

PIN: 07-12-403-055

ADDRESS:  
1103 N. EAGLE 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 #22-1-028

ORDINANCE NO. 22 - \_\_\_\_\_

AN ORDINANCE GRANTING A VARIANCE  
FROM SECTION 6-6B-7 (R1B: YARD REQUIREMENTS)  
OF THE NAPERVILLE MUNICIPAL CODE  
FOR THE PROPERTY LOCATED AT 1103 N. EAGLE STREET

RECITALS

1. **WHEREAS**, Lisle Ventures, LLC, 606 S. Main Street, Naperville, Illinois ("**Owner and Petitioner**"), is the owner of real property located at 1103 N. Eagle Street, Naperville, Illinois, legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**"), and has petitioned the City of Naperville for approval of a variance to Section 6-6B-7 (R1B: Yard Requirements) for the Subject Property; and
2. **WHEREAS**, on October 19, 2021, the City Council passed Ordinance 21-110 approving the Sue Jelinek Resubdivision to allow for the subdivision of the previously existing lot located at 1107 N. Eagle Street into two lots; and
3. **WHEREAS**, the Subject Property was created as Lot 2 of the Sue Jelinek Resubdivision; and

4. **WHEREAS**, the Subject Property is approximately 14,000 square feet in size, is currently zoned R1B (Medium Density Single-Family Residence District), and is vacant; and
5. **WHEREAS**, following the approval of the Sue Jelinek Resubdivision, the Subject Property is now required to comply with the R1B post-1989 interior side yard setback requirement of 16 feet total for two side yards, with each yard a minimum of 6 feet; and
6. **WHEREAS**, the Owner and Petitioner is seeking a variance to reduce the post-1989 R1B interior side yard setback requirements to 12 feet total for both side yards, with each yard a minimum of 6', consistent with the pre-1989 R1B interior side yard setback requirements;
7. **WHEREAS**, the requested variance meets the Standards for Variances as provided in **Exhibit C** attached hereto; and
8. **WHEREAS**, on May 18, 2022, the Planning and Zoning Commission considered the requested setback variance and recommended approval of the Owner and Petitioner's request; and
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 6-6B-7 (R1B: Yard Requirements) of the Naperville Municipal Code to reduce the required R1B interior side yard setbacks from 16 feet total for two side yards, with each yard a minimum of 6 feet, to 12 feet total for two side yards, with each yard a minimum of 6 feet, is hereby approved.

**SECTION 3:** 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 4:** 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 5:** The City Clerk is authorized and directed to record this Ordinance with the DuPage County Recorder.

**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:** 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.

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Steve Chirico  
Mayor

ATTEST:

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Pam Gallahue, Ph. D.  
City Clerk