

PIN: 07-15-402-002

ADDRESS:
1507 W. OGDEN AVENUE
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 #23-1-18

ORDINANCE NO. 23 - _____

**AN ORDINANCE GRANTING A SIGNAGE VARIANCE FROM SECTION 6-15-5:2.2
(GROUND SIGNS) OF THE NAPERVILLE MUNICIPAL CODE FOR THE PROPERTY
LOCATED AT 1507 W. OGDEN AVENUE (CADILLAC OF NAPERVILLE)**

RECITALS

1. **WHEREAS**, Frank Laskaris, 1507 W Ogden Avenue, Naperville, Illinois 60540 (“**Owner**”), is the owner of real property located at 1507 W Ogden Avenue, Naperville, Illinois, legally described on **Exhibit A** and depicted on **Exhibit B** (“**Subject Property**”); and
2. **WHEREAS**, Olympik Sign Company, 1130 N. Garfield Street, Lombard, Illinois 60148 (“**Petitioner**”) has petitioned the City of Naperville for approval of variances from the Naperville Municipal Code in order to install two ground signs that exceed permissible height and square footage allowances; and
3. **WHEREAS**, the Subject Property is currently zoned B3 (General Commercial District) and is improved with an automobile dealership and surface parking lot; and

4. **WHEREAS**, in accordance with Section 6-16-5:2.2 (Ground Signs) of the Naperville Municipal Code, ground signs are permitted a maximum sign area of forty-five (45) square feet and a maximum height of ten (10) feet for this property; and
5. **WHEREAS**, the Petitioner has requested approval of variances from Section 6-16-5:2.2 of the Naperville Municipal Code in order to allow two ground signs that are each twenty (20) feet in height and approximately one hundred and one (101) square feet in size as depicted on **Exhibit C** (“Sign Elevations”); and
6. **WHEREAS**, the Petitioner will install a landscaped area located around the base of each ground sign equal to one square foot for each one square foot of monument sign area as required by Section 6-16-5:2.2.6 of the Naperville Municipal Code; and
7. **WHEREAS**, the requested variance meets the Standards for Variances as provided in **Exhibit D** attached hereto; and
8. **WHEREAS**, on April 19, 2023, the Planning and Zoning Commission conducted a public hearing concerning PZC 23-1-018 and recommended approval of the Petitioner’s request (approved 8-0); 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 6-16-5:2.2 (Ground Signs) of the Naperville Municipal Code to allow two ground signs to each measure approximately one hundred and one (101) square feet in size, as depicted on the Sign Elevations attached hereto as **Exhibit C**, is hereby approved.

SECTION 3: A variance from Section 6-16-5:2.2 (Ground Signs) of the Naperville Municipal Code to allow two ground signs to each measure twenty (20) feet in height, as depicted on the Sign Elevations attached hereto as **Exhibit C**, is hereby approved.

SECTION 4: The variances 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 DuPage County Recorder.

SECTION 7: If this Ordinance is not recorded with the office of the Recorder in which the Subject Property is located within one (1) year of their approval and passage by the Naperville City Council, this Ordinance shall be null and void without any further action by the City unless this Ordinance is amended by the City to extend such timeframe. The Petitioner shall defend, indemnify, and hold the City and its officers, agents and employees harmless if recordation does not occur within the original, or any extended, timeframe.

SECTION 8: 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. Technical and minor substantive revisions as deemed acceptable to the City Attorney may be made to this Ordinance and to the exhibits hereto prior to recordation with the office of the Recorder in which the Subject Property is located within.

SECTION 9: 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