



**NAPERVILLE PLANNING AND ZONING COMMISSION
COUNCIL CHAMBERS – MUNICIPAL CENTER
FINAL AGENDA
10/05/2011 - 7:00 p.m.**

CALL TO ORDER:

A. Roll Call

B. Approve Minutes

1. Approve the minutes of the September 7, 2011 Planning and Zoning Commission meeting.
2. Approve the minutes of the September 21, 2011 Planning and Zoning Commission meeting.

C. Old Business

D. Public Hearings

1. PC Case # PC 11-1-128 Islamic Center of Naperville - 9931 South 248th Avenue
Petitioner: Islamic Center of Naperville
Location: On the east side of 248th Avenue between 95th Street and 103rd Street with a common street address of 9931 South 248th Avenue, Naperville, Illinois

Request: Conduct the public hearing to consider petitioner's request for annexation and zoning upon annexation to R1.

Official Notice: Published in the Naperville Sun on

2. PC Case # PCZ 11-1-115 712 Mulberry Court
Petitioner: Benchmark Custom Homes Inc. on behalf of Doug and Gayle Hitchcock, 712 Mulberry Court, Naperville, IL 60540
Location: 712 Mulberry Court

Request: Conduct the public hearing to consider the petitioner's request for a variance to reduce the 30' front yard setback requirement in order to construct a front porch at a distance of approximately 25'

AGENDA
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from the front lot line of the property.

Official Notice: Published in the Naperville Sun on September 18, 2011

- E. Reports and Recommendations**
- F. Correspondence**
 - 1. 2012 Planning and Zoning Commission Meeting Schedule
- G. New Business**
- H. Adjournment**

Any individual with a disability requesting a reasonable accommodation in order to participate in a public meeting should contact the Accessibility Coordinator at least 48 hours in advance of the scheduled meeting. The Accessibility Coordinator can be reached in person at 400 S. Eagle Street, Naperville, IL., via telephone at 630-420-6725 or 630-305-5205 (TDD) or via e-mail at manningm@naperville.il.us. Every effort will be made to allow for meeting participation.



**NAPERVILLE PLANNING AND ZONING COMMISSION
DRAFT MINUTES OF SEPTEMBER 7, 2011**

Call to Order

7:01 p.m.

A. Roll Call

Present: Bruno, Coyne, Messer, Meyer, Trowbridge, Williams, Gustin, Edmonds
Absent: Herzog
Student Members: Wallace, Uber
Staff Present: Planning Team – Liu, Thorsen
Code Enforcement -- Terreberry

B. Minutes

Approve the minutes of August 17, 2011

Motion by: Meyer
Second by: Williams

Approved
(8 to 0)

C. Old Business

None

D. Public Hearings

**D1. PCZ 11-1-106
1085 Huntleigh Dr.**

The petitioner requests a variance from Section 6-6A-7 (R1A Low Density Single-Family Residence District: Yard Requirements) of the Naperville Municipal Code to reduce the 30' front yard setback requirement in order to construct a portico at 1085 Huntleigh Drive.

Suzanne Thorsen, Planning Services Team, gave an overview of the request

- The proposed portico will encroach into the front setback area.
- The existing stoop will be retained
- Staff has no concerns with the requested variance.

Jennifer Rosenbaum, 1128 Huntleigh Drive on behalf of the petitioners

- Read a letter from her parents discussing the requested variance.
- Replacement of existing gutters to eliminate leave collection on the roof has resulted in additional water/ice on the porch that presents a safety concern.
- Petitioner has spoken with neighbors who are in support of the variance

Planning and Zoning Commission inquired about

- The extent of the portico's encroachment
- Whether the existing stoop would be replaced.

Planning and Zoning Commission closed the public hearing.

Plan Commission Discussion:

- Gustin – the hardship in this case is protection from the elements.

Planning and Zoning Commission moved to recommend approval of PC 11-1-106, 1085 Huntleigh Drive, as submitted by the petitioner and recommended by city staff to allow the encroachment of 4.33' into the required setback.

Motion by: Gustin
Seconded by: Williams

Approved
(8 to 0)

**D2. PCS 11-1-101
630 N. Washington**

The petitioner requests approval of a two-foot variance from Section 5-4-5:2.5 (Commercial Signs; Monument Sign Setback; Front Property Line) of the Naperville Municipal Code to place a monument sign with an electronic message board eight feet from the front property line.

Trude Terreberry, Code Enforcement Team, gave an overview of the request

- The sign will be set back 8' instead of the required 10'.
- The sign will use the existing foundation and will be reduced in total area.
- The sign will be an electronic message center as opposed to a panel sign
- The requirements for electronic messages were described.

Bill Holley, 310 Telser, Lake Zurich Illinois spoke on behalf of the petitioner

- The existing sign is outdated and will be replaced with an electronic message center that displays static message.
- The sign will be the same width but lower height.
- The extent of the setback encroachment will not be changed, as the sign will use the existing foundation.
- The brightness of the sign will be auto-dimming.

Planning and Zoning Commission inquired about

- Whether the sign will use the existing foundation.
- The color and brightness of the electronic message center.
- The basis for the variance request and a previous variance that was approved for signage in this location.

Planning and Zoning Commission closed the public hearing.

Plan Commission Discussion:

None

Planning and Zoning Commission moved to recommend approval of PCS#11-1-101, Trancel LLC, for a variance to the monument sign setback for 8' from the front property line instead of 10'.

Motion by: Messer
Seconded by: Gustin

Approved
(8 to 0)

**D3. PCZ 11-1-107
506 Staunton Rd.**

The petitioner requests a variance from Section 6-6A-7:1 (R1A Low Density Single-Family Residence District: Yard Requirements) of the Naperville Municipal Code to reduce the rear yard setback requirement from 26' to 25' in order to accommodate a building addition on the property at 506 Staunton Road.

Ying Liu, Planning Services Team, gave an overview of the request.

- The petitioner’s proposed addition will result of a 1’ encroachment into the rear yard setback.
- Staff has no concerns with the requested variance.

Thomas Gaikowski, 506 Staunton, the petitioner, described the request.

- The neighbors in the area have made room additions, and the petitioner wishes to make a room addition in order to accommodate family needs.
- Notice was delivered to the adjacent neighbors; none voiced any concerns but are happy to see the addition taking place.

Planning and Zoning Commission inquired about

- The location of the rear in relation to the addition, when the rear is not being changed.

Planning and Zoning Commission closed the public hearing.

Plan Commission Discussion:

None

Planning and Zoning Commission moved to recommend approval of PC#11-1-107, 506 Staunton Road, with the petitioner’s variance from Section 6-6A-7.1, to reduce the required rear yard requirement from 26’ to 25’.

Motion by: Gustin
Seconded by: Williams

Approved
(8 to 0)

**E. Reports and
Recommendations**

None

F. Correspondence

None

G. New Business

None

H. Adjournment

7:26 p.m.



**NAPERVILLE PLANNING AND ZONING COMMISSION
DRAFT MINUTES OF SEPTEMBER 21, 2011**

Call to Order

7:00 p.m.

A. Roll Call

Present: Bruno, Coyne, Messer, Meyer, Trowbridge, Williams, Gustin, Herzog, Edmonds
Absent:
Student Members: Schoch, Wallace
Staff Present: Planning Team – Emery, Liu, Thorsen
Code Team - Terreberry
Engineer – Grabow

B. Minutes

C. Old Business

D. Public Hearings

**D1. PC 11-1-109
2443 Warm Springs**

The petitioner requests a variance from Section 6-6A-7 (R1A Low Density Single-Family Residence District: Yard Requirements) of the Naperville Municipal construct a covered patio that encroaches upon the required rear setback at 2443 Warm Springs Lane.

Suzanne Thorsen, Planning Services Team, gave an overview of the request

- Petitioner wishes to encroach approximately 16' into the required rear yard.
- The proposed patio requires a variance due to the fact that it has a roof that is attached.

John Perkins, 2443 Warm Springs Lane, the petitioner, noted:

- The covered patio gives the home a finished look and will add value to the home/neighborhood while allowing the property owner to enjoy it during more seasons.
- Work will be completed by a contractor and will meet or exceed the Code requirements.
- Doesn't make sense to have the structure be detached from the house, because rain and elements would drain through.
- If the structure were built in accordance with the detached standards it would be closer to the lot line.
- Neighbors have signed a petition supporting the plan. Neighbors to the rear and both sides support the variance as well as those across the street.

- The project will move forward regardless of the variance, by detaching the roof, but the property owner would prefer to have it attached.
- Petitioner is agreeable to a condition that would prevent enclosure of the patio.
- The existing detached pergola will be removed to accommodate the new patio improvement. The new patio will set back farther from the fence than the existing patio, this adding green space.

Planning and Zoning Commission inquired about

- The nature of the requested variance
- The distinction between detached and attached accessory structures.
- Whether conditions on the variance may be imposed which prevent enclosure of the patio.
- The footprint of the existing patio that currently has a trellis relative to the proposed patio.
- Whether the patio will impact the rear yard public utilities and drainage easement.

Public Testimony:

None.

Planning and Zoning Commission closed the public hearing.

Plan Commission Discussion:

- Bruno – would support the variance as long as no walls are constructed. This case is an example of where common sense would take over, as detaching the structure would be a detriment to the homeowner and the use of the patio.
- Coyne – does not see any policy objective to be served by denying the variance.
- Messer – concurs with Commissioners Williams and Meyer, as long as the patio is not enclosed in the future.
- Meyer – agrees with Commissioners Williams and Edmonds and agrees with the hardship noted by Commissioner Herzog. Would support a condition that prevents enclosure of the patio.
- Trowbridge – believes that the absence of walls is implicit in approval of the patio and supports the variance.
- Williams – agrees with Chairman Edmonds that the accessory structure ordinance has a distinction without a difference relative to detachment but noted that there is not a strong case for a hardship.
- Gustin – concerned about the bulk on the lot but noted that the patio would add green space. Agrees that the structure would be better if it is attached. Would support a condition on the variance to prevent enclosure of the patio.
- Herzog – the hardship in this case is the placement of the front door relative to the front lot line, as the garage meets the 30' setback and the

remainder of the house is set back farther. Would support the variance as long as there is a condition that prevents conversion of the patio to livable space.

