

ORDINANCE NO. O-2024-09

AN ORDINANCE GRANTING SUBDIVISION, LOT WIDTH VARIATIONS, AND LOT AREA VARIATIONS ON A CERTAIN PIECE OF PROPERTY COMMONLY KNOWN AS 170 S. BATES - AHISKA CONSTRUCTION INC.

WHEREAS, written application has been made requesting subdivision of certain property described herein into two single-family lots, variations to Article 7.2.2a of the Wheaton Zoning Ordinance to allow lot areas for both proposed Lot 1 and 2 of approximately 8,000 square feet in lieu of the required 43,560 square feet; and variations to Article 7.4a of the Wheaton Zoning Ordinance to allow lot widths for both proposed Lot 1 and 2 of 50.0 feet in lieu of the required 125.0 feet, all on property commonly known as 170 S. Bates Street, Wheaton, Illinois 60187; 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 January 23, 2024, and February 27, 2024 to consider the subdivision, lot width variation, and lot area variation requests; and the Planning and Zoning Board has recommended approval of the subdivision, lot width variation, and lot area variation requests.

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-1 Residential District zoning classification:

LOT 1 IN DI GIOIA'S CONSOLIDATION PLAT, A RESUBDIVISION OF LOTS 33 AND 34 IN BLOCK 8 IN FIRST ADDITION TO WHEATON PARK MANOR, BEING A SUBDIVISION IN SECTION 13, TOWNSHIP 39 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND PART OF THE FRACTIONAL SECTION 18, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 21, 1988 AS DOCUMENT R88-026847, IN DUPAGE COUNTY, ILLINOIS.

P.I.N 05-18-300-017

The subject property is commonly known as 170 S. Bates Street, Road, Wheaton, IL 60187.

Section 2: Pursuant to the Findings of Fact made and determined by the Planning and Zoning Board, the "Preliminary Plat of Subdivision" and the "Site Engineering Plan - 170 S. Bates Street", both prepared by Koziol Engineering and dated August 24, 2022 and revised February 5, 2024 are hereby approved, subject to the following conditions:

1. A variation is granted to Section 62-286 of the Wheaton City Code to waive the requirement to construct a City street light system along Bates Street.
2. A variation is granted to Section 62-280 of the Wheaton City Code to waive the requirement to construct the water and sanitary service stubs to the properties at the subdivision stage, allowing the services to be installed at the time of the individual lot construction.
3. New public sidewalks shall be constructed along the front of the subdivision on the west side of Bates Street connecting the existing sidewalk to the south of the subdivision.
4. A new concrete curb and gutter will be constructed along the front of the subdivision on the west side of Bates Street connecting to the curb and gutter to the south of the subdivision. The street will be repaved as needed to accommodate this improvement and additional stormwater drainage inlets added if warranted for proper drainage of the roadway.

Section 3: Pursuant to the Findings of Fact made and determined by the Wheaton Planning and Zoning Board, variations to Article 7.2.2a of the Wheaton Zoning Ordinance to allow lot areas for both proposed Lot 1 and 2 of approximately 8,000 square feet in lieu of the required 43,560 square feet; and variations to Article 7.4a of the Wheaton Zoning Ordinance to allow lot widths for both proposed Lot 1 and 2 of 50.0 feet in lieu of the required 125.0 feet are granted, in full compliance with the following plans: "Preliminary Plat of Subdivision", prepared by Koziol Engineering, Lisle, IL, sheet 1-1; and "Site Engineering Plan - 170 S. Bates Street" prepared by Koziol Engineering, Lisle, IL, sheets 1-2, dated August 24, 2022 and revised February 5, 2024, subject to the condition that the engineering plan shall be subject to additional staff review prior to the issuance of a site development permit.

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.



Philip J. Suess
Mayor

ATTEST:



Andrea Renedale
City Clerk

Roll Call Vote:

Ayes:	Councilman Barbier Mayor Suess Councilman Clousing Councilwoman Robbins Councilman Weller
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Nays:	None
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Absent:	Councilwoman Bray-Parker Councilman Brown
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Motion Carried Unanimously

Passed: March 4, 2024

Published: March 5, 2024

