

ORDINANCE NO. F- 1165

**AN ORDINANCE GRANTING A SIDE YARD VARIATION
FOR NEW SINGLE FAMILY RESIDENCE AND DETACHED GARAGE ON A
CERTAIN PIECE OF PROPERTY COMMONLY KNOWN AS 1600 EAST LIBERTY
DRIVE-WALLING/WELLTHOT HOMES AND DEVELOPMENT, LLC**

WHEREAS, written application has been made requesting a variation from the provisions of Article 10.2.5 of the Wheaton Zoning Ordinance to allow for the construction of a new single-family residence and a detached garage with a side yard setback abutting Liberty Drive of 25 feet in lieu of the required 30.14 feet on certain property legally described herein and commonly known as 1600 East Liberty Drive, Wheaton, Illinois; 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 ("Board") on April 11, 2006, to consider the variation request; and the Board has recommended approval of the zoning variation, pursuant to certain conditions and requirements.

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 determined by the Board, the existing single family residence on the subject property may be demolished and a new single family residence and detached garage may be constructed thereon pursuant to the plans entitled, "Custom Home for Welthot Homes LLC, prepared by SG Architects, Sheets 1-5 dated September 26, 2005 and revised January 23, 2006, and the Plat of Survey with Topography dated May 9, 2005, prepared by Lambert and Associates", and a variation from the requirements of Article 10.2.5 of the Wheaton Zoning Ordinance is granted to permit the new improvements to have a side yard setback abutting Liberty Drive of 25 feet in lieu of the required 30.14 feet on the following-described property:

PARCEL 1: LOT 18, EXCEPTING THAT PART OF LOT 18 DESCRIBED BY BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 18; THENCE WESTERLY ON THE SOUTH LINE OF SAID LOT 18, 78.515 FEET MORE OR LESS TO THE MIDPOINT OF THE SOUTH LINE OF SAID LOT; THENCE EASTERLY TO A POINT ON THE EAST LINE OF SAID LOT 18, SAID POINT BEING 3.00 FEET NORTH OF THE POINT OF BEGINNING; THENCE SOUTH 3.00 FEET TO THE POINT OF BEGINNING, ALL IN BLOCK 10 IN ARTHUR T. MCINTOSH AND COMPANY'S LORRAINE ROAD SUBDIVISION, IN THE SOUTH HALF OF SECTION 15, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 6, 1926 AS DOCUMENT #202765 AND CERTIFICATE OF CORRECTION RECORDED OCTOBER 29, 1927 AS DOCUMENT #245767, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 2: THAT PART OF LOT 17 DESCRIBED BY BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 17; THENCE EASTERLY ON THE NORTH LINE OF SAID LOT 17, 78.515 FEET MORE OR LESS TO THE MIDPOINT OF THE NORTH LINE OF SAID LOT; THENCE WESTERLY TO A POINT ON THE WEST LINE OF SAID LOT 17, SAID POINT BEING 3.00 FEET SOUTH OF THE POINT OF BEGINNING; THENCE NORTH 3.00 FEET TO THE POINT OF BEGINNING; ALL IN BLOCK 10 IN ARTHUR T. MCINTOSH AND COMPANY'S LORRAINE ROAD SUBDIVISION, IN THE SOUTH HALF OF SECTION 15, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 6, 1926 AS DOCUMENT #202765, AND CERTIFICATE OF CORRECTION RECORDED OCTOBER 29, 1927 AS DOCUMENT #245767, IN DUPAGE COUNTY, ILLINOIS
P.I.N. 05-15-314-001

This property is commonly known as 1600 East Liberty Drive, Wheaton, IL 60187 (subject property").

