

ORDINANCE NO. F-0821

**AN ORDINANCE GRANTING A SIDE YARD VARIATION  
ON A CERTAIN PIECE OF PROPERTY COMMONLY KNOWN AS  
205 E. PRAIRIE AVENUE**

**WHEREAS**, written application has been made requesting a variation to Article 9.2.5 of the City of Wheaton Zoning Ordinance to allow the construction of a new single family home with a side yard setback along North Cross Street of 20 feet in lieu of the required side yard setback of 67.7 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 May 27, 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 to Article 9.2.5 of the City of Wheaton Zoning Ordinance to allow the construction of a new single family home with a side yard setback along North Cross Street of 22 feet in lieu of the required side yard setback of 67.7 feet in accordance with the plans entitled "*The Anthony Residence;*," prepared by Architects By Design, Clarendon Hills, IL; sheets A-1 thru A-5, and C-1, dated April 25, 2003; sheets C-1 and C-2, dated May 23, 2003 and subject to the following conditions:

1. The attached garage will be reduced from a 4-car garage to a 3 1/2-car garage.
2. The north portion of the garage will be stepped back by four feet resulting in a corner side yard setback of 22 feet instead of 20 feet as originally requested.

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

LOT 2 IN HUTTER'S ASSESSMENT PLAT, IN THE SOUTH HALF OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 10, 1947 AS DOCUMENT 531315 IN DU PAGE COUNTY, ILLINOIS.

P.I.N.: 05-09-308-004

The property is commonly known as 205 East Prairie 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Section 2: All ordinances or parts of ordinances in conflict with these provisions are repealed.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.

ATTEST:

Emily M. Connally  
City Clerk

Mayor

James Carr

Ayes:

Roll Call Vote

Councilman Mouhelis  
Councilman Bolds  
Councilwoman Corry  
Councilman Johnson  
Mayor Carr  
Councilwoman Johnson  
Councilman Mork

Nays: None

Absent: None

Motion Carried Unanimously

Passed: June 2, 2003  
Published: June 3, 2003