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**RESOLUTION R-09-04**

**A RESOLUTION AUTHORIZING A SECOND ONE-YEAR EXTENSION OF TIME ON  
THE VALIDITY OF ORDINANCE NO. F-0681 - 1122 CHERRY STREET**

WHEREAS, on February 3, 2003 the Mayor and City Council adopted Resolution R-07-03, which resolved Ordinance No. F-0681 to be valid until February 13, 2004.

WHEREAS, on February 13, 2002 the Mayor and City Council approved Ordinance No. F-0681, which granted a variation to reduce the required side yard from 7.7 feet to 4.52 feet to allow the construction of a full second floor onto an existing home for the property located at 1122 Cherry Street.

WHEREAS, Article 4.4 of the City of Wheaton Zoning Ordinance provides that a variation granted under the terms of the Zoning Ordinance shall become void unless construction for occupancy is substantially in progress within twelve months of the date of the issuance of a special use permit; and

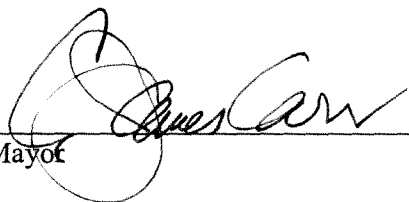
WHEREAS, Article 4.4 of the City of Wheaton Zoning Ordinance provides that upon written application and for good cause shown, the corporate authorities may, in their sole discretion, grant up to two extensions of time not to exceed one year each.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Wheaton, Illinois that a second and final extension is granted to allow Ordinance No. F-0681 to be valid until February 13, 2005.

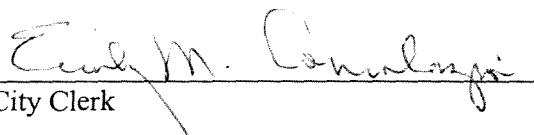
The property that is subject of the variation extension is legally described as:

LOT 38 IN THE SUBDIVISION OF THE WHEATON MANOR ADDITION TO THE CITY OF WHEATON, BEING A RESUBDIVISION OF ALL OF WHEATON MANOR ADDITION TO THE CITY OF WHEATON, (EXCEPT LOT 4 IN BLOCK 2) BEING A SUBDIVISION IN THE SOUTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS. P.I.N. 05-09-412-014

ADOPTED February 2, 2004.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

Roll Call Vote

Ayes: Councilman Mouhelis  
Councilman Bolds  
Councilwoman Corry  
Councilman Johnson  
Mayor Carr  
Councilwoman Johnson  
Councilman Mork

Nays: None

Absent: None

Motion Carried Unanimously