

PIN: 07-01-01-314-011
07-01-01-314-012

ADDRESS:
2507 & 2511 SWANDYKE COURT
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 #23-1-024

ORDINANCE NO. 23 - _____

**AN ORDINANCE APPROVING THE PRELIMINARY/FINAL
PLAT OF SUBDIVISION AND SUBDIVISION DEVIATION FOR REAL PROPERTY
LOCATED AT 2507 & 2511 SWANDYKE COURT (BRECKENRIDGE ESTATES
RESUBDIVISION NO. 2)**

RECITALS

1. **WHEREAS**, Hudai Dirilten, 1735 Baybrook Lane, Naperville, IL 60564, is the owner of real property located at 2507 Swandyke Court, Naperville, Illinois, and Mustafa and Mary Dirilten aka Mary L. Dirilten, 1735 Baybrook Lane, Naperville, Illinois, 60564, are the owners of real property located at 2511 Swandyke Court, Naperville, Illinois (hereinafter collectively referred to as "**Owners**"). Both properties are legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**"); and
2. **WHEREAS**, M/I Homes of Chicago, LLC, A Delaware Limited Liability Company, 2135 City Gate Lane, Suite 620, Naperville, Illinois, 60563, ("**Petitioner**") has been authorized by the Owners to submit the subject petition; and

3. **WHEREAS**, the Petitioner intends to subdivide the Subject Property from two lots into three lots in order to construct three single-family residences; and
4. **WHEREAS**, pursuant to Section 7-1-13 (Platted Setbacks and Building Lines) of the Naperville Municipal Code, the Petitioner requests approval of a deviation from the forty-foot platted setback on the proposed Lot 278 established in accordance with Doc. R2000-138343, as depicted on **Exhibit B** (“Preliminary/Final Subdivision Plat”); and
5. **WHEREAS**, the requested deviation meets the Standards for Granting a Subdivision Deviation as provided in **Exhibit C** attached hereto; and
6. **WHEREAS**, the City Council of the City of Naperville has determined that the Preliminary/Final Plat of Subdivision and platted setback deviation for Lot 278 of Breckenridge Estates Resubdivision No. 2, should be approved 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: The Preliminary/Final Plat of Subdivision, attached to this Ordinance as **Exhibit B** is hereby approved.

SECTION 3: A platted setback deviation for Lot 278 of Breckenridge Estates Resubdivision No. 2 2507 & 2511 Swandyke Court, Naperville, Illinois, is hereby approved thus permitting the new home to be constructed on this lot to be located a minimum of 30’ from the front property line.

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 deviation approved by this Ordinance shall expire within two (2) years from the effective date of this Ordinance if a permit has not been obtained and the alteration as specified in this Ordinance has not been started within that two (2) year period.

SECTION 6: 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 7: The City Clerk is authorized and directed to record this Ordinance with the Will County Recorder.

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.

Scott A. Wehrli
Mayor

ATTEST:

Pam Gallahue, Ph.D.
City Clerk