

**ORDINANCE NO. O-2021-41**

**AN ORDINANCE GRANTING SIDE YARD SETBACK VARIATIONS ON A CERTAIN PIECE OF PROPERTY  
COMMONLY KNOWN AS 121 W. FOREST AVENUE - SUESS**

**WHEREAS**, written application has been made requesting variations to Article 3.4A.5a and Article 24.5.4 of the Wheaton Zoning Ordinance to allow the re-construction and expansion of an existing patio with an existing side yard setback of approximately 3.0 feet in lieu of the required 6.4 feet and the construction of an outdoor fireplace with a side yard setback of 1.0 foot in lieu of the required 10.0 feet, on certain property legally described herein and commonly known as 121 W. Forest 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 August 10, 2021 to consider the variation request; and the Planning and Zoning Board, with 4 members present, had a split vote of 3-ayes and 1-nay on the zoning variations.

**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-3 Residential District zoning classification:

LOT 5 IN THE RESUBDIVISION OF BLOCK 1 OF JESSE C. WHEATON, JR'S ADDITION TO WHEATON, A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND A PART OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID RESUBDIVISION RECORDED APRIL 24, 1924 AS DOCUMENT 176794, IN DUPAGE COUNTY, ILLINOIS.

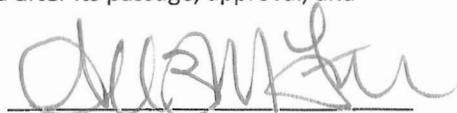
P.I.N.: 05-09-317-005

The subject property is commonly known as 121 W. Forest Avenue, Wheaton, IL 60187.


**Section 2:** Pursuant to the Findings of Fact made and determined by the Wheaton Planning and Zoning Board, a side yard setback of 3.0 feet in lieu of the required 6.4 feet is granted for a patio and a side yard setback of 1.0 feet in lieu of the required 10.0 feet is granted for an outdoor fireplace, in full compliance with the following plans: "Site Plan - Suess Residence" and "Fireplace Elevation - Suess Residence" prepared by Grant and Power, West Chicago, IL, dated March 17, 2021 and revised June 17, 2021 with the condition that a spark arrestor be installed on the fireplace.

**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 Pro Tem

ATTEST:



Deputy City Clerk

Roll Call Vote

Ayes: Councilman Brown  
Mayor Pro Tem Fitch  
Councilwoman Robbins  
Councilman Weller  
Councilwoman Bray-Parker

Nays: Councilman Barbier

Absent: Mayor Suess

Motion Carried

Passed: August 16, 2021  
Published: August 17, 2021

# SITE PLAN

FOREST AVE

3 H H A T O N P J

**STANDARD  
LED LIGHTING KEY**

1 200W UNIQUE TRANSFORMER  
I STEP / RAIL LIGHT - INTEGRAL  
D PATH LIGHT - UNIQUE CHANCELLOR  
J UP LIGHT - UNIQUE INTREPID  
A TREE MOUNT UP LIGHT -  
UNIQUE QUASAR (MOUNT ON TRUNK)

EXPANDED  
PATIO -

PROPOSED  
FIREPLACE

4' CORRUGATED DRAIN TILE INSTALLED TO THREE DOWNSPOUTS. DAYLIGHT INTO FRONT YARD.

- RUN 1 GAS LINE FROM METER TO FIREPLACE

REBUILD SMALL CUTWALL RETAINING WALL (8')

RUN GAS LINE FROM FIREPLACE TO NEAR GRILL.  
INSTALL QUICK CONNECT FOR GRILL.

REBULD SMALL CUTWALL RETAINING WALL (12')

EXISTING  
PATIO

—THIS SECTION OF EXISTING BRICK PAVES REMAINS AS IS

REMOVE EXISTING PAVERS AND REPLACE WITH \_\_\_\_\_  
BLUE/BLUE, NATURAL CLEFT BLUESTONE 5 BLOCK PATTERN  
INSTALL NEW EDGE RESTRAINT.

REBUILD SMALL CUTWALL RETAINING WALL (12') —

REMOVE EXISTING RAISED BED AND TREE. FILL SPACE WITH BLUE/BLUE NATURAL CLEFT BLUESTONE.

1. CUT, LEVEL AND LAY EXISTING BLUESTONE PATIO WITH  
NEW EDGE RESTRAINT

# SUESS RESIDENCE

121 WEST FOREST AVENUE  
WHEATON, ILLINOIS

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SCALE IN FEET

DECLASSIFIED BY  
BRIAN O'MALLEY, CLD

SHAWN PAWLAK

DATE MARCH 17, 2021

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**NOTES**

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1	5-77-31
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2	6-17-21
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MOVE FIREPLACE

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FIRE PLACE  
ELEVATION