- Edmonds – finds the “detachment” of the accessory structure to be a distinction without significance and noted that the petitioner could construct the improvement without a variance. Concurs with Commissioner Herzog regarding the hardship imposed by placement of the home. A broader concern is that the detached accessory structure provisions constitute a loophole.

Planning and Zoning Commission moved to recommend approval of a variance to construct a covered patio that encroaches upon the required rear setback at 2443 Warm Springs Lane in accordance with the staff memo and a condition that the petitioner will not be permitted to construct walls or windows on the perimeter of the patio.

Motion by: Herzog
Seconded by: Williams

Approved
(9 to 0)

**D2. PCS 11-1-114
National Tire &
Battery**

The petitioner proposes to replace the face panels on an existing, nonconforming pole sign without bringing the sign into compliance with the current monument-sign regulations. In order to replace the face panels and not bring the sign into compliance, the petitioner requests a variance from Section 5-4-13:1 (Nonconforming Signs; Revision of Signage) of the Naperville Municipal Code.

Trude Terreberry, Code Enforcement Team, gave an overview of the request

- Abandonment of signage or replacement of the sign face requires that a sign be brought into compliance with the Municipal Code.
- Pole signs are prohibited throughout the city.

Charlie Sheehan, Ahern Signs, spoke on behalf of the petitioner.

- The sign has been in place for over ten years and is in good shape. The cost differential to replace the sign with a monument is substantial.
- All that is requested is a simple face change in order to occupy vacant space.
- The pole sign is needed for visibility purposes.

Planning and Zoning Commission inquired about

- The types of changes that trigger compliance with the updated sign code.
- Recent cases where similar variances were granted.
- The basis for the staff recommendation and the conditions that make the requested variance unique.
- The manner in which the staff recommendation to deny the variance is in harmony with the Ogden Avenue Corridor Enhancement Initiative.

Public Testimony:
None

Planning and Zoning Commission closed the public hearing.

Plan Commission Discussion:

- Gustin – the Sign Code provides consistency in signage and reduces sign clutter. Finds it difficult to make an exception when other signage in the area has been brought into compliance.
- Herzog – visibility would benefit from a monument sign that is lower and closer to the street. The Ogden Study sets a guiding vision for the corridor to improve aesthetics and reduce distractions. Does not see the hardship.
- Edmonds – The Ogden Avenue Study set an expectation that when new businesses move into the area, signs will be replaced in accordance with the vision for the corridor.

Planning and Zoning Commission moved to recommend approval of PCS 11-1-114, National Tire and Battery, requesting a sign variance.

Motion by: Gustin
Seconded by: Herzog

Denied
(1 to 8)

Ayes: Bruno

Nays: Coyne, Messer, Meyer, Trowbridge, Williams, Gustin,
Herzog, Edmonds

**D3. PC 11-1-111
McDonald's at
Design Point**

The petitioner requests a major change to the Design Pointe PUD to accommodate a fast food restaurant with a drive-through land use on a lot previously planned for retail tenants. In conjunction with this request the petitioner is seeking a deviation to reduce the required parking and deviations related to the setback due right-of-way expansion by IDOT.

The public hearing for this case was continued to the meeting of October 19, 2011.

**D4. PC 11-1-102
Standard Market**

The petitioner requests approval of a preliminary/final plat of subdivision, vacation of a platted building setback line, rezoning from R1A (Low-Density Single Family Residence District) and B3 (General Commercial) to B1 (Neighborhood Convenience Shopping Center District), and variances to accommodate two separate monument signs with electronic message boards.

Amy Emery, Planning Services Team, gave an overview of the request

- Petitioner wishes to create a single lot-of-record and rezone the entire property to B1.
- The site plan complies with parking, landscaping and setback requirements and is respectful of the Building Design Guidelines.
- Building balances proximity to residential areas with the branding of the building and the city's design expectations with respect to masonry and quality materials.

- Future development of outlots will necessitate a subdivision, providing for future Planning and Zoning Commission review.
- Signage approved at Hollywood Palms is 120 square feet. Signage approved at Calamos is 60 square feet, which is similar in size to what is proposed in this instance.

Trude Terreberry, Code Enforcement Team, noted;

- Permitted transition time is 3 seconds or less, and image must hold for at least 10 seconds.
- The minimum standard of 10- seconds is consistent with IDOT standards.
- The Ogden Avenue frontage is not adequate to allow for signage without the variance.
- Future outlot development could use the changeable message board if the site becomes a PUD, or otherwise could request a sign variance to display messages on the electronic message board.

Kim Grabow, Engineering Team, noted:

- Access on Ogden will be maintained as right-in/right-out. Future modifications will occur in the future when the intersection of Ogden and Aurora is improved.
- Development of the site will provide adequate stacking for traffic accessing Aurora Avenue.

John Zemenak, Rathje and Woodward, 300 E. Roosevelt Road, Suite 300, Wheaton IL, attorney on behalf of the petitioner, noted:

- The surrounding properties are improved with intense commercial uses zoned B3 (General Commercial).
- The entire property will be graded, landscaped, and all public improvements installed. The current proposal is for the grocery store.
- Sign variances are requested due to the nature of the business. Changeable message signage on Ogden Avenue is necessary to reach customers.
- Total signage for the property is 34% of what would otherwise be allowed.

Vince Priest, Partner, West Highland Capital Partners Group (the petitioner), 204 Chicago Avenue, Westmont IL noted:

- Petitioner has extensive experience working in the grocery industry.
- The vision was developed through working with retailers. The first Standard Market will open in 45 days in Westmont.
- The Naperville store will be the second location for Standard Market, which is a specialty grocer with fast casual dining on the inside.
- The store will sell only seasonal perishable items, which will be advertised on the changeable message board.
- The interior layout of the store was described.

- Traditional grocery stores are 60% packaged goods, whereas Standard Market will be 90% perishables. The whole store has to be turned over every 72 hours.
- The message board is fundamental to the business in order to reach consumers in advertising the perishable goods. The image quality is substantially higher than standard electronic message boards.
- Project is significantly below the total allowable square footage for signage.
- Standard Market will generate 150-170 employees and will be supplied by local deliveries.
- Signage on the electronic message board has to be held static for at least 10 seconds per the Municipal Code.
- Petitioner would agree to no additional signage for outlots on Ogden Avenue.

Mike Corbett, WD Partners 7007 Discovery Blvd., Columbus OH, , architect on behalf of the petitioner, noted:

- The front of the building is the west face, which fronts Ogden Avenue.
- The design of the east (rear) elevation is respectful of access provided from Whispering Hills. Back of house areas have limited windows.
- The building is sited within a mixed-use area; the building design incorporates corporate branding such as an upscale agrarian style with residential cues that help to break up the mass of the building.
- The building is designed to break up mass, engage the customer and bring the inside out by using large windows to show what is happening on the interior.
- A separate entry is provided to the restaurant/dining area that has an outdoor dining area oriented to the pond in the rear.

Chuck Hulse, Roake and Associates, 1684 Quincy Avenue, Suite 100A, Naperville IL, engineer on behalf of the petitioner, noted:

- Access improvements will help to alleviate cross-traffic issues.
- Parking will exceed Municipal Code standards for the store.
- Bioswales and natural landscaping are provided in the parking area.
- Landscaping will be in accordance with Municipal Code requirements.
- Stormwater will be provided by expanding Lake Osborne.
- Green areas will be reserved for future outparcels.

Mike Worthman, KLOA, 9575 West Higgins Road Suite 400, Rosemont IL, traffic engineer on behalf of the petitioner, noted:

- Access on Aurora Avenue will provide a dedicated left turn lane, which presently does not exist.
- Phase I of the development is the grocery store. Phase II will be the development of three outlot parcels.
- The petitioner's traffic study examined development with the addition of the outlot parcels.

- Site will largely attract existing bypass traffic or multi-purpose trips, which helps to reduce total traffic volume.
- The site access system will help to resolve existing issues by increasing the number of access locations, distributing traffic on the roadway system, and moving left-turn access onto Aurora Avenue further from the intersection.

Planning and Zoning Commission inquired about

- The timing of changeable message on proposed signage.
- The basis of the 10-second limitation that is in the Municipal Code.
- Whether additional glass can be provided on the north elevation that is highly visible from Aurora Avenue.
- Whether the building complies with the Building Design Guidelines.
- The nature of access from Whispering Hills for public and delivery purposes.
- Whether limiting access on Ogden Avenue to right-in/right-out was discussed.
- The nature of future review regarding development of the outlots.
- The nature of cross-access between the subject property and Speedway gas station.
- The extent of staff support for the requested sign variances and whether the Ogden frontage is likely to generate additional future signs for the outlots.
- Signage that was previously approved for Hollywood Palms.

Public Testimony:

None.

Planning and Zoning Commission closed the public hearing.

Plan Commission Discussion:

- Bruno – the project is first rate, finds that the Ogden Avenue signage is necessary to support the development.
- Coyne – inclined to support the request due to the need for visibility given that monument signs are encouraged by Code. Future tenants will be addressed at a later date. Does not find the sign sizes to be unreasonable given the size of the development.
- Messer – concurs with Commissioner Meyer and likes the design overall. Has some hesitation about the signs, especially the size, but is supportive of the proposal.
- Meyer – excited about the project and understands concerns about the electronic message board but finds that it's appropriate to the situation.
- Trowbridge – views changeable message boards as a trend of the future. The site has been vacant for quite some time, and the proposal is an exciting concept. Understands the need for signage on Ogden Avenue as well as reservations about the size as expressed by Commissioner

Herzog.

- Williams – has reservations about both signs but is assured by staff that the electronic messages will comply with the ordinance.
- Gustin – this is an exciting project and will be a wonderful addition to the city. Has some hesitation with respect to the size of the sign on Aurora Avenue.
- Herzog – finds that the store will be a great addition to the community but thinks that the sign variance on Ogden Avenue is excessive and would like to see the size limited to 45 square feet in that location. Expressed concern about the size of signage on Ogden Avenue, as the store is not located on Ogden Avenue and provides only a limited access drive onto Ogden Avenue. Does not view this case as similar to Hollywood Palms, as the property is visible from Aurora Avenue
- Edmonds – stated that the project is wonderful and noted that the proposed signs are consistent with the aesthetic policies of the city. Noted that Aurora and Ogden Avenue are busy streets and stated that there is likely a hardship

Planning and Zoning Commission moved to recommend approval of PC 11-1-102.

