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**ORDINANCE NO. F-0118**

**AN ORDINANCE GRANTING A REAR YARD VARIATION ON A CERTAIN  
PIECE OF PROPERTY COMMONLY KNOWN AS  
502 ROBINWOOD LANE - SAMEK**

**WHEREAS**, written application has been made requesting a variation from the provisions of the City of Wheaton Zoning Ordinance in order to reduce the rear yard setback from 25 feet to 10 feet to allow the partial enclosure of an existing in-ground swimming pool on a certain piece of property legally described herein and commonly known as 502 Robinwood Lane, Wheaton, Illinois; 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 Board of Zoning Appeals on March 11, 1997, to consider the variation request and the Wheaton Board of Zoning Appeals has unanimously recommended approval of the zoning variation.

**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:** Pursuant to the Findings of Fact determined by the Wheaton Board of Zoning Appeals, a variation from Section 24.4 (2) of the Wheaton Zoning Ordinance is granted to permit a partial enclosure of an existing in-ground swimming pool with a rear yard of 10 feet in lieu of the 25 feet and in full compliance with the following conditions:

1. That the exterior metal parts of the enclosure be bronze in color, and the glass panels be clear glass as opposed to reflecting glass.
2. That the height of the pool enclosure not exceed 12 feet as measured from the existing concrete pool deck to the highest point of pool enclosure.
3. That the pool enclosure cross the pool at its mid point, with the east wall of the enclosure being approximately 25 feet from the east property line.
4. That prior to the issuance of a building permit, the owner shall submit a detailed landscape plan which indicates the landscape screening of the pool enclosure. Said landscape plan shall be subject to the approval of the Director of Planning. All landscaping must be installed prior to the certificate of occupancy of the enclosure.

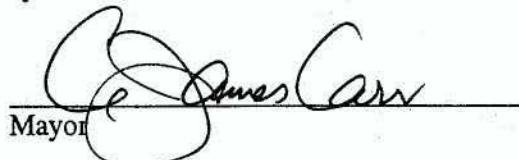
The property that is subject of the variation is legally described as:

LOT 12 IN COUNTRY WOODS, A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 12, 1978 AS DOCUMENT NO. R78-40947, IN DUPAGE COUNTY, ILLINOIS. P.I.N. 05-33-403-003.

The property is commonly known as 502 Robinwood Lane, Wheaton, Illinois 60187.

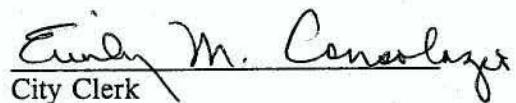
Section 2: All ordinances or parts of ordinances in conflict with these provisions are repealed.

Section 3: This ordinance shall become effective from and after its passage, approval, and publication in pamphlet form in the manner prescribed by law.



James Carr  
Mayor

ATTEST:



Cindy M. Consolazio  
City Clerk

Roll Call Vote

|       |   |
|-------|---|
| Ayes: | Councilwoman Davenport<br>Councilman Eckhoff<br>Councilman Gerig<br>Mayor Carr<br>Councilman Gresk<br>Councilwoman Johnson<br>Councilman Mork |
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| Nays: | None |
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| Absent: | None |
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Motion Carried Unanimously

Passed: March 17, 1997

Published: March 18, 1997