

**PINS:  
08-18-328-007  
08-18-328-008  
08-18-328-017**

**ADDRESSES:  
410 E. CHICAGO AVENUE  
NAPERVILLE, IL 60540**

**416 E. CHICAGO AVENUE  
NAPERVILLE, IL 60540**

**419 HIGHLAND AVENUE  
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 #22-1-007**

**ORDINANCE NO. 22 -**

**AN ORDINANCE APPROVING THE PRELIMINARY/FINAL PLAT OF SUBDIVISION  
FOR LA DIMORA DI DOUGLAS RESUBDIVISION**

**RECITALS**

1. **WHEREAS**, Brian and Kelly Douglas, 416 S. Wright St., Naperville, IL 60540 (“Petitioners” and “Property Owners”) own certain property located at 410 E. Chicago Avenue, 416 E. Chicago Avenue, and 419 Highland Avenue, Naperville, IL 60540, legally described on **Exhibit A** and depicted on **Exhibit B** (“Subject Property”); and
2. **WHEREAS**, Petitioners have petitioned the City of Naperville for approval of a Preliminary/Final Plat of Subdivision for La Dimora di Douglas Resubdivision in order to consolidate three lots to allow for construction of a single-family home and pool cabana; and

3. **WHEREAS**, Section 7-2-5:2.2 (Administrative Plat Procedures) of the Naperville Municipal Code states that a plat cannot be administratively approved if the proposed plat changes the existing orientation of any lot; and
4. **WHEREAS**, the proposed subdivision changes the existing front yard of 419 Highland Avenue to a proposed rear yard, and this change in lot orientation requires City Council's review and approval; and
5. **WHEREAS**, to maintain the integrity of a front yard along Highland Avenue and preserve the street's existing character, Petitioners have agreed to plat a setback line along Highland Avenue to be treated in conformity with front yard setback requirements for properties in the R1B Zoning District as depicted on the Preliminary/Final Plat of Subdivision for La Dimora di Douglas Resubdivision, attached to this Ordinance as **Exhibit B**; and
6. **WHEREAS**, Petitioners have also petitioned the City of Naperville to rezone the property located at 416 E. Chicago Avenue from R2 (Single-Family and Low Density Multiple-Family Residence District) to R1B (Medium Density Single Family Residence District) to facilitate consolidation with 410 E. Chicago Avenue and 419 Highland Avenue; and
7. **WHEREAS**, on June 1, 2022, the Planning and Zoning Commission conducted a public hearing to consider Petitioners' rezoning request and recommended approval thereof; and
8. **WHEREAS**, provided that the requested rezoning of 416 E. Chicago Avenue from R2 to R1B is approved, the City Council of the City of Naperville has determined that

the Preliminary/Final Plat of Subdivision for La Dimora di Douglas Resubdivision 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 herein. All exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

**SECTION 2:** Subject to the terms and conditions set forth and referenced herein, and subject to the approval of the rezoning of 416 E. Chicago Avenue from R2 to R1B, the Preliminary/Final Plat of Subdivision for La Dimora di Douglas Resubdivision, attached to this Ordinance as **Exhibit B**, is hereby approved.

**SECTION 3:** This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time.

**SECTION 4:** The City Clerk is authorized and directed to record this Ordinance with the DuPage County Recorder.

**SECTION 5:** 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 6:** This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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Steve Chirico  
Mayor

ATTEST:

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Pam Gallahue, Ph. D.  
City Clerk