

**PIN:  
07-13-104-010**

**ADDRESS:  
126 N. LAIRD 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 #22-1-115**

**ORDINANCE NO. 22 -**

**AN ORDINANCE APPROVING A PLATTED SETBACK DEVIATION  
FOR 126 N LAIRD STREET**

**RECITALS**

1. **WHEREAS**, Christopher Derrick, 506 South Gables Boulevard, Wheaton, IL 60187 ("Petitioner") has petitioned the City of Naperville for approval of a Deviation to the Platted Setback, for real property located at 126 N. Laird Street, legally described on **Exhibit A** and depicted on **Exhibit B** ("Subject Property"); and
2. **WHEREAS**, Justin and Kimberly DuPere, 321 W. Jefferson Avenue, Naperville, IL 60540 ("Property Owner") are the owners of the Subject Property; and
3. **WHEREAS**, the Property Owner has authorized the Petitioner to submit the requested deviation; and

4. **WHEREAS**, the Subject Property is zoned R1B (Medium Density Single Family Residence District) which has a required front setback of thirty feet; and
5. **WHEREAS**, per recorded Document R1928-267356 with DuPage County, there is a thirty-five-foot platted building line applicable to the Subject Property; and
6. **WHEREAS**, the Petitioner has petitioned the City of Naperville for approval of a platted setback deviation to allow a single-family home to be constructed past the platted building line setback established in accordance with Doc. R1928-267356, as depicted on **Exhibit C** (“Site Plan”); and
7. **WHEREAS**, the more restrictive platted setback of thirty five feet is greater than the required thirty-foot front yard setback in the R1B zoning district; and
8. **WHEREAS**, the improvements proposed on the subject property comply with the R1B zoning setback requirement of 30 feet; and
9. **WHEREAS**, the requested platted setback deviation meets the Standards for Granting a Subdivision Deviation as provided in **Exhibit D** attached hereto; and

**WHEREAS**, the City Council of the City of Naperville has determined that the platted setback deviation to allow the home to be constructed to the zoning setback as opposed to the building setback line established for 126 N. Laird Street in accordance with Doc. R1928-267356, 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:** A platted setback deviation to allow a single-family home to be constructed to the zoning setback, as generally depicted on **Exhibit C**, 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:** 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:** 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