

ORDINANCE NO. F-1886

**AN ORDINANCE APPROVING A PRELIMINARY PLAT OF SUBDIVISION AND
VARIATIONS FOR A CERTAIN PARCEL OF PROPERTY COMMONLY KNOWN AS 303 EAST
PRAIRIE AVENUE - PATRICK J. MURPHY BUILDERS, INC.**

WHEREAS, written application has been made for a subdivision and variation request, all on certain property legally described herein within the city limits of Wheaton, Illinois ("City"), and commonly known as 303 East Prairie Avenue ("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 June 23, 2015 and July 14, 2015 to consider the zoning application;

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 R-3 Residential District zoning classification:

LOT 1 OF YOUNGBERG'S CONSOLIDATION PLAT OF THAT PART OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED NOVEMBER 13, 2008, AS DOCUMENT NUMBER R2008-165752, IN DUPAGE COUNTY, ILLINOIS.

P.I.N.: 05-09-309-007

The subject property is commonly known as 303 East Prairie Avenue, Wheaton, IL 60187.

Section 2: The following variations are, hereby, granted for the subject property: Variations to Article 9.2.5 of the Wheaton Zoning Ordinance to allow and require front yard setbacks of 57.25 feet for proposed Lot 1, 80.0 feet for proposed Lot 2 and 120.0 feet for proposed Lot 3.

Section 3: The demolition of the existing structure located on the Subject Property shall be authorized by this Ordinance. Demolition of said structure, however, shall be carried out in conformance with Wheaton City Code Chapter 22, Article XIV, with the exception that the Developer shall not be required to wait 30 days prior to commencing demolition from the date of submitting a demolition permit application to the Building and Code Enforcement Department, and shall not be required to hold a "neighbor meeting" at least 30 days prior to submitting an application for building demolition. The Developer shall provide written notice to adjacent property owners prior to the building demolition.

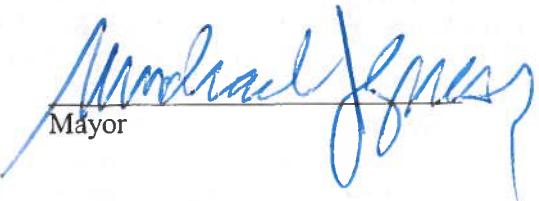
Section 4: The preliminary plat entitled "Preliminary Plat", prepared by Engineering Resources Associates, Inc., dated March 3, 2015 and revised June 8, 2015, June 18, 2015, and September 17, 2015, is hereby approved, subject to the following conditions, restrictions and requirements:

1. Front yard building setbacks shall be as provided for in Section 2 of this Ordinance.
2. All defective or damaged public sidewalks fronting the subdivision along Prairie Avenue and Scott Street shall be repaired as part of the required subdivision improvements.

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.



Andrew J. Gresk

ATTEST:



Sean Bennett Hagan

City Clerk

Roll Call Vote

Ayes: Councilwoman Fitch
Councilman Prendiville
Councilman Rutledge
Mayor Gresk
Councilman Saline
Councilman Scalzo

Nays: Councilman Suess

Absent: None

Motion Carried

Passed: September 21, 2015
Published: September 22, 2015

