

STATE OF ILLINOIS)
)
COUNTY OF DUPAGE)
)
CITY OF NAPERVILLE)

**PETITION TO THE NAPERVILLE CITY COUNCIL AND PLAN COMMISSION TO
GRANT A VARIANCE AT 1520 N. LOOMIS STREET**

THE UNDERSIGNED Petitioner, William Buchar and Sonia Buchar (hereinafter “the Petitioner”) respectfully petitions the City of Naperville (the “City”) to (i) approve a zoning variance from the R1A rear yard setback requirement; and (ii) such other relief from the City of Naperville Municipal Code (the “Code”) as may be deemed necessary and appropriate to facilitate a connection of the existing detached garage to the home located on the property commonly known as 1520 N. Loomis Street, Naperville, Illinois, and legally described on Exhibit A (the “Property”).

In support of this Petition, the Petitioner represents to the City as follows:

1. The Owner of the Property is William Buchar and Sonia Buchar (“Owner”). The Property is zoned R1A PUD in the City of Naperville and consists of three (3) lots totaling approximately 1.776 acres, or 77,368 square feet.

2. The Property is improved with a two-story residence, detached garage, and certain accessory structures.

3. The home on the Property was originally built in 1904 and is known as the “Bauer Mansion”.

4. Owner is seeking to connect the existing detached garage to the existing home located on the Property.

5. The existing land uses surrounding the Property are as follows:

- a. North: R1A PUD single family residential
- b. East: R1A PUD single family residential
- c. South: R1A PUD single family residential
- d. West: R1A Jefferson Junior High School

6. The rear yard setback in the R1A zoning district is 30 feet.
7. The existing detached garage is currently setback approximately 24 feet from the rear Property line.
8. Petitioner seeks to maintain the historic character of the Bauer Mansion and now requests a variance from the City of Naperville to permit the existing detached garage to remain in its current location and to be connected to the existing residence.

ZONING VARIANCE FROM THE REQUIRED 30' REAR YARD SETBACK

9. The variance request is appropriate based on the following factors:
 - a. *The variance is in harmony with the general purpose and intent of this Title and the adopted comprehensive plan.*

The purpose and intent of the R1A District is to provide single-family areas of low density character with lots containing a minimum of 10,000 square feet. By way of granting the requested variance, there will be no changes to the low density character of the area or the overall 77,368 square foot lot size, which well exceeds the district's minimum of 10,000 square feet. In addition, existing residence and detached garage predates the City's zoning ordinance and rear yard setback requirements. The purpose of the required rear yard setback is to provide for a consistent distance from the property line to ensure there is a cohesive neighborhood. However, the historic residence and garage were constructed well before these requirements were established and prior to the existence of the homes surrounding the Property. Therefore, granting the variance will allow the Petitioner to keep the integrity and design of the historic Bauer Mansion by allowing garage to remain in its current location. The same will remain in harmony with the general purpose and intent of the R1A district. In addition, all proposed improvements will be constructed in the rear of

the Property, which will not alter the exterior architectural appearance of the historic home from the public street, in line with the City's Historic Preservation Ordinance.

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

Petitioner seeks to construct a breezeway connection between the existing detached garage and the 2-story residence. This improvement will help address a current hardship Petitioner faces with elderly parents and in-laws making their way into the home from the garage, especially in adverse weather conditions. In addition, requiring the Petitioner to demolish the existing detached garage and reconstruct a new garage a mere 6' further away from the rear property line to conform to the 30-foot rear yard setback would create an exceptional hardship. The home and garage were constructed nearly 120 years ago and certainly prior to any surrounding properties. The current condition of the garage being setback approximately 24' from the rear property line creates a legal non-conforming set of circumstances. However, Petitioner seeks to improve upon the existing conditions by way of connecting the home to the garage to provide for a more accessible means to and from the garage/residence. Strict enforcement of the Code would require the Petitioner to demolish and remove the entire garage and construct a new garage 6 feet west of its current location and within the R1A required setbacks. The removal and reinstallation of the garage which the Petitioner seeks to retain would cause an exceptional hardship and practical difficulties to Petitioner.

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

The home and garage were erected on the Property prior to the existence of any nearby homes. With this in mind, the adjacent residents purchased the land or homes north,

south, and east of the Property under the current conditions and the current configuration of the Petitioner's garage. Accordingly, the location of the garage on the Property has not caused a substantial detriment to the adjacent properties. In addition, granting the variance will not alter the essential character of the neighborhood. In fact, granting the variance will allow the Petitioner to keep the existing garage in its current location, which will maintain the integrity of the 120 year old historic home located on the Property and the essential character of the neighborhood.

WHEREFORE, by reason of the foregoing, the undersigned Petitioner respectfully requests the City Council and Plan Commission take the necessary steps to (i) approve a zoning variance from the R1A rear yard setback requirement; and (ii) such other relief from Code as may be deemed necessary and appropriate to develop the Property.

RESPECTFULLY SUBMITTED this 4th day of March, 2024.

PETITIONER:

William Buchar and Sonia Buchar

By:

A handwritten signature in blue ink, appearing to read "Catherine G. Whitaker", is written over a horizontal line.

ROSANOVA & WHITAKER, LTD.
ATTORNEY FOR PETITIONER