

detached patio which was the subject of two of the variance requests. Based on the revision, only one variance is required for the proposal. The revised plan was reviewed by the Planning and Zoning Commission on October 21, 2020 during the public hearing.

DISCUSSION:

The owners and petitioners, Daniel B. Waldron and Stephanie C. Waldron, trustees of the Waldron Family 2014 Trust dated May 1, 2014, have submitted a request to subdivide the existing lot into two lots. The existing home will remain on the southern lot and a new home will be constructed on the northern lot.

Preliminary/Final Plat of Subdivision and OAA

The petitioner seeks approval of a Preliminary/Final Plat of Subdivision and Owner's Acknowledgement and Acceptance (OAA) agreement in order to subdivide the property into two lots. Attached to the ordinance approving the Preliminary/Final Plat of Subdivision is an OAA agreement which includes further details on the school and park donation, associated fees, and details on the temporary use request which is further described below.

The proposed lot sizes will be 10,504 square feet and 12,217 square feet in size. The preliminary/final plat of subdivision does not comply with the minimum lot width requirement per R1A the zoning district and requires approval of a variance as defined below. Per Section 7-2-2:5, review of the plat of subdivision by the City Council is required given the proposed subdivision results in a net increase of buildable lots.

Lot Width Variance

The proposed lot widths are: Lot 1 to be 60.14' in width (10,504 sf in size) and Lot 2 to be 69.86' in width (12,217 sf in size). The R1A zoning district requires a minimum lot width of 70' per lot (Section 6-6A-6 of the Municipal Code), thereby triggering the need for a variance.

As noted above, prior to a 2008 lot consolidation, the subject property was two lots and each was 65' in width. The 65' lot width was consistent with the lot widths found in the overall subdivision which was created in the 1950s. As proposed, the lot widths will deviate slightly from the original 65' lot width, however, this is due to having to work around the existing improvements on the site. Staff has no concern with the shift to accommodate the existing improvements since the widths are not far from the original 65' width.

Staff is in support of the subdivision finding the proposed lot sizes are in compliance with the R1A minimum (10,000 square feet per lot). Additionally, the proposed lot sizes are in compliance with the 90% rule requirement (10,169 square feet per lot) which specifies that the minimum lot sizes of the newly created lots in a residential subdivision shall be equal or greater than 90% of the mean of the lot sizes within 300' of the subject property. Therefore, the proposed lot sizes will be generally consistent in size with lots in the surrounding neighborhood.

The petitioner's responses to the Standards for Granting a Variance are included in the Development Petition. Staff is in general agreement with the petitioner's Findings and recommends adoption by the Planning and Zoning Commission.

Temporary Use Approval

In conjunction with the subdivision and variance request, the petitioner is seeking approval of a temporary use, subject to City Council review and approval. Per code Section 6-2-10:6, accessory

structures are not permitted without a principal structure. If the plat of subdivision is approved, the accessory structures on future Lot 1 (as shown in the attached site plan) will be located on a lot without a principal structure. These accessory structures include an existing fireplace, sections of the existing brick walls and columns, a portion of the existing driveway on Lot 1, and the driveway apron.

The temporary use request is to permit the accessory structures on future Lot 1 to remain for a period of two years, pending submittal and review of a building permit for construction of a new single-family home (note: if the plat of subdivision and variance are not approved, the temporary use approval will not be necessary). Per Section 6-2-11 of the Naperville Municipal Code, temporary uses require City Council review and approval if the temporary use request exceeds six months.

Any other accessory structures which currently exist on the subject property, but are not shown on the site plan, are not included with the temporary use approval and will be removed prior to recordation of the plat of subdivision. At the conclusion of the two-year timeframe, the temporary use will expire and all accessory structures on future Lot 1 will be required to comply with the code provisions (whether that be by removal of the structures or construction of a new single-family residence). Approval of the temporary use ordinance does not grant approval for parking on the portion of the driveway which will remain on Lot 1. Staff is supportive of the temporary use request.

Planning and Zoning Commission

The Planning and Zoning Commission conducted a public hearing for PZC 20-1-067 on October 21, 2020. Caitlin Paloian, Rosanova & Whitaker, Ltd., spoke on behalf of the petitioner and provided an overview of the request. No public testimony was received on the case. After limited discussion, the PZC moved to approve the lot width variance request (approved 6,0). Staff concurs with the positive recommendation.

Key Takeaways

- The petitioner requests approval of a preliminary/final plat of subdivision, a variance to Section 6-6A-6 to reduce the required minimum lot width, and approval of a temporary use request to permit accessory structures to remain on Lot 1 for a period of two years without a principal structure. These requests are made in order to subdivide the property located at 610 N. Sleight Street into two lots.

Related Files

- Pass the ordinance approving the Preliminary/Final Plat of Subdivision and OAA for Waldron Resubdivision (610 N. Sleight Street) - PZC 20-1-067 - (Item 2 of 4)
- Pass the ordinance approving a temporary use for Waldron Resubdivision (610 N. Sleight Street) - PZC 20-1-067 - (Item 3 of 4)
- Pass the ordinance approving a variance to Section 6-6A-6 for the subject property located at 610 N. Sleight Street (Waldron Resubdivision) - PZC 20-1-067 - (Item 4 of 4)

FISCAL IMPACT:

N/A