

PINS:
08-18-406-006
08-18-405-007

ADDRESSES:
25 N. HUFFMAN STREET
818 E. FRANKLIN AVENUE
NAPERVILLE, IL 60540

PREPARED BY:
CITY OF NAPERVILLE
LEGAL DEPARTMENT
630/420-4170
400 SOUTH EAGLE STREET
NAPERVILLE, IL 60540

RETURN TO:
CITY OF NAPERVILLE
CITY CLERK/COMMUNITY SERVICES DEPT.
400 SOUTH EAGLE STREET
NAPERVILLE, IL 60540

PZC Case #23-1-014

ORDINANCE NO. 23 - _____

**AN ORDINANCE APPROVING THE PRELIMINARY/FINAL PLAT OF SUBDIVISION
FOR 818 E. FRANKLIN AV AND 25 N. HUFFMAN ST (FRANKLIN FLATS)**

RECITALS

1. **WHEREAS**, Franklin Huffman LLC, 2117 Camellia Court, Naperville, IL 60565 (“**Petitioners**” and “**Property Owners**”) own certain property located at 25 N. Huffman Street, 818 E. Franklin Avenue, Naperville, IL 60540, legally described on **Exhibit A** and depicted on **Exhibit B** (“**Subject Property**”); and
2. **WHEREAS**, Petitioners have petitioned the City of Naperville for approval of a Preliminary/Final Plat of Subdivision for Franklin Flats in order to create legal lots of record to allow for construction of a duplex on each lot; and
3. **WHEREAS**, the proposed subdivision changes the orientation of the lots from being oriented perpendicular to Huffman Street as platted in 1922 through the Declara Heights Subdivision to being perpendicular to Franklin Avenue; and

4. **WHEREAS**, Section 7-2-5:2.2 (Administrative Plat Procedures) of the Naperville Municipal Code states that a plat cannot be administratively approved if the proposed plat changes the existing orientation of any lot; and
5. **WHEREAS**, this change in lot orientation requires City Council's review and approval; and
6. **WHEREAS**, the City Council of the City of Naperville has determined that the Preliminary/Final Plat of Subdivision for Franklin Flats, attached to this Ordinance as **Exhibit B**, 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 herein.

All exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

SECTION 2: The Preliminary/Final Plat of Subdivision for Franklin Flats, attached to this Ordinance as **Exhibit B**, is hereby approved.

SECTION 3: This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time.

SECTION 4: The City Clerk is authorized and directed to record this Ordinance with the DuPage County Recorder.

SECTION 5: 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 6: 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