

PIN:
07-01-15-400-002-0000

PROPERTY ADDRESS:
10826-10846 S. BOOK ROAD
NAPERVILLE, IL 60540

PREPARED BY:
CITY OF NAPERVILLE
LEGAL DEPARTMENT
630/420-4170
400 SOUTH EAGLE STREET

RETURN TO:
CITY OF NAPERVILLE
CITY CLERK/COMMUNITY SERVICES DEPT.
400 SOUTH EAGLE STREET
NAPERVILLE, IL 60540

PZC Case # DEV-0033-2025

ORDINANCE NO. 25 - _____

**AN ORDINANCE APPROVING A PRELIMINARY/FINAL PLAT OF SUBDIVISION AND
A SUBDIVISION DEVIATION TO MUNICIPAL CODE SECTION 7-4-4:2.4 FOR
THE RESERVES OF SADDLE CREEK SUBDIVISION**

RECITALS

1. **WHEREAS**, Doug Overstreet, with a mailing address of 7245 Regal Oak Court, Yorkville, IL 60560 ("**Petitioner**"), has petitioned the City of Naperville ("**City**") for a preliminary/final plat of subdivision with a subdivision deviation from the ninety-percent rule for real property located at 10826-10846 S. Book Road, Naperville, Illinois, 60564 and legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**").
2. **WHEREAS**, Book Road 1006600 LLC, with offices at 7245 Regal Oak Court, Yorkville, IL 60560 ("**Owner**"), is the owner of the Subject Property and has authorized the Petitioner to submit the request.

3. **WHEREAS**, the Petitioner intends to subdivide the Subject Property from one lot into fourteen (14) single-family lots, as well as one outlot for stormwater management, to construct fourteen (14) single-family residences.
4. **WHEREAS**, the City Council of the City Naperville has determined that the Preliminary/Final Plat of Subdivision for the Reserves of Saddle Creek should be approved as provided herein.
5. **WHEREAS**, the Petitioner has requested that the City approve this ordinance approving a preliminary/final plat of subdivision with a subdivision deviation from the ninety-percent rule for the Subject Property (“**Ordinance**”) along with ordinances approving an annexation agreement for the Subject Property, annexation of the subject property, rezoning the Subject Property to R1A (Low Density Single Family Residence District) upon annexation, a variance to the rear yard setback, and a deviation from the City’s Design Manual for Public Improvements (hereinafter cumulatively referenced herein as the “**The Reserves of Saddle Creek Ordinances**”).
6. **WHEREAS**, Municipal Code Section 7-4-4:2.4 (Ninety Percent Rule) requires a minimum lot size of any single-family residential lot that results from resubdividing one or more existing lots to be equal to or greater than ninety percent (90%) of the mean of all the incorporated single-family residential lots within 300 feet of the proposed lot.
7. **WHEREAS**, the minimum lot size required is 13,662 square feet and proposed Lot 13 and Lot 14 of the Reserves of Saddle Creek Subdivision are 12,515 square feet

and 11,727 square feet, respectively, or 1,147 and 1,935 square feet less than the minimum lot size based on the ninety percent rule.

8. **WHEREAS**, pursuant to Section 7-4-4:2.4 (Standards for Subdivision Deviations) of the Naperville Municipal Code, the Petitioner requests approval of a subdivision deviation from Municipal Code Section 7-4-4:2.4 (Ninety Percent Rule) to subdivide resulting in a 12,515 square foot lot and 11,727 square foot lot, which are less than the minimum lot size.
9. **WHEREAS**, the requested deviation meets the Standards for Granting a Subdivision Deviation as provided in **Exhibit C** (“**Response to Standards**”) attached hereto.
10. **WHEREAS**, on July 16, 2025, the Planning and Zoning Commission conducted a public hearing to consider the deviation request and recommended approval of the Petitioner’s request.
11. **WHEREAS**, the City Council of the City of Naperville has determined that the Preliminary/Final Plat of Subdivision for the Reserves of Saddle Creek and subdivision deviation from the ninety-percent rule 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 in this Section 1. All exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

SECTION 2: Subject to approval, execution, and recording of The Reserves of Saddle Creek Ordinances as provided herein, the Preliminary/Final Plat of Subdivision for the Reserves of Saddle Creek, attached to this Ordinance as **Exhibit B** (“**Preliminary/Final Plat of Subdivision**”), is hereby approved.

SECTION 3: Subject to approval, execution, and recordation of The Reserves of Saddle Creek Ordinances, a deviation to Section 7-4-4:2.4 (Ninety Percent Rule) of the Municipal Code in order to reduce the minimum lot size for Lot 13 and Lot 14 of the Reserves of Saddle Creek Subdivision from 13,662 square feet to 12,515 square feet and 11,727 square feet, respectively, is hereby approved.

SECTION 4: This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time.

SECTION 5: The City Clerk is authorized and directed to record this Ordinance, together with the exhibits attached hereto, with the Will County Recorder.

SECTION 6: If this Ordinance and the subdivision and subdivision deviation it approves are not recorded with the office of the Recorder in which the Subject Property is located within one (1) year of their approval and passage by the Naperville City Council, this Ordinance shall be null and void without any further action by the City unless this Ordinance is amended by the City to extend such timeframe. The Petitioner shall defend, indemnify, and hold the City and its officers, agents and employees harmless if recordation does not occur within the original, or any extended, timeframe.

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 Will County Recorder.

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