

ORDINANCE NO. 96 - 106

**AN ORDINANCE APPROVING A CONDITIONAL USE FOR THE
PROPERTY LOCATED AT 229 WEST OGDEN AVENUE**

WHEREAS, the real property legally described on Exhibit "A," attached hereto and incorporated herein by reference, is within the corporate limits of the City of Naperville, Illinois, and is located in the R1B (Medium Density Single-Family Residence) District (hereinafter the "Subject Property"), and

WHEREAS, the Plan Commission of the City of Naperville held a public hearing pursuant to public notice upon the petition of the owners of the Subject Property to consider the granting of a conditional use in the R1B District to allow for a home to office conversion to operate a chiropractic office in accordance with Section 6-6B-3 (Conditional Use) of Article B (R1B Medium Density Single-Family Residence District) and Section 6-6A-3 (Conditional Uses) of Chapter 6 (Residence District) of Title 6 (Zoning) of the Naperville Municipal Code, and

WHEREAS, said public hearing and notice conformed in all respects, in both manner and form, with the statutes of the State of Illinois and the ordinances of the City of Naperville, and

WHEREAS, the Plan Commission has recommended that a conditional use be approved for the Subject Property pursuant to the provisions of Section 6-6B-3 which incorporates by reference the provisions of Sections 6-6A-3 and 6-6A-4 of said Title 6 upon the following conditions

- 1 A plat of resubdivision must be approved and recorded by November 1, 1996 in order to consolidate the existing two lots into one lot, and

- 2 The Subject Property, including 1,688 square feet of space, may be used for a chiropractic office, which shall exclude any use of the existing garage, and
- 3 Any expansion of the current use of the garage will require an amendment to the conditional use which shall be reviewed by the Plan Commission, and

WHEREAS, the City Council of the City of Naperville is of the opinion that said conditional use should be granted for the Subject Property to the extent hereinafter set forth under the provisions of said Title 6,

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 That a conditional use in the R1B District to allow for a home to office conversion to operate a chiropractic office is hereby granted in the R1B Medium Density Single-Family Residence District pursuant to the provisions of Section 6-6B-3 which incorporates by reference the provisions of Sections 6-6A-3 and 6-6A-4 of said Title 6 (Zoning) of the Naperville Municipal Code, as amended, for the property legally described in Exhibit A, attached hereto and incorporated herein

SECTION 2 That said condition use is granted subject to the conditions that

- 1 A plat of resubdivision must be approved and recorded by November 1, 1996 in order to consolidate the existing two lots into one lot, and
- 2 The Subject Property, including 1,688 square feet of space, may be used for a chiropractic office, which shall exclude any use of the existing garage, and
- 3 Any expansion of the current use of the garage will require an amendment to the conditional use which shall be reviewed by the Plan Commission

SECTION 3 That this Ordinance shall be in full force and effect from and after its passage and approval

PASSED this 18th day of June, 1996

AYES PRICE, PRADEL, ELLINGSON, LESAGE, MACRANE

NAYS SIDDALL, GALLAHER, KRAUSE

ABSENT VON BEHREN

APPROVED this 19th day of June, 1996

A. George Pradel
A George Pradel
Mayor

ATTEST

Suzanne L. Gagner
Suzanne L. Gagner, CMC
City Clerk

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EXHIBIT "A"

229 WEST OGDEN AVENUE

LOT 237 AND 238 OF OGDEN AVENUE ADDITION TO NAPERVILLE, BEING A
SUBDIVISION OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 38 NORTH,
RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN