

PINs:
07-24-204-024
07-24-204-001

ADDRESSES:
514 S. MAIN STREET, NAPERVILLE, ILLINOIS 60540
24 & 30 W AURORA AVENUE, NAPERVILLE, ILLINOIS 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 #18-1-062

ORDINANCE NO. 18 -

**AN ORDINANCE APPROVING A PRELIMINARY PLAT OF SUBDIVISION AND
ABROGATION OF THE PLATTED SETBACK LINE ALONG MAIN STREET
FOR CHARLESTON ROW II**

WHEREAS, Charleston Aurora, LLC, an Illinois limited liability company with its principal office located at 720 Wellner Road, Naperville, IL, owns property located at 24 & 30 W. Aurora Avenue, Naperville, IL 60540 (PIN 07-24-204-001); and

WHEREAS, Elizabeth Barnhart, 514 S. Main Street, Naperville, Illinois 60540, owns property located at 514 S. Main Street, Aurora Avenue, Naperville, IL 60540 (PIN 07-24-204-024); and

WHEREAS, the properties owned by Charleston Aurora, LLC and Elizabeth Barnhart, (cumulatively referenced herein as the "Subject Property"), are located at the southeast corner of Aurora Avenue and Main Street, are currently zoned R2 (Single-Family and Low Density Multiple Family District), and are legally described on **Exhibit A** and depicted on **Exhibit B**; and

WHEREAS, per Ordinance 04-192 (An Ordinance Approving the Preliminary and Final Plat for Lesnik Resubdivision located at 514 South Main Street), which was recorded as Doc. R2005-054551, there is a twenty-five foot building line applicable to 514 S. Main Street; and

WHEREAS, Charleston Aurora, LC, an Illinois limited liability company, (“Petitioner”) has petitioned the City of Naperville for approval of a conditional use to allow for the construction of townhomes; variances allowing the development to exceed the maximum permitted height, decrease the required minimum lot area per dwelling unit, and reduce the required rear yard setback along the south property line of the Subject Property; and abrogation of the twenty-five foot building line established for 514 S. Main Street in accordance with Doc. R2005-054551; and

WHEREAS, on September 5, 2018, the Planning and Zoning Commission conducted a public hearing concerning PZC 18-1-062 to consider the Petitioner’s requests for the Subject Property, and recommended approval of the Petitioner’s requests; and

WHEREAS, the City Council of the City of Naperville has determined that the Preliminary Plat of Subdivision for Charleston Row II, and abrogation of the twenty-five foot building line established per Doc. R2005-054551, should be approved as provided herein subject to the condition that the Final Plat of Subdivision for Charleston Row II be in substantial conformance with the approved Preliminary Plat of Subdivision and the provisions of this Ordinance.

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: The Preliminary Plat of Subdivision for Charleston Row II and abrogation of the twenty-five foot building line established per Doc R2005-054551, attached to this Ordinance as **Exhibit B**, is hereby approved.

SECTION 3: The approvals contained herein are contingent upon the Final Plat of Subdivision for Charleston Row II being in substantial conformance with the approved Preliminary Plat of Subdivision for Charleston Row II, and compliance with the provisions of this Ordinance.

SECTION 4: This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time.

SECTION 5: The City Clerk is authorized and directed to record this Ordinance and its Exhibits 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 from and after its passage and approval.

PASSED this _____ day of _____, 2018.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2018.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph. D.
City Clerk