Motion by: Williams

Second by: Gustin

Commissioner Herzog moved to amend the motion to limit the monument sign variance on Ogden Avenue to 12' maximum height, 45 square foot maximum area, and electronic message board restriction of 22.5 square feet. Seconded by Gustin.

Aye: Herzog

Nay: Bruno, Coyne, Messer, Meyer, Trowbridge, Williams, Gustin, Edmonds

Motion to amend the main motion failed. Planning and Zoning Commission voted on the main motion.

Approved
(9 to 0)

**D5. PC 11-1-120
All Saints Catholic
Academy**

The petitioner requests a conditional use for a building-mounted solar energy system as an accessory use to the All Saints Catholic Academy located at 1155 Aurora Avenue in the R1A (Low Density Single-Family Residence) District.

Ying Liu, Planning Services Team, gave an overview of the request:

- Building-mounted solar energy system will comply with the height requirement and will be substantially set back from neighboring properties and Aurora Avenue.
- The residential zoning of the property necessitates a conditional use. The

request complies with the standards for a conditional use.

John Caravet, Earth Wind and Solar Energy, 2350 W. Grand, Chicago spoke on behalf of the petitioner:

- The solar energy systems have been installed on 35 schools in the region thus far and are an exciting learning opportunity for children.

Planning and Zoning Commission closed the public hearing.

Plan Commission Discussion:

None.

Planning and Zoning Commission moved to recommend approval of PC 11-1-120, All Saints Academy, to install solar panels.

Motion by: Trowbridge
Seconded by: Williams

Approved
(9 to 0)

E. Reports and Recommendations
F. Correspondence

None.
None.

G. New Business

Gustin requested information about the accessory structure regulations.

Herzog noted that there should be a trigger to bring non-conforming multi-tenant signs into compliance. Edmonds concurred.

Gustin noted that she attended a planning law workshop that was very beneficial and encouraged staff to share materials with the commission.

H. Adjournment

9:41 p.m.

time of the plan. No specific community facility (e.g. school, fire station, health care or utility facility) has ever been identified for the subject site. The site was owned by a church until 2006, when purchased for residential development. The long-term intent of the petitioner to develop the site with a religious facility is consistent with the planned community facility use.

PLANNING SERVICES TEAM REVIEW:

Annexation and Zoning

The petitioner is seeking annexation and zoning to R1 (Low Density Residential District). The property is contiguous to the City of Naperville on all sides; as such, it is eligible for annexation. The requested zoning, R1, is the default zoning assigned to parcels upon annexation as defined in section 6-5-3 of the Municipal Code, which states: *Whenever any parcel of land is hereafter annexed to the City, in any manner whatsoever, such territory, upon annexation, shall be classified or zoned under this Title as an R1 district.*

The property complies with the minimum area and frontage requirements of the R1 zoning district. The proposed land use (religious facility) will require a conditional use within the R1 District; thus, any future non-residential use or subdivision resulting in additional lots will require Planning and Zoning Commission review and City Council approval.

Subdivision

A preliminary/final plat of subdivision is requested in order to establish the property as a single legal lot of record and dedicate additional right-of-way along 248th Avenue. The subdivision plat complies with all technical requirements of the zoning and subdivision ordinances; thus, staff has no concerns or objections to the subdivision plat as proposed.

Land Use

At this time, the petitioner intends to use the existing structure for administrative offices and limited workshop purposes in accordance with zoning and building regulations. No signage will be placed on-site. The temporary, limited use of the existing structure will be further regulated by the provisions of the annexation agreement to be reviewed and approved by City Council. The nature and extent of the use planned is similar to that of Hope Church, a previous property owner that used the structure for religious purposes for many years.

In the long term, the petitioner intends to construct a new religious facility on the subject property, which will require Planning and Zoning Commission review and City Council approval of a conditional use with associated site, landscaping, signage, building elevation plans.

ATTACHMENTS:

1. Islamic Center of Naperville – Development Petition – PC 11-1-082
2. Islamic Center of Naperville – Location Map Aerial – PC 11-1-082
3. Islamic Center of Naperville – Subdivision Plat – PC 11-1-082
4. Islamic Center of Naperville – Annexation Plat – PC 11-1-082

**CITY OF NAPERVILLE
T.E.D. BUSINESS GROUP
PETITION FOR DEVELOPMENT APPROVAL**

Development Name (should be consistent with plat): Islamic Center of Naperville, 248th Avenue Project

Development Address: 9931 South 248th Avenue, Naperville, IL

Date of Submission: September 14, 2011

I. APPLICANT:

Islamic Center of Naperville

Name

Corporation

450 Olesen Drive

Street

Naperville

City

Illinois

State

60540-6709

Zip Code

Len Monson

Primary Contact Person

Attorney

Relationship to Applicant

630.420.8228 x6

Telephone Number

630.420.9137

Fax Number

len@kuhnheap.com

E-Mail Address

II. OWNER OF THE PROPERTY:

Local Church Ministries Church Building & Loan Fund

Name

700 Prospect Ave., East, Cleveland, OH 44115

Address

III. APPLICANT'S/PETITIONER'S STAFF:

Attorney: Kuhn, Heap & Monson

Telephone Number: 630.420.8228 x6

Email Address: len@kuhnheap.com

Fax Number: 630.420.9137

Address: 552 S. Washington, Suite #100, Naperville, IL 60540

Engineer: Intech Consultants

Telephone Number: 630.964.5656

IV. ACTION REQUESTED (Check applicable boxes and complete corresponding Exhibits):

- | | |
|-----------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Annexation (see Section V below) | <input type="checkbox"/> Subdivision Waiver / Deviation to Platted Setback Line (Complete Exhibit 4) |
| <input checked="" type="checkbox"/> Rezoning from <input type="checkbox"/> To <u>R1</u> (Complete Exhibit 1) | <input type="checkbox"/> Zoning Variance (Complete Exhibit 5) |
| <input type="checkbox"/> Preliminary PUD Plat (Complete Exhibit 2) | <input type="checkbox"/> Final PUD Plat (Complete Exhibit 2) |
| <input type="checkbox"/> Major Change to a Planned Unit Development (Complete Exhibit 2) | <input type="checkbox"/> Minor Change to a Planned Unit Development (Complete Exhibit 2) |
| <input checked="" type="checkbox"/> Preliminary/Final Plat of Subdivision | <input type="checkbox"/> Final Plat of Subdivision |
| <input type="checkbox"/> Conditional Use (Complete Exhibit 3) | <input type="checkbox"/> Major Change to a Conditional Use (Complete Exhibit 3) |
| <input type="checkbox"/> Minor Change to a Conditional Use (Complete Exhibit 3) | <input type="checkbox"/> Landscape Variance (Complete Exhibit 6) |
| <input type="checkbox"/> Site Plan Review | <input type="checkbox"/> Plat of Easement / Vacation / Dedication (circle all that apply) |
| <input type="checkbox"/> Sign Variance (Complete Exhibit 5) | |

V. ANNEXATION

Is this development within the City limits?

- Yes.
- Under review by another governmental agency and requires review due to 1.5 mile jurisdictional requirements.

No, *requesting annexation*
Are there electors living on the property:

- Yes No
- If yes, did they sign the Petition for Annexation? Yes No

VI. SITE DATA

- 1. General description of site conditions (Including existing site improvements, i.e., buildings, parking, landscaping, etc.)

The site currently has a single family residence and detached garage.

- 2. Existing Utility Services (water, sewer, electricity): All utilities and services are currently in the area, subject property.

- 3. Existing zoning on the site: R1, with a Conditional Use for Religious Facility.

- 4. Existing Land Use: Religious institution.

- 5. Acreage & Square Footage of the site: 14.5 acres

- 6. List Controlling Ordinances and agreements (zoning, annexation ordinances, SIA, site plans, preliminary/final PUD plats, etc.):

N/A

VII. PROPOSED DEVELOPMENT:

- 1. Type of Development (check all that apply):

Residential Commercial Office
 Industrial Other: _____

- 2. Proposed Zoning: "R1"

Description of Proposal: (Including proposed land use, type of use, hours of operation, number of parking spaces, and all Exhibits mandated by the request (see Page 2, Section IV for Exhibit information)– attach additional pages if necessary):

No changes are planned for the property. The single family residence shall continue to be used as an administrative office and ancillary uses for a religious institution.

- 3. Description of Building (Including number of buildings, square footage of each building and use, maximum height, façade materials):

No new building is proposed.

- 4. Describe all requested Variances / Deviations from the underlying zoning regulations (i.e. parking, setbacks, density, height/bulk etc.) NOTE: Complete this section as well as Exhibit 5 – attach additional pages if necessary:

None

5. Describe all requested waivers from the Subdivision Regulations: (i.e. R.O.W., widths, easements, etc.) **NOTE:** Complete this section as well as **Exhibit 4** – attach additional pages if necessary:

None

6. Deviations from the Landscaping Regulations **NOTE:** Complete this section as well as **Exhibit 6** – attach additional pages if necessary:

None

7. General Land Use Data:

| | Residntl. | Comrcl. | Office | Indst. | R.O.W. | Park | School | Private | Other* | Total |
|--------------|-----------|---------|--------|--------|--------|------|--------|---------|--------|-------|
| No. of Acres | 14.5 | | | | | | | | | |
| % of Total | 100% | | | | | | | | | |

*Please explain:

8. Development Densities:

| | Number of Units | Gross Acres | Gross Density | Modified Gross Acres | Modified Gross Density | Building square footage | Minimum Lot Size | Maximum Lot Size |
|---------------|----------------------|-------------|---------------|----------------------|------------------------|-------------------------|------------------|------------------|
| Single-Family | 1 existing SF resid. | 14.5 | NA | 14.5 | 14.5 | 2,500 | 14.5 | 14.5 |
| Townhome | | | | | | | | |
| Duplex | | | | | | | | |
| Apartment | | | | | | | | |
| Comrcl. | | | | | | | | |

| | | | | | | | | |
|------------|--|--|--|--|--|--|--|--|
| Office | | | | | | | | |
| Industrial | | | | | | | | |

- Gross Acres = land designated for land use type including right-of-way
- Gross Density = number of units divided by gross acres
- Modified Gross Acres = residential acreage including internal right-of-way, detention facilities, school/park dedications and open space areas.
- Modified Gross Density = number of units divided by modified gross acres.

