



Legislation Details (With Text)

**File #:** 20-802B      **Version:** 1  
**Type:** Public Hearing      **Status:** Agenda Ready  
**File created:** 7/16/2020      **In control:** Planning and Zoning Commission  
**On agenda:** 8/5/2020      **Final action:** 8/5/2020  
**Title:** Conduct the public hearing to consider a variance to sections 6-2-3:3.2 and 6-6C-7:1 (Yard Requirements and R2 Yard Requirements) of the Naperville Municipal Code to permit a one-story porch to encroach into the required front yard setback at the subject property located at 421 School Street - PZC #20-1-043

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Legal Description, 2. Site plan, 3. Standards, 4. HPC Minutes, 5. Application, 6. Disclosure of Beneficiaries, 7. Location Map, 8. Plat of Survey

Date	Ver.	Action By	Action	Result
8/5/2020	1	Planning and Zoning Commission	approved	Pass

**PLANNING AND ZONING COMMISSION AGENDA ITEM**

**ACTION REQUESTED:**

Conduct the public hearing to consider a variance to sections 6-2-3:3.2 and 6-6C-7:1 (Yard Requirements and R2 Yard Requirements) of the Naperville Municipal Code to permit a one-story porch to encroach into the required front yard setback at the subject property located at 421 School Street - PZC #20-1-043

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Kathleen Russell, Community Planner

**BOARD/COMMISSION REVIEW:**

The application was submitted for Historic Preservation Commission (HPC) review on January 23, 2020. The HPC recommended approval of the variance request to the required setbacks for a front porch. The HPC also granted a Certificate of Appropriateness (COA) for the proposed porch. Official notice for the public hearing for PZC #20-1-043 was published in the Daily Herald on July 20, 2020.

**BACKGROUND:**

The subject property is located within the historic district at 421 School Street. It is an approximately .08-acre parcel located on the north side of School Street. The property is zoned R2 (Single-family and Low Density Multiple-Family Residence District) and is currently improved with a two story single-family residence and detached garage.

**DISCUSSION:**

The homeowner, Mark E. Dowd, has requested approval of a variance to construct a front porch on the south side of the home facing School Street that wraps around to the east side of the home. The

proposed porch will be located approximately 13'7" from the southern property line and would be 6' wide. Construction of this structure requires approval of a variance to Sections [6-2-3:3.2](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH2GEZOPR_6-2-3YARE) [6-2-3:3.2](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH2GEZOPR_6-2-3YARE) [6-6C-7:1](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH6REDI_ARTCR2SIMILODEMUMIREDI_6-6C-7YARE) [6-6C-7YARE](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH6REDI_ARTCR2SIMILODEMUMIREDI_6-6C-7YARE) (Yard Requirements and R2 Yard Requirements) of the Naperville Municipal Code. The variance would reduce the front yard setback from the required 20' (25' front yard setback with 5' front porch encroachment allowance) to 13'7".

### **HPC Review**

The requested one-story porch requires a variance to the City of Naperville Municipal Code. Per Section [6-11-5:3](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH11HIPR_6-11-5APZOPR) [6-11-5:3](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH11HIPR_6-11-5APZOPR) [6-11-5APZOPR](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH11HIPR_6-11-5APZOPR) (Applicability of Zoning Provisions: Conditional Uses; Variances; Amendment to Zoning Title) of the Municipal Code, the HPC is required to review any variances requested for properties located within the Historic District to determine if the requested variance impacts the historic nature of the property or district; HPC's recommendation is forwarded to the Planning and Zoning Commission (PZC) for their consideration. The HPC also reviewed the style of the proposed porch because the request is a change to the primary façade and requires a COA per [Section 6-11-8](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH11HIPR_6-11-8CEAPRE) [6-11-8CEAPRE](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH11HIPR_6-11-8CEAPRE) (Certificate of Appropriateness Required) of the Municipal Code.

On January 23, 2020, the HPC reviewed the application (COA #19-3032) and made a positive recommendation to the variance and approved the COA (minutes from the HPC meeting are provided in the attachments).

### **Requested Variance**

Per the requirements in [Section 6-3-6](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH3ADEN_6-3-6VA) [6-3-6VA](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH3ADEN_6-3-6VA) (Variances) of the Naperville Municipal Code, any recommendation by the PZC on variance requests must be predicated on the evidence that they meet the three standards outlined in [Section 6-3-6:2](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH3ADEN_6-3-6VA) [6-3-6VA](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH3ADEN_6-3-6VA) (Variances: Standards for Variances). The petitioner has provided a response to these standards (see attachments). Based on the factors and analysis below, staff recommends approval of the variance to the front yard setback of the proposed porch. The proposed porch will be built 13'7" from southern property line. Per Section 6-2-3:3.2 (Yard Requirements) of the Municipal Code, porches are permitted to encroach 5' into the front yard setback, which for the subject property, located in the R2 zoning district would be 20' from the front property line. Staff finds that the reduced setback from the front property line may be supported because the existing home is setback only 19' 6" from the front property line, therefore, any additions made to the front of the home require a variance to encroach further within the setback. Staff is in support of the encroachment finding the proposed alteration to be compatible with the existing architectural style of the home. Staff recommends approval of the variance to the setback requirement from 20' to 13'7" from the front property line.

### **Key Takeaways**

- The petitioner is requesting approval of PZC #20-1-043 to construct a one-story porch at

421 School Street.

- The HPC recommended approval of the requested variance and granted a COA for the proposed porch.
- Staff recommends approval of a variance from Sections 6-2-3:3.2 and 6-6C-7:1 (Yard Requirements and R2 Yard Requirements) of the Naperville Municipal Code in order to reduce the setback from the front property line to allow for construction of a one-story porch at 421 School Street.