

ORDINANCE NO. F-1204

**AN ORDINANCE GRANTING A FRONT YARD SETBACK VARIATION ON
PROPERTY COMMONLY KNOWN AS
815 S. BLANCHARD STREET/SNYDER**

WHEREAS, written application has been made requesting a variation from the provisions of Article 24.5.2 of the Wheaton Zoning Ordinance to allow an existing swing set in the front yard with a setback of 8 feet along Pershing Avenue on certain property legally described herein and commonly known as 815 S. Blanchard Street, Wheaton, IL (“subject property”); 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 July 25, 2006, to consider the variation request; and the 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 24.5.2 of the Wheaton Zoning Ordinance is granted to permit an existing swing set in a front yard with a setback of eight (8) feet from Pershing Avenue in full compliance with the plans submitted with the application on the following-described real estate:

LOT 11 IN BLOCK 29 IN WHEATON ESTATES, BEING A SUBDIVISION IN SECTION 22, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO A PLAT THEREOF RECORDED SEPTEMBER 12, 1924 AS DOCUMENT 182391, IN DUPAGE COUNTY, ILLINOIS.
P.I.N. 05-22-106-011

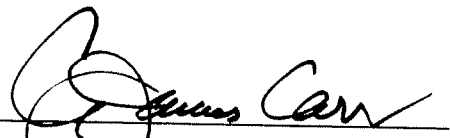
The subject property is commonly known as 815 S. Blanchard Street, Wheaton, IL 60187 (“subject property”).

Section 2: It shall be a condition precedent to the effectiveness, and continuing 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:

1. The Owner shall attempt to relocate the swing set closer to the house, subject to the approval of the Director of Planning and Economic Development; and
2. A landscape plan to screen the play equipment with landscape material from the south and east sides shall be submitted, subject to the approval of the Director of Planning and Economic Development.

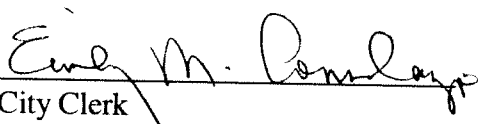
Section 3: All ordinances or parts of ordinances in conflict with these provisions are repealed.

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

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: September 5, 2006
Published: September 6, 2006