 38103	TEL: 495-8706 FAX: (901) 495-8969
AutoZone Store No. 2681	809 E ROOSEVELT RD	WHEATON IL 60189	
REVISI0NS	1	2	3
	4	5	6

10/05/11  
HUB EXPANSION  
**PS1**

PROPOSED FLOOR PLAN  
SCALE: 1"=20'-0"





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