



Legislation Text

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File #: 23-0665, Version: 1

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**CITY COUNCIL AGENDA ITEM**

**ACTION REQUESTED:**

Pass the ordinance approving the Preliminary/Final Plat of Resubdivision and a Platted Setback Deviation for the Breckenridge Estates Resubdivision No. 2 located at 2507 and 2511 Swandyke Court PZC 23-1-024

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Adam Beaver, AICP Candidate, Community Planner

**BOARD/COMMISSION REVIEW:**

In accordance with Section 7-1-13:2.4 (Platted Setbacks and Building Lines) of the Naperville Municipal Code, on May 22, 2023, the petitioner posted notice of the public meeting on a sign upon the property for which the deviation is requested. All language on the sign complies with Code requirements.

Requests for deviations to the platted setback line are not heard by the Planning and Zoning Commission, but rather are subject to City Council review and approval only.

**BACKGROUND:**

The subject property, 2507 and 2511 Swandyke Court, is located near the northeast corner of Gateshead Drive and Plainfield Naperville Road and is zoned R1A (Low Density Single Family Residence District). 2507 Swandyke is 0.42 acres and 2511 Swandyke is 0.60 acres and each are currently unimproved.

The petitioner requests approval of a preliminary/final plat of subdivision to create a new buildable lot and approval of a platted setback deviation. Staff is supportive of both requests.

**DISCUSSION:**

The petitioner, M/I Homes of Chicago, LLC, requests approval of a preliminary/final subdivision plat in order to subdivide the property into three lots. The subject property was originally subdivided into three lots through the Final Subdivision Plat for Breckenridge Estates Unit Four approved in 1993 as lots 277, 278, and 279. The three lots were consolidated into two under the Final Subdivision Plat for Breckenridge Estates Resubdivision approved in 2000.

*Preliminary/Final Plat of Subdivision*

The petitioner requests approval of the Preliminary/Final Plat of Subdivision for Breckenridge Estates Resubdivision No. 2 in order to subdivide the subject property into three lots that are 15,434 square feet (Lot 279), 13,082 square feet (Lot 278), and 15,758 (Lot 277) in size. The proposed lots are in compliance with the R1A district lot size minimum of 10,000 square feet and the minimum lot width of 70'. Each of the new lots meet the Ninety Percent Rule (Section 7-4-4:24) minimum size of 13,028.88

square feet. Staff finds that the proposed Preliminary/Final Plat of Subdivision for Breckenridge Estates Resubdivision No. 2 meets all other technical requirements for approval.

*Platted setback deviation*

The petitioner requests a platted setback deviation to allow a single family home to be located within the 40' platted front setback that is located on a portion of the proposed Lot 278. The 40' platted setback was previously platted through the Final Subdivision Plat Breckenridge Estates Resubdivision (Recorded in Will County as Document R2000-138343). This subdivision plat depicted the 40' platted setback along Swandyke Court on Lot 1, however with the proposed resubdivision, the platted setback falls on the entirety of Lot 277 and approximately 20 feet of Lot 278. Without the requested deviation, the remainder of Lot 278 would be subject to a platted 30' front setback that aligns with the required front setback in the R1A district. The petitioner's request would allow the entirety of Lot 278 to be subject to a platted 30' front yard setback which is also consistent with the R1A required front yard setback and the original platted setback for Lot 278 pursuant to the Breckenridge Unit 4 plat (recorded with Will County as document number R93-024947). As the 40' platted setback line is more restrictive than the zoning setback and the proposed residence will meet the required zoning setback, staff is in support of the requested deviation.

**Key Takeaways**

- The petitioner requests approval of a preliminary/final plat of subdivision to create a new buildable lot and approval of a platted setback deviation
- Staff is supportive of both requests.

**FISCAL IMPACT:**

N/A