

**ORDINANCE NO. O-2021-51**

**AN ORDINANCE GRANTING AN INTERIOR SIDE YARD SETBACK VARIATION ON A CERTAIN PIECE OF PROPERTY COMMONLY KNOWN AS 301 W. OAK AVENUE - WESTERN DUPAGE LANDSCAPING, INC.**

**WHEREAS**, written application has been made requesting a variation to Article 3.4A.5a of the Wheaton Zoning Ordinance to allow the construction and use of a patio, seat wall, and pergola with an interior side yard setback of approximately .5 feet in lieu of the required 6.0 feet, on certain property legally described herein and commonly known as 301 W. Oak 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 October 26, 2021 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-3 Residential District zoning classification:

THE SOUTH 75 FEET OF THE EAST 130 FEET OF LOT 9 IN BLOCK 5 IN RESUBDIVISION OF BLOCKS 3, 4 AND 5 OF JESSE C. WHEATON JR'S ADDITION TO WHEATON, A SUBDIVISION IN SECTIONS 8 AND 9, TOWNSHIP 39 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID RESUBDIVISION RECORDED NOVEMBER 6, 1911 AS DOCUMENT 106046 IN DUPAGE COUNTY, ILLINOIS.

P.I.N.: 05-09-310-014

The subject property is commonly known as 301 W. Oak Avenue, Wheaton, IL 60187.

**Section 2:** Pursuant to the Findings of Fact made and determined by the Wheaton Planning and Zoning Board, an interior side yard setback of approximately .5 feet in lieu of the required 6.0 feet is granted to allow the construction and use of a patio, seat wall, and pergola, in full compliance with the following plans: "Schaller Residence - 301 W. Oak Avenue, Wheaton, IL", prepared by Western DuPage Landscaping, Inc., Naperville, IL, dated April 6, 2021, sheets 1-4, subject to the following conditions:

1. The roof of the pergola cannot extend beyond the property line.
2. The site plan shows an "L" shaped retaining wall with the long leg of the "L" being along the property line and a short leg from the property line to the rear of the garage. The short leg must be constructed to not block the drainage from flowing from the patio to the west behind the garage.
3. The final grading of the subject property shall be subject to further staff review prior to the issuance of a site development permit.

**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

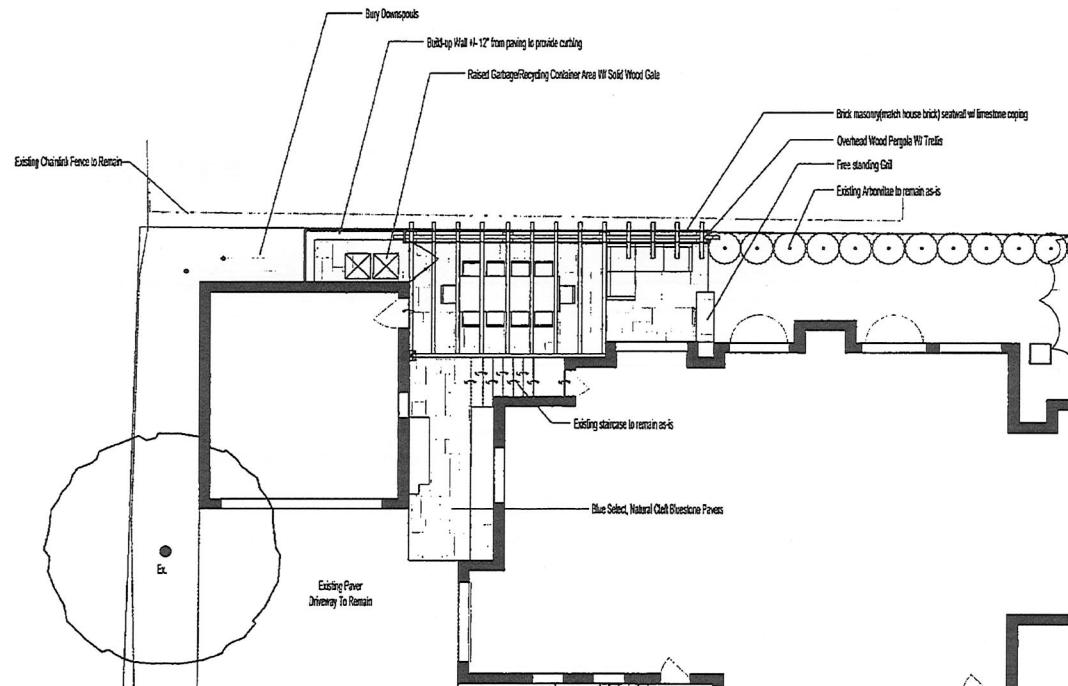
Ayes: Councilman Barbier  
Councilwoman Bray-Parker  
Councilman Brown  
Mayor Suess  
Councilwoman Fitch  
Councilwoman Robbins  
Councilman Weller

