

PIN: 08-29-203-025

**ADDRESS:
1255 S. NAPER BLVD
NAPERVILLE, IL 60540**

**PREPARED BY:
CITY OF NAPERVILLE
LEGAL DEPARTMENT
630/420-4170**

**RETURN TO:
CITY OF NAPERVILLE
COMMUNITY SERVICES DEPT.
400 SOUTH EAGLE STREET
NAPERVILLE, IL 60540**

BRB Case #100

ORDINANCE NO. 21 - _____

**AN ORDINANCE GRANTING A VARIANCE FROM SECTION 705.8.1
(ALLOWABLE AREA OF OPENINGS) OF THE 2018 INTERNATIONAL
BUILDING CODE - 1255 S. NAPER BLVD.**

RECITALS

1. **WHEREAS**, Partners in Design Architects, Inc. has petitioned the City of Naperville to grant a variance from Section 705.8.1 of the 2018 International Building Code to permit certain openings in the proposed building to be located at 1255 S. Naper Blvd. ("Subject Property"), as legally described on Exhibit A; and
2. **WHEREAS**, the petitioner has proposed a 144-square-foot, three-hour rated overhead door, 3.0' from the south property line; a 133-square-foot unprotected aluminum storefront and glazing window, 0.0' from the south property line; a three-hour rated swing door, 0.0' from the north property line; and a three-hour rated swing door, 0.0' from the south property line, as shown on Exhibit B; and

3. **WHEREAS**, the Chief Building Official for the City of Naperville has reviewed the request and finds that the four proposed openings are not in compliance with Section 705.8.1 (Allowable Area of Opening) of the 2018 International Building Code as adopted by the City of Naperville; and
4. **WHEREAS**, on June 16, 2021, the Building Review Board (BRB) discussed this matter and voted (5-0) to recommend approval of the variance to permit the proposed openings.

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 hereby incorporated in this Section 1 as though fully set forth herein.

SECTION 2: A variance to Section 705.8.1 (Allowable Area of Openings) of the 2018 International Building Code, is hereby granted to permit the four non-compliant openings.

SECTION 3: Any increase in the proposed area of openings other than those approved by this Ordinance shall require separate review by the Building Review Board and a variance to be processed.

SECTION 4: 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 5: The City Clerk is directed to record this Ordinance and its exhibits with the DuPage County Recorder.

SECTION 6: This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this _____ day of _____ 2021.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____ 2021.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue Ph.D.
Naperville City Clerk

EXHIBIT A

LOT 3 IN MARKET MEADOWS RESUBDIVISION NO. 1, BEING A
SUBDIVISION IN THE NORTHEAST QUARTER OF SECTION 29,
TOWNSHIP 38 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL
MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE
21, 2021 AS DOCUMENT R2021-095080, IN DUPAGE COUNTY,
ILLINOIS.

PIN: 08-29-203-025

COMMONLY KNOWN AS 1255 S. NAPER BLVD., NAPERVILLE, IL
60540

EXHIBIT B

