

PIN: 08-18-413-001

ADDRESS:
203 S. COUMBIA STREET
NAPERVILLE, IL 60540

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 #22-1-118

ORDINANCE NO. 23 -

**AN ORDINANCE GRANTING A VARIANCE FROM
SECTION 6-2-10:5 (ACCESSORY BUILDINGS, STRUCTURES AND USES OF LAND:
PERCENTAGE OF REQUIRED YARD OCCUPIED) OF THE NAPERVILLE MUNICIPAL
CODE TO PERMIT AN AUXILIARY PARKING SPACE AT
203 SOUTH COLUMBIA STREET**

RECITALS

1. **WHEREAS**, Francis Edward Simon Hunt ("**Petitioner**"), has petitioned the City of Naperville for approval of a variance to Section 6-2-10:5 of the Naperville Municipal Code for the real property located at 203 S. Columbia Street, Naperville, Illinois, 60540 legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**"), and;
and
2. **WHEREAS**, the owners of the property are Francis Edward Simon Hunt and Reyna Trevino ("**Property Owners**"); and

3. **WHEREAS**, the Subject Property is zoned R1B (Medium Density Single-Family Residence District) and is improved with a single-family structure and detached garage; and
4. **WHEREAS**, Municipal Code Section 6-2-10:5 (Accessory Buildings, Structures and Uses of Land: Percentage of Required Yard Occupied) allows for a maximum coverage of 25% of the required yard or 480 square feet, whichever is greater; and
5. **WHEREAS**, given the property is approximately 66' in width and has a 30' rear yard setback, a maximum coverage of 495 square feet is permitted in the rear 30' of the subject property; and
6. **WHEREAS**, pursuant to Section 6-3-5:2 (Standards for Variances) of the Naperville Municipal Code, the Petitioner requests approval of a variance from Section 6-2-10:5 (Accessory Buildings, Structures and Uses of Land: Percentage of Required Yard Occupied) to allow the existing garage and proposed auxiliary parking space to cover 855 square feet, as depicted on **Exhibit B**, exceeding the permitted 495 square feet coverage in the required yard; and
7. **WHEREAS**, on January 18, 2023, the Planning and Zoning Commission considered the requested variance and recommended approval of Petitioners' request; and
8. **WHEREAS**, the City Council of the City of Naperville has determined that Petitioners' request meets the variance standards as provided in **Exhibit C** 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 6-2-10:5 (Accessory Buildings, Structures and Uses of Land: Percentage of Required Yard Occupied) of the Naperville Municipal Code to permit a detached garage and carport to occupy 855 square feet of the required yard, as depicted on the site plan attached to this Ordinance 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 a building permit has been obtained and the construction or alteration of the structure as specified in this Ordinance has been started.

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.

SECTION 8: This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this _____ day of _____, 2023.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2023.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph.D.
City Clerk