

ORDINANCE NO. F- 1233

AN ORDINANCE GRANTING A REAR YARD SETBACK VARIATION ON PROPERTY COMMONLY KNOWN AS 1106 CHERRY STREET /MCALPINE

WHEREAS, written application has been made requesting variations from the provisions of the Wheaton Zoning Ordinance to allow a variation to Article 24.4.3 of the Wheaton Zoning Ordinance in order to legally permit the continued use of an existing backyard brick patio with a rear yard setback of 4 feet in lieu of the required 25 feet on the property legally described in this ordinance and commonly known as 1106 Cherry Street, Wheaton, IL; and

WHEREAS, pursuant to notice as required by the Illinois Municipal Code and the Wheaton Zoning Ordinance, a public hearing was conducted by the Wheaton Planning and Zoning Board on September 12 and October 24, 2006 to consider the variation request; and the Board recommended approval of the setback variation.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Wheaton, Du Page County, Illinois, pursuant to its home rule powers, as follows:

Section 1: Pursuant to the Findings of Fact made and determined by the Wheaton Planning and Zoning Board, a variation to the provisions of Article 24.4.3 of the Wheaton Zoning Ordinance is granted to allow and permit the continued use of an existing backyard brick patio with a rear yard setback of 4 feet in lieu of the required 25 feet on the following-described property:

LOT 34 IN THE RESUBDIVISION OF WHEATON MANOR ADDITION TO WHEATON, (EXCEPT LOT 4 IN BLOCK 2 IN SAID WHEATON MANOR), IN THE SOUTHEAST QUARTER OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID RESUBDIVISION, RECORDED MAY 7, 1924 AS DOCUMENT 177391, IN DUPAGE COUNTY, ILLINOIS.

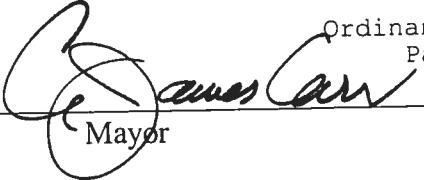
P.I.N. 05-09-412-018

This property is commonly known as 1106 Cherry 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Section 2: All ordinances or parts of ordinances in conflict with these provisions are repealed.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.

8/2006 - 237030



James Carr
Mayor

ATTEST:

Carolyn Jennings
City Clerk

Roll Call Vote:

Ayes:

Councilman Mouhelis
Councilman Suess
Councilman Bolds
Councilwoman Corry
Councilman Johnson
Mayor Carr
Councilman Levine

Nays:

None

Absent:

None

Motion Carried Unanimously

Passed: December 4, 2006
Published: December 5, 2006

