

PIN: 08-07-310-035

ADDRESS:  
311 E. OGDEN AVENUE  
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 #20-1-046

**ORDINANCE NO. 20 -**

**AN ORDINANCE GRANTING A SIGN VARIANCE  
FROM SECTION 6-16-10 OF THE NAPERVILLE MUNICIPAL CODE  
FOR THE CAR WASH LOCATED AT 311 E. OGDEN AVENUE**

**RECITALS**

1. **WHEREAS**, Karen Dodge ("**Petitioner**"), has petitioned the City of Naperville a request for approval of a sign variance for real property located at 311 E. Ogden Avenue, Naperville, Illinois, legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**"); and
2. **WHEREAS**, the owner of the subject property is Classic Car Wash of Naperville LLC; and
3. **WHEREAS**, the Subject Property is currently zoned B3 (General Commercial District) and is improved with a car wash and a pole sign; and
4. **WHEREAS**, the Petitioner requests approval of a variance to update the existing non-conforming pole sign; and

5. **WHEREAS**, the existing pole sign is approximately 19' 6" tall and has an 80-square foot sign cabinet,
6. **WHEREAS**, the petitioner is requesting approval of a variance to install a new sign cabinet of the same size and update the color of the sign pole and landscaping; and
7. **WHEREAS**, pole signs were prohibited Citywide resulting in the reclassification of all existing pole signs as nonconforming structures; and
8. **WHEREAS**, Section 6-16-10 (nonconforming signs) of the Naperville Municipal Code restricts maintenance or alteration of nonconforming signage which appreciably extends the life of the sign; and
9. **WHEREAS**, the proposed removal of the cabinet to be replaced with a new cabinet, extends the life of the sign beyond what is permitted and triggers approval of a variance; and
10. **WHEREAS**, on July 15, 2020, the Planning and Zoning Commission considered the requested sign variance and recommended approval of the Petitioner's request; and
11. **WHEREAS**, the City Council of the City of Naperville has determined that the requested variance meets the Standards for Variances as provided in **Exhibit C** attached hereto and 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 6-16-10 (Nonconforming Signs) of the Naperville Municipal Code to allow for alteration of the existing nonconforming pole sign cabinet, as depicted on the Sign Rendering attached hereto as **Exhibit D**, is hereby approved.

**SECTION 4:** The variance approved by this Ordinance shall expire unless within two (2) years from the effective date of this Ordinance if: (1) a sign permit has been obtained and the construction or alteration of the pole sign as specified in this Ordinance has been started, or (2) the use specified in this Ordinance has commenced.

**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 \_\_\_\_\_, 2020.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2020.

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Steve Chirico  
Mayor

ATTEST:

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Pam Gallahue, Ph. D.  
City Clerk