

PIN: 08-18-115-008

ADDRESS:  
632 N BRAINARD STREET  
NAPERVILLE, IL 60563

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 DEV-0078-2025

ORDINANCE NO. 25 - \_\_\_\_

AN ORDINANCE GRANTING A SETBACK VARIANCE  
FROM SECTION 6-6C-7:1 (R2: YARD REQUIREMENTS) OF  
THE NAPERVILLE MUNICIPAL CODE  
FOR THE PROPERTY LOCATED AT 632 N BRAINARD STREET

RECITALS

1. **WHEREAS**, Rob and Mary Ann Foster (“**Owners**”), are the owners of real property located at 632 N Brainard Street, Naperville, Illinois, 60563, legally described on **Exhibit A** and depicted on **Exhibit B** (“**Subject Property**” and “**Site Plan**”).
2. **WHEREAS**, Tranquility Builders, Inc., 10119 Clow Creek Rd. Ste. A, Plainfield, IL 60585 (“**Petitioner**”), has petitioned the City of Naperville on behalf of the Owners for approval of a variance to construct an addition to the principal structure on the Subject Property.

3. **WHEREAS**, the Subject Property is currently zoned R2 (Single-Family and Low Density Multiple-Family Residence District) and is improved with a one-story single-family residence, detached garage, and shed.
4. **WHEREAS**, the Owners plan to improve the single-family residence with a 478 square foot addition to the rear of the principal structure on the Subject Property, as depicted on **Exhibit B**.
5. **WHEREAS**, 7<sup>th</sup> Avenue is platted right-of-way, thus designating the north property line as the corner side lot line.
6. **WHEREAS**, in accordance with Municipal Code Section 6-6C-7:1 (Yard Requirements), a 15-foot corner side yard setback is required in the R2 District.
7. **WHEREAS**, pursuant to Section 6-3-6:2 (Standards for Variances) of the Naperville Municipal Code, the Petitioner, as authorized by the Owner, requests approval of a variance to Section 6-6C-7:1 (R2: Yard Requirements) to construct an addition to the principal structure which encroaches 4 feet 8 inches into the required corner side yard resulting in a corner side yard setback of 10 feet 4 inches.
8. **WHEREAS**, the requested variance meets the Standards for Variances as provided in **Exhibit C** attached hereto.
9. **WHEREAS**, on August 6, 2025, the Planning and Zoning Commission considered the requested setback variance and recommended approval of the Petitioner's request.
10. **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 6-6C-7:1 (R2: Yard Requirements) of the Naperville Municipal Code to allow the principal structure to be located approximately 10 feet 4 inches from the north corner side property line for the Subject Property, as depicted on the Site Plan attached hereto as **Exhibit B**, is hereby approved.

**SECTION 3:** The Site Plan, attached to this Ordinance as **Exhibit B**, is hereby approved as the controlling site plan for the Subject Property.

**SECTION 4:** The variance 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 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 8:** This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Scott A. Wehrli  
Mayor

ATTEST:

\_\_\_\_\_  
Dawn C. Portner  
City Clerk