

ORDINANCE NO. F- 1182

**AN ORDINANCE GRANTING A SIDE YARD SETBACK VARIATION FOR A
PLAYHOUSE ON THE PROPERTY COMMONLY KNOWN AS
1562 MARIA COURT / TOVO**

WHEREAS, written application has been made requesting a variation to Article 24.5.2 of the Wheaton Zoning Ordinance to allow a playhouse to maintain a side yard setback of four feet in lieu of the required 10 feet; 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 on May 9, 2006 to consider the variation request; and the Board recommended approval of the zoning variation.

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 made and determined by the Wheaton Planning and Zoning Board, a variation to allow a side yard setback of four feet in lieu of the required 10 feet is hereby granted in order for an existing playhouse to remain in place on the following-described real estate:

LOT 75 IN SPERO'S SEVENTH RESUBDIVISION, BEING A PART OF ARTHUR T. MCINTOSH AND COMPANY'S EAST BOULEVARD SUBDIVISION, OF PART OF THE SOUTH HALF OF SECTION 10, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT OF RESUBDIVISION RECORDED SEPTEMBER 17, 1992 AS DOCUMENT R92-176288, IN DUPAGE COUNTY, ILLINOIS.

P.I.N. 05-10-303-019

The subject property is commonly known as 1562 Maria Court, Wheaton, IL 60187.

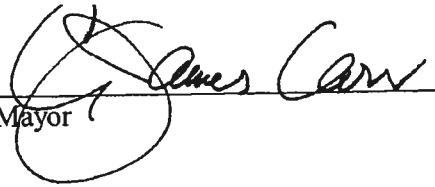
Section 2: It shall be a condition precedent to the effectiveness of the variation granted pursuant to Section 1 of this ordinance that the owner of the subject property comply with the following condition and requirement:

1. The owner of the subject property shall have caused, by June 20, 2013, the existing playhouse to be relocated to comply with the required setbacks or removed.

Section 3: All ordinances or parts of ordinances in conflict with these provisions are repealed.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

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Mayor

ATTEST:


City Clerk

Roll Call Vote:

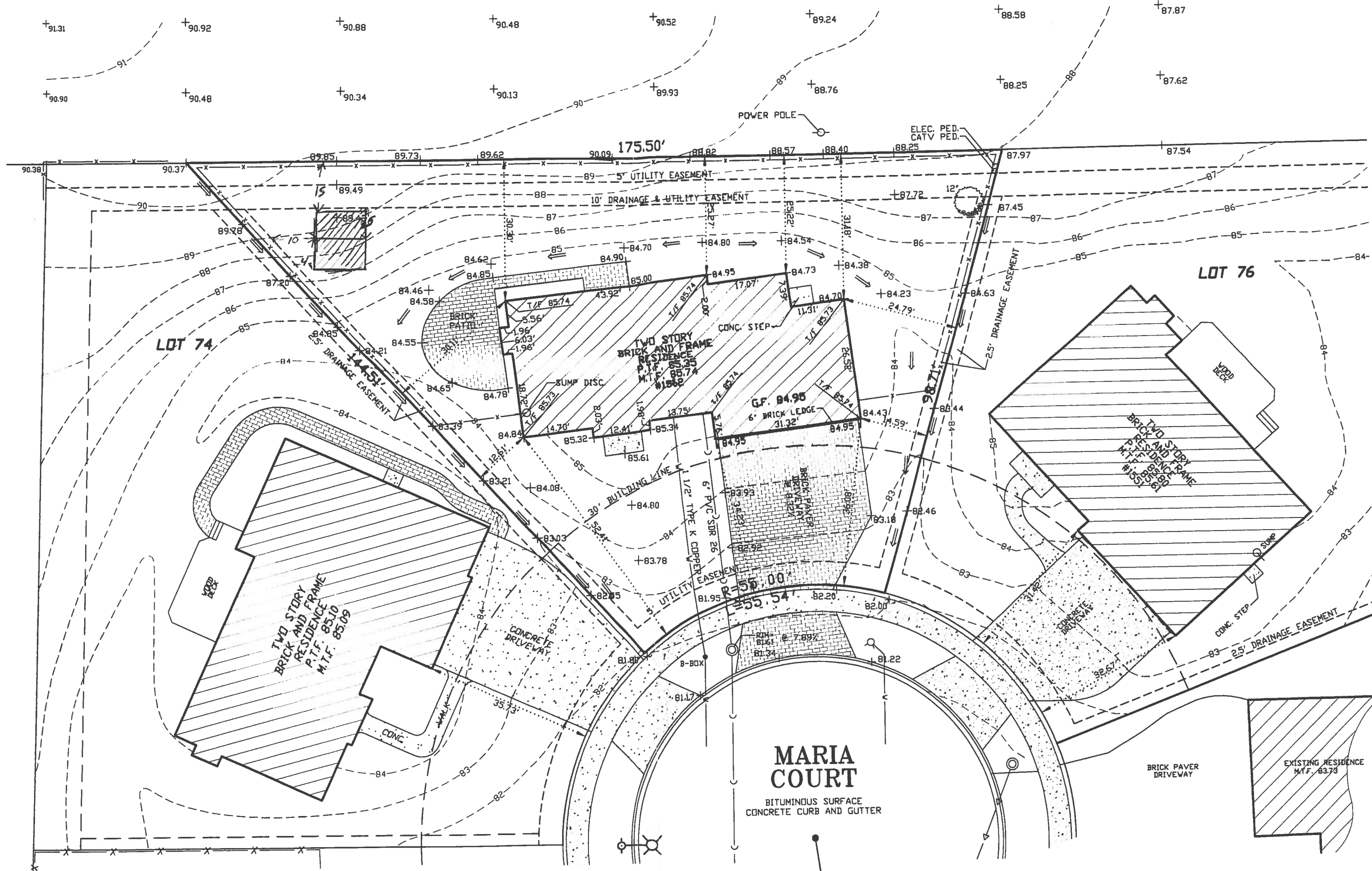
Ayes: Councilman Mouhelis
Councilman Suess
Councilman Bolds
Councilwoman Corry
Councilman Johnson
Mayor Carr
Councilman Levine

Nays: None

Absent:None

Motion Carried Unanimously

Passed: June 19,2006
Published: June 20,2006



1" = 20'

ENGINEERING
FIRCE

SITE BENCHMARK:
PK NAIL SET IN PAVEMENT
ELEVATION: 80.28

STATE OF
COUNTY
DONALDSON