

PIN: 08-18-404-005

ADDRESS:
6 NORTH COLUMBIA STREET
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 #21-1-007

ORDINANCE NO. 21 -

**AN ORDINANCE GRANTING A SETBACK VARIANCE FROM
SECTION 6-6C-7:1 (R2: YARD REQUIREMENTS) OF THE NAPERVILLE MUNICIPAL
CODE TO CONSTRUCT A PORTE COCHERE AT
6 NORTH COLUMBIA STREET**

RECITALS

1. **WHEREAS**, Erik G. Haugsnes ("Petitioner") has petitioned the City of Naperville for approval of a variance to Section 6-6C-7:1 (R2: Yard Requirements) of the Naperville Municipal Code in order to construct a porte cochere that encroaches into the north interior side yard setback on the property located at 6 North Columbia Street, Naperville, Illinois 60540 legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**"); and
2. **WHEREAS**, The Jack and Hellen J. Haugsnes Living Trust ("**Owner**"), 6 North Columbia Street, Naperville, Illinois 60540 owns real property located at 6 North Columbia Street Naperville, Illinois 60540 and has authorized the Petitioner to submit the petition for the Subject Property; and

3. **WHEREAS**, the Subject Property is zoned R2 (Single-Family and Low Density Multiple Family Residence District) and is improved with a single-family structure and detached garage; and
4. **WHEREAS**, Municipal Code Section 6-6C-7:1 (R2: Yard Requirements) requires an attached accessory structure to be setback 6' from the interior side property line; and
5. **WHEREAS**, pursuant to Section 6-3-5:2 (Standards for Variances) of the Naperville Municipal Code, the Petitioner requests approval of a variance from Section 6-6C-7:1 (R2: Yard Requirements) of the Naperville Municipal Code to allow a porte cochere attached to the primary structure on the Subject Property to be 5' from the north interior side property line, as depicted on **Exhibit C**; and
6. **WHEREAS**, given the property's location in the Historic District, a Certificate of Appropriateness was required for the proposed change to the primary facade, as set forth in Municipal Code Section 6-11-6 (Certificate of Appropriateness); in addition, the Historic Preservation Commission is required to provide a recommendation on the variance requested; and
7. **WHEREAS**, on January 28, 2021, the Historic Preservation Commission approved Certificate of Appropriateness 20-4723 and recommended approval of the setback variance request; and
8. **WHEREAS**, on February 3, 2021, the Planning and Zoning Commission considered the requested setback 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 meets the variance standards as provided in **Exhibit D** attached hereto and 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 to Section 6-6C-7:1 of the Naperville Municipal Code to permit a porte cochere that encroaches 1' into the 6' required interior side yard setback, as depicted on the site plan attached to this Ordinance as **Exhibit C**, is hereby approved.

SECTION 3: The Site Plan, attached to this Ordinance as **Exhibit C**, 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 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: 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 7: The City Clerk is authorized and directed to record this Ordinance with the DuPage County Recorder.

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

PASSED this _____ day of _____, 2021.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2021.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph.D.
City Clerk