

ORDINANCE NO. F-1097

**AN ORDINANCE GRANTING A FRONT YARD VARIATION
FOR A TWO-STORY ADDITION AND A SPECIAL USE PERMIT FOR A POOL
HOUSE ON A PIECE OF PROPERTY COMMONLY KNOWN AS
227 & 233 E. PRAIRIE AVENUE AND 1216 N. SCOTT STREET**

WHEREAS, written application has been made requesting a variation to Article 9.2.5 of the City of Wheaton Zoning Ordinance to allow the construction of a two-story addition to an existing two-story house with a front yard setback of 75 feet in lieu of the required 91.5 feet, and a special use permit to allow the construction of a one-story pool house.

WHEREAS, pursuant to notice as required by the Illinois Municipal Code and the Wheaton Zoning Ordinance, a public hearing to consider the front yard variation and special use permit request was conducted by the Wheaton Planning and Zoning Board on October 25, 2005, and the Board has voted 5-0 in favor of recommending approval of the front yard variation and special use permit;

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 made and determined by the planning and Zoning Board a variation to Article 9.2.5 of the City of Wheaton Zoning Ordinance is hereby granted to allow the construction of a two-story addition to an existing two-story house with a front yard setback of 75 feet in lieu of the required 91.5 feet, and a special use permit is hereby granted to allow the construction of a one-story pool house in full compliance with the testimony provided at the October 25, 2005 public hearing and the following plans:

1. *“Architectural Site Plan”*, prepared by Steinbrecher Land Surveyors, Inc., West Chicago, IL, dated September 14, 2005; and
2. *“Residence for Bruce & Kim Bond”*, prepared by Ronald T. Haas & Associates, Inc., Wheaton, IL, sheets 1-5, dated September 23, 2005; and
3. *“Enclosed Walkway for Bruce & Kim Bond”*, prepared by Ronald T. Haas & Associates, Inc., Wheaton, IL, sheets 1 and 2, dated September 26, 2005; and
4. *“Pool House for Bruce & Kim Bond”*, prepared by Ronald T. Haas & Associates, Inc., Wheaton, IL, sheets 1 and 2, dated September 9, 2005;

and in further compliance with the following conditions:

1. The swimming pool house shall have a minimum rear yard setback of 25 feet; and
2. The swimming pool house shall not be used as a separate housekeeping unit and shall not be used for overnight housing by the occupants of the principal structure or their guests; and
3. In accordance with Section 58-67(b) of the Wheaton City Code, the subject property shall be allowed no more than three curb cuts.

The subject property is legally described as:

PARCEL 1: THAT PART OF THE SOUTH HALF OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED BY COMMENCING AT THE CENTER OF MAIN STREET AND HARRISON AVENUE IN THE CITY OF WHEATON (SAID POINT BEING THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 9); THENCE NORTH ALONG THE CENTER OF MAIN STREET, 1,254 FEET TO THE NORTH LINE OF PRAIRIE AVENUE; THENCE EAST ON THE NORTH LINE OF PRAIRIE AVENUE, 697.6 FEET FOR A PLACE OF BEGINNING; THENCE NORTH, PARALLEL WITH THE EAST LINE OF MAIN STREET, 200 FEET; THENCE EAST PARALLEL WITH NORTH LINE OF PRAIRIE AVENUE, 110.3 FEET; THENCE SOUTH PARALLEL WITH THE EAST LINE OF MAIN STREET, 200 FEET TO THE NORTH LINE OF PRAIRIE AVENUE; THENCE WEST ALONG SAID NORTH LINE TO THE PLACE OF BEGINNING, ALL IN THE CITY OF WHEATON, DUPAGE COUNTY, ILLINOIS.

PARCEL 2: THAT PART OF THE SOUTH HALF OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE CENTER OF MAIN STREET AND HARRISON AVENUE IN THE CITY OF WHEATON (SAID POINT BEING THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION); THENCE NORTH ALONG THE CENTER LINE OF MAIN STREET, 1,254 FEET TO THE NORTH LINE OF PRAIRIE AVENUE; THENCE EAST ON THE SAID NORTH LINE OF PRAIRIE AVENUE, 637.6 FEET FOR A POINT OF BEGINNING; THENCE NORTH PARALLEL WITH THE EAST LINE OF MAIN STREET, 150 FEET; THENCE EAST PARALLEL WITH THE NORTH LINE OF PRAIRIE AVENUE, 60 FEET; THENCE SOUTH PARALLEL WITH THE EAST LINE OF MAIN STREET, 150 FEET TO THE NORTH LINE OF PRAIRIE AVENUE; THENCE WEST ON THE NORTH LINE OF PRAIRIE AVENUE, 60 FEET TO THE POINT OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

PARCEL 3: LOT 3 IN RAACH'S SUBDIVISION IN THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 18, 1963 AS DOCUMENT R63-7953, IN DUPAGE COUNTY, ILLINOIS.


P.I.N. 05-09-308-013, 05-09-308-012, 05-09-308-011

The subject property is commonly known as 227 & 233 E. Prairie Avenue and 1216 N. Scott Street, Wheaton, IL 60187.

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

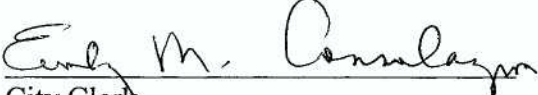
Section 3: This ordinance shall become effective from and after its passage, approval, and publication in pamphlet form in the manner prescribed by law.

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November 8, 2005
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Mayor

ATTEST



City Clerk

	<u>Roll Call Vote</u>
Ayes:	Councilman Mouhelis Councilman Bolds Councilwoman Corry Mayor Pro Tem Johnson Councilman Levine
Nays:	Mayor Carr Councilman Seuss
Absent:	None

Motion Carried Unanimously

Passed: November 7, 2005
Published: November 8, 2005