

ORDINANCE NO. F- 1333

**AN ORDINANCE AMENDING THE TEXT
OF THE WHEATON ZONING ORDINANCE – ARTICLE II “DEFINITIONS” AND
ARTICLE XVIII “C-3 GENERAL BUSINESS DISTRICT” – AUTOMOBILE SALES**

WHEREAS, the City of Wheaton, Illinois ("City"), has determined it to be in the best interests of the City and its residents to consider certain amendments to the text of the City Zoning Ordinance; and

WHEREAS, pursuant to notice as required by the Illinois Municipal Code and the City Zoning Ordinance, a public hearing was conducted by the Wheaton Planning and Zoning Board on February 12, 2008, to consider certain text amendments pertaining to automobile sales; and the Wheaton Planning and Zoning Board has recommended approval of the 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: The Wheaton Zoning Ordinance text is amended by deleting the definition for “Automobile Sales” contained in Article II in its entirety and replacing it with the following definitions:

“Automobile Sales-New Car Dealers: The sales of new and used automobiles, motorcycles and trucks up to a Gross Vehicle Weight Rating (GVWR) of 19,500 pounds in operating condition, including the storage of automobiles, motorcycles and trucks up to a Gross Vehicle Weight Rating (GVWR) of 19,500 pounds in operating condition and the repair and servicing of such vehicles.”

“Automobile Sales-Used Car Dealers: The sales of used automobiles, motorcycles and trucks up to a Gross Vehicle Weight Rating (GVWR) of 19,500 pounds in operating condition, including the storage of automobiles, motorcycles and trucks up to a Gross Vehicle Weight Rating (GVWR) of 19,500 pounds in operating condition and the repair and servicing of such vehicles.”

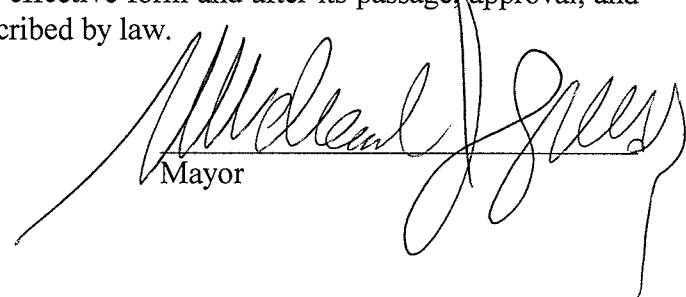
Section 2: The Wheaton Zoning Ordinance text is amended by deleting Section 18.5B in its entirety and replacing it with the following:

“B. Lot Area There shall be no minimum lot area requirements in the C-3 district except Automobile Sales: New Car Dealers and/or Used Car Dealers, either of which shall have a minimum lot area of four contiguous acres.”

Section 2: In all other respects, the Wheaton Zoning Ordinance is ratified and remains in full force and effect.

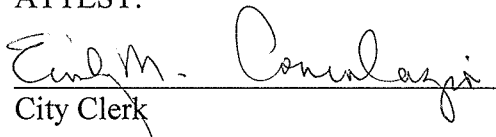
Section 3: All ordinances or parts of ordinance in conflict with these provisions are repealed.

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



Mayor

ATTEST:



City Clerk

Roll Call Vote

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

Nays: None

Absent: None

Motion Carried Unanimously

Passed: February 19, 2008

Published: February 20, 2008