

ORDINANCE NO. F-1513

**AN ORDINANCE GRANTING TWO VARIATIONS ON A CERTAIN PIECE OF PROPERTY
COMMONLY KNOWN AS 2001 WIESBROOK ROAD - ARMBRUST**

WHEREAS, on September 7, 2010 the Wheaton City Council approved Ordinance No. F-1511 "AN ORDINANCE AUTHORIZING THE SIGNING OF A FIRST AMENDMENT TO AN ANNEXATION AGREEMENT – 2001 WIESBROOK ROAD/ ARMBRUST" (Original Ordinance); and

WHEREAS, the first amendment to the annexation agreement included a reference to certain zoning variations pertaining to the existing parking lot and monument sign setback; and

WHEREAS, the owner is seeking to memorialize approval of said zoning variations as provided for in the first amendment to the annexation agreement; and

WHEREAS, pursuant to notice as required by the Illinois Municipal Code and the Wheaton Zoning Ordinance, a public hearing was conducted by the City Council on August 23, 2010, to consider both the first amendment to the annexation agreement and variation request; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Wheaton, DuPage County, Illinois, pursuant to its home rule powers, as follows:

Section 1: Pursuant to the Findings of Fact made and determined by the Wheaton City Council, a variation to Article 6.6.2 of the Wheaton Zoning Ordinance to allow a parking lot landscaping setback adjacent to the right-of-way for Wiesbrook Road of five (5) feet in lieu of the required fifteen (15) feet and a variation to Article 23.7.1 of the Wheaton Zoning Ordinance to allow a monument sign setback adjacent to the right-of-way for Wiesbrook Road of zero (0) feet in lieu of the required ten (10) feet are granted in full compliance with the site plan and aerial photo that are on file in the Department of Planning and Economic Development, on the following-described real estate:

The property is legally described as:

LOT ONE OF ARMBRUST CONSOLIDATION OF LOTS 32, 33 AND 34 IN WIESBROCK'S SUBDIVISION OF PART OF THE WIESBROCK FARM IN THE SOUTHEAST 1/4 OF SECTION 25, TOWNSHIP 39 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND IN THE SOUTHWEST 1/4 OF SECTION 30, TOWNSHIP 39 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 20, 1999 AS DOCUMENT NO. R1999-200983, IN DUPAGE COUNTY, ILLINOIS.

EXCEPTING THEREFROM:

THAT PART OF LOT ONE OF ARMBRUST CONSOLIDATION OF LOTS 32, 33 AND 34 IN WIESBROCK'S SUBDIVISION OF PART OF THE WIESBROCK FARM IN THE SOUTHEAST 1/4 OF SECTION 25, TOWNSHIP 39 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND IN THE SOUTHWEST 1/4 OF SECTION 30, TOWNSHIP 39 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 20, 1999 AS DOCUMENT NO. R1999-200983, IN DUPAGE COUNTY, ILLINOIS; DESCRIBED AS FOLLOWS:

BEGINNING IN THE SOUTHWEST CORNER OF SAID LOT ONE; THENCE NORTH 09 DEGREES 13 MINUTES 56 SECONDS EAST ALONG THE WESTERLY LINE OF LOT ONE, A DISTANCE OF 332.55 FEET, MEASURED (332.70 FEET, RECORDED) TO THE NORTHWEST CORNER OF LOT ONE; THENCE SOUTH 80 DEGREES 39 MINUTES 57 SECONDS EAST ALONG THE NORTHERLY LINE OF SAID LOT ONE, A DISTANCE OF 0.83 FEET; THENCE SOUTH 08 DEGREES 30 MINUTES 01 SECONDS WEST 207.52 FEET; THENCE SOUTH 06 DEGREES 15 MINUTES 19 SECONDS WEST 86.90 FEET; THENCE SOUTH 20

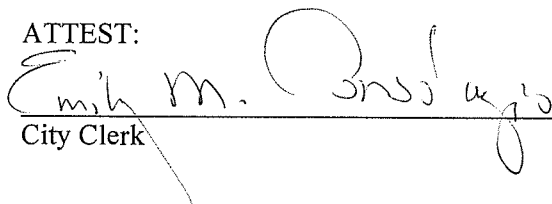
DEGREES 17 MINUTES 01 SECONDS EAST 38.39 FEET TO THE SOUTH LINE OF SAID LOT ONE; THENCE SOUTHWESTERLY 27.34 FEET ALONG SAID SOUTH LINE OF LOT ONE AND A CURVE TO THE LEFT, HAVING A RADIUS OF 8484.80 FEET, THE CHORD OF SAID CURVE BEARS SOUTH 88 DEGREES 59 MINUTES 35 SECONDS WEST 27.34 FEET TO THE POINT OF BEGINNING.

The subject property is commonly known as 2001 Wiesbrook Road, Wheaton, IL 60189.

Section 2: All Ordinances or parts of Ordinances in conflict with these provisions are repealed.

Section 3: This ordinance shall become effective from and after its passage, approval, and publication in pamphlet form in the manner prescribed by law.

ATTEST:


City Clerk


Mayor

Roll Call Vote:

Ayes: Councilman Sues
Councilwoman Corry
Councilman Levine
Councilman Mouhelis
Mayor Gresk
Councilman Prendiville
Councilman Scalzo

Nays: None

Absent: None

Motion Carried Unanimously

Passed: September 20, 2010
Published: September 21, 2010