

PIN:
08-18-321-017

ADDRESS:
132 SOUTH LOOMIS 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 #21-1-141

ORDINANCE NO. 22 - _____

AN ORDINANCE GRANTING A VARIANCE FROM SECTION 6-2-10:3 (ACCESSORY BUILDINGS, STRUCTURES, AND USES OF LAND HEIGHT LIMITATIONS) OF THE NAPERVILLE MUNICIPAL CODE FOR THE SUBJECT PROPERTY LOCATED AT 132 SOUTH LOOMIS STREET

RECITALS

1. **WHEREAS**, Jeremy Watson and Melinda Watson, 132 South Loomis Street, Naperville, IL 60540 ("**Owners**"), are the owners of real property located at 132 South Loomis Street, Naperville, Illinois, 60540, legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**"), and;
2. **WHEREAS**, Joel Kristianson, Renovation Creations LLC, 11S516 McGrath Lane, Naperville, Illinois 60564 ("**Petitioner**"), has petitioned the City of Naperville ("**City**") for approval of a variance to Section 6-2-10:3 (Accessory Buildings, Structures, and Uses of Land Height Limitations) of the Naperville Municipal Code in order to construct a detached garage that is 20.5 ft tall; and

3. **WHEREAS**, per Municipal Code Section 6-2-10:3 (Accessory Buildings, Structures, and Uses of Land Height Limitations), the maximum height shall be 18 ft; and
4. **WHEREAS**, pursuant to Section 6-3-6:2 (Standards for Variances) of the Naperville Municipal Code, the Petitioner's request is approval of a variance from Municipal Code Section 6-2-10:3 (Accessory Buildings, Structures, and Uses of Land Height Limitations) to allow construction of a 20.5 ft tall detached garage as shown in the elevations in **Exhibit C** and the site plan in **Exhibit D**; and
5. **WHEREAS**, on February 16, 2021, the Planning and Zoning Commission considered the requested variance and recommended approval of the Petitioner's request; and
6. **WHEREAS**, the City Council of the City of Naperville has determined that the Petitioner's request meets the variance standards as provided in **Exhibit E** attached hereto and 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 Municipal Code Section 6-2-10:3 (Accessory Buildings, Structures, and Uses of Land Height Limitations) to permit a 20.5 ft tall detached garage to be constructed on the property located at 132 South Loomis Street is hereby granted.

SECTION 3: The variance approved by this Ordinance shall expire within two (2) years from the effective date of this Ordinance if a building permit has not been obtained

and the construction or alteration of the structure as specified in this Ordinance has not been started within that two (2) year period.

SECTION 4: The Site Plan and Elevations, attached to this Ordinance as **Exhibit C** and **Exhibit D**, are hereby approved for the Subject Property.

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: 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 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 recordation with the DuPage County Recorder.

PASSED this _____ day of _____, 2022.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2022.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph.D.
City Clerk