

ORDINANCE NO. F-0807

**AN ORDINANCE AMENDING THE WHEATON ZONING MAP
ON A CERTAIN PIECE OF VACANT PROPERTY NORTH OF
1945 DARLING STREET
KELLY CUSTOM HOMES, INC.**

WHEREAS, a written petition 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 located north of 1945 Darling Street, Wheaton, Illinois; and

WHEREAS, the zoning application is being requested pursuant to the terms and conditions of a certain annexation agreement dated April 21, 2003, ("Annexation Agreement"), among the City and Kevin Kelly, Kelly Custom Homes, Inc. ("Owners"); 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 14, 2003 to consider the requested zoning 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 Wheaton Zoning Ordinance, is amended by adding, including and classifying the following described property in the R-4 Single Family Residential Zoning District classification and in conformance with the Annexation Agreement:

LOTS 26 AND 27 IN WHEATON PARK TERRACE, BEING A SUBDIVISION OF 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 OCTOBER 9, 1929 AS
DOCUMENT 287630, IN DUPAGE COUNTY, ILLINOIS. P.I.N. 05-08-208-003 05-08-208-004

The subject property is commonly known as the vacant property north of 1945 Darling Street, Wheaton, IL 60187.

Section 2: The City Clerk is authorized and directed to record with the Office of the Recorder of Deeds, DuPage County, Illinois, and to file with the Office of the County Clerk, DuPage County, Illinois, a certified copy of this ordinance together with the accurate map of the subject property appended to this ordinance.

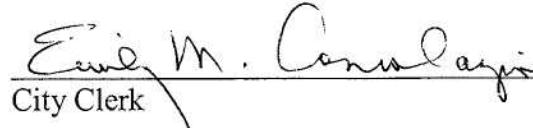
Section 3: All ordinances or parts of ordinances in conflict with these provisions are repealed.

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



Mayor Carr

ATTEST:



Emily M. Connelage
City Clerk

Roll Call Vote

Ayes: Councilwoman Johnson
Mayor Carr
Councilman Mork
Councilman Tamm
Councilman Johnson

Nays: None

Absent: Councilman Gresk
Councilman Mouhelis

Motion Carried Unanimously

Passed: April 21, 2003
Published: April 22, 2003