



Legislation Details (With Text)

File #: 21-1110B **Version:** 1

Type: Ordinance **Status:** Passed

File created: 9/2/2021 **In control:** City Council

On agenda: 9/21/2021 **Final action:** 9/21/2021

Title: Pass the ordinance granting a variance to Title 6 (Zoning Regulations), Chapter 6 (Residential Districts), Article B (Medium Density Single-Family Residence District), Section 7 (Yard Requirements) of the Municipal Code to permit a sunroom that encroaches into the rear yard setback at 1905 Woodfield Court - PZC 21-1-090

Sponsors:

Indexes:

Code sections:

Attachments: 1. Exhibit A - Legal Description, 2. Exhibit B - Plat of Survey w Proposed Improvements, 3. Exhibit C - Response to Standards, 4. Petition, 5. Disclosure of Beneficiaries, 6. Plat of Survey - Existing Conditions, 7. Location Map, 8. Vicinity Map, 9. PZC 9-1-2021 Minutes - Draft, 10. Ordinance 1905 Woodfield Court Final

Date	Ver.	Action By	Action	Result
9/21/2021	1	City Council	passed	Pass

CITY COUNCIL AGENDA ITEM

ACTION REQUESTED:

Pass the ordinance granting a variance to Title 6 (Zoning Regulations), Chapter 6 (Residential Districts), Article B (Medium Density Single-Family Residence District), Section 7 (Yard Requirements) of the Municipal Code to permit a sunroom that encroaches into the rear yard setback at 1905 Woodfield Court - PZC 21-1-090

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Ashley Green, Community Planner

BOARD/COMMISSION REVIEW:

The Planning and Zoning Commission (PZC) considered this matter on September 1, 2021 and voted to recommend approval with a condition that includes the sunroom in the calculation of percentage of the required rear yard that may be occupied by detached accessory structures (approved 8-0). Staff concurs with adopting the condition of approval if the variance is approved.

BACKGROUND:

The subject property is zoned R1B PUD (Medium Density Single-Family Residence District Planned Unit Development) and is generally located northwest of the intersection of Foxcroft Road and Woodfield Court. The 13,592-square foot property is currently improved with a single-family residence and an enclosed porch.

DISCUSSION:

The Petitioners and Property Owners, Melissa Tomei and Mark Borowicz, are seeking to construct a sunroom as illustrated on the plat of survey. The Petitioners are requesting approval of a variance from Section 6-6B-7:1 of the Naperville Municipal Code to allow the proposed sunroom to encroach approximately 12' into required rear yard setback. The rear yard setback in the R1B district is 25% of the lot depth not to exceed 30'. The required rear yard setback is calculated to be 27' for the subject property. If approved, the sunroom would be 17' by 17' (289 sq ft); approximately 196 sq ft of the proposed sunroom would be located in the rear yard setback.

Findings of Fact

The Petitioners' responses to the Standards for Granting a Variance are included as an attachment. The setback and lot coverage requirements that are established for both attached and detached accessory structures are intended to preserve a portion of a residential rear yard for open space. If City Council determines that the Standards for Granting a Variance are met, staff recommends adding the following condition of approval to this variance to further the intent of the Zoning Ordinance to preserve such open space:

The 196 square feet of the sunroom encroaching into the rear yard setback shall be included when calculating the percentage of the required yard that may be occupied by detached accessory structures, such that the total detached accessory structures plus the proposed sunroom shall not exceed 25% of the required rear yard per Section 6-2-10:5.

Of the approximately 4,549 square feet in the required rear yard, approximately 77 square feet is currently covered by a wood shed. The shed and the portion of the sunroom within the rear yard setback would total approximately 273 square feet, or 6.0% of the required rear yard.

Planning and Zoning Commission

The PZC considered the variance request on September 1, 2021. There was no public comment. The Commission moved to adopt the findings of fact as presented by the Petitioners and approve PZC 21-1-090 subject to the following condition:

The approximately 196 square feet of the sunroom encroaching into the rear yard setback shall be included when calculating the percentage of the required yard that may be occupied by detached accessory structures, such that the total detached accessory structures plus the proposed sunroom shall not exceed 25% of the required rear yard per Section 6-2-10:5. (approved 8-0). Staff concurs.

Key Takeaways

- The Petitioners request a variance to construct a sunroom that extends 12' into the 27' rear yard setback.
- Although the variance is not substantial, if the variance is granted, staff recommends the inclusion of a condition of approval that factors the sunroom into the calculation of the percentage of the required rear yard that may be occupied by detached accessory structures.
- The PZC supported the requested variance, subject to certain conditions (vote: 8 in favor; 0 opposed).

FISCAL IMPACT:

N/A