

PROJECT DESCRIPTION

The property that is the subject of this Development Petition is .20 acres located at 557 S. Washington Street, Naperville, IL, DuPage County (“Property”). The Property is located on the west side of Washington St. and is now zoned TU. The Property is improved with one single- family residence.

The Petitioner is DJK Custom Homes, Inc., the sole property owner and the developer.

The properties surrounding the subject Property are incorporated into the City of Naperville, and are a mix of land uses:

- primarily commercial/service along the west side of Washington St., zoned TU and OCI;
- primarily office along the east side of Washington St., zoned OCI and B5
- and a mix of residential uses immediately to the west of the Property, zoned R2.

The City’s Master Land Use Plan designates the land uses of these areas accordingly, and the Property as “City Corridor” which accommodates the proposed use.

RESPONSE TO ZONING STANDARDS

DJK Custom Homes, as petitioner, seeks approval of the following zoning variances and deviations.

1. a zoning variance from Section 6-9-3:4.3 (required side yard 5’ setback) to allow a new 20’ two-way commercial driveway at a setback averaging approximately 2.35’;
2. a zoning variance from Section 6-2-10:5 to allow 918 S.F of parking facilities to occupy more than 25% (64.4%) of the required 1,425 S.F rear yard.

ZONING

- **zoning variance from Section 6-9-3:4.3 requiring a 5’ south side yard setback to allow a new 20’ two-way commercial driveway at a setback averaging approximately 2.35’**

6-3-6:2 - Standards For Variances:

1. The variance is in harmony with the general purpose and intent of Title 6 and the adopted comprehensive master plan.

The TU zoning district is intended to serve as a transitional area between a low-density residential neighborhood and other more intensive uses, such as the proposed low intensity office/service that is being designed in a manner that is compatible with the adjacent residential neighborhood to the west. The proposed redevelopment of the existing, aged, residential structure for a modernized professional service having handicapped accessibility on the north, and a two-way commercial driveway on the south at less than a 5' side yard setback is consistent with neighboring TU land uses and the City's land use plans in its Comprehensive Plan.

2. Strict enforcement of Title 6 would result in practical difficulties or impose exceptional hardships due to special and unusual conditions which are not generally found on other properties in the same zoning district.

Strict enforcement of Title 6 would result in practical difficulties and would impose exceptional hardships due to the small residential lot size and existing non-conforming structure - which are not generally found on other properties in the same TU zoning district that does not impose minimum lot area or width. The TU zoning district is intended to serve as a *transitional area* between a low-density residential neighborhood and other more intensive uses, such as the proposed low intensity office/service, which is being designed in a manner that is compatible with TU zoning standards and the adjacent residential neighborhood to the west.

Still, strict enforcement of Title 6 for this property would result in practical difficulties and impose exceptional hardships due to the parcel's minimal size with non-conforming existing structures, frontage along arterial Washington St. making it practically impossible to comply with commercial driveway standards, and a 5' side yard setback.

3. The variances, if granted, will not alter the essential character of the neighborhood and will not be a substantial detriment to adjacent property.

The grant of the 5' side yard variances will bring the Property more in line with the transitional uses in the neighborhood. The variance, if granted, will be a significant improvement to the neighborhood, by bringing the Property's land use and site improvements into substantial conformity with City zoning, land use plan, and other codes. This variance, if granted, will not alter the essential character of the mixed-use neighborhood; or pose a threat to the public health, safety, or welfare; and the minor, 5' side yard setback variance, if granted, will not be a detriment to adjacent property.

- **zoning variance from Section 6-2-10:5 to allow 918 S.F of parking facilities to occupy more than 25% of the required rear yard**

6-3-6:2 - Standards For Variances:

1. The variance is in harmony with the general purpose and intent of Title 6 and the adopted comprehensive master plan.

The TU zoning district is intended to serve as a transitional area between a low-density residential neighborhood and other more intensive uses, such as the proposed low intensity office/service that is being designed in a manner that is compatible with the adjacent residential neighborhood to the west. The proposed redevelopment of the existing, aged, residential structure for a modernized professional service meeting commercial off-street parking requirements, and having handicapped accessibility and a two-way commercial driveway is consistent with neighboring TU land uses and the City's land use plans in its Comprehensive Plan.

2. Strict enforcement of Title 6 would result in practical difficulties or impose exceptional hardships due to special and unusual conditions which are not generally found on other properties in the same zoning district.

Strict enforcement of Title 6 would result in practical difficulties and would impose exceptional hardships due to the small residential lot size, and existing non-conforming structures - which are not generally found on other properties in the same TU zoning district which does not impose minimum lot area or width. The Subject property is located along arterial Washington Street with close proximity to Porter Avenue. The TU zoning district is intended to serve as a *transitional area* between a low-density residential neighborhood and other more intensive uses, such as the proposed low intensity office/service which is proposed to be designed in a manner that is compatible with TU zoning standards and the adjacent residential neighborhood to the west.

Still, strict enforcement of Title 6 for this property would result in practical difficulties and impose exceptional hardships due to the parcel's minimal size with non-conforming existing structures, and frontage along arterial Washington St., making it practically impossible to comply with commercial off-street parking *and* rear yard open space requirements. These special and unusual conditions are not generally found on most other properties in the TU zoning district.

3. The variances, if granted, will not alter the essential character of the neighborhood and will not be a substantial detriment to adjacent property.

The grant of the rear yard variance will bring the Property more in line with the transitional uses in the neighborhood. The variance, if granted, will be a significant improvement to the neighborhood, by bringing the Property's land use and site improvements into substantial conformity with City zoning, land use plan, and other codes. This variance, if granted, will not alter the essential character of the mixed-use neighborhood; or pose a threat to the public health, safety, or welfare; and of the rear yard variance, if granted, will be no detriment to adjacent property. Rather, the grant of the requested variance will promote the eventuality of cross access with adjacent properties - a City objective.

Included with the Site Engineering Plan is a reciprocal cross-access easement that will promote site access for not only the Property, but also the other TU parcels along this block of Washington Street.