

ORDINANCE NO. F-1862

AN ORDINANCE REINSTATING ORDINANCE NO. F-0986, "AN ORDINANCE AMENDING THE WHEATON ZONING MAP AND GRANTING A SPECIAL USE PERMIT, AND A VARIATION TO ARTICLE 22.5.23 OF THE CITY OF WHEATON ZONING ORDINANCE TO ALLOW THE CONSTRUCTION OF A DRIVE-THRU BANKING FACILITY ON A PIECE OF PROPERTY COMMONLY KNOWN AS 330 S. NAPERVILLE ROAD"

WHEREAS, on December 20, 2004 the Mayor and City Council approved Ordinance No. F-0986 (Original Ordinance) which granted a Zoning Map Amendment by granting a Special Use Permit to allow for the construction of a drive-thru banking facility, all on the property legally described herein within the city limits of Wheaton, Illinois, and commonly known as 330 S.Naperville Road; ("Subject Property"); and

WHEREAS, the Subject Property was developed in accordance with Ordinance No. F-0986; and

WHEREAS, on or about June 1, 2013, the bank with drive-thru on the Subject Property ceased its operation; and

WHEREAS, Article 4.3 of the Zoning Ordinance states that *"If a special use is abandoned for a period of more than eighteen (18) months, the special use shall become void."*; and

WHEREAS, a new bank with drive-thru is not altering the use of the site in any manner, nor would the reinstatement of the Special Use have any different impacts on surrounding uses than existed with the original Special Use and the new bank with drive-thru seeks to operate on the Subject Property full accordance with all requirements and conditions of Ordinance No. F-0986.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Wheaton, Du Page County, Illinois, that Ordinance No. F-0986 is hereby reinstated.

Section 1: The property that is subject of the reinstatement is legally described as:

The subject property is legally described as:

THE SOUTH 23 FEET OF LOT 5 AND THE NORTH 32 FEET OF LOT 8 AND THE EAST HALF OF THAT PORTION OF THE VACATED ALLEY WHICH LIES DIRECTLY WEST OF AND ADJOINING SAID PORTIONS OF SAID LOTS IN BLOCK 5 OF WARREN L. WHEATON'S SECOND ADDITION TO WHEATON, A SUBDIVISION OF PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DU PAGE COUNTY, ILLINOIS.

THE SOUTH 34 FEET OF LOT 8 AND THE NORTH 16 FEET OF LOT 9 AND TH EAST HALF OF THAT PORTION OF THE VACATED ALLEY WHICH LIES DIRECTLY WEST OF AND ADJOINING SAID PORTIONS OF SAID LOTS IN BLOCK 5 OF WARREN L. WHEATON'S SECOND ADDITION TO WHEATON, A SUBDIVISION OF PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE

COUNTY, ILLINOIS.

THE SOUTH 50 FEET OF LOT 9 AND THE SOUTH 50 FEET OF THE VACATED ALLEY WHICH LIES DIRECTLY WEST OF AND ADJOINING SAID PORTION OF LOT 9 IN BLOCK 5 OF WARREN L. WHEATON'S SECOND ADDITION TO WHEATON, A SUBDIVISION OF PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY BEGINNING ONE CHAIN SOUTHERLY FROM THE SOUTHEAST CORNER OF BLOCK 5 IN WARREN L. WHEATON'S SECOND ADDITION TO THE TOWN OF WHEATON; THENCE SOUTHERLY ON THE WEST LINE OF NAPERVILLE STREET 4 RODS; THENCE WEST, 8 RODS TO A STAKE; THENCE NORTH 4 RODS; THENCE EAST NEARLY 8 RODS, MORE OR LESS, TO THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

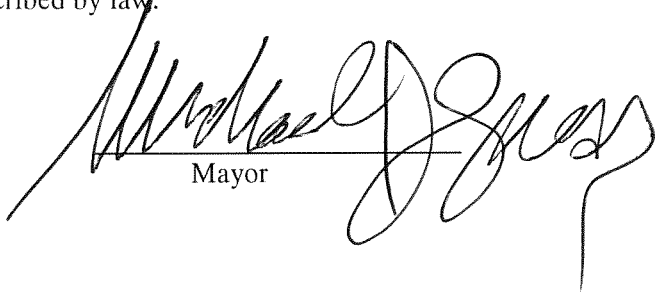
P.I.N. 05-16-325-012, 05-16-330-016

The Subject Property is commonly known as 330 S. Naperville Road, Wheaton, IL 60187.

Section 2: All conditions and requirements of Ordinance No. F-0986 shall remain in full force and effect.

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

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



Michael J. Gresk
Mayor

ATTEST:



Sharon Bennett Hagan
City Clerk

Roll Call Vote

Ayes:

- Councilman Rutledge
- Mayor Gresk
- Councilman Saline
- Councilman Scalzo
- Councilman Sues
- Councilwoman Fitch
- Councilman Prendiville

Nays: None

Absent: None

Motion Carried Unanimously

Passed: May 4, 2015
Published: May 5, 2015

