

ORDINANCE NO. F-0966

**AN ORDINANCE GRANTING A LOT WIDTH VARIATION AND FRONT YARD VARIATION ON A CERTAIN PIECE OF PROPERTY COMMONLY KNOWN AS
522 CHILDS STREET**

WHEREAS, written application has been made requesting a variation to Article 10.2.5 and 3.4B.3a of the City of Wheaton Zoning Ordinance to allow the construction of a front patio with a front yard setback of 35.8 feet in lieu of the required 38.6 feet on a lot that has a lot width of 46.33 feet in lieu of the required 50 feet; and

WHEREAS, pursuant to notice as required by the Illinois Municipal Code and the Wheaton Zoning Ordinance, a public hearing was held by the Wheaton Planning & Zoning Board on November 9, 2004 to consider the variation requests and the Wheaton Planning & Zoning Board has unanimously 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 hereby granted to Article 10.2.5 and 3.4B.3a of the City of Wheaton Zoning Ordinance to allow the construction of a front patio with a front yard setback of 35.8 feet in lieu of the required 38.6 feet on a lot that has a lot width of 46.33 feet in lieu of the required 50 feet in accordance with the testimony provided at the November 9, 2004 public hearing and the plan *entitled "Site Plan", submitted September 10, 2004*.

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

THE WEST 46 1/3 FEET OF THE EAST 139 FEET OF LOT 14 OF COUNTY CLERK'S ASSESSMENT DIVISION OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 17, AND THE SOUTHEAST 1/4 OF SECTION 17 AND THE NORTH 10 CHAINS IN WIDTH OF THE NORTHEAST 1/4 OF SECTION 20, ALL IN TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 29, 1890 AS DOCUMENT 43592, IN DUPAGE COUNTY, ILLINOIS.

P.I.N: 05-17-418-006

The subject property is commonly known as 522 Childs Street, 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Section 2: All ordinances or parts of ordinances in conflict with these provisions are repealed.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.

ATTEST:

Emil W. Conradago
City Clerk

James Carr
Mayor

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: November 15, 2004

Published: November 16, 2004