

PIN: 08-08-303-015

ADDRESS:
5S650 TUTHILL ROAD
NAPERVILLE, IL 60563

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 #17-1-021

ORDINANCE NO. 17 -

**AN ORDINANCE APPROVING THE PRELIMINARY/FINAL PLAT
OF SUBDIVISION AND A VARIANCE FROM SECTION 6-6A-6 (R1A DISTRICT: LOT
WIDTH) TO REDUCE THE MINIMUM LOT WIDTH REQUIREMENTS FOR
MULBERRY HILL UNIT 2**

WHEREAS, Siebert Builders, Inc. ("Petitioner") has petitioned the City of Naperville for approval of a Preliminary/Final Plat of Subdivision for Mulberry Hill Unit 2, real property located at 5S650 Tuthill Road, legally described on **Exhibit A** and depicted on **Exhibit B** ("Subject Property"); and

WHEREAS, the Petitioner has petitioned the City of Naperville for approval of a Preliminary/Final Plat of Subdivision for Mulberry Hill Unit 2 in order to create two single-family lots, where there was previously one single-family lot, at the Subject Property; and

WHEREAS, Petitioner has requested that the City approve a variance from Section 6-6A-6 (R1A District: Lot Width Requirements) to reduce the required lot width minimum from 70' to 54'; and

WHEREAS, the requested variance is a result of the irregular lot shape on the Subject Property and will not be a substantial detriment to the adjacent properties; and

WHEREAS, on April 19, 2017, the Planning and Zoning Commission conducted a public hearing concerning PZC 17-1-021, and recommended approval of the Petitioner's requests; and

WHEREAS, the requested variance meet the Standards for Granting a Variance as provided in **Exhibit C** attached hereto; and

WHEREAS, the City Council of the City of Naperville has determined that the Preliminary/Final Plat of Subdivision for Mulberry Hill Unit 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 here. All Exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

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

SECTION 3: A variance to Section 6-6A-6 (R1A District: Lot Width Requirements) to reduce the required lot width minimum from 70' to 54' at the Subject Property located at 5S650 Tuthill Road is hereby granted subject to the condition that the future single-family residences to be constructed at the Subject Property have a required front yard setback of not less than 60'; said restriction shall not preclude permitted encroachments as provided in Section 6-2-3:3 (Yard Requirements; Permitted Obstructions in Required Yards) of the Naperville Municipal Code.

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 City Clerk is authorized and directed to record this Ordinance and its Exhibits, and the Preliminary/Final Plat of Subdivision for Mulberry Hill Unit 2 approved by this Ordinance with the DuPage County Recorder.

SECTION 6: 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.

ATTEST:

Steve Chirico
Mayor

Pam Gallahue, Ph. D.
City Clerk