

ORDINANCE NO. F-0567

AN ORDINANCE AMENDING THE WHEATON ZONING ORDINANCE MAP
ON A CERTAIN PIECE OF PROPERTY COMMONLY KNOWN AS
0N515 GARY AVENUE/MUEHLFELT

WHEREAS, a written application has been made to amend the Zoning Map, which is attached to and forms a part of the Zoning Ordinance of Wheaton, Illinois, to rezone and reclassify certain property legally described herein within the city limits of Wheaton, Illinois ("City"), and commonly located at 0N515 Gary Avenue; and

WHEREAS, the zoning application is being requested pursuant to the terms and conditions of a certain pre-annexation agreement dated April 19, 1999, among the City and Harold Muehlfelt ("Owner") ("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 Wheaton City Council, sitting as a special hearing body on April 12, 1999, to consider the requested zoning amendment.

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 Zoning map, which is attached to and forms a part of the Wheaton Zoning Ordinance, is amended by adding, including and classifying the following described property in the R-3 Residential District zoning classification:

Of that part of lot 2 of Muehlfelt's first subdivision of a part of the northeast quarter of section 8, township 39 north, range 10 east of the third principal meridian. According to the plat thereof recorded November 12, 1947 as Document 533909. Described by beginning at the southwest corner of said lot 2 in the center line of Gary Avenue and running thence north along the center line of Gary Avenue 121 feet: Thence east parallel with the south line of said lot 2. 220 feet: Thence south parallel with the center line of Gary Avenue. 121 feet to the south line of said lot 2: Thence west along the south line of said lot 2. 220 feet to the place of beginning. Except that part described as follows:

Beginning at the southwest corner of said lot 2 in the center line of Gary Avenue and running thence north 00 degrees 36 minutes 45 seconds west. Being an assumed bearing. Along the center line of said Gary Avenue. A distance of 121.0 feet: Thence north 88 degrees 22 minutes 49 seconds east. Parallel with the south line of said lot 2. A distance of 50.0 feet to the east right-of-way line of said Gary Avenue: Thence south 00 degrees 36 minutes 45 seconds east. On the east right-of-way line of said Gary Avenue. A distance of 71.59 feet: Thence south 46 degrees 06 minutes 58 seconds east. A distance of 22.99 feet:

Thence north 88 degrees 22 minutes 49 seconds east. Parallel with the south line of said lot 2. A distance of 153.59 feet: Thence south 00 degrees 36 minutes 45 seconds east. Parallel with the center line of said Gary Avenue. A distance of 33.0 feet to the south line of said lot 2: Thence south 88 degrees 22 minutes 49 seconds west. On the south line of said lot 2. A distance of 220.0 feet to the point of beginning. All in DuPage County, Illinois.

PIN No. 05-08-200-027

This property is commonly known as 0N515 Gary Avenue, Wheaton, Illinois 60187.

Section 2: The subject property shall be developed and improved in full compliance with the terms, provisions, and conditions of the Annexation Agreement; and the zoning granted herein is granted pursuant to the Annexation Agreement, which is on file in the Office of the City Clerk and incorporated into this ordinance by this reference as though fully set forth herein.

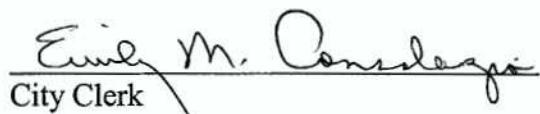
Section 3: All ordinances or parts of ordinances in conflict with these provisions are repealed.

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



Mayor

ATTEST:



Emily M. Consalvo
City Clerk

Ayes:

Roll Call Vote:

Councilwoman Davenport
Councilman Eckhoff
Mayor Carr
Councilman Johnson
Councilwoman Johnson
Councilman Mork

Nays:

None

Absent:

Councilman Gresk

Motion Carried Unanimously

Passed: March 5, 2001

Published: March 6, 2001