Nays: None

Absent: None

Motion Carried Unanimously

Passed: November 1, 2021  
Published: November 2, 2021



**Overall Hardscape  
Plan**

**SCHALLER  
RESIDENCE**

301 W. Oak Ave  
Wheaton, IL

date: 2021-04-08

project #: E02408434

scale: 1/8" = 1'-0"



north:



revisions:

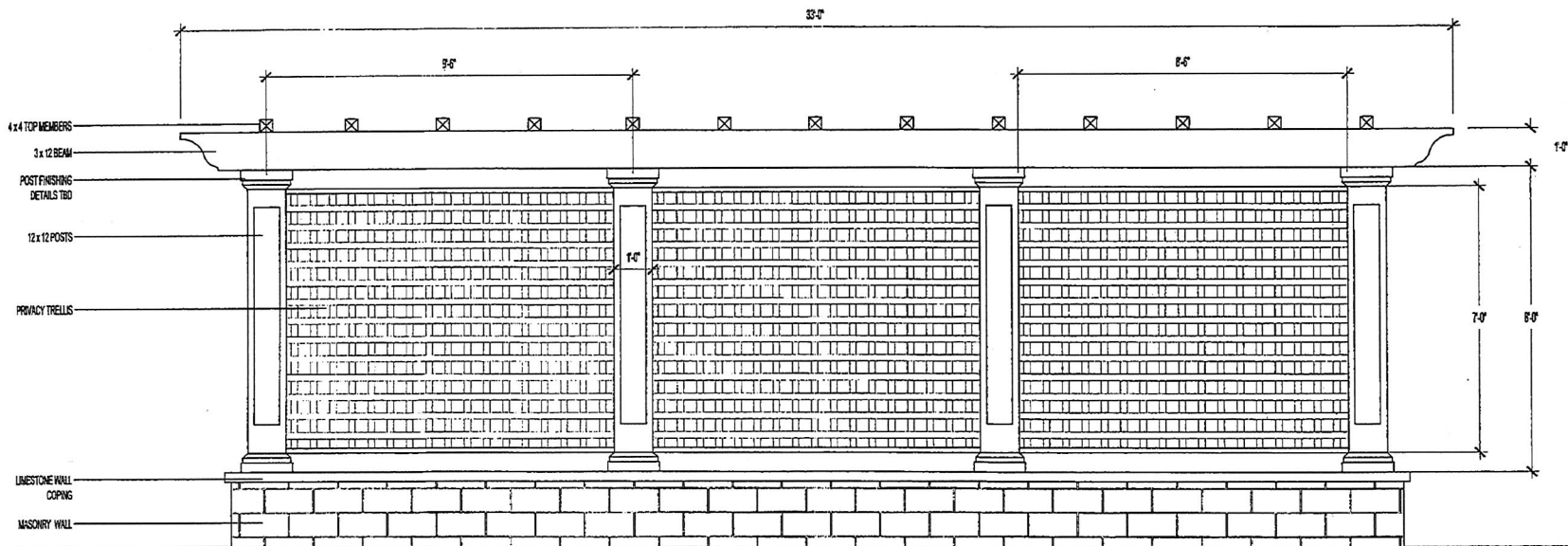
1	
2	
3	

CONSENT NOT TO BE REPRODUCED  
WITHOUT WRITTEN PERMISSION



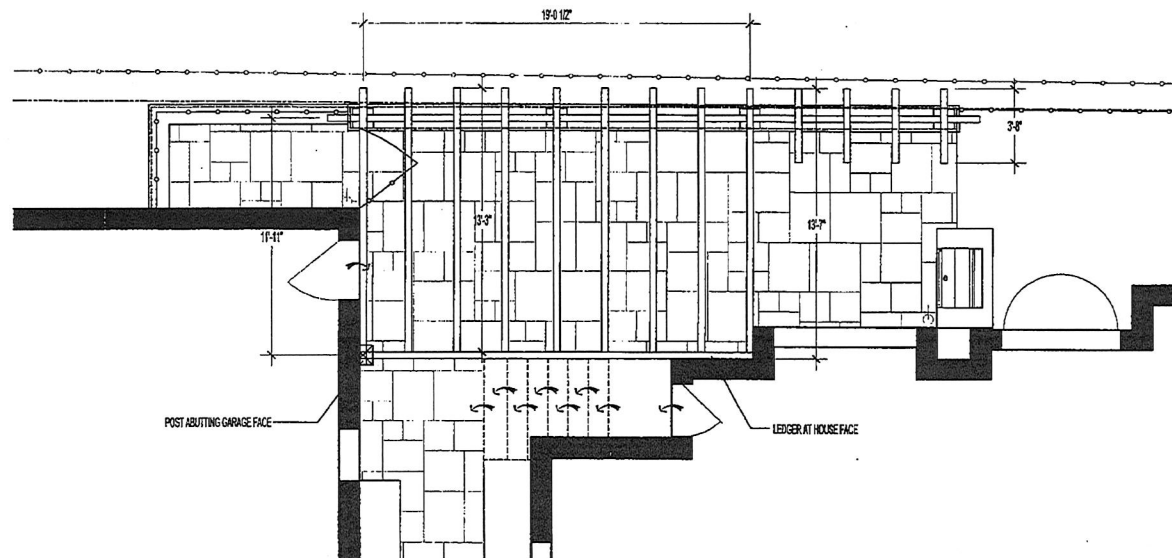
**Western  
DuPage  
Landscaping, Inc.**

31 W. 478 DIEHL RD. NAPERVILLE, IL 60563-4620 (630) 410-0872 FAX (630) 410-0749



**Overhead Structure & Privacy Trellis Elevation**

Scale: 1/2" = 1'-0"



**Overhead Structure Plan View**

Scale: 1/4" = 1'-0"

**Overhead Structure  
& Trellis Plan**

**SCHALLER  
RESIDENCE**

301 W. Oak Ave  
Wheaton, IL

date: 2021-04-06

project #1: 2021-04-06

scale: AS SHOWN



north:

