



Legislation Details (With Text)

File #: 21-1623 **Version:** 1

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

File created: 12/9/2021 **In control:** Planning and Zoning Commission

On agenda: 12/15/2021 **Final action:** 12/15/2021

Title: Conduct the public hearing to consider rezoning upon annexation to the E2 zoning district and a variance to Section 7-4-4:2.2 for the property located at 8S201 College Road (Timec Resubdivision) - PZC 21-1-101

Sponsors:

Indexes:

Code sections:

Attachments: 1. Development Petition, 2. Petition for Annexation, 3. Prelim-Final Subdivision Plat, 4. Annexation Plat, 5. Response to Standards, 6. Stormwater Report, 7. Tree Preservation, 8. Site Engineering Plan, 9. Legal Description, 10. Location Map

Date	Ver.	Action By	Action	Result
12/15/2021	1	Planning and Zoning Commission	approved	Pass

PLANNING AND ZONING COMMISSION AGENDA ITEM

ACTION REQUESTED:

Conduct the public hearing to consider rezoning upon annexation to the E2 zoning district and a variance to Section 7-4-4:2.2 for the property located at 8S201 College Road (Timec Resubdivision) - PZC 21-1-101

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Kathleen Russell, AICP

ENTITLEMENTS REQUESTED:

A Petition seeking annexation, preliminary/final plat of subdivision, a variance to the right-of-way frontage requirement in [Section 7-4-4:2.2 of the Naperville Municipal Code](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT7SURE_CH4DEST_7-4-4LAUS) <https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT7SURE_CH4DEST_7-4-4LAUS>, and rezoning to E2 (Medium Density Estate District) has been submitted for the property located at 8S201 College Road.

BOARD/COMMISSION REVIEW:

Official notice for the public hearing for PZC 21-1-101 was published in the Daily Herald on November 29, 2021.

BACKGROUND:

Located at the north end of College Road, the subject property has a common address of 8S201 College Road. The 4-acre property is currently improved with a single-family residence and is zoned R-1 in unincorporated DuPage County. The property is adjacent to an unincorporated property to the south and incorporated properties to the north, east, and west. The surrounding incorporated

properties are zoned E2 (Medium Density Estate District).

DISCUSSION:

The Petitioner, Edmund Burke, as authorized by the Property Owners, Christopher B. Burke and Susan Burke, requests annexation, rezoning to E2 upon annexation, approval of a preliminary/final plat of subdivision to subdivide the property into two lots, and a variance to the lot width requirement at the right of way in order to have two single-family residences (note: the existing residence on the property will remain and a new single-family residence will be constructed on the new south lot).

Annexation and Rezoning

Upon annexation, the Petitioner seeks to rezone the subject property to E2 (Medium Density Estate District). The subject property meets the E2 lot size requirements. Staff finds the proposed E2 zoning to be compatible with surrounding zoning districts. The Petitioner's responses to the Standards for Granting a Map Amendment are included in the attachments. Upon review, staff agrees with the Petitioner's findings and recommends their adoption by the Planning and Zoning Commission.

The Petitioner's annexation request is not reviewed by the Planning and Zoning Commission, but information on the request is provided for reference. The annexation request will be heard by the City Council at a subsequent meeting date.

Preliminary/Final Plat of Subdivision

The proposal includes a request to subdivide the existing lot into two lots. The proposed lots will be 1.99 acres and 2.02 acres in size and comply with both the E2 minimum lot size of 40,000 sq.ft. and the 90% rule minimum lot size as required by [Section 7-4-4:2.4 <https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT7SURE_CH4DEST_7-4-4LAUS>](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT7SURE_CH4DEST_7-4-4LAUS) of the Naperville Municipal Code. As required by [Section 7-2-2:5 <https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT7SURE_CH2SUPLPR_7-2-2SUPLPR>](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT7SURE_CH2SUPLPR_7-2-2SUPLPR), the proposed lot subdivision will be reviewed by the City Council at a subsequent meeting date.

Variance

The Petitioner requests a variance to subdivision requirements to allow the existing lot to be split resulting in two parcels which do not meet the required 40ft parcel width at the right-of-way. The current one lot configuration does not meet this requirement, and the proposed changes will not reduce the width of the property from how it currently exists. The north lot will not have any right-of-way frontage and the southern lot will have frontage, but will not meet the 40ft requirement.

The lots meet the width requirement for residential lots, as this is measured at the front setback line, which for the proposed parcels will be a platted 35ft front setback. The Petitioner will be recording a 30' wide cross access easement so that the north lot has access to the right-of-way. Based on the existing width of the parcel at the right-of-way and the recording of the easement giving both properties access to the right-of-way, staff is in support of the request.

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 and recommends approval of the variance request.

Key Takeaways

- The Petitioner is requesting annexation, rezoning to E2 upon annexation, a preliminary/final

plat of subdivision in order to subdivide, and a variance to the right-of-way frontage requirement in order to have two single-family residences at the property located at 8S201 College Road. Staff is in support of the request.