

220

## ORDINANCE NO. F-1096

### **AN ORDINANCE AMENDING THE WHEATON ZONING MAP ON A CERTAIN PIECE OF PROPERTY COMMONLY KNOWN AS MCKENZIE PLACE/PHASE 2 – AIRHART CONSTRUCTION**

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 on the northeast corner of Daly Road and President Street, Wheaton, Illinois; and

WHEREAS, the zoning application is being requested pursuant to the terms and conditions of a certain annexation agreement dated October 17, 2005, ("Annexation Agreement"), among the City and Airhart Construction ("Owner"); 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 10, 2005, 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 Planned Unit Development classification and R-2 Single Family Residential Zoning District classification and in conformance with the Annexation Agreement:

THE NORTH HALF OF LOT 4 IN BLOCK 2 IN ARTHUR T. MCINTOSH AND COMPANY'S WHEATON FARMS, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER 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 NUMBER 175034, IN DUPAGE COUNTY, ILLINOIS.

THE SOUTH HALF OF LOT 4 AND THE NORTH 5 FEET OF LOT 5 IN BLOCK 2 IN ARTHUR T. MCINTOSH AND COMPANY'S WHEATON FARMS, BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 10, AND PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER 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 NUMBER 175034, IN DUPAGE COUNTY, ILLINOIS.

LOT 5 (EXCEPT THE NORTH 5 FEET THEREOF) IN BLOCK 2 IN ARTHUR T. MCINTOSH AND COMPANY'S WHEATON FARMS, BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 10, AND PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER 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 NUMBER 175034, IN DUPAGE COUNTY, ILLINOIS.

THE NORTH 15 FEET OF LOT 13 AND THE SOUTH HALF OF LOT 14 IN BLOCK 2 IN ARTHUR T. MCINTOSH AND COMPANY'S WHEATON FARMS, BEING A SUBDIVISION OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 10, ALSO THAT PART LYING SOUTH OF THE CENTER LINE OF GENEVA ROAD OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 3, ALL IN TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 10, 1924 AS DOCUMENT NUMBER 175034, IN DUPAGE COUNTY, ILLINOIS.

THE NORTH 40 FEET OF THE WEST 100 FEET OF THE NORTH HALF OF LOT 14 IN BLOCK 2 OF ARTHUR T. MCINTOSH AND COMPANY'S WHEATON FARMS, BEING A SUBDIVISION OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 10, ALSO THAT PART LYING SOUTH OF THE CENTER LINE OF GENEVA ROAD OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 3, ALL IN TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 10, 1924 AS DOCUMENT NUMBER 175034, IN DUPAGE COUNTY, ILLINOIS.

THE SOUTH 50 FEET OF THE WEST 200 FEET OF LOT 15 IN BLOCK 2 OF ARTHUR T. MCINTOSH AND COMPANY'S WHEATON FARMS, BEING A SUBDIVISION OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 10, ALSO THAT PART LYING SOUTH OF THE CENTER LINE OF GENEVA ROAD OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 3, ALL IN TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 10, 1924 AS DOCUMENT NUMBER 175034, IN DUPAGE COUNTY, ILLINOIS.

THE NORTH HALF OF LOT 14 (EXCEPT THE NORTH 40 FEET OF THE WEST 100 FEET THEREOF) AND THE SOUTH HALF OF LOT 15, (EXCEPT THE WEST 200 FEET THEREOF) ALL IN BLOCK 2 IN ARTHUR T. MCINTOSH AND COMPANY'S WHEATON FARMS, BEING A SUBDIVISION OF THE NORTHWEST QUARTER OF SECTION 10, AND PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER 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 NUMBER 175034, IN DUPAGE COUNTY, ILLINOIS.

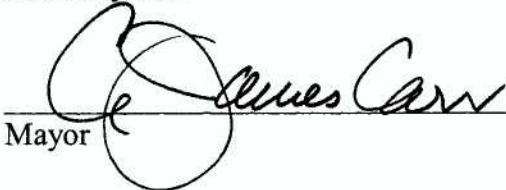
P.I.N.: 05-10-100-020, 05-10-100-021, 05-10-100-022, 05-10-100-014, 05-10-100-012, 05-10-100-011, 05-10-100-013

The subject property is commonly known as 2015 N. President Street, 2017 N. President Street, 2019 N. President Street, 2020 N. Stoddard Avenue, and 2022 N. Stoddard Avenue, all in Wheaton, IL 60187.

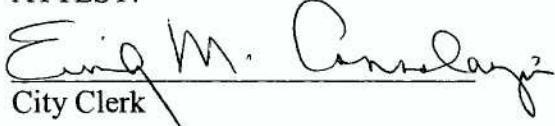
Section 2: The City Clerk is authorized and directed to record with the Office of the Recorder of Deeds, DuPage County, Illinois, and to file with the Office of the County Clerk, DuPage County, Illinois, a certified copy of this ordinance together with the accurate map of the subject property appended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

ATTEST:

  
\_\_\_\_\_  
Emily M. Annalynn  
City Clerk

Roll Call Vote

Ayes: Councilman Mouhelis  
Councilman Suess  
Councilwoman Corry  
Councilman Johnson  
Mayor Carr  
Councilman Levine

Nays: None

Absent: Councilman Bolds

Motion Carried Unanimously

Passed: October 17, 2005  
Published: October 18, 2005