

**ORDINANCE NO. F-1369**

**AN ORDINANCE GRANTING A REAR YARD SETBACK VARIATION ON A CERTAIN PIECE OF PROPERTY COMMONLY KNOWN AS 703 PARKWAY DRIVE - EVANS**

**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 patio 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 703 Parkway 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 July 22, 2008 and 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 patio with a rear yard setback of 10.0 feet in lieu of the required 25.0 feet, on the following-described property:

LOT 13 IN DURABLE CONSTRUCTION COMPANY'S EAST HAWTHORNE ADDITION, BEING A SUBDIVISION IN THE SOUTHEAST ¼ OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ALSO BEING A RESUBDIVISION OF LOTS 1, 7, 11 AND 12 IN DURABLE CONSTRUCTION COMPANY'S HAWTHORNE BOULEVARD ADDITION IN THE SOUTH ½ OF SECTION 9, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID EAST HAWTHORNE ADDITION, RECORDED AUGUST 14, 1953 AS DOCUMENT 691979, IN DUPAGE COUNTY, ILLINOIS.

P.I.N.: 05-09-401-004

This property is commonly known as 703 Parkway 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:

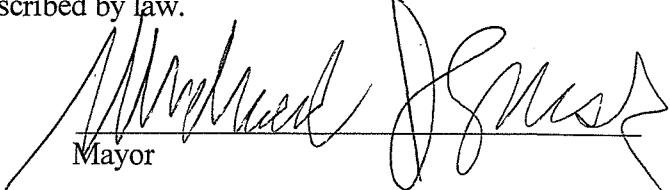
- A. The patio's size and location shall be as illustrated on the revised site plan titled "Option 3", which is on file in the office of the Planning and Economic Development Department; and
- B. A six foot tall solid wood privacy fence shall be installed along the rear property line.

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

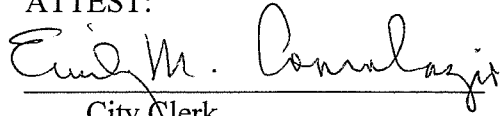
R2008-144954

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 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

# Site Plan

E. BULLVAH ADDITION IN THE SOUTH 1/2 OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN OF SAID EAST HAWTHORNE ADDITION, RECORDED AUGUST 14, 1953 AS DOCUMENT 691979, IN DUPAGE COUNTY, ILLINOIS.

AREA OF SURVEY:

CONTAINING 9 ACRES 30. FT. ± DIMENSIONS MORE OR LESS

