

S-12

ORDINANCE NO. F-0834

**AN ORDINANCE AMENDING A PLANNED UNIT DEVELOPMENT
ON A CERTAIN PIECE OF PROPERTY COMMONLY KNOWN AS
290, 300 AND 310 S. COUNTY FARM ROAD- KOBLER**

WHEREAS, on March 6, 1989, the City of Wheaton, Illinois ("City"), enacted City Ordinance No. E-3432, "AN ORDINANCE AMENDING THE WHEATON ZONING MAP AND GRANTING A SPECIAL USE PERMIT FOR TWO (2) THREE-STORY OFFICE BUILDINGS – 278 SOUTH COUNTY FARM ROAD AND 221 SOUTH KNOLL STREET – KOBLER", recorded on March 29, 1989 as Document R89-034665 in the Office of the DuPage County Recorder ("original ordinance"); and

WHEREAS, on March 2, 1992, the City enacted Ordinance No. E-3772, "AN ORDINANCE AMENDING CITY OF WHEATON ORDINANCE NO. E-3432 – KOBLER", recorded on April 7, 1992 as Document R92-063749 in the Office of the DuPage County Recorder ("first amending ordinance"), granting a side-yard setback variation on a certain piece of property commonly known as 300 South County Farm Road; and

WHEREAS, on September 5, 1995, the City enacted Ordinance No. E-4127, "AN ORDINANCE AMENDING CITY OF WHEATON ORDINANCE E-3772 AND ORDINANCE E-3432 – KOBLER", recorded December 11, 1995 as Document R95-174496 in the Office of the DuPage County Recorder ("second amending ordinance"), granting parking lot and building setback variations to allow the construction and use of a three (3) -story 10,996-square foot addition to the existing 3-story building on a certain piece of property commonly known as 300 County Farm Road and the two 50-foot wide vacant parcels immediately north of the existing building on 300 South County Farm Road; and

WHEREAS, written application has been made to amend Ordinance No. E-4127 to allow up to 17,302 square feet of the buildings commonly known as 290, 300 and 310 South County Farm Road to be leased for medical and dental offices. The subject properties legally described herein are within the City limits of Wheaton, Illinois ("Subject Properties"); 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 Planning & Zoning Board on July 22, 2003 to consider the zoning amendment and the Wheaton Planning & Zoning Board has unanimously recommended approval of the 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 subject properties are and have been and continue to be zoned in the C-5 Planned Commercial District.

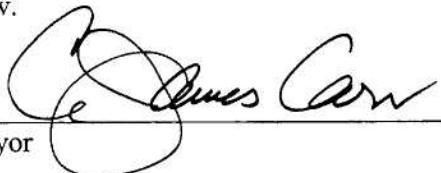
LOT 1 IN KOBLER'S COUNTY FARM OFFICE CONDOMINIUMS CONSOLIDATION PLAT NO. 4
IN THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 39 NORTH, RANGE 10, EAST OF
THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED 30
OCTOBER 1996 AS DOCUMENT R96-177321, IN DUPAGE COUNTY, ILLINOIS.
PIN 05-18-316-025 05-18-316-001 05-18-316-002 05-18-316-003 05-18-316-004
05-18-316-005 05-18-316-006 05-18-316-007 05-18-316-008

Section 2: Pursuant to the Findings of Fact determined by the Wheaton Planning & Zoning Board, a total of 17,302 square feet of the buildings commonly known as 290, 300 and 310 South County Farm Road may be leased for medical and dental offices.

Section 3: This ordinance and the conditions, restrictions and requirements recited herein, shall be considered a declaration of restrictive covenant and shall be binding upon the Subject Property and its owners, successors, assigns and grantees; this ordinance shall be recorded in the office of J.P. Carney, Recorder of Deeds, DuPage County, Illinois.

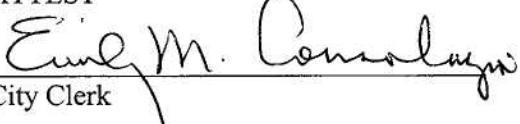
Section 4: All ordinances or parts of ordinances in conflict with these provisions are repealed.

Section 5: 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



Evelyn M. Conroy
City Clerk

Ayes:	<u>Roll Call Vote</u> Councilman Mouhelis Councilman Bolds Councilman Johnson Mayor Carr Councilwoman Johnson Councilman Mork
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Nays:	None
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Absent:	Councilwoman Corry
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Motion Carried Unanimously

Passed: August 4, 2003
Published: August 5, 2003