

VILLAGE OF NORTH AURORA



VILLAGE OF NORTH AURORA
KANE COUNTY, ILLINOIS

Ordinance No. 21-09-20-03

**ORDINANCE APPROVING A TEMPORARY DRIVEWAY
FOR THE PROPERTY AT 129 S. LINCOLNWAY, NORTH AURORA, ILLINOIS**

Adopted by the
Board of Trustees and President
of the Village of North Aurora
this 20 day of September, 2021

Published in Pamphlet Form
by authority of the Board of Trustees of the
Village of North Aurora, Kane County, Illinois,
this 20 day of September, 2021
by [Signature].

Signed _____

A handwritten signature in blue ink, appearing to be "CJ", written over a horizontal line.

VILLAGE OF NORTH AURORA

ORDINANCE NO. 21-09-20-03

**ORDINANCE APPROVING A TEMPORARY DRIVEWAY
FOR THE PROPERTY AT 129 S. LINCOLNWAY, NORTH AURORA, ILLINOIS**

WHEREAS, the property at 129 S. Lincolnway (identified by PIN 15-04-426-005) and the property located immediately adjacent thereto and directly to the north (identified by PIN 15-04-426-004) in the Village of North Aurora, Illinois (the "Properties"), are under common ownership by Robert J. Slaker and William P. Slaker, co-trustees of the Slaker Family Trust dated December 1, 1999 (the "Owner"); and

WHEREAS, Section 13.8.C of Title 17 (Zoning) requires all off-street parking areas to be improved with a hard surface; and

WHEREAS, the Owner of the Properties is requesting temporary use of a gravel driveway for twelve (12) months on the Properties; and

WHEREAS, the Owner has historically utilized a gravel pad on the 129 S. Lincolnway property for parking purposes on the Illinois Route 31 right-of-way/parkway immediately adjacent to the west of the Properties (the "Parkway"); and

WHEREAS, said gravel parking pad on the Parkway will no longer be accessible due to the installation of a pedestrian sidewalk that is scheduled to be constructed in the Parkway; and,

WHEREAS, Section 11.3 of Title 17 (Zoning) describes the qualifications and criteria for the granting of temporary uses that are not listed as permitted temporary uses, and driveway is not considered a permitted temporary use; and

WHEREAS, temporary use requests that are not listed as permitted uses must be approved the Board of Trustees and must be consistent with the purpose and intent of the Zoning Code in the District in which the property is located; and

WHEREAS, granting a temporary use for a temporary driveway is consistent with the historic use of the area and, therefore, is deemed by the President and Board of Trustees consistent with the purpose and intent of the Zoning Code.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of North Aurora, Kane County, Illinois, as follows:

1. The recitals set forth above are adopted and incorporated herein as the material and significant findings of the President and the Board of Trustees as if fully stated herein.
2. The request for approval of the Properties for a temporary gravel driveway for a period of time not to exceed twelve (12) months from the date of September 20, 2021, is hereby approved. The temporary driveway plan shall be subject to the approval of the Village Engineer.

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3. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance or any part thereof is for any reason held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance, or any part thereof. The Village Board of Trustees hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that anyone or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

4. This Ordinance shall take immediate full force and effect from and after its passage, approval, publication and such other acts as required by law.

Presented to the Board of Trustees of the Village of North Aurora, Kane County, Illinois, this 20th day of September, 2021, A.D.

Passed by the Board of Trustees of the Village of North Aurora, Kane County, Illinois, this 20th day of September, 2021, A.D.

Mark Carroll

Laura Curtis

Mark Guethle

Michael Lowery

Todd Niedzwiedz

Carolyn Bird-Salazar

Approved and signed by me as the President of the Board of Trustees of the Village of North Aurora, Kane County, Illinois, this 20th day of September, 2021, A.D.


Village President, Mark Gaffino

ATTEST:


Village Clerk, Jessi Watkins