



## Legislation Details (With Text)

**File #:** 21-0237      **Version:** 2      **Name:** Fernando M. Espejel / 39W379 Prairie Street / Annexation  
**Type:** Ordinance      **Status:** Passed  
**File created:** 4/1/2021      **In control:** City Council  
**On agenda:** 4/27/2021      **Final action:** 4/27/2021  
**Title:** An Ordinance Annexing Property located at 39 W 579 Prairie Street to the City of Aurora, Illinois, 60506

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Land Use Petition and Supporting Documents - 2021-03-31 - 2021.084, 2. Exhibit "B" - Plat of Annexation

| Date      | Ver. | Action By  | Action                         | Result |
|-----------|------|--|--------------------------------|--------|
| 4/27/2021 | 2    | City Council   | approved on the Consent Agenda |        |
| 4/20/2021 | 2    | Committee of the Whole                               | (PLACED ON CONSENT AGENDA)     |        |
| 4/14/2021 | 2    | Building, Zoning, and Economic Development Committee | recommended for approval       | Pass   |

**TO:** Mayor Richard C. Irvin

**FROM:** Jacob Sodaro, Associate Planner

**DATE:** April 7, 2021

**SUBJECT:**

An Ordinance Annexing property located at 39 W 579 Prairie Street to the City of Aurora, Illinois, 60506 (Fernando Espejel - 21-02347 / SG25/1-21.084-A - JS - Ward 5)

**PURPOSE:**

The Petitioner, Fernando Espejel, is requesting the annexation of 0.79 acres of land located at 39 W 579 Prairie Street

**BACKGROUND:**

The Subject Property is currently located in Unincorporated Kane County. The lot is approximately 0.79 acres and has an existing single-family home on the property.

The Petitioner is requesting the annexation of .79 acres for the subject property located at 39 W 579 Street. The subject property is contiguous to the City of Aurora's boundaries on its Eastern border. Along with the annexation, the petitioner is required to dedicate 6,200 sq. ft. for public right-of-way.

**DISCUSSION:**

Staff has reviewed the Annexation petition and have determined that it meets the applicable codes and ordinances.

## **POLICIES AND GUIDELINES:**

- 11.0 To guide the growth of the City in an orderly and structured manner.
- 22.1 (1) To achieve appropriate zoning protection for residential areas designated in the land use plan.
- 22.1 (2) To protect designated areas of existing conventional single-family development from inappropriate highly intensive land uses.

## **RECOMMENDATIONS:**

Staff would recommend APPROVAL of An Ordinance Annexing property located at 39 W 579 Prairie Street to the City of Aurora, Illinois, 60506

## **ATTACHMENTS:**

Exhibit "A" Legal Description  
Exhibit "B" Plat of Annexation  
Exhibit "C" Annexation District Mailing Letter

cc: Alderman Michael B. Saville, Chairman  
Alderman Sherman Jenkins, Vice Chairman  
Alderman Carl Franco, Member  
Alderman Robert J. O'Connor, Member  
Alderman Juany Garza, Member



## CITY OF AURORA, ILLINOIS

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

An Ordinance Annexing Property located at 39 W 579 Prairie Street 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, Fernando Espejel is the owner of record of the real estate legally described on Exhibit "A", attached hereto and incorporated herein by reference as if fully set forth, and hereafter referred to as Exhibit "A"; and

WHEREAS, by petition dated March 31, 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-1" 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".