



## Legislation Text

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File #: 24-0517, Version: 1

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### CITY COUNCIL AGENDA ITEM

#### **ACTION REQUESTED:**

Pass the ordinance approving a platted setback deviation for the property at 730 Douglas Avenue - PZC 24-1-042

**DEPARTMENT:** Transportation, Engineering and Development

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

#### **BOARD/COMMISSION REVIEW:**

Per Section 7-1-13:2.4 (Platted Setbacks and Building Lines) of the Naperville Municipal Code, the petitioner posted a sign on the property on May 6, 2024.

#### **BACKGROUND:**

The subject property is zoned R1B (Medium Density Single-Family Residence District) and consists of an approximately 7,250 square foot lot located at the corner of Douglas Avenue and Laird Street.

At this time, the petitioner, Mathieson House, LLC D/B/A M House, and owners, Christina Kollintzas and Sotirios Pavlis, plan to construct a single-family home on the Subject Property. To do so, the petitioner requests approval of a deviation to a 35-foot platted front building setback along Laird Street in order to construct the single-family home to the 30-foot zoning setback line that is required in the R1B district.

#### **DISCUSSION:**

##### ***Platted Setback Deviation***

The petitioner proposes a platted setback deviation to allow a single-family home to be constructed within the thirty-five-foot platted setback line previously platted through Laird's Addition to Naperville (recorded in DuPage County as Document R1928-267356). Section 7-1-13:2 of the Municipal Code allows City Council to grant a deviation from a platted building or setback line if the request is in harmony with the intent and character of the subdivision and complies with the required standards.

Laird's Addition to Naperville (Document R1928-267356) depicts a 35-foot platted setback along Laird Street, which is inconsistent with the City's current zoning setback regulations for the subject property. Notably, the platted setback is more restrictive than the R1B zoning district required 30-foot front yard setback identified in Section 6-6B-7 (Yard Requirements) of the Code. The petitioner has confirmed that a 30-foot front yard setback is consistent with surrounding properties. Since the platted setback line is more restrictive than the zoning setback and the proposed residence would comply with the underlying R1B zoning requirements, staff supports the requested deviation.

***Findings of Fact***

The petitioner's responses to the Standards for Granting a Subdivision Deviation can be found in the attachments. Upon review, staff agrees with the petitioner's findings and recommends their adoption by City Council.

***Key Takeaways***

- The petitioner requests approval of a platted setback deviation. Staff is supportive of the requested deviation noting that the proposed site design meets the R1B zoning district requirements and is compatible with surrounding residences.

**RELATED FILES**

N/A