

Response to Standards

2255 Lotus Court, Naperville, IL 60565

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

The requested deviation from the zoning code is decreasing the required rear yard from 20' to 15'. This decrease will allow the owner to create an outdoor living space (deck) with enough area to have a table to seat their family and have space to walk around the table.

The overall intent of the zoning code would certainly be maintained if granted this variance. It's assumed that this provision was created to prevent homeowners from creating massive exterior deck spaces that consume the entire rear yard and encroach on their neighbor's views. In other words, it prevents residents from building structures that would negatively impact their neighbors.

This requested deviation would have virtually no impact on the neighboring properties. This property has so many mature trees on the rear utility easement that seeing the rear neighbor's property in the summer is difficult. Their cul-de-sac lot placement makes it such that either side neighbor has very little view of the subject property's back yard as it is.

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.

The nature of the cul-de-sac lot can make it desirable to homeowners and builders. It typically makes for a larger and deeper property giving the homeowner more space behind their home. This particular lot is cut flat in the back and does not have near as much distance to the lot line as any other property on this cul-de-sac. This condition makes it such that the rear yard setback is only 27" from the back of the house to begin with. The provision that allows for an additional 10' with deck construction is helpful but 12' of space is not enough to fit a table and chairs of any consequence.

The mature trees on the property limit our arrangement and size of the deck even further. Obviously, we would like to maintain those trees and create a deck space that can best serve our needs. The area of encroachment for this deck would only be about 70 square feet. This bump out into the required rear yard allows us to create the table seating space needed.

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

We cannot see how 70 additional square feet is any detriment to the neighborhood. It is unlikely that any of their neighbors will be able to notice the size difference between their existing deck and this new layout. Even seeing their deck from the neighbor's yards is difficult. The essential character of the neighborhood will easily be maintained (or even enhanced) by this renovated & enlarged space.

