

ORDINANCE NO. F-0681

AN ORDINANCE GRANTING A SIDE YARD VARIATION  
ON A CERTAIN PIECE OF PROPERTY COMMONLY KNOWN AS  
1122 CHERRY STREET - LYONS

**WHEREAS**, written application has been made requesting a variation to Section 3.4a 5B of the City of Wheaton Zoning Ordinance to reduce the required side yard from 7.7 feet to 4.52 feet to allow the construction of a full second floor onto an existing home.

**WHEREAS**, pursuant to notice as required by the Illinois Municipal Code and the Wheaton Zoning Ordinance, a public hearing was convened by the Wheaton Planning and Zoning Board on December 11, 2001, and concluded on January 23, 2002, to consider the variation request and the Wheaton Planning and Zoning Board has 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 Planning and Zoning Board, a variation is granted to reduce the required side yard from 7.7 feet to 4.52 to allow the construction of a full second floor onto an existing home in full compliance with the plans entitled "*Potential Elevation of House with Addition, Existing 1<sup>st</sup> Floor, Proposed 1<sup>st</sup> Floor after Addition, Existing 2<sup>nd</sup> Floor, Proposed 2<sup>nd</sup> Floor prepared by BJORNDALH Construction, Inc., 175 S. Madison, Oswego, IL 60543.*"

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

LOT 38 IN THE SUBDIVISION OF THE WHEATON MANOR ADDITION TO THE CITY OF WHEATON, BEING A RESUBDIVISION OF ALL OF WHEATON MANOR ADDITION TO THE CITY OF WHEATON, (EXCEPT LOT 4 IN BLOCK 2) BEING A SUBDIVISION IN THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY. P.I.N. 05-09-412-014

The property is commonly known as 1122 Cherry 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Section 2: All ordinances or parts of ordinances in conflict with these provisions are repealed.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:

  
\_\_\_\_\_  
Emilie M. Consalvo  
City Clerk

Roll Call Vote

Ayes: Councilman Mouhelis  
Councilman Eckhoff  
Councilman Gresk  
Councilman Johnson  
Mayor Carr  
Councilwoman Johnson  
Councilman Mork

Nays: None

Absent: None

Motion Carried Unanimously

Passed: February 4, 2002  
Published: February 5, 2002