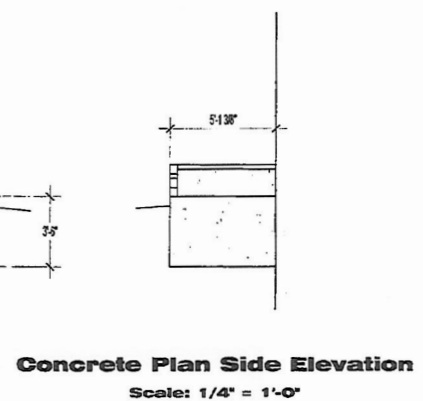
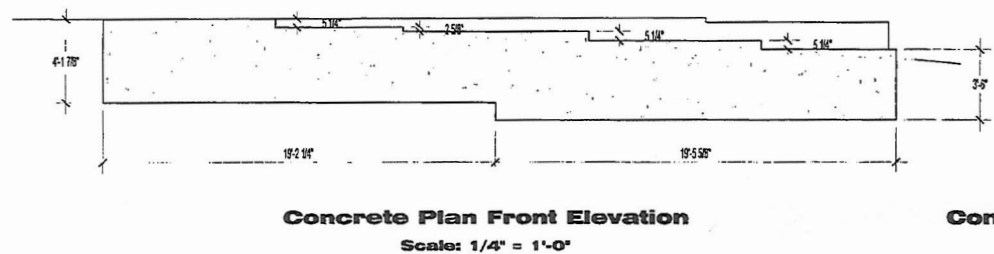
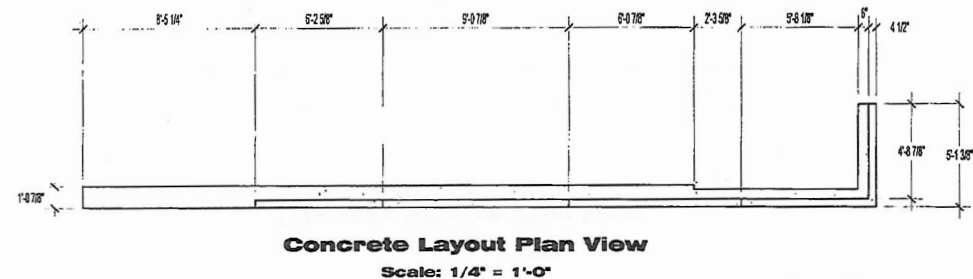
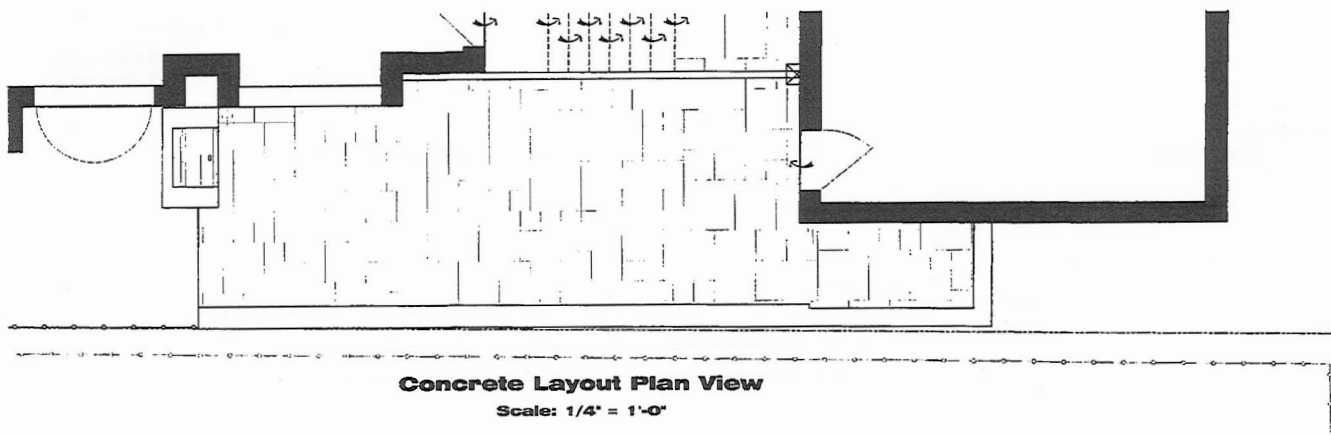
revisions:


CONTRACT: 2021-04-06  
WESTERN DUPAGE LANDSCAPING, INC.



