

**RESPONSES TO STANDARDS FOR  
GRANTING A SUBDIVISION DEVIATION**

**Auburn Manor Subdivision  
9S364 Naper Boulevard**

DRH Cambridge Homes, Inc. (“Petitioner”) provides the following responses to the standards of review for a subdivision deviation from Section 7-3-5 of the *Subdivision Control Regulations of the City of Naperville* (“Subdivision Code”) to allow payment of cash in-lieu of land contributions for school and park purposes to be paid at the time of building permit issuance for each residence to be constructed on the land commonly known as 9S364 Naper Boulevard (“Subject Property”) and located within the proposed Auburn Manor Subdivision instead of making such payment prior to recordation of the Auburn Manor Preliminary/Final Plat of Subdivision (“Plat”).

- 1. The petitioner has shown that strict adherence to the provisions of this Title would cause unnecessary hardship due to conditions which are unique to the site and not caused by the owner or petitioner; and***

Strict adherence to Section 7-3-5 of the Subdivision Code regarding the time of payment of cash in-lieu contributions for school and park purposes would cause an unnecessary hardship due to the time period between (a) Petitioner’s contractual obligation to acquire the Subject Property in conjunction with the City’s approval and recordation of the Plat and (b) the inability of the Petitioner, due to current weather conditions, to efficiently commence land development and construction activities necessary to build the residences on the Subject Property for which the cash in-lieu contributions will be paid. By contrast, no hardship will be caused to the school or park districts resulting from payment of such contributions at the time of building permit issuance for each residence to be constructed on the Subject Property because those contributions will still be paid long in advance of any such residence’s complete construction and the issuance of a Certificate of Occupancy therefor.

- 2. The requested subdivision deviation is not contrary to the intent and purpose of the provisions of this Title.***

The requested subdivision deviation is not contrary to the intent and purpose of the provisions of the Subdivision Code. Section 7-1-1 of the Subdivision Code states that the code’s intent is to provide for the orderly and harmonious development of the City and the surrounding areas within the City’s planning jurisdiction. That section further states that the code’s purpose is to, among other things, promote the public health, safety, comfort, morals and welfare of the community. The requested deviation will not have any detrimental impact on the orderly and harmonious development of the City, surrounding areas or the public health, safety, comfort, morals and welfare of the community. To the contrary, the requested deviation will result in prompt and complete payment of cash in-lieu contributions for school and park purposes to serve the immediate and future needs of the residents of Auburn Manor subdivision.

Furthermore, the requested deviation is consistent with both precedent in which the City has granted deviations of the same nature and with the draft ordinance amending the Subdivision Code identified as Item 18-035 of the January 16, 2018 City Council Meeting agenda.