

# Petition for Zoning Variance

## Exhibit 1: Section 6-3-6.2: Standards for Granting a Zoning Variance

Address of Subject Property: 203 S Columbia St, Naperville, IL 60540

Parcel identification number (PIN): 08-18-413-001

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

Summary: It is noted that in Title 6 Zoning Regulations, the first objective of 6-1-2 Purpose and Intent is to “lessen congestion on the public streets”, which is best served by providing off street parking spaces. Further, providing parking at the back of the property is demonstrably a compatible use of the alley which is clearly intended to provide for such access. Further, the parking space will replace a worn and unattractive pathway along the side of the garage, enhancing both the visual appeal and value of the property.

Examining each of the objectives outlined in 6-1-2 individually:

#	Description	Comment
1	To lessen congestion on the public streets.	Provision of the auxiliary parking space will remove the need for overnight parking of cars on the street or in the rear yard, maintaining compliance with Ordinance No. 22-067
2	To avoid undue concentration of population.	The number of residents at 203 S. Columbia St. will not be increased by the addition of the auxiliary parking space.
3	To prevent the overcrowding of land, thereby insuring proper living and working conditions and preventing the development of blight and slums.	The number of residents at 203 S. Columbia St. will not be increased. The addition of the parking space will improve both the visual appeal and value of the property. It is noted that the residence at 203 S. Columbia is a relatively new construction from 2014 and replaced a previous house that was in poor condition. The auxiliary driveway will be in keeping with the character and quality of the current house.
4	To establish adequate standards for the provision of light, air and open spaces.	The auxiliary parking space will be uncovered, leaving the provision of light, air and open spaces unchanged.
5	To facilitate the provision of adequate public services such as transportation, water, sewerage, open space and parks.	There is no impact to public services.

6	To zone all properties with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City.	The property 203 S Columbia St will remain a residential property, with the improvements made through the addition of the auxiliary parking space enhancing the visual appeal and value of the land.
7	To protect all areas alike from harmful encroachment by incompatible uses and to insure that land allocated to a class of uses shall not be usurped by inappropriate uses within the parameters of the standards and requirements of this Title.	An auxiliary parking space is an established use of residential property. Access to the auxiliary space shall be via the alley at the rear of the property, demonstrably a compatible use of the alley which is clearly intended to provide for such access. There is no harmful encroachment, no incompatible use of the property or any inappropriate use. See also objective #9 below for details on compliance with the standards and requirements.
8	To avoid the inappropriate development of lands and provide for adequate drainage, curbing or erosion, and reduction of flood damage.	The property at 203 S Columbia St slopes from the North West corner down to the South East corner. Drainage of the rear yard flows along the North side of the garage, between the garage and house and along the South side of the property where a swale was installed during construction of the house for this purpose. Adding the auxiliary parking space along the North wall of the garage will not negatively impact current levels of drainage, curbing or erosion. It is further noted that the existing path along the North side of the garage that will be replaced by the auxiliary parking space is uneven and does not drain well, an issue that will be improved by the addition of the auxiliary parking space.
9	To fix reasonable standards to which buildings and structures shall conform.	The construction of the parking space will conform to the standards described in 6-9 and with the exception of the variance sought by these documents, in particular with regard to 6-9-2:4 (residential yard requirements), 6-9-2:5 (access via alley), 6-9-2:11 (approved surfaces) and 6-9-2:12 (residential driveway design).
10	To prevent such additions to, and alterations or remodeling of, existing buildings or structures as would not comply with the restrictions and limitations imposed herein.	With the exception of the variance sought for the area of the required rear yard to be occupied by the auxiliary parking space, the space shall be in full compliance with all restrictions and limitations.
11	To foster a more rational pattern of relationship between residential, business and industrial uses for the mutual benefit of all.	As the proposed auxiliary parking space is entirely within the bounds of the residential property, there is no impact to the pattern of relationships with other zones.
12	To isolate or control the location of unavoidable nuisance-producing uses.	The proposed auxiliary parking space is a regular and common use of many residential properties in Naperville and is not nuisance-producing.

13	To define the powers and duties of the administrative and enforcement officers and bodies.	The petitioner requests this variance be granted by the appropriate administrative bodies.
14	To prescribe penalties for any violation of the provisions of this Title, or of any subsequent amendments hereto.	No penalty shall be applicable as a result of the variance granted by this application.

***Standard 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***

As noted above, it is not possible to add access for parking from other points on the property due to the presence of trees, busy intersections and power equipment. Attempting to do so would violate other ordinances including location as specified in 6-9-2:4 (residential yard requirements), 6-9-2:5 (access via alley).

As such, there is no other practical option for placing an auxiliary parking space except the proposed location adjacent to and on the North side of the existing garage.

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

The neighborhood in which 203 S Columbia is located has seen many improvements to residences, additional structures and landscaping over the past decade. Many new houses have been built, multiple lots have been combined into one property and many properties have had landscaping improvements made to them. The residence at 203 S Columbia was designed to fit in with the neighborhood and to grow both itself and surrounding properties in value.

When the residence at 203 S Columbia was demolished and constructed anew, the existing garage, driveway and surrounding pathway from the original property were kept "as is". The quality and character of these are less than the new construction but the addition of the auxiliary parking space will provide enhancements in both visual appeal and value.

It is further noted that many other properties in the neighborhood already exceed the allowed square footage. In particular, as the screenshot from Google maps below shows, all other properties that back onto the same alley as 203 S Columbia already cover the majority of their required rear yard with driveways and garages. Those that do not have sufficient driveway and/or garage are observed to regularly park cars on their yard or gravel.