VIII. SCHOOL AND PARK DONATION REQUIREMENTS (calculation tables must be attached):

1. Required School Donation of N/A acres will be met by a _____

2. Required Park Donation of N/A acres will be met by a _____

IX. PRIVATE FACILITIES

1. Private open space and recreational facilities include:

N/A

Which will be maintained by: _____ The City of Naperville
 _____ Homeowners Association
 _____ Other (_____)

2. Outlots and/or detention/retention facilities include (size, number and location)

None required.

Which will be maintained by: _____ The City of Naperville
 _____ Homeowners Association
 _____ Other (the Petitioner)

3. Detention, retention, open space/recreation and school uses within the development:

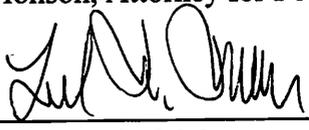
| | Private -- Homeowners Association (acres)* | Public --To be Dedicated (acres) | Other (acres)* | Total (acres) |
|---------------------|-----------------------------------------------------|-------------------------------------------|-------------------|------------------|
| Open Space* | | | | |
| a. Park Site | | | | |
| b. Common Areas* | | | | |

| | | | | |
|----------------------|--|--|--|--|
| c. Private Facility* | | | | |
| Sub-total | | | | |
| School Site | | | | |
| Total | | | | |

*Please Explain:

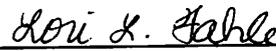
Note: Please provide a brief explanation of the type of private facility, common area, open space or other acreage included in the development (Private facilities would include facilities such as clubhouses or private swim clubs. Other could include detention/facilities or outlots for landscape buffers, subdivision identification signage or similar purposes.)

Respectfully Submitted,
Leonard M. Monson, Attorney for Petitioner

By: 
Leonard M. Monson
Attorney for Petitioner

STATE OF ILLINOIS)
COUNTY OF DUPAGE)
CITY OF NAPERVILLE)

The foregoing petition was acknowledged before me by Leonard M. Monson on the 14th day of September, 2011 A.D.

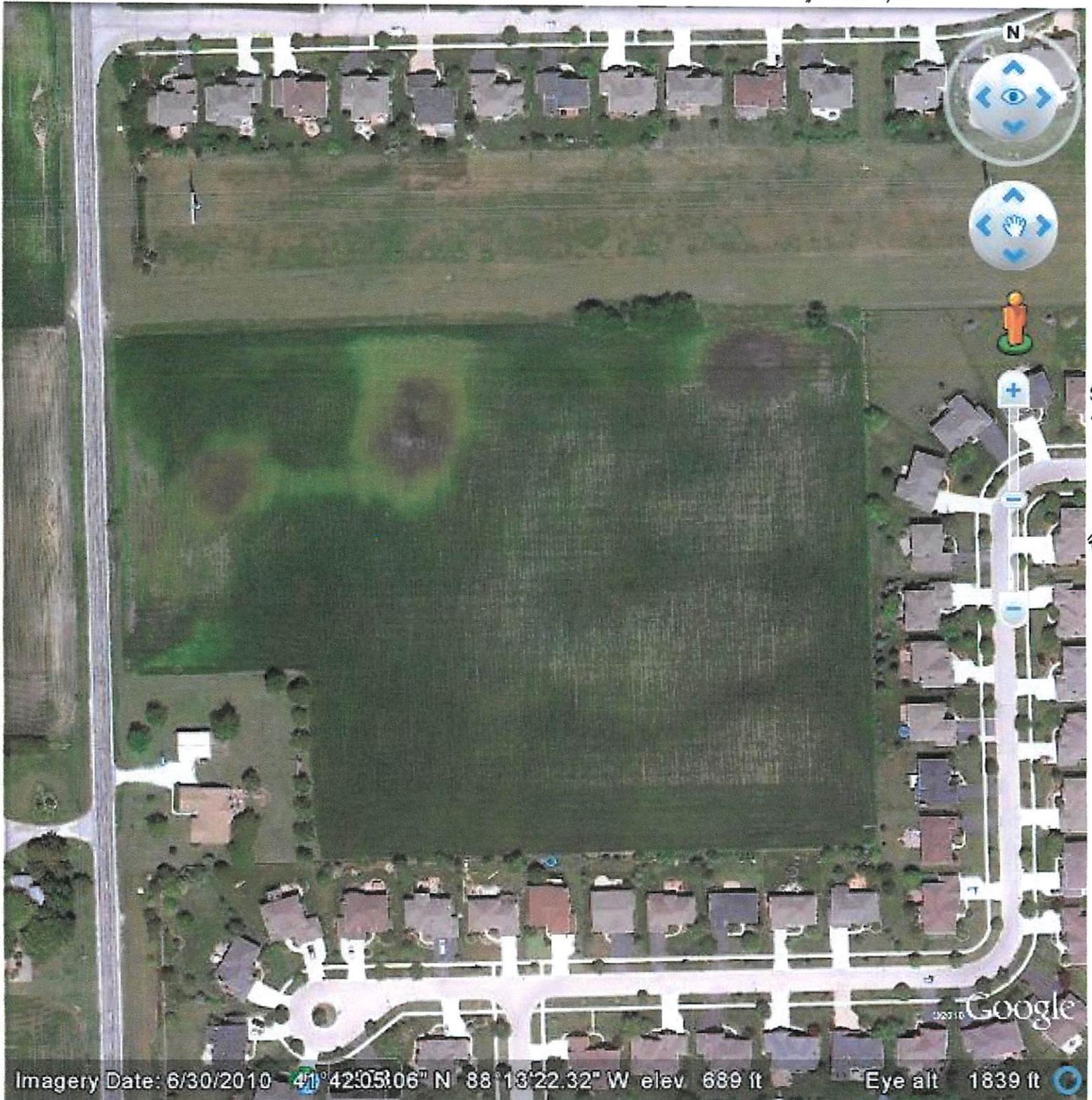
By: 

Notary Public



ZONING MAP

↓ RLB ↓



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↑ RLB ↑

Islamic Center of Naperville

Legal Description:

THE NORTH ½ OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ (EXCEPTING THEREFROM THE EASTERLY 375 FEET, AS MEASURED AT RIGHT ANGLES TO THE EAST LINE THEREOF) OF SECTION 9, TOWNSHIP 37 NORTH RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN WILL COUNTY, ILLINOIS

PIN: 07-01-09-300-010-0000

Common Address:

9931 South 248th Avenue
Naperville, IL

CITY OF NAPERVILLE
DISCLOSURE OF BENEFICIARIES

In compliance with Ordinance 85-193, An Ordinance amending Title 1 (Administrative) of the Naperville Municipal Code, as amended, by adding Chapter 12 thereto requiring disclosure of certain interests by persons applying for permits, licenses, approvals or benefits from the City of Naperville.

1. Applicant: Islamic Center of Naperville
Address: 450 Olesen Drive/2844 Ogden Ave.
Naperville, IL 60564

2. Nature of Benefit sought: Major change to a conditional use.

3. Nature of Applicant (Please check one):
a. Natural Person d. Trust/Trustee
b. Corporation e. Partnership
c. Land Trust/ Trustee f. Joint Venture

4. If applicant is an entity other than described in Section 3, briefly state the nature and characteristics of applicant:
An Illinois Not-For-Profit Corporation

5. If in your answer to Section 3 you checked box b, c, d, e or f, identify by name and address each person or entity which is a 5% shareholder in the case of a corporation, a beneficiary in the case of a trust or land trust, a joint venture in the case of case of a joint venture, or who otherwise has a proprietary interest, interest in profits and losses or right to control such entity:
a. _____
b. _____
c. _____
d. _____

6. Name, address and capacity of person making this disclosure on behalf of the applicant:
Leonard M. Monson, Kuhn, Heap & Monson, 552 S. Washington, #100, Naperville, IL 60540

IMPORTANT NOTE: In the event your answer to Section 5 identifies entities other than a natural person, additional disclosures are required for each entity.

VERIFICATION

I, Leonard M. Monson, being first duly sworn under oath, depose and state that I am the person making this disclosure on behalf of the applicant, that I am duly authorized to make this disclosure, that I have read the above and foregoing Disclosure of Beneficiaries, and that the statements contained therein are true in both substance and fact.

Signature: *Leonard M. Monson*

Subscribed and Sworn to before me this 14th day of September, 2011.

Lori L. Fahle
Notary Public



City of Naperville
ISLAMIC CENTER - 9931 S. 248TH AV.



Transportation, Engineering and
Development Business Group
Questions Contact (630) 420-6719
www.naperville.il.us
September 2011



