

**ORDINANCE NO. F-0098**

**AN ORDINANCE AMENDING ORDINANCE NO. E-4098  
REGARDING A SPECIAL USE FOR A PLANNED UNIT DEVELOPMENT  
ON A CERTAIN PIECE OF PROPERTY COMMONLY KNOWN AS BRANTLEY PLACE**

**WHEREAS**, on June 5, 1995, the City Council of Wheaton (the "City") passed Ordinance No. E-4098, recorded on June 9, 1995 as Document No. R95-070267, which amended the Wheaton Zoning Ordinance map and granted a special use permit for a planned unit development (the "PUD") on the property described in Exhibit "A" attached hereto and made a part hereof (the "Subject Realty"); and

**WHEREAS**, the City has been requested to rezone and include the addition of the property legally described in Exhibit "B", attached hereto and made a part hereof, and commonly known as 508 Childs Street, Wheaton, in the definition of the Subject Realty; 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 Board of Zoning Appeals on December 10, 1996 to consider the rezoning, issuance of the special use permit and planned unit development amendment; and the Wheaton Board of Zoning Appeals has unanimously recommended approval of the rezoning, issuance of the special use permit and planned unit development amendment.

**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: The zoning map, which is attached to and forms a part of the Zoning Ordinance of Wheaton, Illinois, is amended by deleting the property described in Exhibit "B" from the R-4 single family residential district zoning classification, and including it in the R-5 multiple family residential district PUD zoning classification.

Section 2: The addition of the property described in Exhibit "B" to the Subject Realty is in conformance with the PUD.

Section 3: Section 2 of Ordinance No. E-4098 is hereby amended by including the following plans pertaining to the development of the property described in Exhibit "B":

1. The plans entitled "Brantley Place landscape plan" dated September 13, 1996 and revised September 13, 1996 and November 18, 1996 prepared by Gary R. Weber Associates, Inc., 214 West Willow Avenue, Wheaton, Illinois, and the plans entitled "Preliminary Plan - Childs Street Townhomes" dated September 12, 1996 and revised November 18, 1996 prepared by Engineering Resource Associates, Inc., 214 West Willow Avenue, Wheaton, Illinois.

Section 4: The City hereby approves the demolition of the existing structure at 508 Childs Street as provided for in Chapter 22, Article XII of the Wheaton City Code. Such building demolition shall be in accordance with the provisions of the BOCA building codes in force at the time of permit, and any and all additional requirements as directed by the Director of the Building and Code Enforcement Department.


Section 5: Prior to the issuance of a building permit for any unit on the subject property legally described as Exhibit "B", the owner/developer shall submit a plat of resubdivision incorporating said property into the Subject Realty. The plat of resubdivision shall be prepared in accordance with the recommendations of the Director of Engineering.

Section 6: The terms and conditions contained in any and all ordinances granting and/or amending the PUD with respect to the Subject Realty shall, to the extent not expressly modified to the terms and conditions of this ordinance, remain in full force and effect as therein provided.

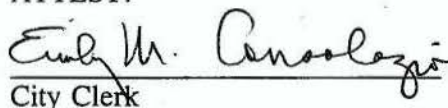
Section 7: All ordinances or parts thereof in conflict with the provisions of this ordinance are, to the extent of such conflict, expressly repealed.

Section 8: This ordinance shall become effective from and after its passage, approval and publication in pamphlet form as provided by law.

PASSED APPROVED by the Mayor and City Council of the City of Wheaton, Illinois this 16th day of December, 1996.

  
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Mayor

ATTEST:

  
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City Clerk

Roll Call Vote

Ayes:	Councilwoman Davenport
	Councilman Eckhoff
	Mayor Carr
	Councilman Gresk
	Councilwoman Johnson
	Councilman Mork
	Councilwoman Culler

Nays:	None
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Absent:	None
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Motion Carried Unanimously

Passed:	December 16, 1996
Published:	December 17, 1996