

**ORDINANCE NO. F-0682**

**AN ORDINANCE GRANTING A SIDE YARD VARIATION  
ON A CERTAIN PIECE OF PROPERTY COMMONLY KNOWN AS  
1768 LUCKY DEBONAIR COURT - DOHSE**

**WHEREAS**, written application has been made requesting a variation to Section 24.5 (2) of the City of Wheaton Zoning Ordinance to reduce the required side yard setbacks for a swing set from 10 feet to 6 and 8 feet respectively.

**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 January 8, 2002, 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 setbacks for a swing set from 10 feet to 6 and 8 feet respectively in full compliance with the plat of survey prepared by Lambert & Associates, 320 S. Reber Street, Wheaton, IL 60187 dated May 5, 2001.

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

LOT 49 IN DANADA FARMS WEST UNIT 1, BEING A SUBDIVISION OF PART OF THE WEST HALF OF SECTION 28, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 12, 1986 AS DOCUMENT NO. R86-110141 AND CERTIFICATE OF CORRECTION RECORDED OCTOBER 16, 1986 AS DOCUMENT R86-12139 AND NOVEMBER 12, 1986 AS DOCUMENT R86-142709, PIN #05-28-112-017, IN DUPAGE COUNTY ILLINOIS.

The property is commonly known as 1768 Lucky Debonair Court, 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Section 2: All ordinances or parts of ordinances in conflict with these provisions are repealed.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:

Emily M. Connell  
City Clerk

by law.  
  
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James C. Garrison  
Mayor

Ayes: Roll Call Vote  
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