

ORDINANCE NO. F-0795

**AN ORDINANCE GRANTING A FRONT YARD VARIATION
ON A CERTAIN PIECE OF PROPERTY COMMONLY KNOWN AS
617 NORTH LYON AVENUE**

WHEREAS, written application has been made requesting a variation to Article 3.4A.5 of the City of Wheaton Zoning Ordinance to allow the construction of a brick patio with a side yard setback of two feet in lieu of the required side yard setback of 14 feet; and

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 & Zoning Board on March 11, 2003 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 3.4A.5 of the City of Wheaton Zoning Ordinance in order to construct a brick patio with a side yard setback of two feet in lieu of the required side yard setback of 14 feet in accordance with the site plan and statements submitted *February 7, 2003* by *Roger Lautz, President, R. Lautz Custom Homes*.

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

THAT PART OF THE NORTHEAST $\frac{1}{4}$ OF SECTION 17, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED BY BEGINNING AT A POINT IN THE EAST LINE OF LYON AVENUE, 262 FEET NORTH OF THE NORTH LINE OF LINCOLN AVENUE FOR A POINT OF BEGINNING; THENCE NORTH 159 FEET TO THE SOUTH RIGHT OF WAY LINE OF THE CHICAGO, AURORA AND ELGIN RAILWAY; THENCE SOUTHEASTERLY ALONG SAID RIGHT OF WAY LINE TO A POINT 262 FEET NORTH OF THE NORTH LINE OF LINCOLN AVENUE; THENCE WEST 150 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS. P.I.N. 05-17-211-001

The property is commonly known as 617 North Lyon Avenue, 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Section 2: All ordinances or parts of ordinances in conflict with these provisions are repealed.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.



James Carr
Mayor

ATTEST:

Emily M. Connelley
City Clerk

Ayes:

Roll Call Vote
Councilman Mouhelis
Councilman Tamm
Councilman Gresk
Councilman Johnson
Councilwoman Johnson
Mayor Carr

Nays:

None

Absent:

Councilman Mork

Motion Carried Unanimously

Passed: March 17, 2003

Published: March 18, 2003