

ORDINANCE NO. O-2019-05

AN ORDINANCE AMENDING ORDINANCES NO. F-0688 AND O-2018-36 "AN ORDINANCE AMENDING THE WHEATON ZONING ORDINANCE MAP AND GRANTING A SPECIAL USE PERMIT FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT ON A CERTAIN PIECE OF PROPERTY COMMONLY KNOWN AS 104 WEST FARNHAM LANE/ FARNHAM LANE P.U.D."

WHEREAS, on March 18, 2002, the City of Wheaton, Illinois ("City"), enacted City Ordinance No. F-0688, "AN ORDINANCE AMENDING THE WHEATON ZONING ORDINANCE MAP AND GRANTING A SPECIAL USE PERMIT FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT ON A CERTAIN PIECE OF PROPERTY COMMONLY KNOWN AS 104 WEST FARNHAM LANE/ FARNHAM LANE P.U.D." ("Original Ordinance"), authorizing a special use permit for a residential planned unit development on property commonly known as 104 and 110 W. Farnham Lane "Subject Property"; and

WHEREAS, on July 2, 2018, the City of Wheaton, Illinois ("City"), enacted City Ordinance No. O-2018-36 "AN ORDINANCE AMENDING ORDINANCE NO. F-0688 "AN ORDINANCE AMENDING THE WHEATON ZONING ORDINANCE MAP AND GRANTING A SPECIAL USE PERMIT FOR A RESIDENTIAL PLANNED UNIT DEVELOPMENT ON A CERTAIN PIECE OF PROPERTY COMMONLY KNOWN AS 104 WEST FARNHAM LANE/ FARNHAM LANE P.U.D." ("First Amended Ordinance"), which amended the restriction that only one driveway could service the two residential improvements on the Subject Property; and

WHEREAS, following the enactment of the Original and First Amended Ordinance, an application has been submitted to the City to allow for the abrogation of the Declaration of Condominium Ownership and of Easements, Restrictions and Covenants for Farnham Ridge Condominium, Recorded May 20, 2011 and recorded as DuPage County Document Number R2011-062189 (the "Condominium Declaration"), and the approval a plat of subdivision for Farnham Lane Estates for the Subject Property (collectively the "Applications"); and

WHEREAS, pursuant to notice as required by the Illinois Municipal Code and the City Zoning Ordinance, a public hearing was conducted by the Wheaton Planning and Zoning Board (the "Board") on December 11, 2018, to consider the Applications, and on the same day, the Board unanimously recommended approval of the Applications.

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 following legally described property has been, and continues to be zoned and classified in the R-2 Residential zoning district classification:

UNIT E IN FARNHAM RIDGE CONDOMINIUM AS DELINEATED ON A SURVEY OF LOT 1 IN HALLEEN'S SUBDIVISION, BEING A SUBDIVISION IN THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS, WHICH SURVEY IS ATTACHED AS EXHIBIT "A" TO THE DECLARATION OF CONDOMINIUM OWNERSHIP RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF DUPAGE COUNTY, ILLINOIS, ON MAY 20, 2011 AS DOCUMENT NUMBER R2011062189, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENT APPURtenant TO SAID UNIT AS SAID FORTH IN SAID DECLARATION.

UNIT W IN FARNHAM RIDGE CONDOMINIUM AS DELINEATED ON A SURVEY OF LOT 1 IN HALLEEN'S SUBDIVISION, BEING A SUBDIVISION IN THE SOUTHWEST 1/4 OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED

OCTOBER 6, 1983 AS DOCUMENT NUMBER R83-72885, IN DUPAGE COUNTY ILLINOIS, WHICH SURVEY IS ATTACHED AS EXHIBIT "A" TO THE DECLARATION OF CONDOMINIUM OWNERSHIP RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF DUPAGE COUNTY, ILLINOIS, ON MAY 20, 2011 AS DOCUMENT NUMBER R2011062189, TOGETHER WITH ITS UNDIVIDED PERCENTAGE INTEREST IN THE COMMON ELEMENT APPURTEnant TO SAID UNIT AS SAID FORTH IN SAID DECLARATION.

The Subject Property is commonly known as 104 and 110 W. Farnham Lane, Wheaton, IL 60189.