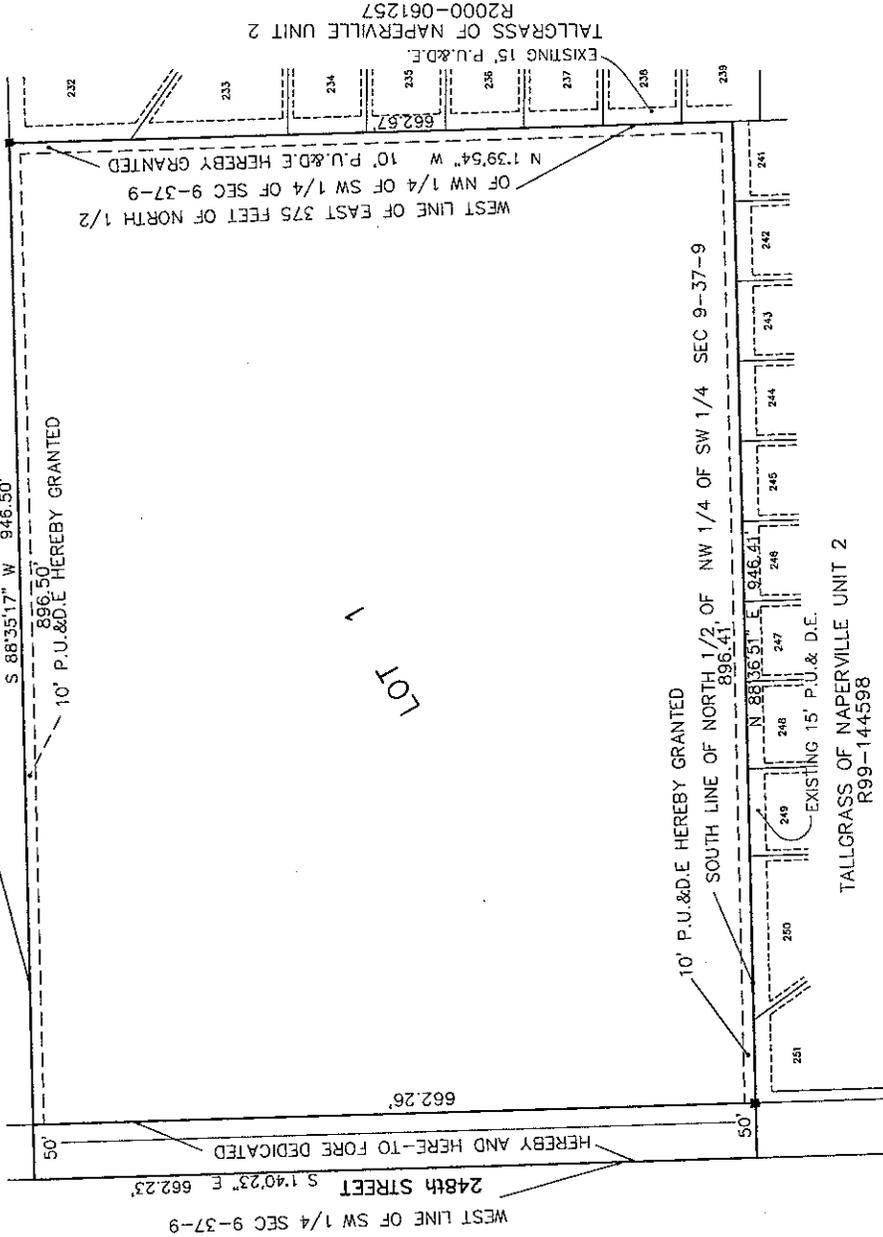
This map should be used for reference only.
The data is subject to change without notice.
City of Naperville assumes no liability in the use
or application of the data. Reproduction or redistribution is
forbidden without expressed written consent from the City of Naperville.

ISLAMIC CENTER OF NAPERVILLE 248th STREET SUBDIVISION

FINAL SUBDIVISION PLAT

BEING A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 9, TOWNSHIP 37 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN WILL COUNTY, ILLINOIS.

NORTH LINE OF SW 1/4 SEC 9-37-9
S 88°35'17" W 946.50'
896.50'
10' P.U.&D.E. HEREBY GRANTED



THIS PLAT HAS BEEN SUBMITTED FOR RECORD TO THE WILL COUNTY CLERK, WILL COUNTY, ILLINOIS, ADDRESS: 300 N. STATE ST., NAPERVILLE, ILLINOIS 60563-7820

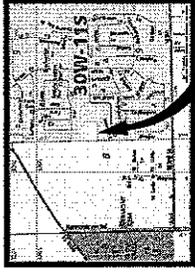


SCALE: 1" = 50'
GRAPHIC SCALE
1 inch = 50 ft.

BOUNDING = ASSIGNED
MERIDIAN = ASSUMED

LEGEND
 ■ CONCRETE MONUMENT SET
 - - - - - EASEMENT LINE
 - - - - - PROPERTY LINE
 - - - - - SUBDIVISION BOUNDARY LINE

ABBREVIATIONS
 S - SOUTH
 E - EAST
 N - NORTH
 W - WEST
 P.U. & D.E. - PUBLIC UTILITY & DRAINAGE EASEMENT



LOT AREA SUMMARY
NOT TO SCALE

| | | |
|---------------------------|-------------|---------------|
| LOT 1 | 50,387 S.F. | 1,163.3 ACRES |
| TOTAL AREA | 50,387 S.F. | 1,163.3 ACRES |
| ROADWAY RESERVATION | 31,112 S.F. | 0.710 ACRES |
| TOTAL AREA IN SUBDIVISION | 19,275 S.F. | 0.443 ACRES |

DEVELOPER/OWNER:
ISLAMIC CENTER OF NAPERVILLE
450 OLESON DRIVE
NAPERVILLE, ILLINOIS 60540
TEL 630-203-2755

- NOTES:
1. IRON PIPES ARE AT ALL LOT CORNERS. ALL OTHER PIPES, UNLESS OTHERWISE NOTED.
 2. ALL EASEMENTS SHOWN ON THIS PLAT ARE FOR PUBLIC UTILITIES AND DRAINAGE PURPOSES, UNLESS OTHERWISE NOTED.
 3. ALL MEASUREMENTS AND DISTANCES ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.
 4. ALL MEASUREMENTS AND DISTANCES ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

CITY OF NAPERVILLE STREET CLASSIFICATION
STREETS WITH THIS SUBDIVISION SHALL BE CLASSIFIED AS SHOWN HEREIN.

ALL PARAVIEW TREE REQUIREMENTS SHALL BE MET PURSUANT TO THE CITY OF NAPERVILLE ORDINANCE AS AMENDED.

MTECH CONSULTANTS, INC.
ENGINEERS / SURVEYORS
1005 UNIVERSITY LANE, SUITE 200 - LITTLE BLANDS
TULLOCH, ILLINOIS 60140
E-MAIL: CADSW@MTECHCONSULTANTS.COM
ILLINOIS REGISTRATION NO. 184-00040

PREPARED: 9-27-11 SHEET No. 1 of 2 JOB No.: 2011-016

ISLAMIC CENTER OF NAPERVILLE

BEING A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF SECTION 9, TOWNSHIP 37 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN WILL COUNTY, ILLINOIS.

CONVEYANCE INSTRUMENT
 STATE OF ILLINOIS) ss
 COUNTY OF WILL)
 THIS IS TO CERTIFY THAT
 PROPERTY DESCRIBED HEREIN HAS BEEN CONVEYED TO THE ISLAMIC CENTER OF NAPERVILLE, INC. BY DEED AND THE SAME IS NOW OWNED BY SAID CENTER. THE DEED IS FILED IN THE PUBLIC RECORDS OF THE CLERK OF SAID COUNTY AND IS REFERRED TO BY THIS INSTRUMENT. THE DEED IS FILED IN THE PUBLIC RECORDS OF THE CLERK OF SAID COUNTY AND IS REFERRED TO BY THIS INSTRUMENT. THE DEED IS FILED IN THE PUBLIC RECORDS OF THE CLERK OF SAID COUNTY AND IS REFERRED TO BY THIS INSTRUMENT.

DATED THIS _____ DAY OF _____, A.D. 20____
 BY: _____

MORTGAGE INSTRUMENT
 STATE OF ILLINOIS) ss
 COUNTY OF WILL)
 COUNTY IN THE STATE OF ILLINOIS TO WITNESSE: A MORTGAGE INSTRUMENT HAS BEEN CONVEYED TO THE ISLAMIC CENTER OF NAPERVILLE, INC. BY DEED AND THE SAME IS NOW OWNED BY SAID CENTER. THE DEED IS FILED IN THE PUBLIC RECORDS OF THE CLERK OF SAID COUNTY AND IS REFERRED TO BY THIS INSTRUMENT. THE DEED IS FILED IN THE PUBLIC RECORDS OF THE CLERK OF SAID COUNTY AND IS REFERRED TO BY THIS INSTRUMENT. THE DEED IS FILED IN THE PUBLIC RECORDS OF THE CLERK OF SAID COUNTY AND IS REFERRED TO BY THIS INSTRUMENT.

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DATED THIS _____ DAY OF _____, A.D. 20____
 BY: _____

MORTGAGE INSTRUMENT
 STATE OF ILLINOIS) ss
 COUNTY OF WILL)
 COUNTY IN THE STATE OF ILLINOIS TO WITNESSE: A MORTGAGE INSTRUMENT HAS BEEN CONVEYED TO THE ISLAMIC CENTER OF NAPERVILLE, INC. BY DEED AND THE SAME IS NOW OWNED BY SAID CENTER. THE DEED IS FILED IN THE PUBLIC RECORDS OF THE CLERK OF SAID COUNTY AND IS REFERRED TO BY THIS INSTRUMENT. THE DEED IS FILED IN THE PUBLIC RECORDS OF THE CLERK OF SAID COUNTY AND IS REFERRED TO BY THIS INSTRUMENT. THE DEED IS FILED IN THE PUBLIC RECORDS OF THE CLERK OF SAID COUNTY AND IS REFERRED TO BY THIS INSTRUMENT.

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DATED THIS _____ DAY OF _____, A.D. 20____
 BY: _____

SCHOOL DISTRICT BOARD RESOLUTION
 STATE OF ILLINOIS) ss
 COUNTY OF WILL)
 THE BOARD OF THE DISTRICT OF THE COUNTY OF WILL COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THE LAND DESCRIBED IN THE INSTRUMENT FILED IN THE PUBLIC RECORDS OF THE CLERK OF SAID COUNTY AND IS REFERRED TO BY THIS INSTRUMENT. THE DEED IS FILED IN THE PUBLIC RECORDS OF THE CLERK OF SAID COUNTY AND IS REFERRED TO BY THIS INSTRUMENT. THE DEED IS FILED IN THE PUBLIC RECORDS OF THE CLERK OF SAID COUNTY AND IS REFERRED TO BY THIS INSTRUMENT.

DATED THIS _____ DAY OF _____, A.D. 20____
 BY: _____

PLANNING AND ZONING COMMISSION
 STATE OF ILLINOIS) ss
 COUNTY OF WILL)
 TO THE BEST OF OUR KNOWLEDGE AND BELIEF THE PLANNING AND ZONING COMMISSION HAS REVIEWED THE INSTRUMENT FILED IN THE PUBLIC RECORDS OF THE CLERK OF SAID COUNTY AND IS REFERRED TO BY THIS INSTRUMENT. THE DEED IS FILED IN THE PUBLIC RECORDS OF THE CLERK OF SAID COUNTY AND IS REFERRED TO BY THIS INSTRUMENT. THE DEED IS FILED IN THE PUBLIC RECORDS OF THE CLERK OF SAID COUNTY AND IS REFERRED TO BY THIS INSTRUMENT.

