

PIN: 07-15-202-012

ADDRESS:  
1479 W. OGDEN AVENUE  
NAPERVILLE, IL 60540

PREPARED BY:  
CITY OF NAPERVILLE  
LEGAL DEPARTMENT  
400 SOUTH EAGLE STREET  
NAPERVILLE, IL 60540  
630/420-4170

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

PZC Case #23-1-066

**ORDINANCE NO. 23 - \_\_\_\_**

**AN ORDINANCE GRANTING A SIGNAGE VARIANCE FROM SECTION 6-15-5:2.2 (GROUND SIGNS) OF THE NAPERVILLE MUNICIPAL CODE FOR THE PROPERTY LOCATED AT 1479 W. OGDEN AVENUE (NAPLETON PORSCHE SERVICE CENTER)**

**RECITALS**

1. **WHEREAS**, EFN Naperville Property, LLC., 1 Oakbrook Terrace, Suite 600, Oakbrook Terrace, Illinois, 60181 (“**Owner**” and “**Petitioner**”), is the owner of real property located at 1479 W Ogden Avenue, Naperville, Illinois, legally described on **Exhibit A** and depicted on **Exhibit B** (“**Subject Property**”).
2. **WHEREAS**, The Owner has petitioned the City of Naperville for approval of a variance from the Naperville Municipal Code in order to install one ground sign that exceeds permissible height.
3. **WHEREAS**, the Subject Property is currently zoned I (Industrial District) and is to be improved with an automobile service center and surface parking lot.

4. **WHEREAS**, in accordance with Section 6-16-5:2.2 (Ground Signs) of the Naperville Municipal Code, ground signs are permitted a maximum height of ten (10) feet for this property.
5. **WHEREAS**, the Petitioner has requested approval of a variance from Section 6-16-5:2.2 of the Naperville Municipal Code in order to allow one ground sign that is approximately twenty (20) feet in height as depicted on **Exhibit C** (“Sign Elevations”).
6. **WHEREAS**, the Petitioner will install a landscaped area located around the base of each ground sign equal to one square foot for each one square foot of monument sign area as required by Section 6-16-5:2.2.6 of the Naperville Municipal Code.
7. **WHEREAS**, the requested variance meets the Standards for Variances as provided in **Exhibit D** attached hereto.
8. **WHEREAS**, on September 20, 2023, the Planning and Zoning Commission conducted a public hearing concerning PZC 23-1-066 and recommended approval of the Petitioner’s request (approved 6-0).
9. **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 in this Section 1. All exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

**SECTION 2:** A variance from Section 6-16-5:2.2 (Ground Signs) of the Naperville Municipal Code to allow one ground sign to measure approximately twenty (20)

feet in height, as depicted on the Sign Elevations attached hereto as **Exhibit C**, is hereby approved.

**SECTION 3:** The variance approved by this Ordinance shall expire unless within two (2) years from the effective date of this Ordinance if: (1) a building permit has been obtained and the construction or alteration of the structure as specified in this Ordinance has been started, or (2) the use specified in this Ordinance has commenced.

**SECTION 4:** This variance 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 5:** The City Clerk is authorized and directed to record this Ordinance with the DuPage County Recorder.

**SECTION 6:** If this Ordinance is not recorded with the office of the Recorder in which the Subject Property is located within one (1) year of their approval and passage by the Naperville City Council, this Ordinance shall be null and void without any further action by the City unless this Ordinance is amended by the City to extend such timeframe. The Petitioner shall defend, indemnify, and hold the City and its officers, agents and employees harmless if recordation does not occur within the original, or any extended, timeframe.

**SECTION 7:** If any section, paragraph, or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, or provision, shall not affect any of the remaining provisions of this Ordinance or any other City ordinance, resolution, or provision of the Naperville Municipal Code. Technical and minor substantive revisions as deemed acceptable to the City Attorney

may be made to this Ordinance and to the exhibits hereto prior to recordation with the office of the Recorder in which the Subject Property is located within.

**SECTION 8:** This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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Scott A. Wehrli  
Mayor

ATTEST:

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Pam Gallahue, Ph.D.  
City Clerk