

ORDINANCE NO. F-0967

**AN ORDINANCE GRANTING A SIDE YARD VARIATION
ON A CERTAIN PIECE OF PROPERTY COMMONLY KNOWN AS
1812 WAKEMAN COURT**

WHEREAS, written application has been made requesting a variation to Article 3.4a.5b of the City of Wheaton Zoning Ordinance to allow the construction of a second-story addition onto a one and a half-story portion of a two-story house with a side yard setback of 6 feet in lieu of the required 10.58 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 request 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 3.4a.5b of the City of Wheaton Zoning Ordinance to allow the construction of a second-story addition onto a one and a half-story portion of a two-story house with a side yard setback of 6 feet in lieu of the required 10.58 feet in accordance with the testimony provided at the November 9, 2004 public hearing and the plans entitled "Mackey Residence", prepared by Madden + McMillan Architects, Glendale Heights, IL, sheets A-0 thru A-4, sheet A-0 dated April 13, 2004, sheets A-1 thru A-3 dated October 23, 2003, and sheet A-4 dated June 15, 2004; and subject to the roof over the proposed addition being reduced to a 5/12 roof pitch.

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

LOT 12 IN SPERO'S WAKEMAN COURT RESUBDIVISION, BEING A RESUBDIVISION OF PART OF ARTHUR T. MCINTOSH & COMPANY'S EAST BOULEVARD SUBDIVISION, IN THE SOUTHEAST QUARTER OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID SPERO'S WAKEMAN COURT RESUBDIVISION, RECORDED MARCH 5, 1976 AS DOCUMENT R76-13276, AND CERTIFICATE OF CORRECTION RECORDED SEPTEMBER 22, 1983 AS DOCUMENT R83-68461, IN DUPAGE COUNTY, ILLINOIS.
P.I.N. 05-10-402-018

The subject property is commonly known as 1812 Wakeman Court, 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Section 2: All ordinances or parts of ordinances in conflict with these provisions are repealed.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:

Evelyn M. Connelley Jr.
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