

PIN: 07-25-211-013

ADDRESS:
557 W GARTNER RD.
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 #24-1-083

ORDINANCE NO. 24 -

**AN ORDINANCE GRANTING A VARIANCE
TO SECTION 6-9-2:12 (OFF STREET PARKING FACILITIES) IN ORDER
TO EXPAND A DRIVEWAY IN THE FRONT AND CORNER SIDE YARDS WITHOUT
TAPERING OR LEADING TO A PARKING SPACE THAT MEETS SETBACK
REQUIREMENTS AT 557 W GARTNER ROAD**

RECITALS

1. **WHEREAS**, John Kruppen, 2640 Haddassah Dr., Naperville, IL 60565 (“**Petitioner**” and “**Owner**”), has petitioned the City of Naperville for approval of a variance in order to expand a driveway to exceed the permitted width without tapering or leading to a parking space that meets setback requirements on real property located at 557 W Gartner Rd., Naperville, IL, 60540, which is legally described in **Exhibit A** and depicted on **Exhibit B** (“**Subject Property**” or “**Site Plan**”).
2. **WHEREAS**, the Subject Property is zoned R1A (Low Density Single-Family Residence District) and is currently improved with a single-family residence.
3. **WHEREAS**, Naperville Municipal Code Section 6-9-2:12 (Off Street Parking Facilities) permits driveways to widen to as a means of direct access to a parking

space meeting the front or corner side yard setback, provided that the driveway does not exceed the width of the garage opening, but must taper after 15ft measured from the front or corner side yard setback to meet the permitted driveway width.

4. **WHEREAS**, pursuant to Section 6-3-6:2 (Standards for Variances) of the Naperville Municipal Code, the Petitioner has proposed to expand the driveway to be wider than the garage opening without tapering or leading to a parking space that meets setback requirements as depicted on **Exhibit B** (“**Site Plan**”), thus requiring a variance from Section 6-9-2:12 (Off Street Parking Facilities) of the Naperville Municipal Code.
5. **WHEREAS**, the requested variance meets the Standards for Variances as provided in **Exhibit C** attached hereto.
6. **WHEREAS**, on August 21, 2024, the Planning and Zoning Commission conducted a public hearing to consider PZC 24-1-083 and recommended approval of the Petitioner’s request.
7. **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: The variance from Section 6-9-2:12 (Off Street Parking Facilities) to permit a driveway expansion without tapering or leading to a parking space that meets

setback requirements as depicted on the Site Plan attached to this Ordinance 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 _____, 2024.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2024.

Scott A. Wehrli
Mayor

ATTEST:

Dawn C. Portner
City Clerk