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ORDINANCE NO. F-0379
AN ORDINANCE GRANTING A SIDE YARD VARIATION
ON A CERTAIN PIECE OF PROPERTY COMMONLY KNOWN AS
907 S. HALE STREET - MODAFF

WHEREAS, written application has been made requesting a variation to Article 3.4A 5.a. of the City of Wheaton Zoning Ordinance to allow the construction of a two-car attached garage with a side yard setback of 5.83 feet in lieu of the required 7.39 feet on a certain piece of property legally described herein and commonly known as 907 S. Hale Street, 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 August 10, 1999, 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 is granted to allow the aforementioned relief in full compliance with the plans entitled *"Addition to the Modaff Residence, 907 Hale Street, Wheaton, Illinois dated July 5, 1999, Sheet A1 Exterior Elevations; Sheet A2 Floor Plans; prepared by Design House Architectural Services, 1031 T alma, Aurora, Illinois 60505."*

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

THAT PART OF LOT 11, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 11 AND RUNNING THENCE SOUTH ALONG THE EAST LINE OF SAID LOT, 9.15 FEET TO A POINT ON SAID EAST LINE THAT IS 100 FEET NORTH OF THE NORTHEAST CORNER OF A TRACT OF LAND OWNED BY R. LOWRIE WHEATON, JR.; THENCE WEST AT RIGHT ANGLES WITH THE EAST LINE OF SAID LOT 11, 365.8 FEET TO THE EASTERLY LINE OF HALE STREET; THENCE NORTHERLY ALONG THE CURVED EASTERLY LINE OF HALE STREET TO THE NORTH LINE OF SAID LOT 11; THENCE EAST ALONG THE SAID LINE TO THE PLACE OF BEGINNING, IN MILTON TOWNSHIP SUPERVISORS' ASSESSMENT PLAT NUMBER 3, ALSO KNOWN AS THE WASHINGTON WHEATON ESTATE, BEING A PART OF THE NORTHEAST 1/4 OF SECTION 20 AND THE WEST 1/2 OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 15, 1944 IN BOOK 24 OF PLATS, PAGE 316, AS DOCUMENT 461083, IN DUPAGE COUNTY, ILLINOIS. P.I.N. 05-21-108-011

The property is commonly known as 907 S. Hale Street, 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.

Mayor

ATTEST:

Emily M. Consalvo
City Clerk

City Clerk

Roll Call Vote

Ayes:

Councilwoman Davenport
Councilman Eckhoff
Councilman Gresk
Mayor Carr
Councilman Johnson
Councilwoman Johnson
Councilman Mork

Nays:

None

Absent:

None

Motion Carried Unanimously

Passed: August 16, 1999
Published: August 17, 1999