

ORDINANCE NO. F-0819

AN ORDINANCE AMENDING THE WHEATON ZONING MAP ON A CERTAIN PIECE OF PROPERTY COMMONLY KNOWN AS 2129 PRESIDENT STREET, 1012 GENEVA ROAD, 1020 GENEVA ROAD MCNAUGHTON BUILDERS, INC. ON BEHALF OF THE MARYANN MUEHLFELT TRUST

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 at 2129 President Street, 1012 Geneva Road and 1020 Geneva Road; 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 McNaughton Builders, 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 on February 24, 2003 and continued to 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-5 Residential Zoning District classification with a special use permit for a planned unit development and in conformance with the Annexation Agreement:

PARCEL 1: THE NORTH 75 FEET OF THE SOUTH 200 FEET OF LOTS 17 AND 18 IN BLOCK 2 IN ARTHUR T. MCINTOSH AND COMPANY'S WHEATON FARMS, BEING A SUBDIVISION OF PART OF THE NORTHWEST $\frac{1}{4}$ OF SECTION 10, AND PART OF THE SOUTHWEST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED MARCH 10, 1924 AS DOCUMENT 175034, IN DUPAGE COUNTY, ILLINOIS. P.I.N. 05-10-100-002

PARCEL 2: THE NORTH 75 FEET OF THE SOUTH 125 FEET OF LOTS 17 AND 18 IN BLOCK 2 IN ARTHUR T. MCINTOSH AND COMPANY'S WHEATON FARMS, BEING A SUBDIVISION OF PART OF THE NORTHWEST $\frac{1}{4}$ OF SECTION 10, AND PART OF THE SOUTHWEST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 10, 1924 AS DOCUMENT 175034, IN DUPAGE COUNTY, ILLINOIS. P.I.N. 05-10-100-003

PARCEL 3: THE SOUTH 50 FEET OF LOTS 17 AND 18 IN BLOCK 2 IN ARTHUR T. MCINTOSH AND COMPANY'S WHEATON FARMS, BEING A SUBDIVISION OF PART OF THE NORTHWEST $\frac{1}{4}$ OF SECTION 10, AND PART OF THE SOUTHWEST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO

THE PLAT THEREOF RECORDED MARCH 10, 1924 AS DOCUMENT 175034, IN DUPAGE COUNTY, ILLINOIS. P.I.N. 05-10-100-004

PARCEL 4: THE NORTH HALF OF LOT 15 AND THE SOUTH 50 FEET OF LOT 16 IN BLOCK 2 IN ARTHUR T. MCINTOSH AND COMPANY'S WHEATON FARMS, BEING A SUBDIVISION OF PART OF THE NORTHWEST $\frac{1}{4}$ OF SECTION 10, AND PART OF THE SOUTHWEST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 10, 1924 AS DOCUMENT 175034, IN DUPAGE COUNTY, ILLINOIS. P.I.N. 05-10-100-010 05-10-100-006

PARCEL 5: LOT 16 (EXCEPT THE SOUTH 25 FEET THEREOF) AND (EXCEPT SO MUCH OF THE NORTHERLY PORTION OF SAID LOT 16 AS WAS DEDICATED FOR HIGHWAY PURPOSES IN DOCUMENT 397915) IN BLOCK 2 IN ARTHUR T. MCINTOSH AND COMPANY'S WHEATON FARMS, BEING A SUBDIVISION OF PART OF THE NORTHWEST $\frac{1}{4}$ OF SECTION 10, AND PART OF THE SOUTHWEST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 10, 1924 AS DOCUMENT 175034, IN DUPAGE COUNTY, ILLINOIS.
P.I.N. 05-10-100-005

PARCEL 6: LOT 3 (EXCEPT SO MUCH OF THE NORTHERLY PORTION OF SAID LOT 3 AS WAS DEDICATED FOR HIGHWAY PURPOSES IN DOCUMENT 397915) IN BLOCK 2 IN ARTHUR T. MCINTOSH AND COMPANY'S WHEATON FARMS, BEING A SUBDIVISION OF PART OF THE NORTHWEST $\frac{1}{4}$ OF SECTION 10, AND PART OF THE SOUTHWEST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 10, 1924 AS DOCUMENT 175034, IN DUPAGE COUNTY, ILLINOIS. P.I.N. 05-10-100-007

PARCEL 7: LOT 2 (EXCEPT SO MUCH OF THE NORTHERLY PORTION OF SAID LOT 2 AS WAS DEDICATED FOR HIGHWAY PURPOSES IN DOCUMENT 397915) IN BLOCK 2 IN ARTHUR T. MCINTOSH AND COMPANY'S WHEATON FARMS, BEING A SUBDIVISION OF PART OF THE NORTHWEST $\frac{1}{4}$ OF SECTION 10, AND PART OF THE SOUTHWEST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$ OF SECTION 3, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED MARCH 10, 1924 AS DOCUMENT 175034, IN DUPAGE COUNTY, ILLINOIS. P.I.N. 05-10-100-008

The subject property is commonly known as 2129 President Street, 1012 Geneva Road and 1020 Geneva Road, 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.



James Carr
Mayor

ATTEST:

Erin M. Connelley
City Clerk

Roll Call Vote

Ayes: Councilman Mouhelis
Councilman Bolds
Councilwoman Corry
Councilman Johnson
Mayor Carr
Councilwoman Johnson
Councilman Mork

Nays: None

Absent: None

Motion Carried Unanimously

Passed: May 19, 2003
Published: May 20, 2003