



Legislation Text

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File #: 17-349, Version: 1

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**CITY COUNCIL AGENDA ITEM**

**ACTION REQUESTED:**

Receive the staff report for Mulberry Hill Unit 2 located at 5S650 Tuthill Road, PZC 17-1-021 (Item 1 of 6).

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Erin Venard, AICP

**BOARD/COMMISSION REVIEW:** The Planning and Zoning Commission considered PZC 17-1-021 on April 19, 2017 and voted to recommend approval of the case (Approved, 6-0). Staff concurs.

**BACKGROUND:**

The petitioner, Siebert Builders, Inc., is requesting approval of annexation into the City of Naperville, rezoning to R1A (Low Density Single-Family Residence District), a preliminary/final plat of subdivision, and a variance to reduce the required minimum lot width on the subject property. The petitioner intends to subdivide the property into two lots that are 24,047 square feet and 24,125 square feet in size and construct two new single-family residences.

The subject property is zoned R3 in unincorporated DuPage County. The 1.1 acre property is currently improved with a single-family residence and an associated detached garage; the petitioner intends to demolish the existing structures upon annexation. Located on the west side of Tuthill Road, south of Larsen Lane, the subject property has a common address of 5S650 Tuthill Road.

**DISCUSSION:**

The petitioner requests annexation of the subject property into the City of Naperville and rezoning to R1A (Low Density Single-Family Residence District) upon annexation. The subject property is contiguous to property that is currently within the City of Naperville and is eligible for annexation.

***Rezoning***

Upon annexation, the petitioner is seeking the rezoning of the subject property to R1A (Low Density Single-Family Residence District). The East Sector Update (1998) of the Comprehensive Master Plan designates the property as "Low Density Residential (2.5 Units per Acre)". The surrounding annexed properties to the north and east are zoned R1 (Low Density Single-Family Residence District) and R1A (Low Density Single-Family Residence District). The annexed property to the south is zoned R1B (Medium Density Single-Family Residence District). Staff finds the proposed zoning to be compatible with both the Comprehensive Plan and the surrounding properties in this area.

### ***Preliminary Plat of Subdivision***

In conjunction with the requested annexation and rezoning, the petitioner requests approval of a preliminary/final plat of subdivision for Mulberry Hill Unit 2. The petitioner is proposing to subdivide the subject property into two lots that are 24,047 square feet and 24,125 square feet in size. The proposed lots are in compliance the R1A lot size minimum of 10,000 square feet and the 90% rule minimum of 10,058 square feet. Staff finds that the proposed preliminary/final plat of subdivision for Mulberry Hill Unit 2 meets all other technical requirements for approval.

### ***Lot Width***

Per Section 6-6A-6 (R1A District: Lot Width Requirements), the minimum lot width in the R1A district is 70'. The Municipal Code stipulates that lot width is measured at the 30' front yard setback, not at the front lot line. The petitioner requests a variance to reduce the required 70' lot width on each of the newly created lots to 54'. The subject property is irregular in shape as it is narrower at the front lot lines and wider at the rear lot lines. While the property does not meet the minimum lot width, the lots do meet and exceed the R1A minimum lot size of 10,000 square feet and the 90% rule minimum of 10,058 square feet. The petitioner intends to construct the new residences 60' from the front property line, at which point the lot widths are approx. 58'. Given the irregular lot shape and the large lot size, staff is in support of the requested lot width variance subject to the condition that the future homes are constructed at a minimum of 60' from the front property lines.

### ***Findings of Fact***

The petitioner's responses to the Standards for Granting a Rezoning and the Standards for Granting a Variance are attached. Upon review, staff is in agreement with the petitioner's Findings and recommends their adoption by the City Council.

### ***Key Takeaways***

- The petitioner is requesting rezoning to R1A upon annexation, approval of a preliminary/final plat of subdivision, and a variance to reduce the minimum required lot width.
- Staff supports the proposed rezoning as it is compatible with the Comprehensive Plan and the surrounding annexed properties.
- The proposed resubdivision is in compliance with and exceeds the R1A minimum lot size and the 90% rule. As such, staff supports the resubdivision and lot width variance requests subject to the condition that the future homes are constructed at a minimum of 60' from the front property lines.

### ***Planning and Zoning Commission***

The Planning and Zoning Commission opened the public hearing to consider PZC 17-1-021 on April 19, 2017. Vince Rosanova, attorney with Rosanova & Whitaker, spoke on behalf of the petitioner. No members of the public spoke during public testimony. After limited discussion, the Planning and Zoning Commission closed the public hearing and voted to recommend approval of PZC 17-1-021 (Approved, 6-0). Staff concurs with the Planning and Zoning Commission's recommendation.

### **FISCAL IMPACT:**

N/A