

ORDINANCE NO. F-0392

**AN ORDINANCE GRANTING A SIDE YARD VARIATION  
ON A CERTAIN PIECE OF PROPERTY COMMONLY KNOWN AS  
106 S. PROSPECT STREET - MARTINEZ**

**WHEREAS**, written application has been made requesting a variation from the Zoning Ordinance to allow the construction of a shed dormer addition onto the second story of a home with a side yard setback of 7.33 feet in lieu of the required 8.92 feet on a certain piece of property legally described herein and commonly known as 106 S. Prospect Street, Wheaton, IL 60187; 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 September 14, 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 construction of a shed dormer addition onto the second story of a home with a side yard setback of 7.33 feet in lieu of the required 8.92 foot side yard in full compliance with the plans entitled "*Martinez, 106 S. Prospect, Wheaton, IL 260-0691, dated July 7, 1999; Sheets 1, 2, 4 and 5; prepared by Waterman Bros. Construction, Inc., 101 Bridge Street, Wheaton, Illinois*".

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

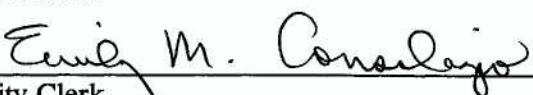
LOT 2 IN BLOCK 6 IN ARTHUR T. MCINTOSH AND COMPANY'S LORRAINE ROAD SUBDIVISION, BEING A SUBDIVISION IN THE SOUTH HALF OF SECTION 15, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 6, 1925 AS DOCUMENT NUMBER 202765, AND CERTIFICATE OF CORRECTION FILED OCTOBER 29, 1927 AS DOCUMENT NUMBER 245767, IN DUPAGE COUNTY, ILLINOIS. P.I.N. 05-15-304-013

The property is commonly known as 106 S. Prospect 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**Section 2:** All ordinances or parts of ordinances in conflict with these provisions are repealed.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.

ATTEST:

  
Enid M. Consalvo  
City Clerk

  
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Mayor

**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: September 20, 1999  
Published: September 21, 1999