

**ORDINANCE NO. F-1370**

**AN ORDINANCE GRANTING A REAR YARD SETBACK VARIATION ON A CERTAIN  
PIECE OF PROPERTY COMMONLY KNOWN AS 2076 SPRING GREEN DRIVE -  
SZAFRANSKI**

**WHEREAS**, written application has been made requesting a variation from the provisions of Article 24.4.3 of the Wheaton Zoning Ordinance to allow the construction of a deck with a rear yard setback of 10.0 feet in lieu of the required 25.0 feet, all on certain property legally described herein and commonly known as 2076 Spring Green Drive, Wheaton, Illinois; 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 August 12, 2008 to consider the variation request; and the Wheaton 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 24.4.3 of the Wheaton Zoning Ordinance to allow the construction of a deck with a rear yard setback of 10.0 feet in lieu of the required 25.0 feet, on the following-described property:

LOT 36 IN THE STREAMS UNIT ONE, BEING SUBDIVISION OF PART OF THE EAST HALF OF SECTION 19, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 29, 1969 AS DOCUMENT R69-47226, IN DUPAGE COUNTY, ILLINOIS.

P.I.N.: 05-19-409-006

This property is commonly known as 2076 Spring Green Drive, Wheaton, IL 60187 ("subject property").

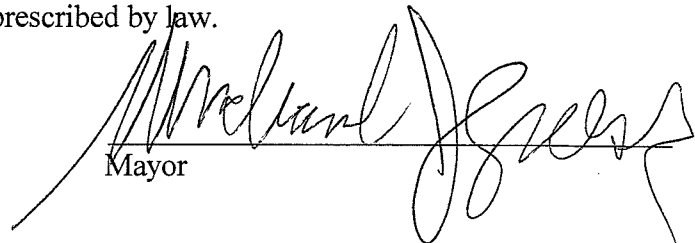
**Section 2:** The variation provided for in Section 1 of this ordinance shall be subject to the following conditions, restrictions and requirements:

- A. The deck's size and location shall be as illustrated on the site plan, which is on file in the office of the Planning and Economic Development Department; and
- B. The deck shall not encroach into the 10 foot sewer and walkway easement along the back of the property.

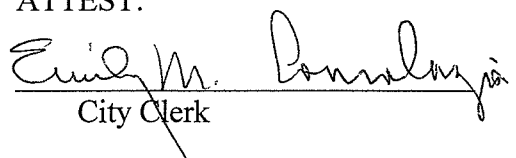
**Section 3:** All ordinances or parts of ordinances in conflict with these provisions are repealed.

R 2008-144955

**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 Prendiville  
Councilman Sues  
Councilwoman Corry  
Councilman Johnson  
Councilman Levine  
Mayor Gresk

Nays: None

Absent: None

Motion Carried Unanimously

Passed: August 18, 2008  
Published: August 19, 2008

