

ORDINANCE NO. F-1672

**AN ORDINANCE AMENDING THE WHEATON ZONING MAP
ON CERTAIN PROPERTY COMMONLY KNOWN AS -
1425 S. GABLES BOULEVARD – WHEATON SANITARY DISTRICT AND ST. MATTHEW
UNITED CHURCH OF CHRIST**

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 in part at 1425 Gables Boulevard, Wheaton, Illinois and in part consisting of the Vacated ROW as hereinafter defined; and

WHEREAS, an annexation agreement dated October 15, 2012 ("Annexation Agreement"), among the City and the Wheaton Sanitary District and St. Matthew United Church of Christ ("Owners"), is the direct result of deliberations on the proposed Annexation Agreement pursuant to the public hearing and other meetings before the City Council and City Staff; and

WHEREAS, pursuant to the provisions of Section 8 of the Annexation Agreement pertaining to the vacation of that certain right-of-way for Gables Boulevard ("ROW Vacation") and the applicable public hearing and other meetings before the City Council concerning the ROW Vacation, the City has vacated said public right-of-way as legally described and depicted on that certain Plat of Vacation attached to the Annexation Agreement as Exhibit "H" ("Vacated ROW"); and

WHEREAS, the Annexation Agreement provides for the rezoning of the Vacated ROW along with certain portions of the Owners' property as legally described herein; 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 April 23, 2012 and continued to June 11, 2012.

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 and in conformance with the Annexation Agreement ("R-3 Property"):

LOT 1 IN MORE ESTATES PLAT OF SUBDIVISION, BEING A SUBDIVISION OF PART OF SECTION 20, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED ON _____, 2012 AS DOCUMENT NUMBER _____, IN DUPAGE COUNTY, ILLINOIS.

PIN: 05-20-400-014

The R-3 Property is commonly known as 1425 S. Gables Boulevard, Wheaton, IL 60189.

Section 2: 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 parking lot in conformance with the Annexation Agreement ("R-3 Property"):

LOTS 2 IN MORE ESTATES PLAT OF SUBDIVISION, BEING A SUBDIVISION OF PART OF SECTION 20, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED ON _____, 2012 AS DOCUMENT NUMBER _____, IN DUPAGE COUNTY, ILLINOIS.

PIN: 05-20-400-013 (partial)

The R-3 Special Use Permit property is commonly known as 1425 S. Gables Boulevard, Wheaton, IL 60189, together with a portion of the Vacated ROW.

Section 3: The Zoning map, which is attached to and forms a part of the Wheaton Zoning Ordinance, is amended by adding, including and classifying, or ratifying as the case may be, the following described property in the I-1 Institutional District classification and in conformance with the Annexation Agreement ("I-1 Property"):

LOT 3 IN MORE ESTATES PLAT OF SUBDIVISION, BEING A SUBDIVISION OF PART OF SECTION 20, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED ON _____, 2012 AS DOCUMENT NUMBER _____, IN DUPAGE COUNTY, ILLINOIS.

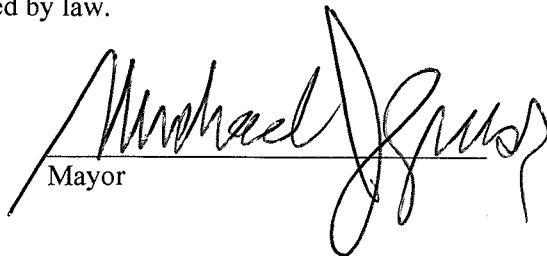
With respect to that portion of the I-1 Property previously annexed to the City and zoned in the I-1 Institutional District classification, said zoning classification is hereby ratified and confirmed.

The I-1 Property is 1420 S. Gables Boulevard, Wheaton, IL 60189 and includes a portion of the Vacated ROW.

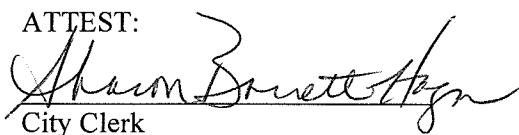
Section 4: The City Clerk is authorized and directed to record with the Office of the Recorder of Deeds, DuPage County, Illinois, and to file with the Office of the County Clerk, DuPage County, Illinois, a certified copy of this ordinance together with the accurate map of the subject property appended to this ordinance.

Section 5: All ordinances or parts of ordinances in conflict with these provisions are repealed.

Section 6: 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

Roll Call Vote

Ayes: Councilwoman Pacino Sanguinetti
Councilman Scalzo
Councilman Suess
Councilwoman Ives
Councilman Mouhelis
Councilman Rutledge
Mayor Gresk

Nays: None

Absent: None

Motion Carried Unanimously

Passed: October 15, 2012
Published: October 16, 2012