P.I.N. 05-21-312-001, -002

Section 2: Ordinance No. F-0688 ("Original Ordinance") is hereby amended by repealing and rescinding the following Sub-Sections in their entirety: 1.B. 1.C.4, 3.B, 3.C and 3.E.

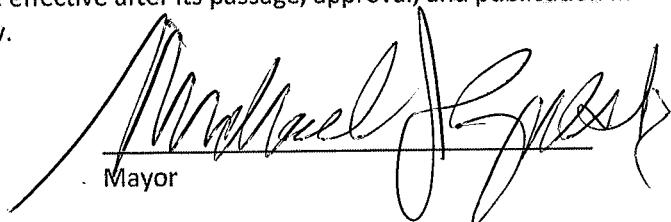
Section 3: The Declaration of Condominium Ownership and of Easements, Restrictions and Covenants for Farnham Ridge Condominium, dated May 2, 2011, and recorded May 20, 2011 is hereby abrogated.

Section 4: The Final Plat of Subdivision for Farnham Lane Estates entitled "Final Plat of Subdivision, Farnham Lane Estates" prepared by Engineering Resource Associates, Warrenville, IL, dated September 26, 2018 is hereby approved, and the Mayor is hereby authorized to sign, and the City Clerk is directed to attest to, the Final Plat of Subdivision.

Section 5: In all other respects, the terms and provisions of the Original Ordinance and the First Amended Ordinance are ratified and remain in full force and effect.

Section 6: All Ordinances and parts of Ordinances in conflict with these provisions are hereby repealed.

Section 7: This Ordinance shall become effective after its passage, approval, and publication in pamphlet form in the manner prescribed by law.



Michael J. Gresk

Mayor

ATTEST:



Karen Bennett Hagn

City Clerk

	<u>Roll Call Vote</u>
Ayes:	Councilman Barbier Councilwoman Fitch Councilman Prendiville Mayor Gresk Councilman Rutledge Councilman Suess

Nays: None

Absent: Councilman Scalzo

Motion Carried Unanimously

Passed: January 7, 2019
Published: January 8, 2019

○

○

○

EXHIBIT A

FINAL PLAT OF SUBDIVISION FARNHAM LANE ESTATES

PART OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, DEKALB COUNTY, ILLINOIS

