

use to complement surrounding residential and commercial areas. Therefore, the requested zoning complies with the policies and plans of the City.

2. *The trend of development in the area of the subject property is consistent with the requested amendment; and*

The trend of development in the area of the subject property is a mix of commercial and single-family residential uses. The subject property, as a daycare facility, will help to buffer the residential properties from the commercial properties along the Ogden Avenue/Naper Boulevard corridor.

3. *The requested zoning classification permits uses which are more suitable than those permitted under the existing zoning classification; and*

The requested zoning classification of OCI is consistent with the commercial and residential zoning in the area. Providing low-impact, institutional uses near residential uses provides a buffer from the commercial uses to the residential properties. These low-impact, institutional uses are beneficial to the residents in that they are very near the services that aid in their daily activities. The existing zoning classification is R-3, Single Family Residential, in DuPage County. The requested zoning classification of OCI provides for office and institutional uses which will buffer residential properties from the Ogden Avenue commercial corridor and is more suitable than R-3 zoning in DuPage County.

4. *The subject property has not been utilized under the existing zoning classification for a substantial period of time; and*

While the Subject Property is currently zoned R-3, Single Family Residential, in DuPage County, it remains vacant and has not been used as residential property in DuPage County for a substantial period of time. The zoning of OCI will enable the Petitioner to develop the vacant property into a functional daycare facility which will be useful to the residents in the area in need of such a facility and eliminate a vacant parcel.

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

This portion of the City has developed with predominantly commercial uses and the essential character of the neighborhood is commercial in close proximity to residences. The OCI zoning classification would be consistent with the existing uses in the area, would provide a buffer to the residential uses, would not alter the essential character of the neighborhood, and would not be a detriment to the adjacent properties. In fact, the proposed use as a daycare center will be in harmony with the existing character of the neighborhood with a mix of commercial and residential uses and will be an improvement over a vacant lot which provides no benefit to the neighbors or the community.

K. That the requested variance of the Subject Property satisfies the requirements for zoning variances and is appropriate based on the following factors:

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

When the property was platted as a residential subdivision in DuPage County in the 1950's,

a thirty foot (30') building line on Tuthill Road was platted. In order to meet the 30' building line requirement, the daycare center building has to be pushed to the East on the Subject Property. In order to accommodate the required number of parking spaces for the daycare center pursuant to the Naperville Code, parking is necessary in the platted 30' front yard. Therefore, the variances to allow parking in the front yard will be in harmony with the general purpose and intent of the Code and the comprehensive plan.

2. *Strict enforcement of this Title 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; and*

The unique requirements of the plat for the Subject Property of requiring a 30 foot building line on Tuthill Road and a roadway easement along Naper Boulevard impose practical difficulties on the site which are not caused by the Petitioner or Owner. The proposed daycare facility needs to allow for the roadway easement on the East and the building line on the West, creating practical difficulties in siting the facility with the required parking. With the 30 foot building line, the ability to allow parking in what is called the front yard, on the West side of the proposed building, will allow the facility to be sited on the Subject Property with the required number of parking spaces. The Petitioner will construct the landscape buffers requested by City Staff to provide a visual screen along the front of the property.

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

This variance of allowing parking in the front yard will not alter the essential character of the neighborhood. The parking lot will be shielded from public view by the daycare facility building to the East and landscaped buffers to the West. Therefore, the requested variance will not be a substantial detriment to adjacent property but will actually enhance the neighborhood by providing a low-impact daycare center to transition from commercial uses along Ogden Avenue to residential uses.