

ORDINANCE NO. F-1049

**AN ORDINANCE GRANTING A LOT WIDTH AND A SIDE YARD VARIATION
ON A CERTAIN PIECE OF PROPERTY COMMONLY KNOWN AS
1400 AVERY AVENUE**

WHEREAS, written application requesting variations to Articles 3.4B.3a and 3.4A.5b of the City of Wheaton Zoning Ordinance to allow the construction of a two-story, single-family house on a lot with a lot width of 49.75 feet in lieu of the required 50 feet and an east side yard setback of 4 feet in lieu of the required 6.97 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 May 24, 2005 to consider the variation request and the Wheaton Planning & Zoning Board has unanimously recommended approval of the zoning variations.

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 Articles 3.4B.3a and 3.4A.5b of the City of Wheaton Zoning Ordinance to allow the construction of a two-story, single-family house on a lot with a lot width of 49.75 feet in lieu of the required 50 feet and an east side yard setback of 4 feet in lieu of the required 6.97 feet in accordance with the plans *entitled "New Residence", prepared by Architectural Design Services, Batavia, IL, sheets A1.1, A2.0, A2.1, A2.2, A.3.1, A3.2, A3.3, and A4.1 , dated February 28, 2005.*

The subject property is legally described as:

LOTS 9 AND 10 IN BLOCK 6 IN EAST WHEATON, BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 2, 1889 IN BOOK 4 OF PLATS, PAGE 28, AS DOCUMENT 40813 IN DUPAGE COUNTY, ILLINOIS
P.I.N. 05-15-126-001

The subject property is commonly known as 1400 Avery Avenue, 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Section 2: All ordinances or parts of ordinances in conflict with these provisions are repealed.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 Mouhelis
Councilman Seuss
Councilman Bolds
Councilwoman Corry
Councilman Johnson
Mayor Carr
Councilman Levine

Nays: None

Absent: None

Motion Carried Unanimously

Passed: June 6, 2005
Published: June 7, 2005