

**ORDINANCE NO. F-0239**

**AN ORDINANCE GRANTING A PARKING VARIATION  
ON A CERTAIN PIECE OF PROPERTY COMMONLY KNOWN AS  
118 WEST LIBERTY DRIVE - FU YUAN RESTAURANT**

**WHEREAS**, written application has been made requesting a variation from Section 22.2.4 of the City of Wheaton Zoning Ordinance in order to allow more than 1/3 of the required parking to be fulfilled by the utilization of available parking either on-street or off-street to permit the construction of an addition onto an existing restaurant and its conversion from a carry out only to a full service restaurant legally described herein and located at 118 W. Liberty Drive, Wheaton, IL 60187.

**WHEREAS**, pursuant to notice as required by the Illinois Municipal Code and the Wheaton Zoning Ordinance, a public hearing was conducted by the Wheaton Board of Zoning Appeals on April 14, 1998, to consider the variation request and the Wheaton Board of Zoning Appeals has unanimously recommended approval of the zoning variation.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Wheaton, DuPage County, Illinois, pursuant to its home rule powers, as follows:

Section 1: Pursuant to the Findings of Fact determined by the Wheaton Board of Zoning Appeals, a variation from Section 22.2.4 of the Wheaton Zoning Ordinance is granted to permit a the construction of an addition onto a restaurant and its conversion from a carry out only to a full service restaurant in full compliance with the plans entitled "*Fu Yuan Restaurant, 118 W. Liberty Drive, Sheets T-1, A-2, and A-4*" dated March 1, 1998 prepared by Edward M. Yung and Associates, Ltd., 300 S. Roberts Road, Inverness, IL 60067 and subject to the following conditions:

1. That all portions of the existing and proposed building be covered with Dryvit to provide a uniform finished appearance and that all rooftop mechanical units be screened from view with a parapet wall equal in height to the tallest rooftop mechanical unit.
2. That the perimeter of the proposed parking lot be landscaped with a continuous hedge, that a narrow, curbed landscaped area be constructed along the side of the building and that the service and loading area be reduced in size to provide for additional green space.
3. That a solid, wood fence be erected along the south property line. Said fence shall be subject to the reasonable approval of the City Planner.

The property that is subject of the variation is legally described as:

EAST 66 FEET (EXCEPT NORTH 5 FEET FOR STREET) AND EXCEPT THE SOUTH HALF OF LOT 5, BLOCK 3 IN J.C. WHEATONS ADDITION TO WHEATON, IN THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.  
05-16-315-003

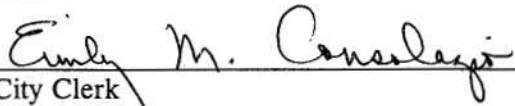
The property is commonly known as 118 West Liberty Drive, Wheaton, Illinois 60187.

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 Johnson  
Councilwoman Johnson  
Councilman Mork  
Councilwoman Davenport  
Councilman Eckhoff  
Mayor Carr  
Councilman Gresk

Nays: None

Absent: None

Motion Carried Unanimously

Passed: May 4, 1998  
Published: May 5, 1998