

ORDINANCE NO. O-2023-43

**AN ORDINANCE AMENDING THE WHEATON ZONING MAP ON CERTAIN PROPERTY COMMONLY
KNOWN AS 0N239 GARY AVENUE - WHEATON PARK DISTRICT**

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 that lies within the city limits of Wheaton, Illinois ("City"); and

WHEREAS, pursuant to notice, a public hearing was conducted by the City Council on October 23, 2023.

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 Residential zoning district:

THAT PART OF WARRANTY DEED RECORDED NOVEMBER 4, 2009 AS DOCUMENT R2009-166787 IN DUPAGE COUNTY, ILLINOIS DESCRIBED AS FOLLOWS:

THAT PART OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT ONE IN WILLIAMS RESUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 28, 1989 AS DOCUMENT NUMBER R89-120886; THENCE NORTH 36 DEGREES 43 MINUTES 47 SECONDS WEST ALONG THE EAST RIGHT OF WAY OF GARY AVENUE, 89.14 FEET; THENCE NORTH 54 DEGREES 25 MINUTES 32 SECONDS EAST, 482.32 FEET TO THE WEST LINE OF R.L. AND D.S. WHEATON'S PIONEER TERRACE SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED MAY 20, 1963; THENCE SOUTH 00 DEGREES 49 MINUTES 29 SECONDS EAST ALONG THE WEST LINE OF SAID R.L. AND D.S. WHEATON'S PIONEER TERRACE SUBDIVISION, 108.46 FEET TO THE NORTH LINE OF SAID LOT 1 EXTENDED NORTHEASTERLY; THENCE SOUTH 54 DEGREES 25 MINUTES 32 SECONDS WEST 418.69 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

P.I.N. 05-08-408-014

The subject property is commonly known as 0N239 Gary Avenue, Wheaton, IL 60187.

Section 2: The City Clerk is 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.

Philip J. Suess
Mayor

ATTEST:

Andrea Rosedale
City Clerk

Roll Call Vote

Ayes: Councilwoman Bray-Parker
Councilman Brown
Mayor Suess
Councilwoman Robbins
Councilman Weller
Councilman Barbier

Nays: None

Absent: Councilman Clousing

Motion Carried Unanimously

Passed: November 6, 2023

Published: November 7, 2023