

PIN: 01-16-206-018

ADDRESS:
3027 ENGLISH ROWS
NAPERVILLE, IL 60564

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 #17-1-080

ORDINANCE NO. 17 - ____

**AN ORDINANCE GRANTING A SIGN VARIANCE
FROM SECTION 6-16-5: 2.2.1 (PERMITTED MONUMENT SIGNS) AND SECTION 6-16-
5: 2.2.5.1 (MONUMENT SIGN SETBACK) OF THE NAPERVILLE MUNICIPAL CODE
FOR 3027 ENGLISH ROWS**

WHEREAS, Khaled Akkawi, ("Petitioner"), is the owner of real property located at 3027 English Rows, Naperville, Illinois, legally described on **Exhibit A** and depicted on **Exhibit B** ("Subject Property"), and has petitioned the City of Naperville for approval of a sign variance for said property; and

WHEREAS, the Subject Property is currently zoned B2 PUD (Community Shopping Center District Planned Unit Development) and is improved with the English Rows Shopping Plaza; and

WHEREAS, the Petitioner proposes to construct a monument sign on the Subject Property that is setback 5' from the eastern property line (adjacent to Route 59); and

WHEREAS, a monument sign currently exists on the Subject Property at the southern entrance; and

WHEREAS, the Subject Property has 201' of frontage along Route 59; and

WHEREAS, the Petitioner requests approval of a variance from Section 6-16-5: 2.2.1 (Permitted Monument Signs) to allow for a second sign on the property that is less than 200' from the existing sign for a lot than has less than 500' of lot frontage; and

WHEREAS, the Petitioner requests approval of a variance from Section 6-16-5: 2.2.5.1 (Monument Sign Setback) to allow for a reduction of the setback off of a major arterial road (Route 59) from the required 10' to 5'; and

WHEREAS, pursuant to Section 6-3-6:2 (Standards for Variances) of the Naperville Municipal Code the requested variances meet the Standards for Variances as provided in **Exhibit C** attached hereto; and

WHEREAS, on August 16, 2017, the Planning and Zoning Commission conducted a public hearing concerning PZC 17-1-080 and expressed concerns regarding the proposed signs setback; and

WHEREAS, the Planning and Zoning Commission resumed the public hearing on September 20, 2017 and recommended approval of the Petitioner's revised request, which included a reduced sign width and increased setback; 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 herein. All exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

SECTION 2: A variance from Section 6-16-5: 2.2.1 (Permitted Monument Signs) of the Naperville Municipal Code to allow for a second sign on the property that is less than 200' from the existing sign for a lot than has less than 500' of lot frontage.

SECTION 3: A variance from Section 6-16-5: 2.2.5.1 (Monument Sign Setback) of the Naperville Municipal Code to allow for a reduction of the setback off of a major arterial road (Route 59) from the required 10' to 5' for the Subject Property, as depicted on the Site Plan attached hereto as **Exhibit B**, is hereby approved.

SECTION 4: 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 5: 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 6: The City Clerk is authorized and directed to record this Ordinance with the Will County Recorder.

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.

SECTION 8: 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