



Legislation Details (With Text)

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Type: Ordinance **Status:** Agenda Ready

File created: 1/24/2023 **In control:** City Council

On agenda: 2/21/2023 **Final action:**

Title: Pass the ordinance granting a variance to permit an auxiliary parking space at 203 S Columbia Street - PZC 22-1-118

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ordinance, 2. Exhibit A - Legal Description, 3. Exhibit B - Plat of Survey, 4. Exhibit C - Response to Standards, 5. Petition for Development Approval, 6. Detailed Description of Variance, 7. PZC Meeting Minutes 1-18-23

Date	Ver.	Action By	Action	Result
2/21/2023	1	City Council	passed	Pass

CITY COUNCIL AGENDA ITEM

ACTION REQUESTED:

Pass the ordinance granting a variance to permit an auxiliary parking space at 203 S Columbia Street - PZC 22-1-118

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Gabrielle Mattingly, AICP

BOARD/COMMISSION REVIEW:

The Planning and Zoning Commission (PZC) considered this matter January 18, 2023 and voted to recommend approval of the request (approved 5-1). Staff concurs.

BACKGROUND:

The approximately 9,900 square foot property is located at southwest corner of Columbia Street and Chicago Avenue. The property is zoned R1B (Medium Density Single Family Residence District) and is improved with a single-family residence and a two-car detached garage. The Property Owners are Francis Edward Simon Hunt and Reyna Trevino.

Project Background

The City’s Code Enforcement Team received an inquiry about work being done at the subject property to increase parking in the rear off the alleyway. Upon inspection, the Code Enforcement Team identified that the homeowner was in the process of installing brick pavers. The Code Enforcement Team concluded that a permit had not been sought for this work and subsequently issued a stop work order until a permit could be obtained as required by City Code. The homeowner inquired about installing gravel as an alternative option so cars could be parked off the alleyway. Staff noted that per engineering requirements, gravel is not an approved parking surface and notified the

homeowner that they would need to seek approval of a variance as the proposed improvements exceeded the allowable square footage in the required rear yard.

DISCUSSION:

The Petitioner, Francis Edward Simon Hunt is seeking approval of a variance to permit an auxiliary parking space as illustrated on the site plan. Per code, detached accessory structures are permitted to cover 25% or 480 square feet of the required rear yard, whichever is greater. For this property, the required rear yard is 30' and detached accessory structures are permitted to cover 495 square feet. The Petitioner is requesting approval of a variance to permit an auxiliary parking space and the existing garage to cover approximately 855 square feet of the required yard. The Petitioner has indicated the proposed request will provide a needed parking space to accommodate multiple drivers within the household as the two parking spaces in the existing detached garage are currently in use by the Property Owners.

The auxiliary parking space will consist of brick pavers and is proposed to be installed next to the existing detached garage. The square footage of the existing detached garage within the required rear yard is 465 square feet and the square footage of the proposed auxiliary parking space within the required rear yard is 390 square feet. The proposed improvement will provide for one 9' x 18' parking space. The total of the proposed accessory structures in the required rear yard is 855 square feet, exceeding the 495 square feet that is permitted, as described above.

Findings of Fact

The Petitioners' responses to the Standards for Granting a Variance are included in the attachments. Staff finds the proposed construction of an auxiliary parking space will not add additional bulk to the rear of the subject property and is generally supportive of the request. Any future accessory structures proposed in the required rear yard of the subject property would trigger the review and approval of a separate variance application.

Planning and Zoning Commission

The PZC considered the variance request on January 18, 2023. Francis Edward Simon Hunt, one of the Property Owners, presented the request. No public comment was provided during the meeting. Commissioner McDaniel asked why staff is only generally supportive of the request. Staff clarified that while the improvement is well over the maximum permitted lot coverage in the required rear yard, the brick pavers will not add any perceived bulk to the rear yard. Commissioner McDaniel asked the homeowners if other homes within the neighborhood have improved the rear yard in a similar manner. The Property Owners described other homes within the neighborhood that have a similar setup and explained that they were badly informed by a landscaping company that a permit was not required. The Commission moved to adopt the findings of fact as presented by the Petitioners and approve PZC #22-1-118 (approved 5-1). The dissenting vote was cast by Commissioner McDaniel.

Key Takeaways

- The Petitioner requests approval of a variance to Section 6-2-10:5 (Percentage of Required Yard Occupied) of the Naperville Municipal Code to permit 855 square feet of the required yard to be covered at 203 S. Columbia Street.

FISCAL IMPACT:

N/A

