

PIN: 08-19-202-001

**ADDRESS:
406 S. Columbia Street
Naperville, IL 60563**

**PREPARED BY:
CITY OF NAPERVILLE
LEGAL DEPARTMENT
630/420-4170**

**RETURN TO:
CITY OF NAPERVILLE
CITY CLERK'S OFFICE
400 SOUTH EAGLE STREET
NAPERVILLE, IL 60540**

PZC Case #15-1-001

ORDINANCE NO. 15 - ____

**AN ORDINANCE GRANTING A DEVIATION FROM
SECTION 7-1-13 (PLATTED SETBACKS AND BUILDING LINES)
OF TITLE 7 (SUBDIVISION REGULATIONS) OF
THE NAPERVILLE MUNICIPAL CODE
FOR THE PROPERTY LOCATED AT 406 S. COLUMBIA STREET**

WHEREAS, Thomas and Christina Quinlan (“Petitioners”) have petitioned the City of Naperville for approval of a deviation from Section 7-1-13 (Platted Setbacks and Building Lines) of the Naperville Municipal Code for the property located at 406 S. Columbia Street, Naperville, IL, which is legally described in **Exhibit A**, and depicted on **Exhibit B** (Site Plan); and

WHEREAS, the Subject Property currently has a 35’ building line and is improved with a single-family structure; and

WHEREAS, the Subject Property is zoned R1B (Medium Density Single-Family Residence District), which requires a 30’ front yard setback; and

WHEREAS, the Petitioner intends to construct a new single-family home on the Subject Property which will encroach into the 35’ platted setback to a point of 30’ from the front property line; and

WHEREAS, the additional encroachment resulting from the proposed single-family home will have minimal impact on the neighborhood streetscape, and will not be a substantial detriment to the adjacent property; and

WHEREAS, the City Council of the City of Naperville has determined that the Petitioner's request should be granted as provided herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NAPERVILLE, DUPAGE AND WILL COUNTIES, ILLINOIS, in exercise of its home rule powers, as follows:

SECTION 1: The foregoing recitals are incorporated as though fully set forth here. All exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

SECTION 2: A deviation to Section 7-1-13 (Platted Setbacks and Building Lines) of the Naperville Municipal Code is hereby granted to allow for a 5' encroachment into the 35' platted building line for the purpose of constructing a new single-family home on the Subject Property, as depicted on the Site Plan attached hereto as **Exhibit B**.

SECTION 3: Any additional encroachments into the zoning setback and/or the platted building line other than that approved by this Ordinance, as depicted on **Exhibit B**, shall require a separate variance and/or deviation to be processed.

SECTION 4: The deviation approved by this Ordinance shall expire unless a building permit has been obtained and the construction or alteration of the structure as specified in this Ordinance has been started within two (2) years from the effective date of this Ordinance.

SECTION 5: This deviation shall be subject to revocation for failure to comply with all other applicable provisions set forth in the Naperville Municipal Code, as amended from time to time, and all other applicable laws.

SECTION 6: The City Clerk is authorized and directed to record this Ordinance with the DuPage County Recorder.

SECTION 7: This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this _____ day of _____, 2015.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2015.

A. George Pradel
Mayor

ATTEST:

Pam LaFeber, Ph.D.
City Clerk