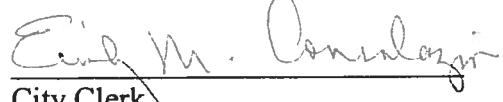
Section 2: It shall be a condition precedent to the effectiveness of the variation granted pursuant to Section 1 of this ordinance that the improvements constructed on the subject property shall fully comply with the following conditions, restrictions and requirements:

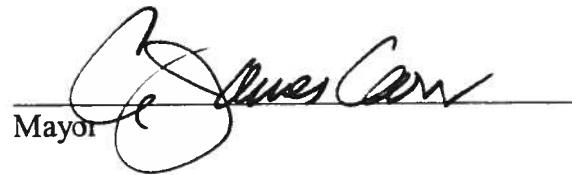
1. The height of the new single family residence shall not exceed 30 feet; and
2. The proposed north window bay of the residence shall not extend more than 2 feet into the 25 foot Liberty Drive setback

Section 3: All ordinances or parts of ordinances in conflict with these provisions are repealed.

Section 4: This ordinance shall become effective from and after its passage, approval, and publication in pamphlet form in the manner prescribed by law.

ATTEST:


Cindy M. Donahoe
City Clerk


Mayor Carr

Roll Call Vote

Ayes:	Councilwoman Corry Councilman Johnson Mayor Carr Councilman Seuss
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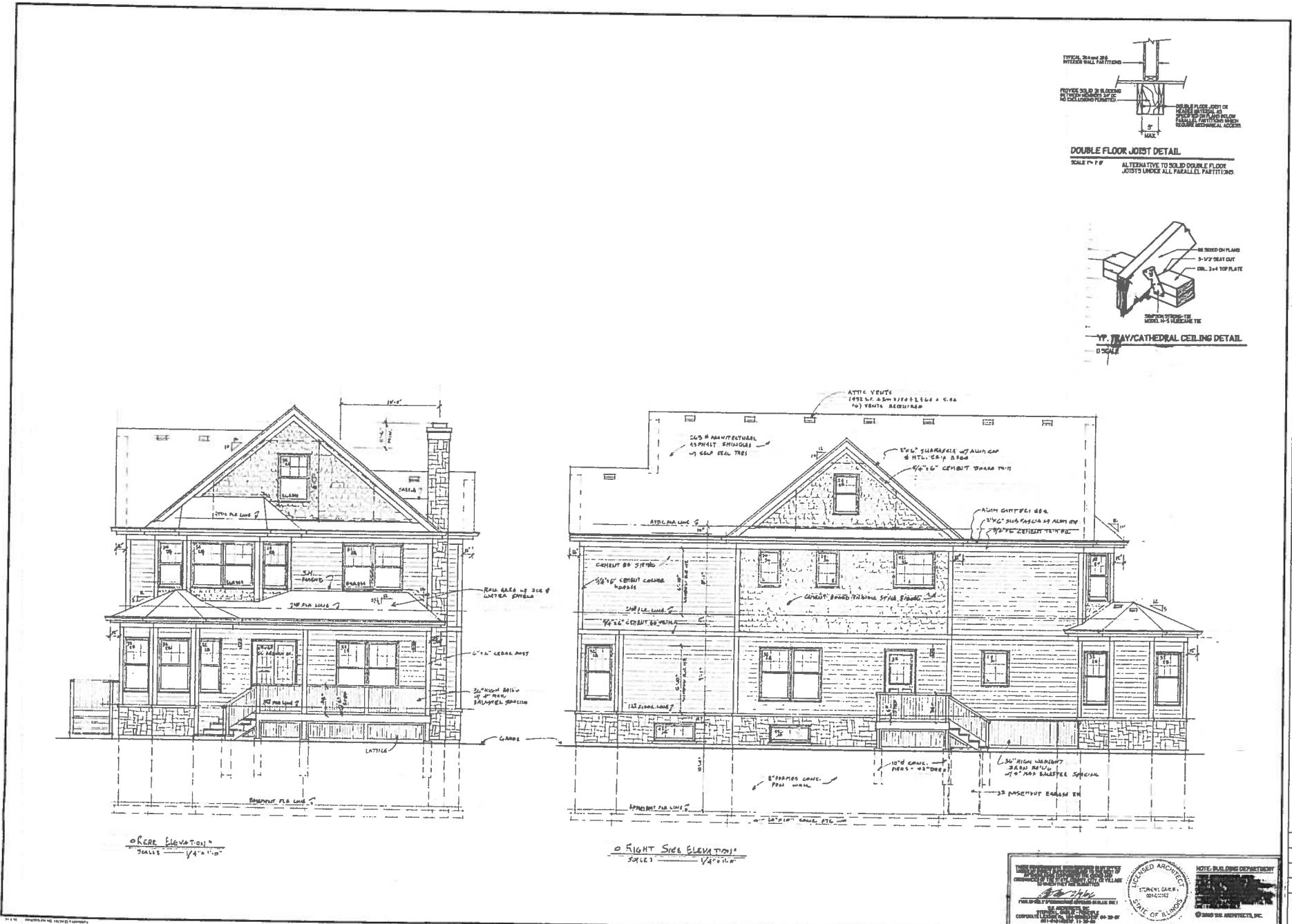
Councilman Bolds

