

PINs:
07-13-210-015

ADDRESS:
535 N WEBSTER STREET

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 #16-1-173

ORDINANCE NO. 17 - _____

**AN ORDINANCE GRANTING VARIANCES FROM SECTION 6-6B-7
(R1B: YARD REQUIREMENTS) OF TITLE 6 (ZONING REGULATIONS)
OF THE NAPERVILLE MUNICIPAL CODE FOR THE
CAMARENA SUBDIVISION LOCATED AT 535 N WEBSTER STREET**

WHEREAS, Sylvia Kanney (“Petitioner”) has requested approval of variances from Section 6-6B-7 (R1B: Yard Requirements) of the Naperville Municipal Code in order to reduce the rear yard setback on Lot 1 of the Camarena Subdivision and to reduce the front yard setback on Lot 2 of the Camarena Subdivision, commonly known as 535 N Webster Street, Naperville IL, which is legally described in **Exhibit A**, and depicted on **Exhibit B** (“Subject Property”); and

WHEREAS, the Subject Property is currently improved with a single-family home and a detached garage and is zoned R1B (Medium Density Single-family Residence District); and

WHEREAS, the Petitioner proposes to demolish the detached garage and subdivide the property into 2 lots in order to construct a new single-family home on Lot 2 of the subject property; and

WHEREAS, the Petitioner requests a variance to permit the existing single-family home located on Lot 1 to be located approximately 17.91' from the rear (west) property line; and

WHEREAS, the Petitioner also requests a variance to permit the new single-family home on Lot 2 to have a 20' front yard setback; and

WHEREAS, on May 3, 2017 the Planning and Zoning Commission conducted a public hearing concerning PZC 16-1-173, and recommended approval of the Petitioner's requests; and

WHEREAS, the requested variances meet the standards for variances as provided in **Exhibit C** attached hereto; and

WHEREAS, the City Council of the City of Naperville has determined that the Petitioner's requests 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 in this Section 1. All exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

SECTION 2: A variance to Section 6-6B-7 (R1B: Yard Requirements) of the Naperville Municipal Code is hereby granted to allow the existing single-family on Lot 1 of Camarena Subdivision to be setback approximately 17.91' from the rear property line, as depicted on the Site Plan attached hereto as **Exhibit B**.

SECTION 3: A variance to Section 6-6B-7 (R1B: Yard Requirements) of the Naperville Municipal Code is hereby granted to allow a 20' front yard setback on Lot 2 of

Camarena Subdivision, as conceptually depicted on the Site Plan attached hereto as **Exhibit B**.

SECTION 4: Any variance other than those approved by this Ordinance, as depicted on **Exhibit B**, shall require approval of a separate variance.

SECTION 5: The variances approved by this Ordinance shall expire unless a building permit has been obtained and the construction or alteration of the structure as specified in this Ordinance has been started within two (2) years from the effective date of this Ordinance.

SECTION 6: These variances 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 DuPage County Recorder.

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