

PIN:
01-15-200-012-0010
01-15-200-012-0020

ADDRESS:
NEAR THE SOUTHWEST CORNER OF
BOOK ROAD AND 103RD STREET

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 #18-1-030

ORDINANCE NO. 18 -

**AN ORDINANCE APPROVING A
VARIANCE TO THE CITY OF NAPERVILLE DESIGN MANUAL
FOR PUBLIC IMPROVEMENTS FOR CLOW CREEK FARM ADDITION**

WHEREAS, OAK HILL BUILDERS AND DEVELOPERS, INC., (hereinafter referenced as "Owner" and also as "Petitioner") is the owner of real property located near the southwest corner of Book Road and 103rd Street, Naperville, Illinois, legally described on **Exhibit A** and depicted on **Exhibit B** (hereinafter referenced as "Subject Property"); and

WHEREAS, on March 6, 2018 by Ordinance No. 18-016 the Clow Creek Farm Addition Subdivision was approved by the Naperville City Council; and

WHEREAS, Petitioner has petitioned the City of Naperville (hereinafter referenced as "City") for a variance from the provisions of the City of Naperville Design Manual for Public Improvements as set forth herein; and

WHEREAS, the City Council of the City of Naperville has determined that, subject to the provisions contained herein, the Petitioner's request for a variance 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: Subject to the provisions set forth herein, a variance to Section 2.5.4.2 of the City of Naperville Design Manual for Public Improvements is hereby approved for the Subject Property in order to permit a maximum vertical bounce of 6.5' instead of 6' for the stormwater management basin as measured pursuant to Section 2.5.4.2.

SECTION 3: The variance approved by this Ordinance shall expire unless within two (2) years from the effective date of this Ordinance unless a site development permit has been obtained and the construction or alteration of the stormwater detention basin as specified in this Ordinance has been started.

SECTION 4: The variance approved herein 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: 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.

PASSED this _____ day of _____, 2018.

AYES:

NAYS:

ABSENT:

APPROVED this ____ day of _____, 2018.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph.D.
City Clerk