

## RESOLUTION R- 21-07

### A RESOLUTION AUTHORIZING THE CONSTRUCTION OF A PROTECTIVE FENCE

#### WHEATON CEMETERY ASSOCIATION

WHEREAS, the Wheaton Cemetery Association is seeking to replace an existing six foot high chain link fence along Warrenville Road and a portion of its south property line adjacent to Merrill Drive, with a six foot high decorative iron protective fence in order to provide security for the cemetery and to provide for an aesthetic improvement; and

WHEREAS, Section 22-157 of the Wheaton City Code limits the height of a fence in a front yard to no more than three feet; and

WHEREAS, Section 22-163 of the Wheaton City Code allows any school, governmental entity, private utility or public utility to petition the City Council for a permit to construct a protective fence that would not conform to the requirements of the fence regulations; and

WHEREAS, the City Council finds the proposed fence would not alter the essential character of the area; and

WHEREAS, the City Council finds the proposed fence would be in harmony with the general intent and purpose of the fence regulations; and

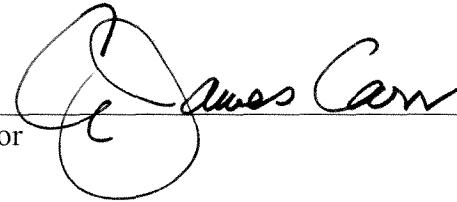
WHEREAS, the City Council finds the proposed fence would not set any unfavorable precedent either to the locality or to the City as a whole; and

WHEREAS, the City Council finds the proposed fence would not adversely affect the public safety and general welfare.

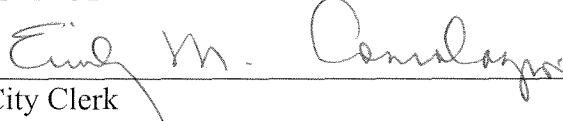
NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Wheaton, Illinois that permission is hereby granted to allow the construction of a six foot high ornamental iron protective fence along Warrenville Road and a portion of its south property line adjacent to Merrill Drive, as described in the Association's letter dated March 1, 2007, attached hereto and made a part hereof.

ADOPTED this 19th day of March, 2007

\_\_\_\_\_  
Mayor

  
\_\_\_\_\_  
James Caw

ATTEST:

  
\_\_\_\_\_  
Emil M. Conley  
City Clerk

Roll Call Vote

Ayes:                    Councilman Mouhelis  
                          Councilman Suess  
                          Councilman Bolds  
                          Councilwoman Corry  
                          Councilman Johnson  
                          Mayor Carr  
                          Councilman Levine

Nays:                    None

Absent:                None

Motion Carried Unanimously