



Legislation Details (With Text)

File #: 17-795B **Version:** 1

Type: Ordinance **Status:** Agenda Ready

File created: 10/25/2017 **In control:** City Council

On agenda: 11/7/2017 **Final action:**

Title: Pass the Ordinance approving a variance from Section 6-6A-7:1 (R1A: Yard Requirements) of the Naperville Municipal Code for the property located at 415 River Bluff - PZC 17-1-074.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ordinance.pdf, 2. EXHIBIT A -Legal Description.pdf, 3. EXHIBIT B -Subject Property.pdf, 4. EXHIBIT C -Standards.pdf, 5. PZC- Plans.pdf, 6. PZC- Location Map.pdf, 7. PZC- Application.pdf, 8. PZC- Letter from Neighbor.pdf, 9. PZC- HOA Approval 415.pdf, 10. PZC- Minutes Draft.pdf

Date	Ver.	Action By	Action	Result
11/7/2017	1	City Council	passed	Pass

CITY COUNCIL AGENDA ITEM

ACTION REQUESTED:

Pass the Ordinance approving a variance from Section 6-6A-7:1 (R1A: Yard Requirements) of the Naperville Municipal Code for the property located at 415 River Bluff - PZC 17-1-074.

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Gabrielle Mattingly

BOARD/COMMISSION REVIEW:

The Planning and Zoning Commission considered this matter on October 18, 2017 and voted to recommend approval of the case (Approved 8-0).

BACKGROUND:

The owners and petitioners, Judith Wivell and Ron Szmurlo, have submitted a request for the property generally located north of Aurora Avenue and west of River Bluff Circle with a common address of 415 River Bluff Circle. The variance request has been submitted in order to construct a 150 square foot screened-in porch onto an existing duplex. The subject property is approximately 6,434 sq. ft. and is currently zoned R1A PUD (Low Density Single Family Residence District). This request will require approval of a variance from Section 6-6A-7:1 of the Naperville Municipal Code.

DISCUSSION:

The owners and petitioners, Judith Wivell and Ron Szmurlo, are proposing to construct a screened-in porch addition on the south side of the property that will encroach within the required 8' interior side yard setback. The new screened-in porch will be 150 square feet in area, and will encroach approximately 3' into the required interior side yard setback. The Municipal Code provides that no portion of the principal structure shall encroach into the required interior side yard setback. Therefore,

the petitioner requests a variance from the R1A side yard setback requirement provided in Section 6-6A-7:1 (Low Density Single-Family Residence District:Yard Requirements) of the Naperville Municipal Code in order to construct the proposed screened-in porch.

The existing home complies with the 8' R1A interior side yard setback requirement. The purpose of the request is to provide a screened-in porch that will accommodate the petitioner's needs during inclement weather. Prior to the current request, a deck was located on the south side of the home generally in the same location as the proposed screened-in porch. The deck did not cause any issues and has since been removed. Review of the proposal has been completed and it has been determined that there are no issues with encroachments into any easements. The impact is minimal on the neighborhood streetscape given that the proposed addition is located near the rear of the property. Given the location, the screened-in porch will not be a substantial detriment to the subject property and is consistent with the appearance and scale of the existing single-family home. The requested variance, if approved, will be subject to compliance with the site plan and will only be applicable to the screened-in porch.

Findings of Fact

The petitioner's responses to the Standards for Granting a Zoning Variance are attached. Staff and the Planning and Zoning Commission are in agreement with the petitioner's Findings for the variance to the River Bend PUD from Section 6-6A-7:1 (R1A: Yard Requirements) and recommends their adoption by the City Council.

Planning and Zoning Commission Action

The Planning and Zoning Commission conducted the public hearing for PZC 17-1-074 at their meeting on October 18, 2017. No members of the public provided testimony. Following brief discussion, the Planning and Zoning Commission moved to adopt the findings of fact as presented by the petitioner and approve PZC 17-1-074 (approved 8-0); staff concurs.

Key Takeaways

- The petitioner is requesting a variance to the River Bend PUD from Section 6-6A-7:1 (R1A: Yard Requirements) of the Naperville Municipal Code in order to construct a 150 square foot addition to the existing duplex for the property located at 415 River Bluff.

FISCAL IMPACT:

N/A