

ORDINANCE NO. F-0980

AN ORDINANCE AMENDING THE WHEATON ZONING MAP ON A CERTAIN PIECE OF PROPERTY COMMONLY KNOWN AS THE NORTHWEST CORNER OF ORCHARD & BUTTERFIELD ROADS SOLARN VENTURES, LLC.

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 the northwest corner of Orchard and Butterfield Roads, Wheaton, Illinois; and

WHEREAS, the zoning application is being requested pursuant to the terms and conditions of a certain Annexation Agreement dated November 10, 2004 ("Annexation Agreement"), among the City and Solarn Ventures, LLC ("Developer"); 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 October 11, 2004 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-3 Single Family Residential Zoning District classification with a Special Use Permit for a Planned Unit Development and in conformance with the Annexation Agreement:

THAT PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY BEGINNING AT THE POINT OF INTERSECTION OF THE NORTHERLY LINE OF BUTTERFIELD ROAD AS DEDICATED BY DOCUMENT 396981 WITH THE EAST LINE OF SAID SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER SECTION OF SECTION 29, TOWNSHIP 39 NORTH, RANGE 10, AND RUNNING THENCE NORTHERLY ALONG THE EAST LINE 385.96 FEET, MORE OR LESS, TO THE SOUTH LINE OF ARROWHEAD EAST, UNIT NO. 5 (A SUBDIVISION RECORDED AS DOCUMENT R83-36649); THENCE WESTERLY ON SAID SOUTH LINE, 83.02 FEET TO A POINT ON A LINE 83.00 FEET WESTERLY AND PARALLEL WITH SAID EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 29; THENCE SOUTHERLY ALONG SAID LINE 83.00 FEET WESTERLY AND PARALLEL WITH THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 29, 371.40 FEET TO THE NORTHERLY LINE OF BUTTERFIELD ROAD; THENCE WESTERLY ALONG THE NORTH LINE OF BUTTERFIELD ROAD 205.40; THENCE NORTHERLY ALONG A LINE MAKING A 80 DEGREES 29 MINUTE 45 SECOND ANGLE TO THE RIGHT OF THE LAST DESCRIBED COURSE, DISTANCE OF 200.39 FEET; THENCE

NORTHWESTERLY ALONG A LINE MAKING A 45 DEGREE 30 MINUTE 22 SECOND ANGLE TO THE LEFT OF THE LAST DESCRIBED COURSE, A DISTANCE OF 202.13 FEET TO THE SOUTH LINE OF SAID ARROWHEAD EAST UNIT 5; THENCE EASTERLY ALONG THE SOUTHERLY LINE OF ARROWHEAD EAST UNIT 5, 344.37 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS, AND ALSO THAT PART OF BUTTERFIELD ROAD AS DESCRIBED BY DOCUMENT NUMBER 396981 LYING SOUTH OF THE ABOVE DESCRIBED PROPERTY AND WEST OF THE WEST LINE OF ORCHARD ROAD EXTENDED SOUTH TO THE SOUTH LINE OF SAID BUTTERFIELD ROAD.

P.I.N. 05-29-302-044

The subject property is commonly known as the northwest corner of Orchard and Butterfield Roads, 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.

ATTEST:

Mayor

Erin M. Conroy
City Clerk

A yes-

Roll Call Vote

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

Navy:

None

Absent:

None

Motion Carried Unanimously

Passed: November 15, 2004
Published: November 16, 2004