

PIN: 07-13-320-008

**ADDRESS: 308 Cody Court
Naperville, IL 60540**

**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 # 17-1-051

**ORDINANCE NO. 17 –
AN ORDINANCE REZONING THE PROPERTY LOCATED AT
308 CODY COURT TO
R1B (MEDIUM DENSITY SINGLE-FAMILY RESIDENCE DISTRICT)**

WHEREAS, Randy Mueller, (“Petitioner”) has petitioned the City of Naperville for rezoning of real property located at 308 Cody Court, legally described on **Exhibit A** and depicted on **Exhibit B** (“Subject Property”) to R1B (Medium Density Single-Family Residence District); and

WHEREAS, the owners of the Subject Property are Dylan and Billie Bates; and

WHEREAS, the Subject Property is presently zoned R1A (Low Density Single-Family Residence District) in the City of Naperville and is currently vacant; and

WHEREAS, the request rezoning meets the Standards for Granting a Map Amendment as provided in **Exhibit C** attached hereto; and

WHEREAS, the Petitioner intends to consolidate lots 308 Cody Court, 808 Jackson Avenue, and 804 Jackson Avenue into a single lot, which is subject to administrative review and approval. The properties located at 808 Jackson Avenue and 804 Jackson Avenue are currently zoned R1B (Medium Density Single-Family Residence District), thus prompting the rezoning of the Subject Property; and

WHEREAS, upon consolidation, the petitioner intends to construct a pool and a game court on the consolidated properties contingent to review of a permit application by the City of Naperville; and

WHEREAS, on June 7, 2017 the Planning and Zoning Commission conducted a public hearing to consider the rezoning request and recommended approval of PZC 17-1-051; 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: The Subject Property, legally described on Exhibit A and depicted on Exhibit B, is hereby rezoned to R1B (Medium Density Single-Family Residence District) in the City of Naperville.

SECTION 3: The Zoning Map of the City of Naperville is hereby amended in accordance with this Ordinance.

SECTION 4: This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time.

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

SECTION 6: This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this _____ day of _____, 2017.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2017.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph.D.
City Clerk