

ORDINANCE NO. F-1026

**AN ORDINANCE AMENDING THE WHEATON ZONING MAP
ON A CERTAIN PIECE OF PROPERTY COMMONLY KNOWN AS
MCKENZIE PLACE – 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 April 4, 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 25, 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-5 Planned Unit Development classification and R-2 Single Family Residential Zoning District classification and in conformance with the Annexation Agreement:

PARTS OF LOTS 6 THRU 13 IN BLOCK 2 IN ARTHUR T. MCINTOSH AND COMPANY'S WHEATON FARMS, BEING A SUBDIVISION OF THE WEST ½ OF THE NORTHWEST ¼ OF SECTION 10, AND ALSO THAT PART LYING SOUTH OF THE CENTERLINE OF GENEVA ROAD OF THE SOUTHWEST ¼ 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 175034, IN DUPAGE COUNTY, ILLINOIS.

P.I.N. 05-10-100-015, 05-10-100-016, 05-10-100-017, 05-10-100-018, 05-10-100-019, 05-10-100-023, 05-10-100-024, 05-10-100-030, 05-10-100-032, 05-10-100-034, 05-10-100-035, 05-10-100-036, 05-10-100-037

The subject property is commonly known as the 5.4 acre site located on the northeast corner of Daly Road and President Street, 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:



City Clerk

Ayes: Roll Call Vote
Councilman Johnson
Mayor Carr
Councilwoman Johnson
Councilman Mork
Councilman Mouhelis
Councilman Bolds
Councilwoman Corry

Nays: None

Absent: None

Motion Carried Unanimously

Passed: April 4, 2005
Effective: April 6, 2005
Published: April 5, 2005