DATED THIS _____ DAY OF _____, A.D. 20____
 BY: _____

PLANNING AND ZONING COMMISSION
 STATE OF ILLINOIS) ss
 COUNTY OF WILL)
 TO THE BEST OF OUR KNOWLEDGE AND BELIEF THE PLANNING AND ZONING COMMISSION HAS REVIEWED THE INSTRUMENT FILED IN THE PUBLIC RECORDS OF THE CLERK OF SAID COUNTY AND IS REFERRED TO BY THIS INSTRUMENT. THE DEED IS FILED IN THE PUBLIC RECORDS OF THE CLERK OF SAID COUNTY AND IS REFERRED TO BY THIS INSTRUMENT. THE DEED IS FILED IN THE PUBLIC RECORDS OF THE CLERK OF SAID COUNTY AND IS REFERRED TO BY THIS INSTRUMENT.

DATED THIS _____ DAY OF _____, A.D. 20____
 BY: _____

WILL COUNTY TAX MAPS INSTRUMENT
 STATE OF ILLINOIS) ss
 COUNTY OF WILL)
 THIS INSTRUMENT IS FILED IN THE PUBLIC RECORDS OF THE CLERK OF SAID COUNTY AND IS REFERRED TO BY THIS INSTRUMENT. THE DEED IS FILED IN THE PUBLIC RECORDS OF THE CLERK OF SAID COUNTY AND IS REFERRED TO BY THIS INSTRUMENT. THE DEED IS FILED IN THE PUBLIC RECORDS OF THE CLERK OF SAID COUNTY AND IS REFERRED TO BY THIS INSTRUMENT.

DATED THIS _____ DAY OF _____, A.D. 20____
 BY: _____

CITY COUNCIL RESOLUTION
 STATE OF ILLINOIS) ss
 COUNTY OF WILL)
 APPROVED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NAPERVILLE, ILLINOIS, AT A MEETING HELD ON THE _____ DAY OF _____, A.D. 20____.

BY: _____ MAYOR ATTEST: _____ CITY CLERK

WILL COUNTY CLERK INSTRUMENT
 STATE OF ILLINOIS) ss
 COUNTY OF WILL)
 I, THE CLERK OF THE COUNTY OF WILL COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THE LAND DESCRIBED IN THE INSTRUMENT FILED IN THE PUBLIC RECORDS OF THE CLERK OF SAID COUNTY AND IS REFERRED TO BY THIS INSTRUMENT. THE DEED IS FILED IN THE PUBLIC RECORDS OF THE CLERK OF SAID COUNTY AND IS REFERRED TO BY THIS INSTRUMENT. THE DEED IS FILED IN THE PUBLIC RECORDS OF THE CLERK OF SAID COUNTY AND IS REFERRED TO BY THIS INSTRUMENT.

DATED THIS _____ DAY OF _____, A.D. 20____
 BY: _____

WILL COUNTY CLERK INSTRUMENT
 STATE OF ILLINOIS) ss
 COUNTY OF WILL)
 I, THE CLERK OF THE COUNTY OF WILL COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THE LAND DESCRIBED IN THE INSTRUMENT FILED IN THE PUBLIC RECORDS OF THE CLERK OF SAID COUNTY AND IS REFERRED TO BY THIS INSTRUMENT. THE DEED IS FILED IN THE PUBLIC RECORDS OF THE CLERK OF SAID COUNTY AND IS REFERRED TO BY THIS INSTRUMENT. THE DEED IS FILED IN THE PUBLIC RECORDS OF THE CLERK OF SAID COUNTY AND IS REFERRED TO BY THIS INSTRUMENT.

DATED THIS _____ DAY OF _____, A.D. 20____
 BY: _____

WILL COUNTY TAX MAPS INSTRUMENT
 STATE OF ILLINOIS) ss
 COUNTY OF WILL)
 I, THE CLERK OF THE COUNTY OF WILL COUNTY, ILLINOIS, DO HEREBY CERTIFY THAT THE LAND DESCRIBED IN THE INSTRUMENT FILED IN THE PUBLIC RECORDS OF THE CLERK OF SAID COUNTY AND IS REFERRED TO BY THIS INSTRUMENT. THE DEED IS FILED IN THE PUBLIC RECORDS OF THE CLERK OF SAID COUNTY AND IS REFERRED TO BY THIS INSTRUMENT. THE DEED IS FILED IN THE PUBLIC RECORDS OF THE CLERK OF SAID COUNTY AND IS REFERRED TO BY THIS INSTRUMENT.

DATED THIS _____ DAY OF _____, A.D. 20____
 BY: _____

RESERVED RIGHTS AND RELEASE EASEMENT INSTRUMENTS.
 THE CITY OF NAPERVILLE, ILLINOIS, HAS REVIEWED THE INSTRUMENT FILED IN THE PUBLIC RECORDS OF THE CLERK OF SAID COUNTY AND IS REFERRED TO BY THIS INSTRUMENT. THE DEED IS FILED IN THE PUBLIC RECORDS OF THE CLERK OF SAID COUNTY AND IS REFERRED TO BY THIS INSTRUMENT. THE DEED IS FILED IN THE PUBLIC RECORDS OF THE CLERK OF SAID COUNTY AND IS REFERRED TO BY THIS INSTRUMENT.

DATED THIS _____ DAY OF _____, A.D. 20____
 BY: _____

RESERVED RIGHTS AND RELEASE EASEMENT INSTRUMENTS
 STATE OF ILLINOIS) ss
 COUNTY OF WILL)
 THIS IS TO STATE THAT I, THOMAS E. PARKER, ILLINOIS PROFESSIONAL LAND SURVEYOR #66-218 HAVE SURVEYED AND SUBDIVIDED THE FOLLOWING DESCRIBED PROPERTY:

THE NORTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 37 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN WILL COUNTY, ILLINOIS.

I HEREBY STATE THAT THE LAND INCLUDED IN THE ANNEKED PLAT IS WITHIN THE CORPORATE LIMITS OF THE CITY OF NAPERVILLE WHICH HAS ADOPTED A CITY PLAN AND IS SUBJECT TO THE ZONING ORDINANCES OF SAID CITY. THE LAND IS SUBJECT TO THE ZONING ORDINANCES OF SAID CITY AND IS SUBJECT TO THE ZONING ORDINANCES OF SAID CITY.

I HEREBY STATE THAT A PORTION OF THE PROPERTY IN THE ANNEKED PLAT IS IN ZONE "A" AS DETERMINED TO BE OUTSIDE AN YEAR FLOODPLAIN AS DETERMINED BY THE FEDERAL FLOOD INSURANCE ADMINISTRATION, ADJUST NORTH OF THE FLOOD RANGE LINE. THE FLOOD RANGE LINE IS LOCATED AT THE NORTH LINE OF THE FLOOD RANGE LINE. THE FLOOD RANGE LINE IS LOCATED AT THE NORTH LINE OF THE FLOOD RANGE LINE.

DATED THIS _____ DAY OF _____, A.D. 20____
 BY: _____

RESERVED RIGHTS AND RELEASE EASEMENT INSTRUMENTS
 STATE OF ILLINOIS) ss
 COUNTY OF WILL)
 THIS IS TO STATE THAT I, THOMAS E. PARKER, ILLINOIS PROFESSIONAL LAND SURVEYOR #66-218 HAVE SURVEYED AND SUBDIVIDED THE FOLLOWING DESCRIBED PROPERTY:

THE NORTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 37 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN WILL COUNTY, ILLINOIS.

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DATED THIS _____ DAY OF _____, A.D. 20____
 BY: _____

RESERVED RIGHTS AND RELEASE EASEMENT INSTRUMENTS
 STATE OF ILLINOIS) ss
 COUNTY OF WILL)
 THIS IS TO STATE THAT I, THOMAS E. PARKER, ILLINOIS PROFESSIONAL LAND SURVEYOR #66-218 HAVE SURVEYED AND SUBDIVIDED THE FOLLOWING DESCRIBED PROPERTY:

THE NORTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9, TOWNSHIP 37 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN WILL COUNTY, ILLINOIS.

I HEREBY STATE THAT THE LAND INCLUDED IN THE ANNEKED PLAT IS WITHIN THE CORPORATE LIMITS OF THE CITY OF NAPERVILLE WHICH HAS ADOPTED A CITY PLAN AND IS SUBJECT TO THE ZONING ORDINANCES OF SAID CITY. THE LAND IS SUBJECT TO THE ZONING ORDINANCES OF SAID CITY AND IS SUBJECT TO THE ZONING ORDINANCES OF SAID CITY.

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DATED THIS _____ DAY OF _____, A.D. 20____
 BY: _____



NITECH CONSULTANTS, INC.
 ENGINEERS / SURVEYORS
 1805 UNIVERSITY LANE, SUITE D - 1100, ILLINOIS
 TEL: (815) 664-5555 FAX: (815) 664-5552
 LICENSE REGISTRATION NO. 184-001040

PREPARED: 9-27-11 SHEET No. 2 of 2 JOB No.: 2011-016



Naperville

PLANNING AND ZONING COMMISSION AGENDA ITEM

PC CASE: 11-1-115 **AGENDA DATE:** 10/5/2011
SUBJECT: 712 Mulberry Court
Petitioner: Benchmark Custom Homes Inc. on behalf of Doug and Gayle Hitchcock, 712 Mulberry Court, Naperville, IL 60540

LOCATION: 712 Mulberry Court

Correspondence New Business Old Business Public Hearing

SYNOPSIS:
The petitioner requests a variance from Section 6-6A-7:1 (R1A Low Density Single-Family Residence District: Yard Requirements) of the Naperville Municipal Code to reduce the 30' front yard setback requirement in order to construct a front porch at a distance of approximately 25' from the front lot line of the property located at 712 Mulberry Court.

PLAN COMMISSION ACTION PREVIOUSLY TAKEN:

| Date | Item No. | Action |
|------|----------|--------|
| N/A | N/A | N/A |

ACTION REQUESTED/RECOMMENDED THIS MEETING:
Conduct the public hearing.

PREPARED BY: Ying Liu, AICP, TED Business Group

EXISTING ZONING, LAND USE, AND LOCATION:
The subject property, zoned R1A (Low Density Single-Family Residence District), is located at 712 Mulberry Court and encompasses 16,020 square feet. It is currently improved with a single-family residence. The surrounding properties are also zoned R1A and improved with single-family residential uses.

CONTROLLING AGREEMENTS AND ORDINANCES:
N/A

REQUEST:
The petitioner, Benchmark Custom Home Inc. on behalf of the owners, proposes to construct a portico (covered entry feature) that will encroach into the required 30' front setback. The new 13.5'X6.4' portico will be approximately 86 square feet in area, and will encroach approximately 4.4' into the required setback. The Municipal Code provides that no portion of the principal structure or roofed accessory structures shall encroach into the required front yard (setback).

