

PIN: 02-04-300-002

ADDRESS:  
2517 LINDENWOOD LANE  
NAPERVILLE, IL 60565

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 #22-1-123

**ORDINANCE NO. 23 -**

**AN ORDINANCE GRANTING A VARIANCE  
FROM SECTION 6-2-10:1 OF THE NAPERVILLE  
MUNICIPAL CODE TO ALLOW FOR A DETACHED GARAGE  
FOR THE PROPERTY LOCATED AT 2517 LINDENWOOD LANE**

**RECITALS**

1. **WHEREAS**, Sam and Peggy Simos (“**Owners**” and “**Petitioners**”), are the owners of real property located at 2517 Lindenwood Lane, Naperville, Illinois, legally described on **Exhibit A** and depicted on **Exhibit B** (“**Subject Property**”), and have petitioned the City of Naperville for approval of a variance in order to construct at detached garage at the property; and
2. **WHEREAS**, the Subject Property is currently zoned E2 (Medium Density Estate District) and is improved with a single-family residence; and
3. **WHEREAS**, Section 6-2-10:1 of the Municipal Code requires accessory structures to comply with the underlying front yard setback and be located no closer to the structure than the principal structure (the single-family residence); and

4. **WHEREAS**, the E2 zoning district has a required front yard setback of 35'; and
5. **WHEREAS**, the Petitioners seek to construct a 22' x 23' detached garage which is located 51' from the front property line, in compliance with the code required front yard setback, but in front of the principal structure (the single-family residence); and
6. **WHEREAS**, the Petitioners seek approval of a variance from Section 6-2-10:1 in order to construct the detached garage closer to the street than the principal structure; and
7. **WHEREAS**, the requested variance meets the Standards for Variances as provided in **Exhibit C** attached hereto; and
8. **WHEREAS**, on January 18, 2023, the Planning and Zoning Commission considered the requested variance and recommended approval of the Petitioner's request; and
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 6-2-10:1 (Accessory Buildings, Structures and Uses of Land: Location) of the Naperville Municipal Code to allow for the construction of a detached garage to be located closer to the street than the principal structure at the Subject Property, as depicted on the Site Plan attached hereto as **Exhibit D**, is hereby approved.

**SECTION 3:** The Site Plan, attached to this Ordinance as **Exhibit D**, is hereby approved as the controlling site plan for the Subject Property.

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

**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 \_\_\_\_\_, 2023.

AYES:

NAYS:

ABSENT:

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

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Steve Chirico  
Mayor

ATTEST:

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Pam Gallahue, Ph. D.  
City Clerk