

PIN: 08-18-123-035

ADDRESS:
620 N. SLEIGHT STREET
NAPERVILLE, IL 60563

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 #22-1-068

ORDINANCE NO. 22 -

**AN ORDINANCE GRANTING A VARIANCE
FROM SECTION 6-6A-7 (R1A: YARD REQUIREMENTS)
OF THE NAPERVILLE MUNICIPAL CODE
FOR THE PROPERTY LOCATED AT 620 N. SLEIGHT STREET**

RECITALS

1. **WHEREAS**, Andrew and Melissa Erickson ("**Owners**" and "**Petitioners**"), are the owners of real property located at 620 N. Sleight Street, Naperville, Illinois, legally described on Exhibit A and depicted on Exhibit B ("**Subject Property**") and have petitioned the City of Naperville for approval of a variance to Section 6-6A-7 (R1A: Yard Requirements) for the Subject Property; and
1. **WHEREAS**, on November 17, 2020, the City Council passed Ordinance 20-117 approving the Waldron Resubdivision to allow for the subdivision of the previously existing lot located at 610 N. Sleight Street into two lots and Ordinance 20-119 approving a variance to reduce the lot width below the minimum lot width requirement of 70' per the R1A regulations; and

2. **WHEREAS**, the Subject Property was created as Lot 1 of the Waldron Resubdivision with a lot width of 60.14'; and
3. **WHEREAS**, the Subject Property is approximately 10,504 square feet in size, is currently zoned R1A (Low Density Single-Family Residence District) and the Petitioner plans to construct a new, single-family home at the property; and
4. **WHEREAS**, following the approval of the Waldron Resubdivision, the Subject Property is now required to comply with the R1A post-1989 interior side yard setback requirement of 20 feet total for two interior side yards, with each side yard a minimum of 8 feet; and
5. **WHEREAS**, the Owner and Petitioner is seeking a variance to reduce the post-1989 R1A interior side yard setback requirements to 16 total for both side yards, with each yard a minimum of 8', consistent with the pre-1989 R1A interior side yard setback requirements, as illustrated on **Exhibit C** ("**Site Plan**"); and
6. **WHEREAS**, on September 7, 2022, the Planning and Zoning Commission considered the Petitioner's variance request and recommended approval of the request; and
7. **WHEREAS**, the City Council of the City of Naperville has determined that Petitioner's request meets the variance standards as provided in **Exhibit D** attached hereto and 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 to Section 6-6A-7 (R1A: Yard Requirements) of the Naperville Municipal Code to reduce the required R1A interior side yard setbacks from 20 feet total for two side yards, with each side yard a minimum of 8 feet, to 16 total for two side yards, with each yard a minimum of 8 feet, as depicted on **Exhibit C** (“**Site Plan**”), is hereby approved.

SECTION 3: The Site Plan, attached to this Ordinance as **Exhibit C**, 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: 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 7: The City Clerk is authorized and directed to record this Ordinance with the DuPage County Recorder.

SECTION 8: 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.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph.D.
City Clerk