



## Legislation Text

---

File #: 21-0731B, Version: 1

---

### **CITY COUNCIL AGENDA ITEM**

#### **ACTION REQUESTED:**

Pass the ordinance granting a variance to the front yard setback and the permitted obstructions in required yards in order to construct a front porch at 24 South Columbia Street - PZC 21-1-059

**DEPARTMENT:** Transportation, Engineering and Development

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

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

The Planning and Zoning Commission (PZC) considered this matter on June 2, 2021, and voted to recommend approval of the request (approved 6-0). Staff concurs.

On May 27, 2021, the Historic Preservation Commission (HPC) approved Certificate of Appropriateness (COA) 21-1720, which permitted changes to the primary façade including a front porch and addition (vote: 7 in favor; 0 opposed). The HPC also recommended approval of the variance to front yard setback and permitted obstructions in required yards (vote: 7 in favor; 0 opposed). There was no public testimony during the meeting. The HPC noted that the proposal will meet the needs of the residents while maintaining the character of the structure

#### **BACKGROUND:**

The subject property is located at 24 South Columbia Street, and consists of an approximately 7,500 square foot parcel. The property is improved with a residence and detached garage, and is zoned R2 (Single-Family and Low Density Multiple Family Residence District).

#### **DISCUSSION:**

The Petitioner and Property Owner, Michael Moyer, as authorized by the additional property owner, Sarah Lucibello, is seeking to construct a front porch as illustrated on the site plan. The Petitioner is requesting approval of a variance to the R2 front yard setback and the permitted obstructions in required yards to permit the proposed structure to encroach 2ft 2in, locating the front porch 17ft 10in from the front property line. The porch would be attached to the home and is required to be 20ft from the front property line.

If the 20ft setback were enforced, Mr. Moyer has detailed that the space would not be usable. The Petitioner has also noted that the porch will be open on all three sides, so it will not appear to add bulk. The 2ft 2in encroachment is not a significant encroachment. The Petitioner contends that there was a front porch at one point on the residence. The 2008 Architectural and Historical Survey for the Historic District also mentions a front porch was removed some time after 1943 on the subject property.

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

The Petitioner's responses to the Standards for Granting a Zoning Variance can be found in the attachments. Staff is in general agreement with the Petitioner's responses and recommends approval of the variance request.

### ***HPC Review***

A COA is required because major work is proposed on the primary façade of the principle building as described in Section 6-11-8. The site plan and elevations for the proposed structure are attached. On May 27, 2021, the HPC recommended approval of the requested COA.

Per Code, the HPC also provides a recommendation regarding any variance that is sought in the Historic District. On May 27, 2021, the HPC also recommended approval of the requested front yard setback variance.

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

The PZC considered the variance request on June 2, 2021. Michael Moyer, the Petitioner, was available for questions. No members of the public spoke on the request. The Commission moved to adopt the findings of fact as presented by the Petitioner and approve PZC 21-1-059 (approved 6-0). Staff concurs.

### ***Key Takeaways***

- The Petitioner requests approval of a variance to Section 6-6C-7:1 (R2 Yard Requirements) and Section 6-2-3:3.2 (Permitted Obstructions In Required Yards) of the Naperville Municipal Code to permit a 2ft 2in encroachment into the required 20ft front yard setback in order to construct a porch.
- The HPC supported the variance (vote: 7 in favor; 0 opposed). COA 21-1720 was also approved by the HPC to allow for the front porch (vote: 7 in favor; 0 opposed).
- The PZC supported the requested variance (vote: 6 in favor; 0 opposed). Staff recommends approval.

### **FISCAL IMPACT:**

N/A