

PIN: 07-24-205-024  
07-24-205-025

ADDRESS:  
605 SOUTH WASHINGTON 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 #20-1-117

ORDINANCE NO. 21- \_\_

AN ORDINANCE GRANTING A VARIANCE  
TO SECTION 6-16-6:4 (SPECIAL AREAS OF CONTROL: PROPERTIES ZONED  
TRANSITIONAL USE) TO PERMIT AN INTERNALLY ILLUMINATED  
SIGN AT 605 SOUTH WASHINGTON STREET

RECITALS

1. **WHEREAS**, Dr. Joshua Foxson ("Petitioner") has petitioned the City of Naperville for approval of a variance to Section 6-16-6:4 (Special Areas of Control: Properties Zoned Transitional Use) of the Naperville Municipal Code to allow for an internally illuminated sign at 605 S. Washington Street, Naperville, Illinois legally described on Exhibit A and depicted on Exhibit B ("**Subject Property**"); and
2. **WHEREAS**, Four Fox Enterprises, LLC, 605 S. Washington Street, Naperville, Illinois 60540, owns real property located at 605 S. Washington Street Naperville, Illinois; and
3. **WHEREAS**, the Subject Property is zoned TU (Transitional Use) and is improved with an office building and associated parking area; and

4. **WHEREAS**, Municipal Code Section 6-16-6:4 (Special Areas of Control: Properties Zoned Transitional Use) permits signs to be illuminated externally in the Transitional Use District; and
5. **WHEREAS**, Petitioner seeks authorization to allow an existing sign to be internally illuminated, depicted in **Exhibit C**, thus requiring a variance from Section 6-16-6:4 of the Naperville Municipal Code; and
6. **WHEREAS**, on January 20, 2021, the Planning and Zoning Commission conducted a public hearing to consider PZC #20-1-117 and recommended approval of Petitioner's request as set forth herein; and
7. **WHEREAS**, the City Council of the City of Naperville has determined that Petitioner's request meets the variance standards as provided in **Exhibit D** attached hereto and should be granted subject to the conditions set forth 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 Municipal Code Section 6-16-6:4 (Special Areas of Control: Properties Zoned Transitional Use) to permit the existing ground sign located at 605 South Washington Street depicted on **Exhibit C** to be internally illuminated is hereby approved and granted to Petitioner.

**SECTION 3:** The variance granted to Petitioner herein shall be subject to revocation by the City for failure of Petitioner to comply with the conditions set forth herein or 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 4:** 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 5:** The City Clerk is authorized and directed to record 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 \_\_\_\_\_, 2021.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

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Steve Chirico  
Mayor

ATTEST:

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Pam Gallahue, Ph. D.  
City Clerk