

PIN: 07-13-317-033

ADDRESS:  
384 RIVER BLUFF CIRCLE  
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 #24-1-005

**ORDINANCE NO. 24 - \_\_\_\_**

**AN ORDINANCE GRANTING SETBACK VARIANCES  
FROM SECTION 6-6A-7:1 (R1A: YARD REQUIREMENTS) OF THE NAPERVILLE  
MUNICIPAL CODE  
FOR THE PROPERTY LOCATED AT 384 RIVER BLUFF CIRCLE**

**RECITALS**

1. **WHEREAS**, Judith Wivell (“**Petitioner**” and “**Owner**”), is the owner of real property located at 384 River Bluff Circle, Naperville, Illinois, 60540, legally described on **Exhibit A** and depicted on **Exhibit B** (“**Subject Property**”), and has petitioned the City of Naperville for approval of an interior side yard setback variance and rear yard setback variance for the Subject Property.
2. **WHEREAS**, the Subject Property is currently zoned R1A PUD (Low Density Single Family Residence District Planned Unit Development) and is improved with a one-story duplex.

3. **WHEREAS**, the Owner and Petitioner plans to remove an existing, nonconforming deck that is in disrepair and in need of replacement from the Subject Property; and, to construct a new, 170 square-foot screened porch and 50 square-foot wood deck (“**Screened Porch Addition**”) on the Subject Property, as depicted on **Exhibit B** (“**Site Plan**”).
4. **WHEREAS**, in accordance with Municipal Code Section 6-6A-7:1 (Yard Requirements), an 8-foot interior side yard setback is required for this property.
5. **WHEREAS**, in accordance with Municipal Code Section 6-6A-7:1 (Yard Requirements), a 30-foot rear yard setback is required for this property.
6. **WHEREAS**, pursuant to Section 6-3-6:2 (Standards for Variances) of the Naperville Municipal Code, the Petitioner requests approval of variances to 6-6A-7:1 (Yard Requirements) of the Naperville Municipal Code to allow a Screened Porch Addition to be located 4 feet 10 inches from the interior side yard property line and 28 feet 11 inches from the rear property line for the Subject Property as depicted on **Exhibit B** (“**Site Plan**”).
7. **WHEREAS**, the requested variances meet the Standards for Variances as provided in **Exhibit C** attached hereto.
8. **WHEREAS**, on March 20, 2024, the Planning and Zoning Commission considered the requested parking variance and recommended approval of the Petitioner’s request.
9. **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 6-6A-7:1 (Yard Requirements) of the Naperville Municipal Code to allow a screened porch addition to be located 4'10" from the interior side yard property line and 28'11" from the rear 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 \_\_\_\_\_, 2024.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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

ATTEST:

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