



Legislation Details (With Text)

File #: 20-1421 **Version:** 1
Type: Public Hearing **Status:** Agenda Ready
File created: 11/24/2020 **In control:** Planning and Zoning Commission
On agenda: 12/2/2020 **Final action:** 12/2/2020
Title: Conduct the public hearing to consider a variance to allow a screened in porch to encroach into the rear yard setback at 2429 Newport Drive-PZC 20-1-100

Sponsors:

Indexes:

Code sections:

Attachments: 1. Application, 2. Legal Description, 3. Response to Standards, 4. Letter from Applicant, 5. Plat of Survey, 6. Screen Room Renderings, 7. Location Map, 8. Public Comment

Date	Ver.	Action By	Action	Result
12/2/2020	1	Planning and Zoning Commission	approved	Pass

PLANNING AND ZONING COMMISSION AGENDA ITEM

ACTION REQUESTED:

Conduct the public hearing to consider a variance to allow a screened in porch to encroach into the rear yard setback at 2429 Newport Drive-PZC 20-1-100

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Gabrielle Mattingly, Community Planner

BOARD/COMMISSION REVIEW:

Official notice for the public hearing for PZC 20-1-100 was published in the Daily Herald on November 16, 2020.

BACKGROUND:

The subject property is generally located on the west side of Newport Drive which is located south of 87th Street and is zoned R1B PUD (Medium Density Single Family Residence District Planned Unit Development). The property is approximately 0.18 acres and is improved with a single-family structure.

DISCUSSION:

The owner and petitioner Brent Carius, is seeking to construct a screened in porch in the rear of the property as illustrated the attachments. The petitioner is requesting approval of a variance from Section 6-6B-7:1 of the Naperville Municipal Code to allow the proposed screened in porch to encroach approximately 5' into the 28.5' required rear yard setback. If approved, the screened in porch would be 14' deep by 18' wide (252 sq.ft. in size); approximately 90 square feet of the proposed screened in porch would be located in the required rear yard. A deck used to exist in the approximate location of the proposed screened in porch. This deck was removed. The proposed screened in porch will not encroach as far as the deck and is a reduction in the footprint.

While the removed deck was permitted to encroach into the required rear yard setback per the Zoning Code, once the structure is enclosed, it is required to comply with the setbacks applicable to the primary structure. Therefore, the proposed screened in porch requires a variance as it encroaches 5' into the required 28.5' rear yard setback.

The petitioner's responses to the Standards for Granting a Variance are included in the in the attachments. 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 the Planning and Zoning Commission 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 90 square feet of the screened in porch 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 screened in porch shall not exceed 25% of the required rear yard per Section 6-2-10.5.

Key Takeaways

- The petitioner requests a variance to construct a screened in porch that extends 5' into the 28.5' 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 screened in porch in the calculation of percentage of the required rear yard that may be occupied by detached accessory structures.