**Western  
DuPage  
Landscaping, Inc.**

31 W. 478 DIEHL RD. NAPERVILLE, IL 60563-4820 630-410-0072 FAX 630-410-0740

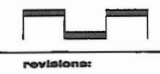


**Concrete Plan**

**SCHALLER RESIDENCE**

301 W. Oak Ave  
Wheaton, IL

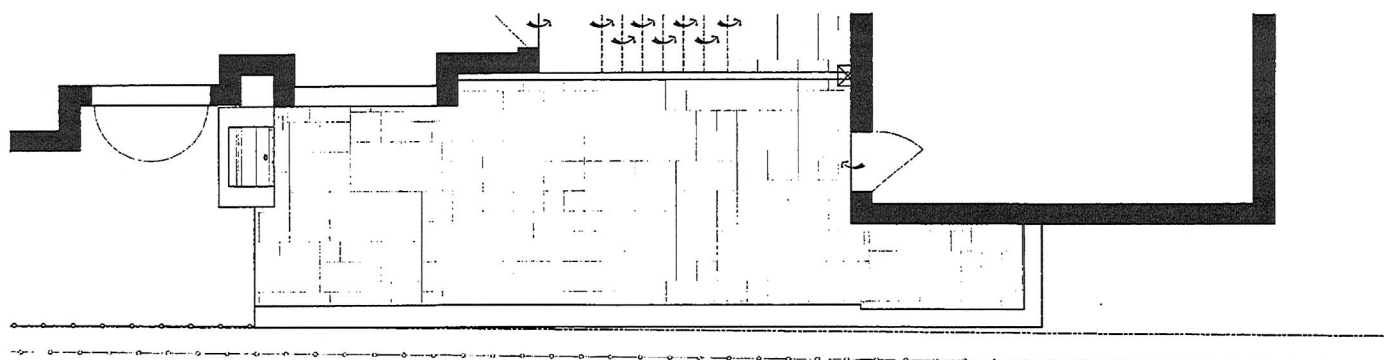
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project #: E02409434  
scale: AS SHOWN



**Western  
DuPage  
Landscaping, Inc.**

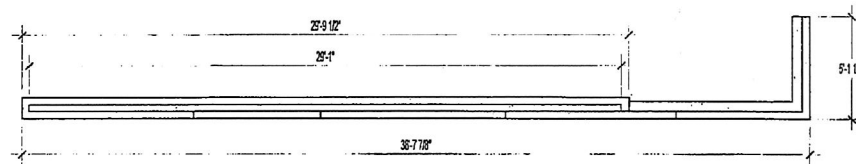
31 W. 475 DICK RD. NAPERVILLE, IL 60563-6020 630-418-0072 FAX 630-418-0748

DESIGNED BY: ALL RIGHTS RESERVED  
WESTERN DUPAGE LANDSCAPING, INC.



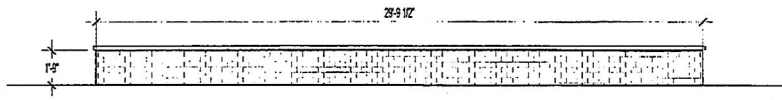
**Masonry Location Plan View**

Scale: 1/4" = 1'-0"



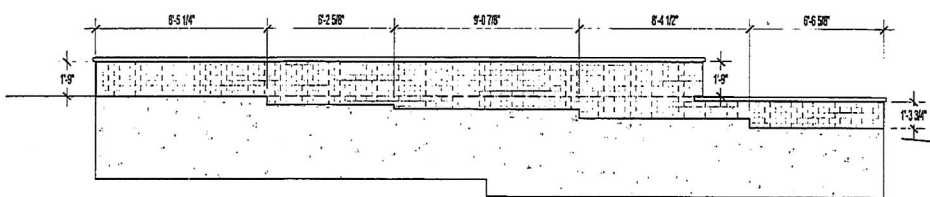
**Masonry Interior Plan View**

Scale: 1/4" = 1'-0"



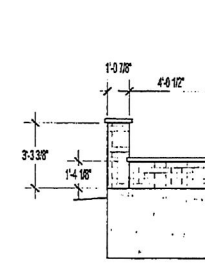
**Masonry Seatwall- Patio Side Elevation**

Scale: 1/4" = 1'-0"



**Masonry Seatwall- Property Line Side Elevation**

Scale: 1/4" = 1'-0"



**Masonry Seatwall- Garage Side Elevation**

Scale: 1/4" = 1'-0"

**Masonry Plan**

**SCHALLER RESIDENCE**

301 W. Oak Ave  
Wheaton, IL

date: 2021-04-06

project #: EQ2409434

scale: AS SHOWN



revisions:


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**Western  
DuPage  
Landscaping, Inc.**

31 W. 47th DEHL RD. NAPERVILLE, IL 60563-1820 630.415.0072 FAX 630.415.0741