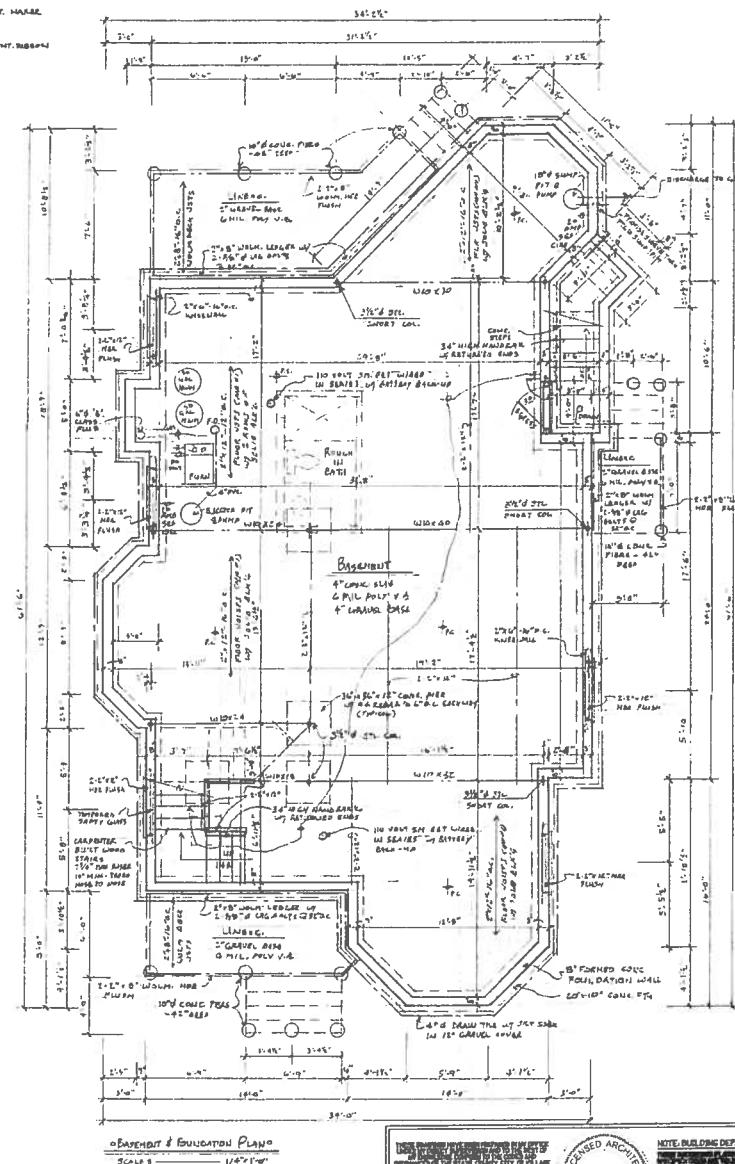
