

ORDINANCE NO. F-0987

**AN ORDINANCE GRANTING A REAR YARD VARIATION ON A CERTAIN PIECE
OF PROPERTY COMMONLY KNOWN AS
1720 AUSTIN COURT**

WHEREAS, written application has been made requesting a variation to Article 3.4A.6 of the City of Wheaton Zoning Ordinance to allow the construction of a rear deck with a rear yard setback of 12 feet in lieu of the required 25 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 December 14, 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.6 of the City of Wheaton Zoning Ordinance to allow the construction of a rear deck with a rear yard setback of 12 feet in lieu of the required 25 feet in accordance with the testimony provided at the December 14, 2004 public hearing and the plans entitled "Site Plan", dated November 1, 2004; "Comparison of Deck Locations & Dimensions: Original Deck 1989 & Proposed Deck", submitted November 2, 2004.

The subject property is legally described as:

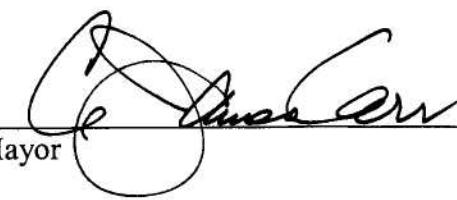
LOT 246 IN DANADA FARMS NORTH UNIT 3, BEING A SUBDIVISION IN PART OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED AS DOCUMENT NUMBER R87-148928 ON OCTOBER 12, 1987, IN DU PAGE COUNTY, ILLINOIS.

P.I.N. 05-28-211-008

The subject property is commonly known as 1720 Austin 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Section 2: All ordinances or parts of ordinances in conflict with these provisions are repealed.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.



Mayor

ATTEST:

Erin M. Conroy
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: December 20, 2004
Published: December 21, 2004