

ORDINANCE NO. O-2021-20

**AN ORDINANCE GRANTING A SIDE YARD ABUTTING A STREET SETBACK VARIATION ON A CERTAIN
PIECE OF PROPERTY COMMONLY KNOWN AS 523 E. ELM STREET -
JOHNSON**

WHEREAS, written application has been made requesting a variation to Article 9.2.5 of the Wheaton Zoning Ordinance to allow the construction and use of a new deck with a side yard abutting a street setback of 17.79 feet in lieu of the required 30.47 feet, on certain property legally described herein and commonly known as 523 E. Elm Street, Wheaton, Illinois 60187; 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 April 27, 2021 to consider the variation request; and the Planning and Zoning Board has 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 side yard abutting a street setback of 17.79 feet in lieu of the required 30.47 feet is granted to allow the construction and use of a new deck, in full compliance with the plans that are on file in the Department of Planning and Economic Development, to allow the construction on the following-described real estate:


THE WEST 70.0 FEET OF LOT 3 IN PANOS-TAPRELL RESUBDIVISION OF LOT 55 (EXCEPT THE WEST 30.0 FEET THEREOF HERETOFORE DEDICATED FOR PUBLIC STREET) IN ROOSEVELT HEIGHTS, A SUBDIVISION OF PART OF THE NORTHEAST QUARTER AND THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID PANOS-TAPRELL RESUBDIVISION RECORDED APRIL 21, 1955 AS DOCUMENT NUMBER 753813, IN DUPAGE COUNTY, ILLINOIS.

P.I.N.: 05-21-203-005

The subject property is commonly known as 523 E. Elm Street, Wheaton, IL 60189.

Section 2: All ordinances or parts of ordinances in conflict with these provisions are repealed.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



Mayor

ATTEST:



City Clerk

Roll Call Vote

Ayes: Councilman Barbier
Councilwoman Bray-Parker
Councilman Brown
Mayor Suess
Councilwoman Fitch
Councilwoman Robbins
Councilman Weller

Nays: None

Absent: None

Motion Carried Unanimously

Passed: May 3, 2021
Published: May 4, 2021