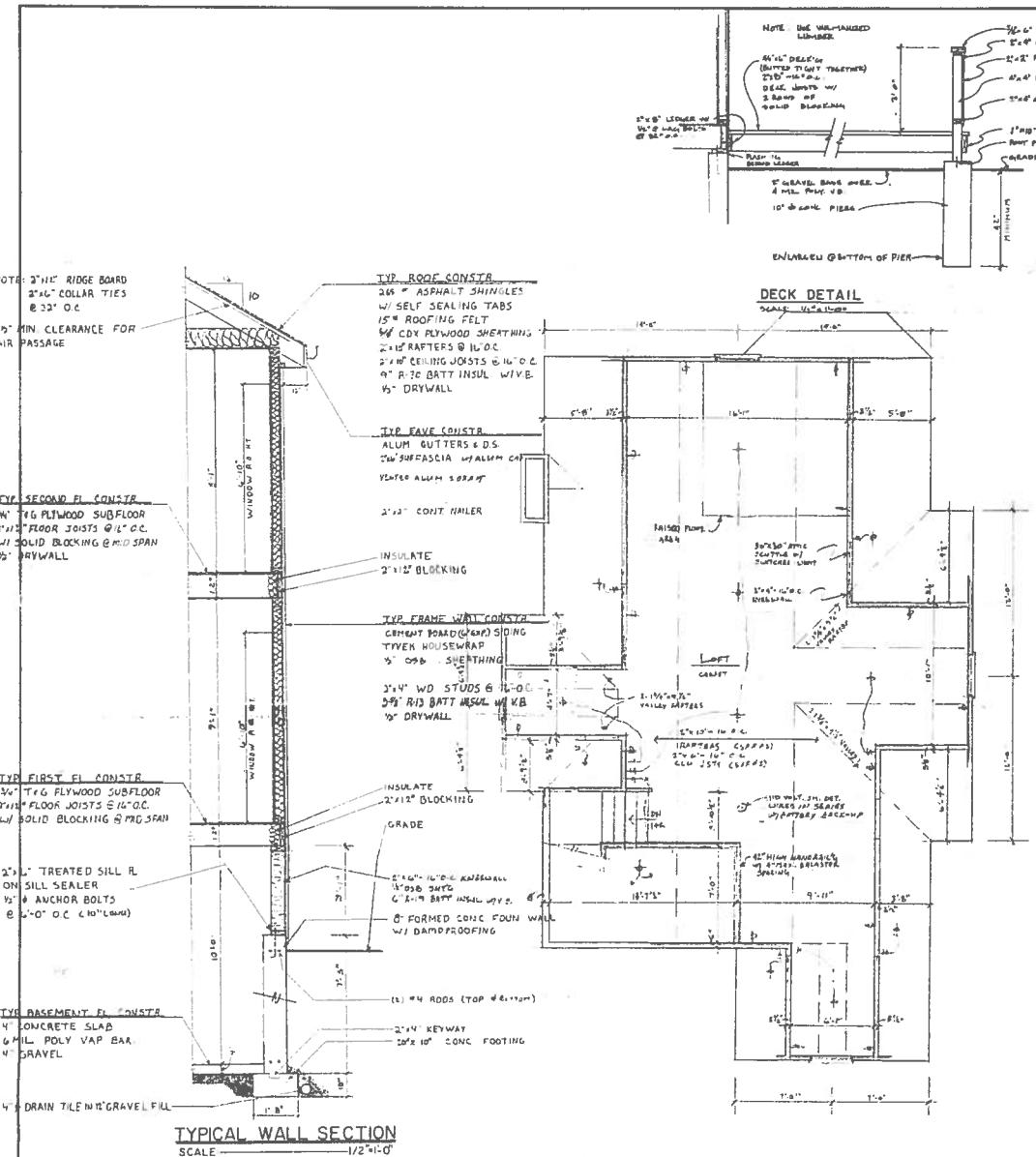
Nays: None

