

**ORDINANCE NO. O-2019-13**

**AN ORDINANCE GRANTING A REAR YARD SETBACK VARIATION ON A CERTAIN PIECE OF PROPERTY  
COMMONLY KNOWN AS 222 E. MADISON AVENUE -  
R. LAUTZ CONSTRUCTION, INC.**

**WHEREAS**, written application has been made requesting a variation to Article 3.4A.6 of the Wheaton Zoning Ordinance to allow the construction and use of a patio with a rear yard setback of 7.0 feet in lieu of the required 25.0 feet, on certain property legally described herein and commonly known as 222 E. Madison Avenue, 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 February 26, 2019 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:** The following described property has been and continues to be zoned and classified in the R-4 Residential District zoning classification:

LOT 4 IN GREGORY'S SUBDIVISION OF PART OF THE EAST ½ OF BLOCK 6 IN LYMAN E. DEWOLF AND GUY TRACY'S ADDITION TO THE TOWN OF WHEATON IN THE NORTHWEST ¼ OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

PIN: 05-16-108-005

The subject property is commonly known as 222 E. Madison Avenue, Wheaton, IL 60187.

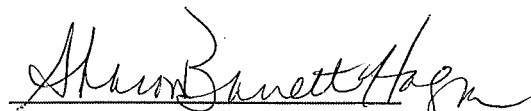
**Section 2:** Pursuant to the Findings of Fact made and determined by the Wheaton Planning and Zoning Board, a rear yard setback of 7.0 feet in lieu of the required 25.0 feet is granted for a patio in full compliance with the following plan: "Topographical Site Development Plan" prepared by ERA, Warrenville, IL, dated February 1, 2019 attached as Exhibit A, and subject to a landscape plan being submitted and approved by the Director of Planning and Economic Development that adequately screens the patio without impeding drainage.

**Section 3:** All ordinances or parts of ordinances in conflict with these provisions are repealed.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 Prendiville  
Mayor Gresk  
Councilman Rutledge  
Councilman Suess  
Councilman Barbier

Nays: None

Absent: Councilwoman Fitch  
Councilman Scalzo

Motion Carried Unanimously

Passed: March 18, 2019  
Published: March 19, 2019



