

**ORDINANCE NO. F-0968**

**AN ORDINANCE GRANTING A GARAGE HEIGHT VARIATION AND SIDE YARD  
VARIATION ON A CERTAIN PIECE OF PROPERTY COMMONLY KNOWN AS  
502 E. INDIANA STREET**

**WHEREAS**, written application has been made requesting a variation to Articles 3.4a.8b and 3.4a.5 of the City of Wheaton Zoning Ordinance to allow the construction of a second-story onto an existing detached garage in lieu of the maximum one and one half-story detached garage height with a side yard setback of 2.96 feet in lieu of the required two-story setback of 9.24 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 Articles 3.4a.8b and 3.4a.5 of the City of Wheaton Zoning Ordinance to allow the construction of a second-story onto an existing detached garage in lieu of the maximum one and one half-story detached garage height with a side yard setback of 2.96 feet in lieu of the required two-story setback of 9.24 feet in accordance with the testimony provided at the November 9, 2004 public hearing and the plans entitled "*Proposed Addition to Garage: Howard & Joann Gust*", prepared by *LaPage and Associates Ltd., Wheaton, IL, front elevation, left elevation, rear elevation, right elevation, first floor plan, and attic floor plan*, submitted October 15, 2004; and subject to the proposed second-story being used only for storage purposes.

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

LOT 3 IN BLOCK 2 IN THE LINCOLN HIGHWAY SUBDIVISION, BEING A SUBDIVISION OF  
PART OF THE SOUTHEAST  $\frac{1}{4}$  OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 10, EAST OF  
THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED  
JANUARY 21, 1921 AS DOCUMENT 14122, IN DUPAGE COUNTY, ILLINOIS.  
P.I.N. 05-16-419-007

The subject property is commonly known as 502 E. Indiana 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Section 2: All ordinances or parts of ordinances in conflict with these provisions are repealed.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.



James Carr

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Mayor

ATTEST:

Erin M. Connolly  
City Clerk

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