



## Legislation Details (With Text)

**File #:** 21-0322      **Version:** 2      **Name:** William Lahvic / 542 S. Elmwood Drive / Annexation  
**Type:** Ordinance      **Status:** Passed  
**File created:** 4/30/2021      **In control:** City Council  
**On agenda:** 5/25/2021      **Final action:** 5/25/2021

**Title:** An Ordinance Annexing the Property Located at 542 South Elmwood Drive to the City of Aurora, Illinois, 60506.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit "A" - Legal Description - 2021-04-30 - 2021.121, 2. Exhibit "B" Annexation Plat - 2021-04-30 - 2021.121, 3. Exhibit "C" - District Mailing Affidavit and Letter - 2021-05-06 - 2021.121, 4. Land Use Petition and Supporting Documents - 2021-04-30 - 2021.121, 5. Property Research Sheet - 2021-05-06 - 2021.113, 6. City Water Connections - 542 S Elmwood - 2021-05-13 - 2021.121

Date	Ver.	Action By	Action	Result
5/25/2021	2	City Council	approved on the Consent Agenda	
5/18/2021	2	Committee of the Whole	(PLACED ON CONSENT AGENDA)	
5/12/2021	2	Building, Zoning, and Economic Development Committee	recommended for approval	Pass

**TO:** Mayor Richard C. Irvin

**FROM:** Steve Broadwell, Planner

**DATE:** May 6, 2021

**SUBJECT:**

An Ordinance Annexation Property Located at 542 South Elmwood Drive to the City of Aurora, Illinois, 60506 (William Lahvic - 21-0322 / AU28/1-21.121-A - SB - Ward 4)

**PURPOSE:**

The Petitioner, William Lahvic, is requesting the Annexation of approximately .20 acres located at 452 South Elmwood Drive with an R-1, One Family Dwelling District.

**BACKGROUND:**

The Subject Property is located at 542 South Elmwood Drive and is a single-family dwelling in Unincorporated Kane County. The property is contiguous to incorporated Aurora along its southern property line. Additional information regarding the legislative history of the property can be found in the attached Property Research Sheet.

The Petitioner, William Lahvic, is requesting the Annexation of approximately .20 acres to be incorporated per the R-1, One Family Dwelling District so that the structure can connect to City water.

**DISCUSSION:**

Staff has reviewed the Annexation petition and have sent comments back to the petitioner on those submittals. The petitioner has made the requested revisions to these documents and they now meet the applicable codes and ordinances.

**POLICIES AND GUIDELINES:**

The Staff's evaluation and recommendation are based on the following Physical Development guidelines:

- 11.1 (5): To guide and promote development to areas where public utilities, public roads, and municipal services are either available or planned.

**RECOMMENDATIONS:**

Staff would recommend APPROVAL of the ordinance annexing the property located at 542 South Elmwood Drive to the City of Aurora, Illinois, 60505.

**ATTACHMENTS:**

- Exhibit "A" Legal Description
- Exhibit "B" Plat of Annexation
- Exhibit "C" Affidavit and Annexation Notification List
- Land Use Petition with Supporting Documents
- Property Research Sheet

Legistar Number: 21-0322

cc:

- Alderman Michael B. Saville, Chairman
- Alderman Sherman Jenkins, Vice Chairman
- Alderman Carl Franco, Member
- Alderman Juany Garza, Member



CITY OF AURORA, ILLINOIS

ORDINANCE NO. \_\_\_\_\_  
DATE OF PASSAGE \_\_\_\_\_

An Ordinance Annexing the Property Located at 542 South Elmwood Drive to the City of Aurora, Illinois, 60506.

WHEREAS, the City of Aurora has a population of more than 25,000 persons and is, therefore, a home rule unit under subsection (a) of Section 6 of Article VII of the Illinois Constitution of 1970; and

WHEREAS, subject to said Section, a home rule unit may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals, and welfare; and

WHEREAS, by petition dated April 30, 2021, the above-named owner petitioned the City of Aurora to annex the real property legally described on said Exhibit "A" to the City of Aurora, in accordance with the provisions of Section 7-1-8 of the Illinois Municipal Code (65 ILCS(1994) 5/7-1-8); and

WHEREAS, the above-named party, as owner of record of the real estate legally described on said Exhibit "A", requested that the property be zoned pursuant to the provisions of Ordinance Number 3100, being the Aurora Zoning Ordinance and the Zoning Map attached thereto; and

WHEREAS, the corporate authorities of the City of Aurora have determined that the property is contiguous to the City of Aurora and is not within the corporate limits of any other municipality and that the petition in all other respects conforms to the requirements of law; and

WHEREAS, due statutory notice has been given to those entities listed in the affidavit and Annexation Notification List attached hereto as Exhibit "C", being the County and City Election Commissions, County Auditor, Township Board, Township Highway Commissioner, any Fire Protection District and any Public Library District in which the real property legally described on said Exhibit "A" is located.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Aurora, Illinois, as follows:

Section One: That the City Council of the City of Aurora, Illinois finds as fact all of the preamble recitals of this Ordinance.

Section Two: That this Ordinance shall be in full force and effect, and shall be controlling, upon its passage and approval.

Section Three: That all Ordinances or part of Ordinances in conflict herewith are hereby repealed insofar as any conflict exists.

Section Four: That any section, phrase or paragraph of this Ordinance that is construed to be invalid, void or unconstitutional shall not affect the remaining sections, phrases or paragraphs of this Ordinance which shall remain in full force and effect.

Section Five: That the real estate described on Exhibit "A", attached hereto and incorporated herein by reference as if fully set forth, be, and the same is hereby annexed to the City of Aurora, Illinois.

Section Six: That the property to the far side of any adjacent public right-of-way within said annexed area, and the same is, hereby also annexed to the City of Aurora, Illinois.

Section Seven: That the corporate limits of the City of Aurora, and the same are, hereby extended to include the territory hereby annexed to the City of Aurora, Illinois.

Section Eight: That the real estate legally described on said Exhibit "A" is hereby placed in the R-1 One-Family Dwelling District zoning classification of Ordinance Number 3100, being the Aurora Zoning Ordinance and the Zoning Map attached thereto, pursuant to Section 3.2-8 of said Ordinance.

Section Nine: That the City Clerk of the City of Aurora is hereby authorized and directed to file with the applicable County Recorder of Deeds a certified copy of the Ordinance, together with an accurate plat of the territory annexed, which plat shall be certified as to its correctness and attached hereto as

Exhibit "B".