

STANDARDS FOR GRANTING A ZONING VARIANCE

The variance is in harmony with the general purpose and intent of the Zoning Regulations and the adopted comprehensive master plan.

Guiding Principle #1 of the Land Use Master Plan is to ensure that “housing is diverse, responsible to community needs, and accessible to everybody”. The Plan states that “protecting and reinforcing the quality of housing is critical to supporting Naperville’s neighborhoods”. In furtherance of Guiding Principle #1, the purpose of the Zoning Regulations is to improve and protect the public health, safety, comfort, convenience and general welfare of the people. To fulfill this purpose, one of the objectives is to provide adequate light, air and open spaces. Based on this objective, the Zoning Regulations provide for minimum setback requirements. The variances requested by the Petitioner support and maintain this Guiding Principle and objective.

The house is approximately sixty years old. When it was built, a single-car garage was considered adequate. But, as people’s transportation needs have changed over the past several decades, a two-car garage is now necessary. The proposed garage will improve and maintain the quality of housing in this neighborhood thereby being consistent with Guiding Principle #1 of the Land Use Master Plan.

The reduction in the corner side yard setback and the rear yard setback will not materially impact the provision light, air and open space. The current garage encroaches 12.76 feet into the Triton Lane setback. The proposed garage will encroach an additional six feet into the Triton Lane setback. It should be noted that the depth of the encroachment decreases along the width of the garage due to the angle of the house/garage on the lot. The rear yard setback is adjacent to the neighboring lot’s front yard setback. The width of the new driveway must be maintained as shown on the Plat of Survey in order to provide access to the garage. Adequate light, air and open space will be provided thereby keeping with the purpose and intent of the Zoning Regulations.

Strict enforcement of the Zoning Regulations 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.

There are three unusual conditions of this property which are not generally found on other residential properties:

- The rectangular shape of the lot is not traditional. The length of the north/south lines of the lot are different.
- The house/garage is sited on an angle and at the narrow end of the lot.
- The house/garage does not comply with the RIA setback requirements and encroaches into the corner side yard setback.

These factors preclude the ability to expand the house/garage, which is a hardship. The Petitioner desires to upgrade the Subject Property and bring it to current housing standards by constructing a two-car garage.

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

The Subject Property is located in an older established single-family detached residential neighborhood. The subdivision was created in 1960 and the homes located in the neighborhood date from the 1960's. Due to the age of the neighborhood, many of the homes have been renovated and additions have been constructed. This proposed garage reconstruction will be consistent with the improvements made to other homes in the neighborhood. Due to its location on a corner lot and the orientation of the adjacent lots, the proposed garage will not negatively impact the view or open space of the neighboring properties.