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ORDINANCE NO. F-0218

**AN ORDINANCE AMENDING THE TEXT OF THE
WHEATON ZONING ORDINANCE
ARTICLE 5.5F**

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 amendment 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 Board of Zoning Appeals on December 9, 1997, and the Wheaton Board of Zoning Appeals has unanimously recommended approval of the 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 Wheaton Zoning Ordinance text is amended by deleting Article 5.5F in its entirety and replacing it with the following:

"Action by the City Council. After receipt by the City Council of the recommendation of the Hearing Body, or after the expiration of the time designated by the City Council for submission by the Hearing Body to the City Council of its recommendations, whichever shall first occur, said proposed amendment may be passed, with or without modification. An amendment may be passed by an affirmative vote of the City Council, provided that an amendment shall not be passed except by an affirmative vote of five (5) members of the City Council whenever a written petition protesting the proposed amendment is filed with the City Clerk and is signed by the owners of more than fifty percent (50%) of the frontage proposed to be altered, or by the owners of more than fifty percent (50%) of the frontage immediately adjoining or across an alley or dedicated right-of-way therefrom, or by the owners of more than fifty percent (50%) of the frontage directly opposite the frontage proposed to be altered. The written petition protesting the proposed amendment shall be on the form as provided by the City Clerk and shall be filed with the City Clerk no later than the end of business on the first Monday following the recommendation of the Hearing Body. Failure of the Hearing Body to make a recommendation within the time designated shall be construed to mean that denial is recommended."

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

Section 3: All ordinances and parts of ordinances in conflict with these provisions are repealed.

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

ATTEST:

Emily M. Connerly
City Clerk



Mayor

Roll Call Vote

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

Nays: None

Absent: None

Motion Carried Unanimously

Passed: February 2, 1998
Published: February 3, 1998