Absent: Councilman Levine
 Councilman Mouhelis

Motion Carried Unanimously

Passed: May 1, 2006
Published: May 2, 2006





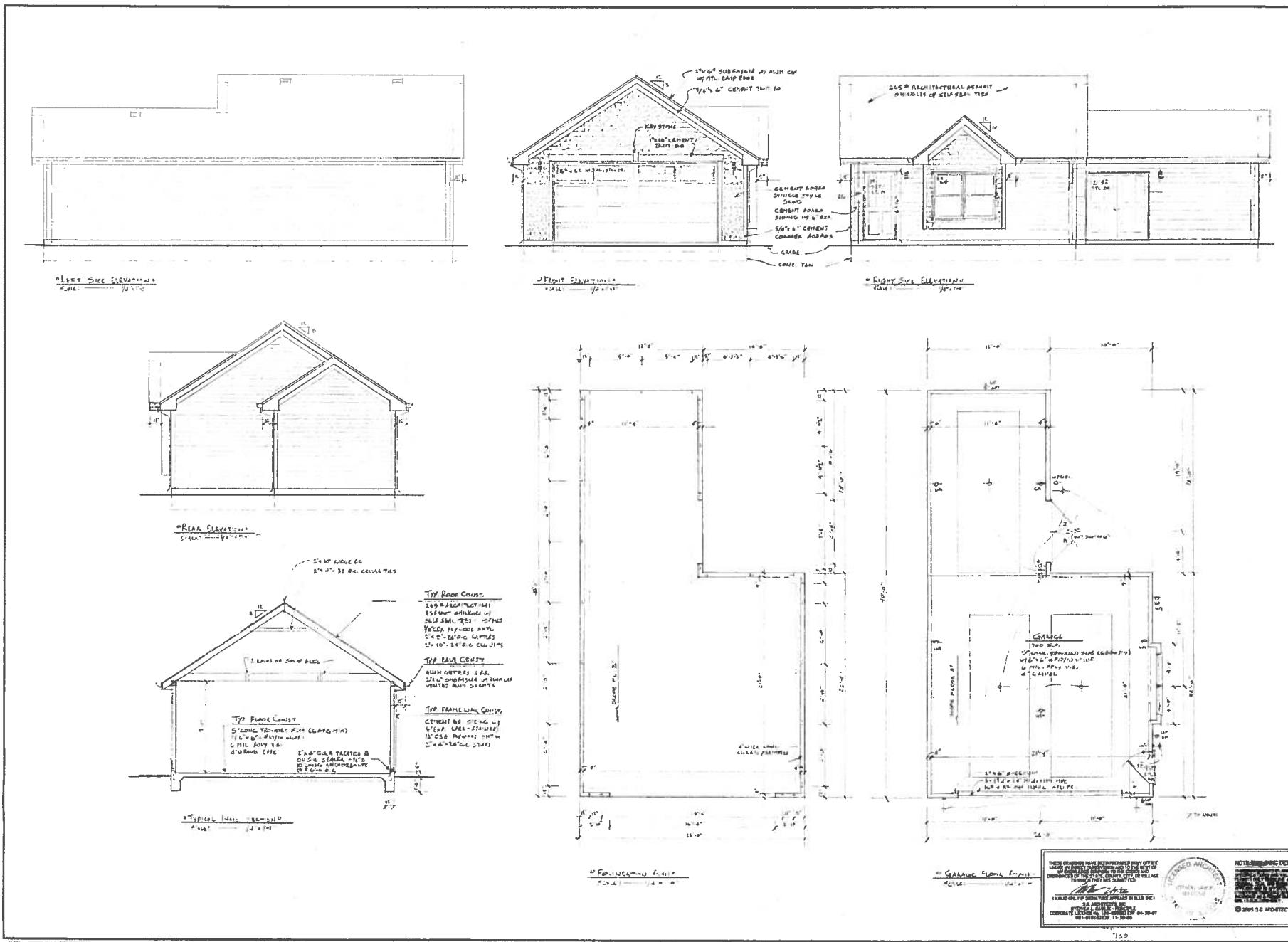
REVISIONS	BY
1/1/2005	JK

S.G. ARCHITECTS INC.
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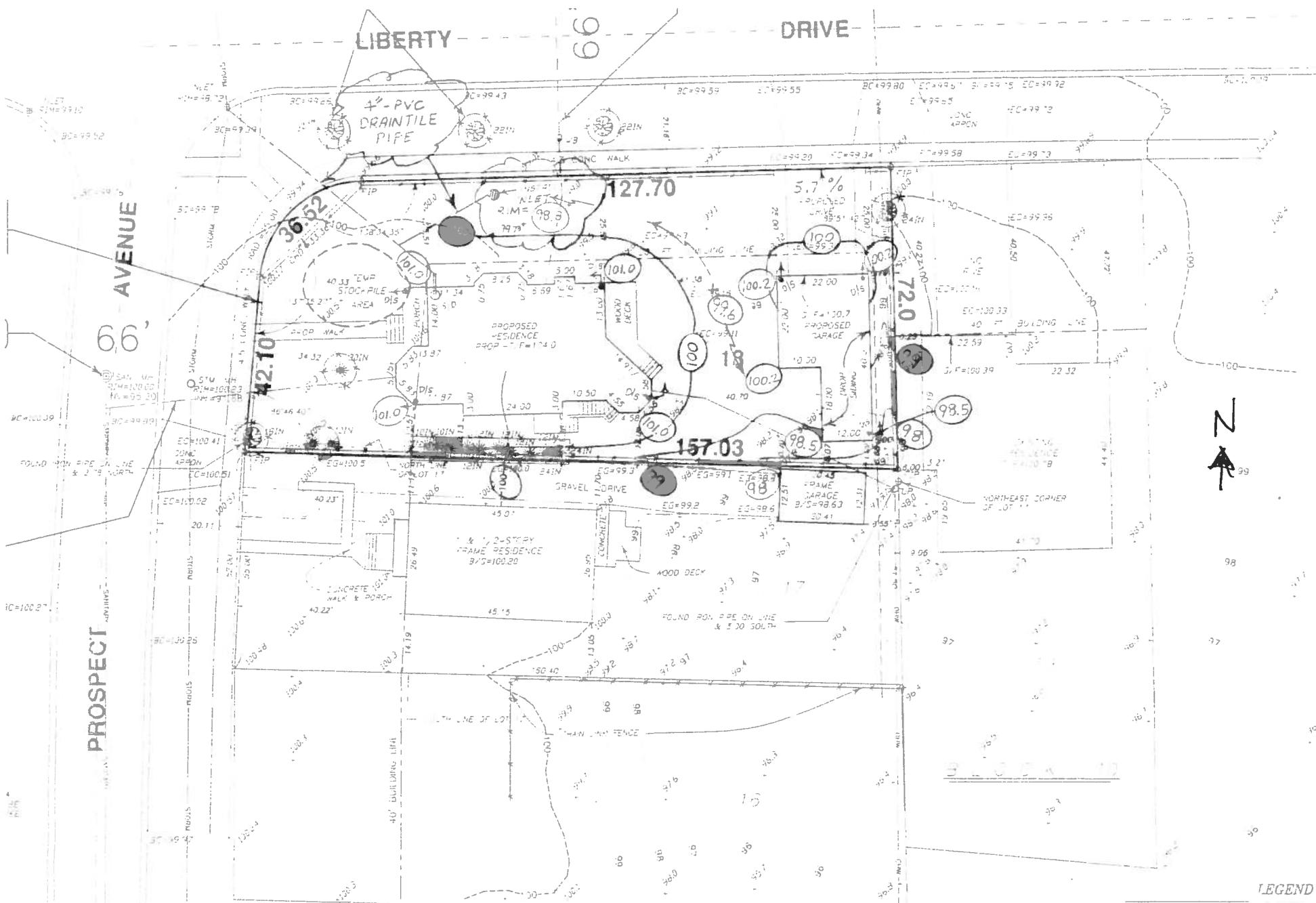
Custom Home "for"
Date 12/2007
Scale AS ACTUAL
Drawn J.W.C.
Job 155-15
Sheet 01
01 5 Sheets



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Wheaton, IL 60187
(630) 660-6635 cell; (630) 462-3974 fax.

Date 10/4/22
Book AB 147720
Drawn 10/4
Due 10/5/22
Item 5
ID 5 Sheets



LEGEND