



Legislation Details (With Text)

**File #:** 21-0731      **Version:** 1

**Type:** Public Hearing      **Status:** Agenda Ready

**File created:** 5/27/2021      **In control:** Planning and Zoning Commission

**On agenda:** 6/2/2021      **Final action:** 6/2/2021

**Title:** Conduct the public hearing to consider a variance to the front yard setback and the permitted obstructions in required yards in order to construct a front porch at 24 South Columbia Street - PZC #21-1-059

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Application, 2. Response to Variance Standards, 3. Proposed Elevation, 4. Existing Elevation, 5. Plat of Survey, 6. Site Plan, 7. Zoning Requirements Site Plan, 8. Disclosure of Beneficiaries, 9. 05.27.2021 DRAFT HPC Meeting Minutes, 10. HPC Attachments, 11. Legal Description of Property, 12. Location Map

Date	Ver.	Action By	Action	Result
6/2/2021	1	Planning and Zoning Commission	approved	Pass

**PLANNING AND ZONING COMMISSION AGENDA ITEM**

**ACTION REQUESTED:**

Conduct the public hearing to consider a variance to the front yard setback and the permitted obstructions in required yards in order to construct a front porch at 24 South Columbia Street - PZC #21-1-059

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Kathleen Russell, Community Planner

**ENTITLEMENTS REQUESTED:**

A variance to [Section 6-6C-7:1 \(R2 Yard Requirements\)](https://library.municode.com/il/naperville/codes/code_of_ordinances?&query=Section%206-6C-7:1) and [Section 6-2-3:3.2 \(Permitted Obstructions In Required Yards\)](https://library.municode.com/il/naperville/codes/code_of_ordinances?&query=Section%206-2-3:3.2) has been requested to:

- Permit a porch to encroach into the front yard setback by 2ft 2in, which would allow the structure to be 17ft 10in from the western property line at 24 South Columbia Street.

**BOARD/COMMISSION REVIEW:**

Official notice for the public hearing for PZC #21-1-059 was published in the Daily Herald on May 17, 2021. On May 27th, 2021, the Historic Preservation Commission (HPC) approved Certificate of Appropriateness (COA) 21-1720, which permitted changes to the primary façade including a front porch and addition (vote: 7 in favor; 0 opposed). The HPC also recommended approval of the

variance to front yard setback and permitted obstructions in required yards (vote: 7 in favor; 0 opposed). There was no public testimony during the meeting. The HPC noted that the proposal is a great example of an improvement that will meet the needs of the residents while maintaining the character of the structure.

### **BACKGROUND:**

The subject property is located at 24 South Columbia Street, and consists of an approximately 7,500 square foot parcel. The property is improved with a residence and detached garage, and is zoned R2 (Single-Family and Low Density Multiple Family Residence District).

### **DISCUSSION:**

The Petitioner and Property Owner, Mike Moyer, as authorized by the additional property owner, Sarah Lucibello, is seeking to construct a front porch as illustrated on the site plan. The Petitioner is requesting approval of a variance to the R2 front yard setback and the permitted obstructions in required rear yards to permit the proposed structure to encroach 2ft 2in, locating the front porch 17ft 10in from the front property line. The porch would be attached to the home and is required to be 20ft from the front property line.

If the 20ft setback were enforced, Mr. Moyer has detailed that the space would not be usable. The Petitioner has also noted that the porch will be open on all three sides, so it will not appear to add bulk. The 2ft 2in encroachment is not a significant encroachment. The Petitioner contends that there was a front porch at one point on the residence. The 2008 Architectural and Historical Survey for the Historic District also mentions a front porch was removed some time after 1943 on the subject property.

### **HPC Review**

A COA is required because major work is proposed on the primary façade of the principle building as described in Section 6-11-8. The site plan and elevations for the proposed structure are attached. On May 27, 2021, the HPC recommended approval of the requested COA. The HPC's approval of the COA is final; PZC review of the COA is not required.

Per Code, the HPC also provides a recommendation to the PZC regarding any variance that is sought in the Historic District. On May 27, 2021, the HPC also recommended approval of the requested side yard setback variance.

### ***Findings of Fact***

The Petitioner's responses to the Standards for Granting a Zoning Variance can be found in the attachments. Staff is in general agreement with the Petitioner's responses. Based on the history of the prior front porch on the property, size of encroachment and the observation that porches additions are common improvements in the Historic District, staff recommends approval of the proposed variance request.

### **Key Takeaways**

- The Petitioner requests approval of a variance to Section 6-6C-7:1 (R2 Yard Requirements) and Section 6-2-3:3.2 (Permitted Obstructions In Required Yards) of the Naperville Municipal Code to permit a 2ft 2in encroachment into the required 20ft interior side yard setback in order to construct a front porch.

- The HPC supported the variance (vote: 7 in favor; 0 opposed). COA 21-1720 was also approved by the HPC to allow for the front porch (vote: 7 in favor; 0 opposed).