



Legislation Details (With Text)

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

Type: Ordinance **Status:** Passed

File created: 6/3/2021 **In control:** City Council

On agenda: 6/15/2021 **Final action:** 6/15/2021

Title: Pass the ordinance granting 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. 24 S Columbia St Ordinance, 2. Exhibit A - Legal Description, 3. Exhibit B - Plat of Survey, 4. Exhibit C - Site Plan, 5. Exhibit D - Elevations, 6. Exhibit E - Response to Variance Standards, 7. Application, 8. Existing Elevation, 9. Zoning Requirements Site Plan, 10. Disclosure of Beneficiaries, 11. HPC Meeting Minutes 05-27-2021 DRAFT, 12. HPC Attachments, 13. Location Map, 14. PZC Meeting Minutes 6-2-21 DRAFT

Date	Ver.	Action By	Action	Result
6/15/2021	1	City Council	passed	

CITY COUNCIL AGENDA ITEM

ACTION REQUESTED:

Pass the ordinance granting 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

BOARD/COMMISSION REVIEW:

The Planning and Zoning Commission (PZC) considered this matter on June 2, 2021, and voted to recommend approval of the request (approved 6-0). Staff concurs.

On May 27, 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 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, Michael 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 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.

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 and recommends approval of the variance request.

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.

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

Planning and Zoning Commission

The PZC considered the variance request on June 2, 2021. Michael Moyer, the Petitioner, was available for questions. No members of the public spoke on the request. The Commission moved to adopt the findings of fact as presented by the Petitioner and approve PZC 21-1-059 (approved 6-0). Staff concurs.

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 front yard setback in order to construct a 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).
- The PZC supported the requested variance (vote: 6 in favor; 0 opposed). Staff recommends approval.

FISCAL IMPACT:

N/A

