



Legislation Details (With Text)

**File #:** 24-0337      **Version:** 1

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

**File created:** 3/15/2024      **In control:** Planning and Zoning Commission

**On agenda:** 4/3/2024      **Final action:** 4/3/2024

**Title:** Conduct the public hearing to consider a variance to Section 6-6A-7:1 (Yard Requirements) for a one-story garage addition to the existing single-family home at 1415 Heatherton Drive - PZC 24-1-021

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Petition for Zoning Variance, 2. Legal Description, 3. Plat of Survey, 4. Site Plan & Elevations, 5. Response to Standards

Date	Ver.	Action By	Action	Result
4/3/2024	1	Planning and Zoning Commission	approved	Pass

**PLANNING AND ZONING COMMISSION AGENDA ITEM**

**ACTION REQUESTED:**

Conduct the public hearing to consider a variance to Section 6-6A-7:1 (Yard Requirements) for a one-story garage addition to the existing single-family home at 1415 Heatherton Drive - PZC 24-1-021

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Anna Franco, Community Planner

**ENTITLEMENTS REQUESTED:**

A variance to Section 6-6A-7:1 (Yard Requirements) to allow a one-story garage addition to a single-family home to encroach the required rear yard setback approximately 12 feet 3 1/8 inches.

**BOARD/COMMISSION REVIEW:**

Official notice for the public hearing for PZC 24-1-021 was published in the Naperville Sun on Sunday, March 17, 2024.

**BACKGROUND:**

The property is zoned R1-A (Low Density Single-Family Residence District) and is located at 1415 Heatherton Drive. The petitioners are Matthias and Sonia Jezek, 1415 Heatherton Drive, Naperville, IL 60563. The subject property is approximately 0.35 acres in size, with the primary dwelling unit fronting the north side of Heatherton Drive and driveway access provided off the corner side yard from Farrington Court. As depicted on the attached site plan, the subject property is a uniquely shaped corner lot with a rear yard designated along the north property line.

**DISCUSSION:**

The petitioners, Matthias and Sonia Jezek, are proposing an approximately 266 square foot, one-story, garage addition at the north side of the single-family home as illustrated in the attachments.

This addition serves to provide one additional interior garage space to the single family-home, for a total of three interior garage spaces. The petitioner is requesting approval of a variance from Section 6-6A-7:1 (Yard Requirements) of the Naperville Municipal Code to allow the proposed garage addition to encroach up to 12 feet 3 1/8 inches into the 30-foot required rear yard. Staff notes the garage addition is not parallel with the rear property line and that the setback of the proposed addition varies depending on where it is measured from. The proposed addition encroaches approximately 12 feet 3.5 inches into the required rear yard when measured from the west side of the addition, and approximately 10 feet 9.5 inches when measured from the east side of the addition, resulting in approximately 219 square feet of the total 266 square foot addition being located in the required rear yard.

The setback and lot coverage requirements that are established in the Naperville Municipal Code are intended to preserve a portion of a residential rear yard for open space. The petitioner's proposed encroachment into the required rear yard results from the unique configuration of the lot, creating a shallow rear yard proximate to the location of the existing home.

The petitioner has ensured the massing and design of the proposed addition maintains the existing character of the home and neighborhood, including maintaining similar building materials and utilizing window shapes and roof geometries. Further, the applicant is pursuing an attached garage addition, rather than a detached garage addition, to be consistent with the design of the neighborhood and to maintain a larger setback from abutting residential property lines.

Based on the subject property's unique configuration and compatibility with the surrounding neighborhood, staff finds the variance request to be appropriate and recommends approval of the request. The following condition of approval is recommended and is included in the prepared ordinance:

*The 219 square feet of the one-story garage addition encroaching into the required rear yard setback as depicted on the site plan shall be included when calculating the percentage of the required yard that may be occupied by detached accessory structures, such that the total square footage of all detached accessory structures plus the new addition shall not exceed 25% of the required rear yard per Section 6-2-10.5 of the Naperville Municipal Code.*

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

The petitioner's responses to the Standards for Granting a Variance can be found in the attachments. Upon review, staff agrees with the variance findings and recommends their adoption by the Planning and Zoning Commission.

#### **Key Takeaways**

- The petitioner requests a variance from Naperville Municipal Code Section 6-6A-7:1 (Yard Requirements) to allow a one-story garage addition to a single-family home to encroach the required rear yard setback approximately 12 feet 3 1/8 inches. Due to the uniqueness of the subject property, staff supports the requested variance.
- Staff is supportive of the requested variance and recommends the inclusion of a condition of approval that factors the one-story garage addition into the calculation of the percentage of the required rear yard that may be occupied by detached accessory structures.