

ORDINANCE NO. F-0707

**AN ORDINANCE GRANTING SIDE YARD ABUTTING A STREET VARIATION
ON A CERTAIN PIECE OF PROPERTY COMMONLY KNOWN AS
505 W. MADISON AVENUE - LEANDER**

WHEREAS, written application has been made requesting a variation to Article 9.2.5¹ of the City of Wheaton Zoning Ordinance to allow the construction of a patio with a side yard abutting a street setback of 14 feet in lieu of the required 25.89 feet; 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 Planning & Zoning Board on April 23, 2002 to consider the variation request and the Wheaton Planning & 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 & Zoning Board, a variation is granted to Article 9.2.5¹ of the City of Wheaton Zoning Ordinance to allow the construction of a patio with a side yard abutting a street setback of 14 feet in lieu of the required 25.89 feet with the plan entitled "*Scott and Michelle Leander, 505 W. Madison, Wheaton, IL 60187 dated May 29, 1998 prepared by The Planters Palette, 28W571 Roosevelt Road, Winfield, IL 60190.*"

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

LOT 1 OF HARRY G. WEAVER'S RESUBDIVISION OF LOTS 1 TO 9, INCLUSIVE, IN ARTHUR T. MCINTOSH AND COMPANY'S SUBDIVISION OF LOT 1 IN BLOCK 6 IN NOAH E. GARY'S FIRST ADDITION TO WHEATON, IN THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF HARRY G. WEAVER'S RESUBDIVISION, RECORDED ON DECEMBER 6, 1949, AS DOCUMENT 582093, IN DUPAGE COUNTY, ILLINOIS. P.I.N. 05-17-203-006

The subject property is commonly known as 505 W. Madison Avenue, Wheaton, IL 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Section 2: All ordinances or parts of ordinances in conflict with these provisions are repealed.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:

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Emily M. Conley
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: May 6, 2002
Published: May 7, 2002