FARNHAM LANE

PLAT OF THE AUTOMOBILE HIGHWAY, NAME, TITLE, CORPORATION/ASSOCIATION
PLATE AND ADDRESS

AC. NO. 1

AC. NO. 2

AC. NO. 3

AC. NO. 4

AC. NO. 5

AC. NO. 6

AC. NO. 7

AC. NO. 8

AC. NO. 9

AC. NO. 10

AC. NO. 11

AC. NO. 12

AC. NO. 13

AC. NO. 14

AC. NO. 15

AC. NO. 16

AC. NO. 17

AC. NO. 18

AC. NO. 19

AC. NO. 20

AC. NO. 21

AC. NO. 22

AC. NO. 23

AC. NO. 24

AC. NO. 25

AC. NO. 26

AC. NO. 27

AC. NO. 28

AC. NO. 29

AC. NO. 30

AC. NO. 31

AC. NO. 32

AC. NO. 33

AC. NO. 34

AC. NO. 35

AC. NO. 36

AC. NO. 37

AC. NO. 38

AC. NO. 39

AC. NO. 40

AC. NO. 41

AC. NO. 42

AC. NO. 43

AC. NO. 44

AC. NO. 45

AC. NO. 46

AC. NO. 47

AC. NO. 48

AC. NO. 49

AC. NO. 50

AC. NO. 51

AC. NO. 52

AC. NO. 53

AC. NO. 54

AC. NO. 55

AC. NO. 56

AC. NO. 57

AC. NO. 58

AC. NO. 59

AC. NO. 60

AC. NO. 61

AC. NO. 62

AC. NO. 63

AC. NO. 64

AC. NO. 65

AC. NO. 66

AC. NO. 67

AC. NO. 68

AC. NO. 69

AC. NO. 70

AC. NO. 71

AC. NO. 72

AC. NO. 73

AC. NO. 74

AC. NO. 75

AC. NO. 76

AC. NO. 77

AC. NO. 78

AC. NO. 79

AC. NO. 80

AC. NO. 81

AC. NO. 82

AC. NO. 83

AC. NO. 84

AC. NO. 85

AC. NO. 86

AC. NO. 87

AC. NO. 88

AC. NO. 89

AC. NO. 90

AC. NO. 91

AC. NO. 92

AC. NO. 93

AC. NO. 94

AC. NO. 95

AC. NO. 96

AC. NO. 97

AC. NO. 98

AC. NO. 99

AC. NO. 100

AC. NO. 101

AC. NO. 102

AC. NO. 103

AC. NO. 104

AC. NO. 105

AC. NO. 106

AC. NO. 107

AC. NO. 108

AC. NO. 109

AC. NO. 110

AC. NO. 111

AC. NO. 112

AC. NO. 113

AC. NO. 114

AC. NO. 115

AC. NO. 116

AC. NO. 117

AC. NO. 118

AC. NO. 119

AC. NO. 120

AC. NO. 121

AC. NO. 122

AC. NO. 123

AC. NO. 124

AC. NO. 125

AC. NO. 126

AC. NO. 127

AC. NO. 128

AC. NO. 129

AC. NO. 130

AC. NO. 131

AC. NO. 132

AC. NO. 133

AC. NO. 134

AC. NO. 135

AC. NO. 136

AC. NO. 137

AC. NO. 138

AC. NO. 139

AC. NO. 140

AC. NO. 141

AC. NO. 142

AC. NO. 143

AC. NO. 144

AC. NO. 145

AC. NO. 146

AC. NO. 147

AC. NO. 148

AC. NO. 149

AC. NO. 150

AC. NO. 151

AC. NO. 152

AC. NO. 153

AC. NO. 154

AC. NO. 155

AC. NO. 156

AC. NO. 157

AC. NO. 158

AC. NO. 159

AC. NO. 160

AC. NO. 161

AC. NO. 162

AC. NO. 163

AC. NO. 164

AC. NO. 165

AC. NO. 166

AC. NO. 167

AC. NO. 168

AC. NO. 169

AC. NO. 170

AC. NO. 171

AC. NO. 172

AC. NO. 173

AC. NO. 174

AC. NO. 175

AC. NO. 176

AC. NO. 177

AC. NO. 178

AC. NO. 179

AC. NO. 180

AC. NO. 181

AC. NO. 182

AC. NO. 183

AC. NO. 184

AC. NO. 185

AC. NO. 186

AC. NO. 187

AC. NO. 188

AC. NO. 189

AC. NO. 190

AC. NO. 191

AC. NO. 192

AC. NO. 193

AC. NO. 194

AC. NO. 195

AC. NO. 196

AC. NO. 197

AC. NO. 198

AC. NO. 199

AC. NO. 200

AC. NO. 201

AC. NO. 202

AC. NO. 203

AC. NO. 204

AC. NO. 205

AC. NO. 206

AC. NO. 207

AC. NO. 208

AC. NO. 209

AC. NO. 210

AC. NO. 211

AC. NO. 212

AC. NO. 213

AC. NO. 214

AC. NO. 215

AC. NO. 216

AC. NO. 217

AC. NO. 218

AC. NO. 219

AC. NO. 220

AC. NO. 221

AC. NO. 222

AC. NO. 223

AC. NO. 224

AC. NO. 225

AC. NO. 226

AC. NO. 227

AC. NO. 228

AC. NO. 229

AC. NO. 230

AC. NO. 231

AC. NO. 232

AC. NO. 233

AC. NO. 234

AC. NO. 235

AC. NO. 236

AC. NO. 237

AC. NO. 238

AC. NO. 239

AC. NO. 240

AC. NO. 241

AC. NO. 242

AC. NO. 243

AC. NO. 244

AC. NO. 245

AC. NO. 246

AC. NO. 247

AC. NO. 248

AC. NO. 249

AC. NO. 250

AC. NO. 251

AC. NO. 252

AC. NO. 253

AC. NO. 254

AC. NO. 255

AC. NO. 256

AC. NO. 257

AC. NO. 258

AC. NO. 259

AC. NO. 260

AC. NO. 261

AC. NO. 262

AC. NO. 263

AC. NO. 264

AC. NO. 265

AC. NO. 266

AC. NO. 267

AC. NO. 268