712 Mulberry Court (PCZ 11-1-115)

October 5, 2011

Page 2 of 2

Therefore, the petitioner requests a variance from the R1A front setback requirement provided in Section 6-6A-7:1 (R1A Low Density Single-Family Residence District: Yard Requirements) of the Naperville Municipal Code in order to construct the proposed portico.

PLANNING SERVICES TEAM REVIEW:

The existing home complies with the 30' R1A front yard setback requirement. The purpose of the requested variance is to provide a covered entrance that will accommodate the petitioner's needs during inclement weather.

Staff has reviewed the petitioner's request and finds that the proposed portico will be consistent with the appearance and scale of the existing single-family home and will pose no detrimental impact to the surrounding neighborhood.

The requested variance, if approved, will be subject to compliance with the site plan (Attachment 1) and will only be applicable to the proposed portico.

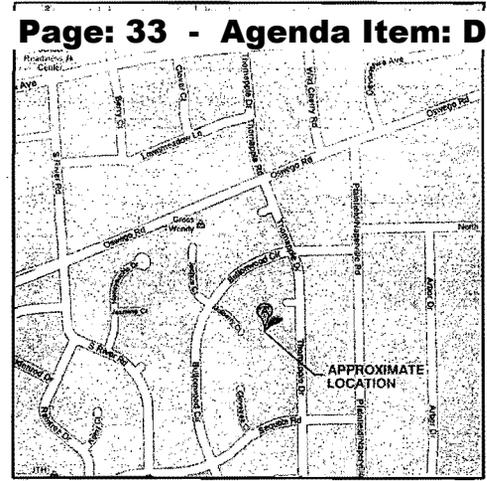
ATTACHMENTS:

1. 712 Mulberry Court – Site Plan – PCZ 11-1-115
2. 712 Mulberry Court – Location Map – PCZ 11-1-115
3. 712 Mulberry Court – Petition – PCZ 11-1-115
4. 721 Mulberry Court – Legal Description – PCZ 11-1-115
5. 712 Mulberry Court – Building Elevations – PCZ 11-1-115

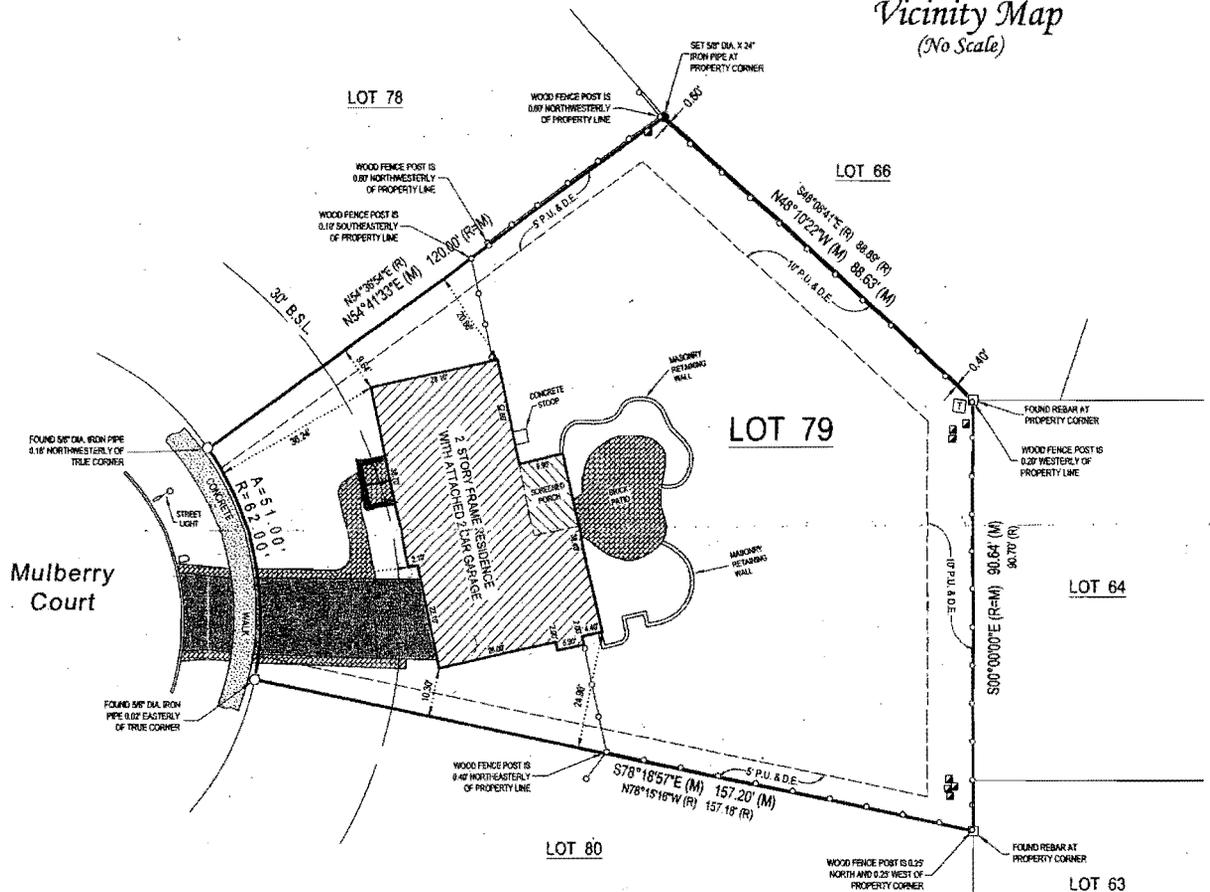
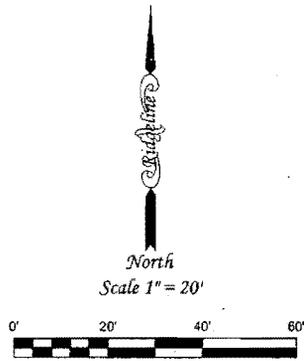
Plat of Survey

LOT 79 IN BUTTWOOD UNIT 1, BEING A SUBDIVISION OF PART OF THE EAST HALF OF SECTION 23, AND PART OF THE WEST HALF OF SECTION 24, TOWNSHIP 38 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 11, 1978 AS DOCUMENT R78-62856, AND CERTIFICATE OF CORRECTION RECORDED NOVEMBER 29, 1978 AS DOCUMENT R78-114281, IN DUPAGE COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 712 MULBERRY COURT, NAPERVILLE, IL.



Vicinity Map
(No Scale)



- ABBREVIATIONS:**
- B.S.L. = BUILDING SETBACK LINE
 - A = ARC LENGTH
 - R = RADIUS
 - CH = CHORD LENGTH
 - (R) = RECORD VALUE
 - (M) = MEASURED VALUE
 - (C) = CALCULATED VALUE
 - (D) = DEED VALUE
 - P.U.E. = PUBLIC UTILITY EASEMENT
 - P.U.D.E. = PUBLIC UTILITY & DRAINAGE EASEMENT

- LEGEND:**
- SET 5/8" DIA X 24" IRON PIPE
 - FOUND IRON PIPE
 - FOUND REBAR
 - * FOUND CUT CROSS
 - FOUND P.K. NAIL
 - ⊕ UNDERGROUND UTILITY RISER
 - ⊕ ELECTRIC TRANSFORMER
 - ⊕ FIRE HYDRANT
 - ⊕ SANITARY MANHOLE
 - ⊕ STORM MANHOLE
 - ⊕ STORM INLET
 - ⊕ B-BOX (WATER VALVE)
 - ⊕ MAIL BOX
 - PVC (PLASTIC) FENCE
 - CHAIN LINK FENCE
 - WOOD FENCE
 - ▨ CONCRETE SURFACE
 - ▨ ASPHALT SURFACE
 - ▨ GRAVEL SURFACE
 - ▨ BRICK OR PAVER SURFACE
 - SITE BOUNDARY LINE
 - EASEMENT LINE
 - BUILDING SETBACK LINE
 - CENTERLINE

- NOTES:**
1. EASEMENTS AND SERVITUDES SHOWN HEREON ARE BASED UPON A TITLE COMMITMENT ISSUED BY ATTORNEYS' TITLE GUARANTY FUND, INC. AND IDENTIFIED AS NUMBER 110283200119 HAVING AN EFFECTIVE DATE OF MAY 04, 2011.
 2. ALL UTILITIES MAY NOT BE SHOWN. CALL J.U.L.E. AT 1-800-892-0123 FOR FIELD LOCATION OF UNDERGROUND UTILITY LINES PRIOR TO ANY DIGGING OR CONSTRUCTION.
 3. PARCEL CONTAINS APPROXIMATELY 16,020.4 SQ. FT.
 4. ALL BEARINGS SHOWN HEREON ARE BASED ON THE FINAL SUBDIVISION PLAT FOR BUTTWOOD UNIT 1, RECORDED AS DOCUMENT R78-62856 IN DUPAGE COUNTY, ILLINOIS.

