

ORDINANCE NO. F-0915

**AN ORDINANCE GRANTING A SIDE YARD VARIATION
ON A CERTAIN PIECE OF PROPERTY COMMONLY KNOWN AS 627 S.
DORCHESTER AVENUE/DAVIES**

WHEREAS, written application has been made requesting a variation from the provisions of Article 24.4.3 of the City of Wheaton Zoning Ordinance to allow a wood deck previously built without a permit to maintain a side yard abutting Dorchester Avenue of 23.85 feet in lieu of the required side yard of 30 feet on certain property legally described herein and commonly known as 627 S. Dorchester Avenue, 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 Board of Zoning Appeals on May 11, 2004 to consider the variation request; and the Wheaton Planning and Zoning 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 Wheaton Planning and Zoning Board, a variation from the requirements of Article 24.4.3 of the City of Wheaton Zoning Ordinance to allow a wood deck previously built without a permit to maintain a side yard abutting Dorchester Avenue of 23.85 feet in lieu of the required side yard of 30 feet is granted on the following-described property:

LOT 1 IN FAGANEL'S SUBDIVISION OF THE WEST 267.58 FEET OF THE EAST
1301.98 FEET OF THE NORTH 138.3 FEET OF THE SOUTH 171.3 FEET OF THE
SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 17,
TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN,
IN DUPAGE COUNTY, ILLINOIS.
P.I.N. 05-17-327-022

This property is commonly known as 627 South Dorchester 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 owner of the subject property comply with the following conditions and requirements:

- A. Apply and pay for, and secure, a building permit for the previously constructed deck.


Section 3: All ordinances or parts of ordinances in conflict with these provisions are repealed.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



Mayor

ATTEST:



City Clerk
Ayes:

Roll Call Vote:
Councilman Mouhelis
Councilman Bolds
Councilwoman Corry
Mayor Carr
Councilwoman Johnson
Councilman Mork

Nays:
Absent:

None
Councilman Johnson

Motion Carried Unanimously

Passed: June 7, 2004
Published: June 8, 2004