

ORDINANCE NO. F-1633

**AN ORDINANCE GRANTING A REAR YARD SETBACK VARIATION ON A CERTAIN
PIECE OF PROPERTY COMMONLY KNOWN AS 114 WEST FRANKLIN STREET –
FRYE**

WHEREAS, written application has been made requesting a variation to Article 3.4A.6 of the Wheaton Zoning Ordinance to allow the construction of a patio with a rear yard setback of 5.0 feet in lieu of the required 25.0 feet, on certain property legally described herein and commonly known as 114 West Franklin Street, Wheaton, Illinois 60187; 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 March 27, 2012 to consider the variation request; and the Planning and Zoning Board has recommended approval of the zoning 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 rear yard setback of 5.0 feet in lieu of the required 25.0 feet is granted for a patio in full compliance with the site plan and drainage plan on file in the Department of Planning and Economic Development, to allow the construction on the following-described real estate:

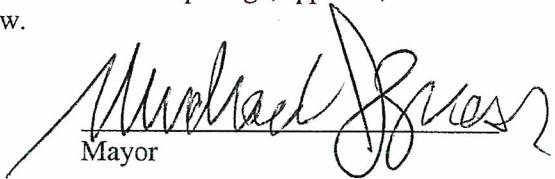
THE WEST 66.0 FEET OF THE NORTH 132.0 FEET OF THE EAST 198.0 FEET OF BLOCK 1 OF MALLORY'S ADDITION TO WHEATON IN THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

P.I.N.: 05-16-121-015

The subject property is commonly known as 114 West Franklin Street, Wheaton, Illinois 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Section 2: All ordinances or parts of ordinances in conflict with these provisions are repealed.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.



Michael J. Fries
Mayor

ATTEST:



Sherry Bennett Hagan
City Clerk

Roll Call Vote

Ayes: Councilman Suess
Councilwoman Ives
Councilman Mouhelis
Councilman Rutledge
Mayor Gresk
Councilwoman Pacino Sanguinetti
Councilman Scalzo

Nays: None

Absent: None

Motion Passed Unanimously

Passed: April 2, 2012
Published: April 3, 2012

Frye Residence
Drainage Layout Plan