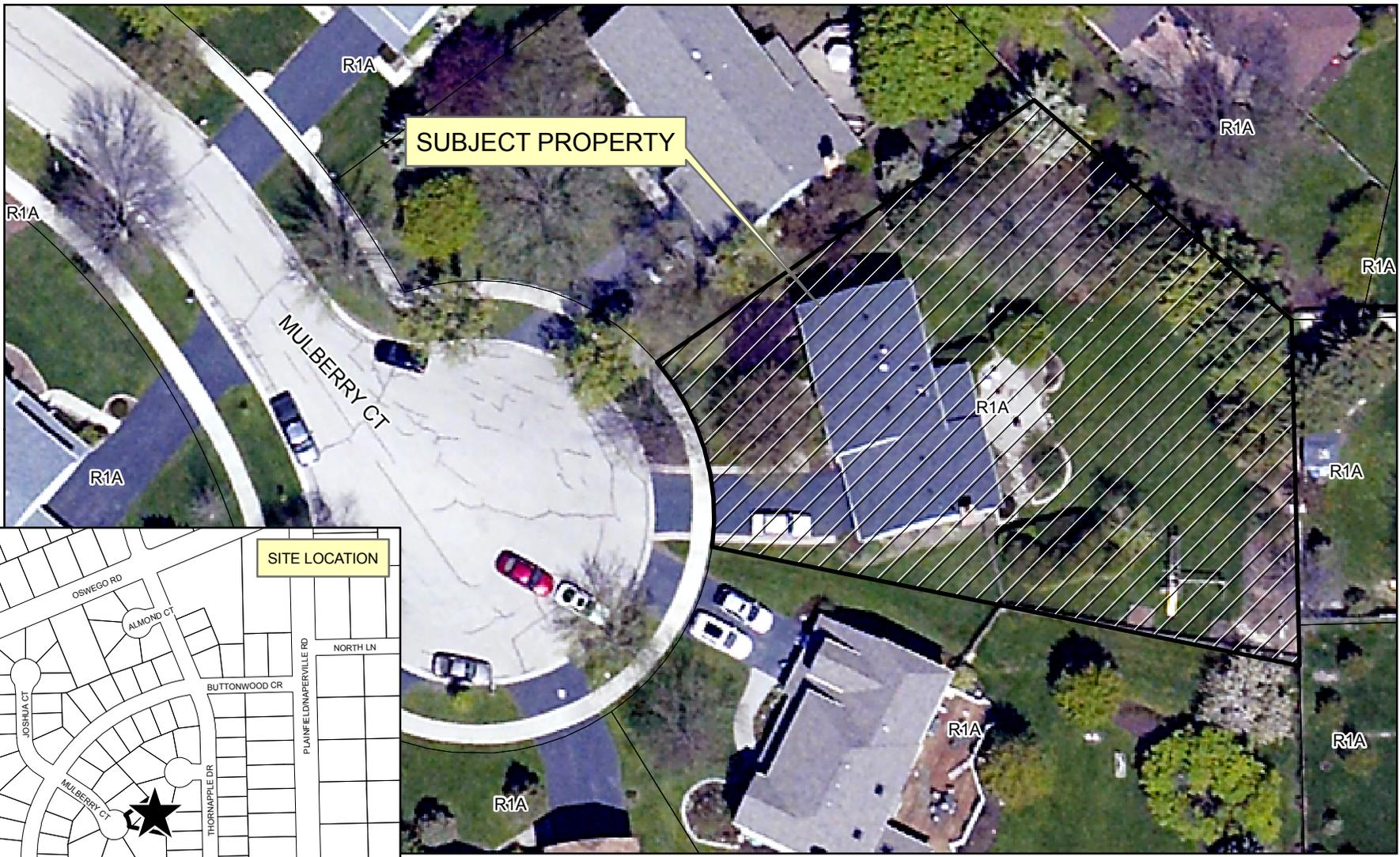
CERTIFICATION:
STATE OF ILLINOIS)
COUNTY OF KANE)

WE, RIDGELINE CONSULTANTS, L.L.C., ILLINOIS PROFESSIONAL DESIGN FIRM NO. 184-004766, DO HEREBY CERTIFY THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS WHICH AN ACCURATE TITLE SEARCH MAY DISCLOSE.

DATED AT MONTGOMERY, ILLINOIS ON JUNE 27, 2011.

STACY L STEWART
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-003415
LICENSE EXPIRES NOVEMBER 30, 2012

City of Naperville
712 MULBERRY CT.



Transportation, Engineering and
Development Business Group
Questions Contact (630) 420-6719
www.naperville.il.us
August 2011



This map should be used for reference only.
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City of Naperville assumes no liability in the use
or application of the data. Reproduction or redistribution is
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CITY OF NAPERVILLE
APPLICATION FOR A ZONING VARIANCE

ADDRESS OF SUBJECT PROPERTY: 712 Mulberry Ct Naperville IL
APPLICANT'S NAME: Benchmark Custom Homes Inc Teman Tardy
APPLICANT'S ADDRESS: 1909 Montclair Dr
CITY: Naperville STATE: IL ZIP CODE: 60565
APPLICANT'S DAYTIME PHONE: 630-494-4578
E-MAIL ADDRESS: Teman @ Barridge Construction. COM

OWNER OF PROPERTY: Doug and Gayle Hitchcock
OWNER'S ADDRESS: 712 Mulberry Ct
CITY: Naperville STATE: IL ZIP CODE: 60540
OWNER'S DAYTIME PHONE: 630-857-3108

ZONING OF PROPERTY: _____
AREA OF PROPERTY (Acres or sq ft): 16,020.4 sq ft
List Improvements on property (buildings, fences, pools, decks, etc.)
rear patio

DETAILED DESCRIPTION OF VARIANCE (include relevant Section numbers of Municipal Code; attached additional pages if needed):
encroach 30' building set back

The above information, to the best of my knowledge, is true and accurate:
Teman Tardy 8-18-11
(signature of applicant) (date)

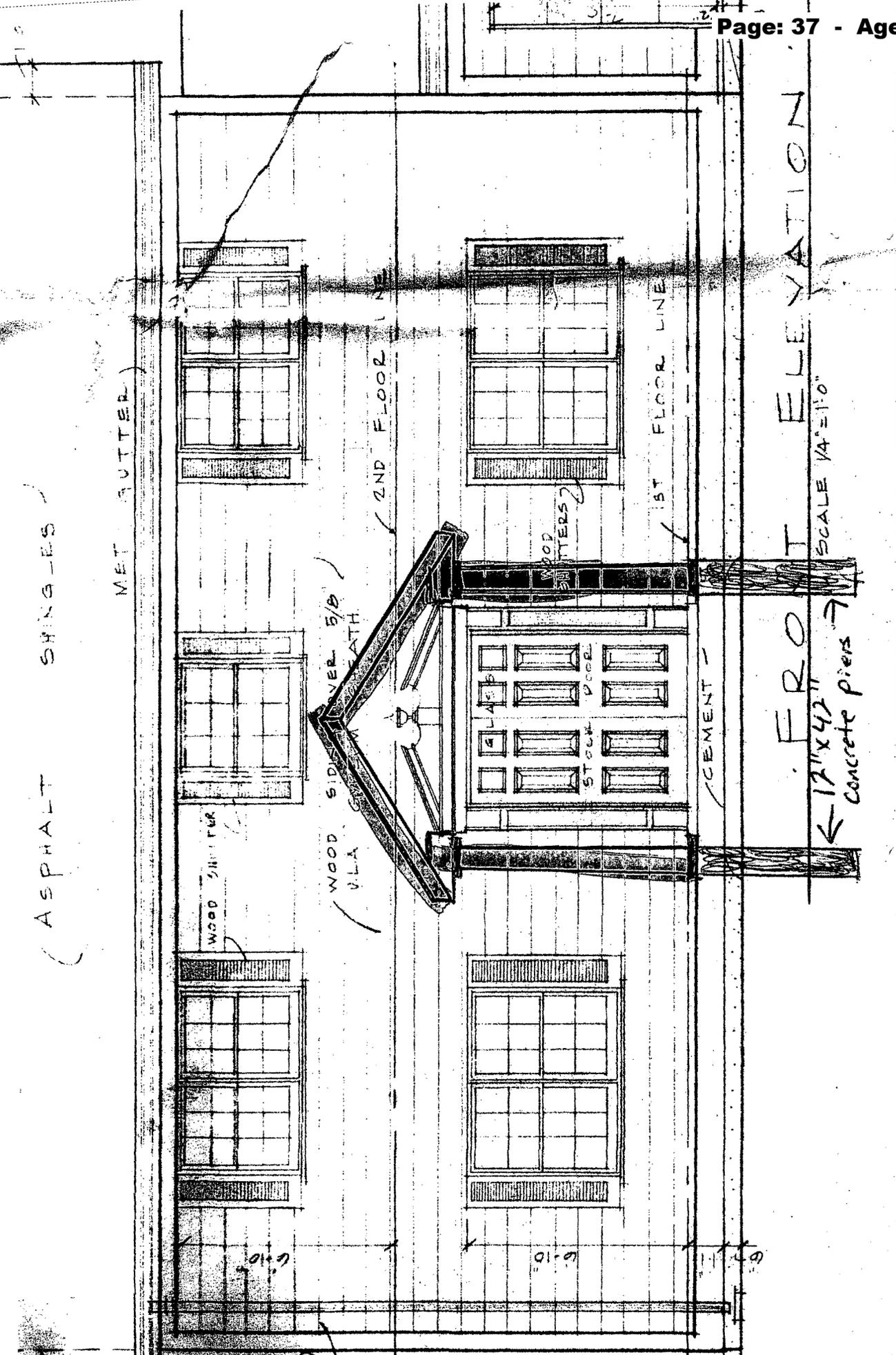
SUBSCRIBED AND SWORN TO before me this 18th day of August, 2011
Kara Sue Sanchez
(Notary Public and Seal)



EXHIBIT A

Lot 79 in Buttonwood Unit 1, being a subdivision of part of the East half of section 23, and part of the west half of section 24, township 38 north, range 9, East of the third principal meridian, according to the plat thereof recorded July 11, 1978 as document R78-62856, and certificate of correction recorded November 29, 1978 as document R78-114281 in DuPage County, Illinois. Commonly known as: 712 Mulberry Court, Naperville, IL.

Pin # 07-23-404-014



ASPHALT SHINGLES
 MET GUTTER
 WOOD SIDING
 WOOD SIDING OVER 5/8" U.L.A. GYPSUM PLATH
 2ND FLOOR LINE
 1ST FLOOR LINE
 CEMENT
 FRONT ELEVATION
 SCALE 1/4" = 1'-0"
 12" x 42" concrete piers
 PLANS FOR A NINE ROOM RESIDENCE WITH ATTACHED

Planning & Zoning Commission Meetings Schedule for 2012

Meetings held at the Municipal Center 400 S. Eagle Street in the Council Chambers 1st floor on Wednesday evenings at 7pm

| | | | | | |
|------------|-------------|--------------|------------|-------------|-------------|
| January 4 | February 8 | March 7 | April 4 | May 2 | June 6 |
| January 18 | February 22 | March 21 | April 18 | May 16 | June 20 |
| July 5* | August 8 | September 5 | October 3 | November 7 | December 5 |
| July 18 | August 22 | September 19 | October 17 | November 21 | December 19 |

*Due to the July 4 holiday

For Planning & Zoning Commission meeting information please call Sue Bertino at (630) 420-6073 or the Planner on Duty at (630) 420-6694.

