

**ORDINANCE NO. F-1005**

**AN ORDINANCE GRANTING A REAR YARD VARIATION  
ON A CERTAIN PIECE OF PROPERTY COMMONLY KNOWN AS  
410 S. KNOLL STREET**

**WHEREAS**, written application has been made requesting a variation to Article 24.4.3 of the City of Wheaton Zoning Ordinance to allow the construction of three at-grade paver patios each with a rear yard setback of 5 feet in lieu of the required 15 feet; and

**WHEREAS**, pursuant to notice as required by the Illinois Municipal Code and the Wheaton Zoning Ordinance, a public hearing was held by the Wheaton Planning & Zoning Board on January 11, 2005 to consider the variation request and the Wheaton Planning & Zoning Board has unanimously recommended approval of the zoning variation.

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

Section 1: Pursuant to the Findings of Fact determined by the Wheaton Planning & Zoning Board a variation is hereby granted to Article 24.4.3 of the City of Wheaton Zoning Ordinance to allow the construction of three at-grade paver patios each with a rear yard setback of 5 feet in lieu of the required 15 feet in accordance with the plans *entitled "Windham Building Final Landscape Plan"*, prepared by Gary R. Weber Associates, Inc., Wheaton, IL, sheet 1, dated August 27, 2004.

The subject property is legally described as:

THAT PART OF SECTION 18, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN IN DUPAGE COUNTY, ILLINOIS DESCRIBED AS LOTS 1 AND 2 IN BLOCK 6, LOT 21 IN BLOCK 7 AND VACATED CHILDS STREET LYING NORTH OF SAID LOT 1, SOUTH OF LOT 21 AND EAST OF KNOLL STREET ALL IN THE FIRST ADDITION TO WHEATON PARK MANOR ACCORDING TO THE PLAT THEREOF RECORDED MAY 15, 1925 AS DOCUMENT 192981, IN DUPAGE COUNTY, ILLINOIS  
P.I.N. 05-18-306-012, 05-18-306-013, 05-18-301-033

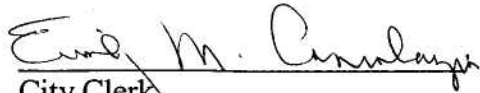
The subject property is commonly known as 410 S. Knoll Street, Wheaton, IL 60187.

Section 2: All ordinances or parts of ordinances in conflict with these provisions are repealed.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.

  
\_\_\_\_\_  
Mayor

ATTEST:

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

Roll Call Vote

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

Nays: None

Absent: Councilwoman Corry

Motion Carried Unanimously

Passed: February 22, 2005  
Published: February 23, 2005