

PIN: 07-14-307-029

ADDRESS:
1564 WEST OGDEN AVENUE
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 #20-1-054

ORDINANCE NO. 20- __

**AN ORDINANCE GRANTING A VARIANCE
TO SECTION 6-16-5:2.2 (GROUND SIGNS) FOR A GROUND SIGN AT
1564 WEST OGDEN AVENUE**

RECITALS

1. **WHEREAS**, Express Signs & Lighting Maintenance ("**Petitioner**") has petitioned the City of Naperville to grant a variance from Section 6-16-5:2.2 (Ground Signs) of the Naperville Municipal Code for the real property located at 1564 West Ogden Avenue, Naperville, Illinois legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Property**"); and
2. **WHEREAS**, Curfin Property (US) Inc ("**Owner**") is the owner of the Subject Property; and
3. **WHEREAS**, the Subject Property is zoned B3 (General Commercial District) and is improved with a dealership; and
4. **WHEREAS**, the Owner is replacing an existing monument sign near the western entrance of the Subject Property; and

5. **WHEREAS**, Section 6-16-5:2.2 (Ground Signs) permits a monument sign to be 45 square feet and 10 feet in height at this location; and
6. **WHEREAS**, the Petitioner has proposed to construct a monument sign that would be approximately 250 square feet in area and 29.5 feet in height, thus requiring a variance from Section 6-16-5:2.2 of the Naperville Municipal Code; and
7. **WHEREAS**, on August 5, 2020, the Planning and Zoning Commission conducted a public hearing to consider PZC 20-1-054 and recommended approval of the Petitioner's request; and
8. **WHEREAS**, pursuant to Section 6-3-6:2 (Standards for Granting a Zoning Variance) of the Naperville Municipal Code, the requested variance meets the Standards for granting a Zoning Variance as provided in **Exhibit C** attached hereto; and
9. **WHEREAS**, the City Council of the City of Naperville has determined that the Petitioners' 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: The variance to Section 6-16-5:2.2 (Ground Signs) of the Naperville Municipal Code to permit a monument sign with an area of approximately 250 square feet and a height of approximately 29.5 feet, as depicted on the Sign Rendering attached hereto as **Exhibit D**, and in the location depicted on **Exhibit B**, is hereby approved.

SECTION 3: The variance approved by this Ordinance shall expire unless within two (2) years from the effective date of this Ordinance if: (1) a building permit has been obtained and the construction or alteration of the structure as specified in this Ordinance has been started, or (2) the use specified in this Ordinance has commenced.

SECTION 4: 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 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.

SECTION 6: The City Clerk is authorized and directed to record this Ordinance with the DuPage County Recorder.

SECTION 7: 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.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph. D.
City Clerk