

ORDINANCE NO. F-1209

**AN ORDINANCE DENYING A ZONING VARIATION ON THE PROPERTY
COMMONLY KNOWN AS
346 EAST OAK AVENUE/STYCZYNSKI**

WHEREAS, written application has been made for a zoning variation for the development and construction of a new single-family residence on certain property legally described herein within the city limits of Wheaton, Illinois ("City"), and commonly located at 346 East Oak Avenue, 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 requested 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: The following-described property has been, and continues to be, zoned and classified in the R-3 Residential District zoning classification:

LOT 1 IN BLOCK 10 IN ARTHUR T. MCINTOSH AND COMPANY'S RESUBDIVISION OF BLOCKS 1 TO 11 AND 13 TO 15, IN N. E. GARY'S SECOND ADDITION TO WHEATON, IN THE SOUTH HALF OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID RESUBDIVISION RECORDED APRIL 21, 1923 AS DOCUMENT 164742, IN DUPAGE COUNTY, ILLINOIS.
P.I.N. 05-09-415-007

The subject property is commonly known as 346 E. Oak Avenue, Wheaton, IL 60187("subject property").

Section 2: The following Findings of Fact are hereby made and determined by the City Council:

1. Since the application for a zoning variation is for a new single family residence on a vacant lot, no practical difficulties prevent compliance with the strict application of the regulations of the zoning ordinance, and that no particular hardship would result from compliance with the strict application of the requirements of the Zoning Ordinance;
2. The variation, if granted, will alter the essential character of the area or neighborhood.

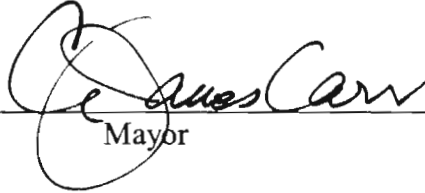
Section 3: Pursuant to the Findings of Fact determined in Section 2 of this ordinance, the requested zoning variation on the subject property is hereby denied.

Section 4: All ordinances or parts of ordinances in conflict with these provisions are

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repealed.

Section 5: 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 Bolds
Councilwoman Corry
Mayor Carr
Councilman Levine
Councilman Mouhelis
Councilman Suess

Nays: None

Absent: Councilman Johnson

Motion Carried Unanimously

Passed: October 2, 2006

Published: October 3, 2006