



Legislation Details (With Text)

File #: 17-795 **Version:** 1

Type: Public Hearing **Status:** Agenda Ready

File created: 10/13/2017 **In control:** Planning and Zoning Commission

On agenda: 10/18/2017 **Final action:**

Title: Conduct the public hearing to consider a variance to Section 6-6A-7:1 (R1A: Yard Requirements) of the Naperville Municipal Code for the property located at 415 River Bluff - PZC 17-1-074.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Application.pdf, 2. Standards For a Zoning Variance.pdf, 3. Legal Description and PIN.pdf, 4. HOA Approval 415.pdf, 5. Letter from Neighbor.pdf, 6. Plans.pdf, 7. Plat of Survey With Addition.pdf, 8. Location Map.pdf

Date	Ver.	Action By	Action	Result
10/18/2017	1	Planning and Zoning Commission	accept	Pass

PLANNING AND ZONING COMMISSION AGENDA ITEM

ACTION REQUESTED:

Conduct the public hearing to consider a variance to Section 6-6A-7:1 (R1A: Yard Requirements) of the Naperville Municipal Code for the property located at 415 River Bluff - PZC 17-1-074.

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Gabrielle Mattingly

BOARD/COMMISSION REVIEW:

Official notice for the public hearing for PZC 17-1-074 was published in the Naperville Sun on October 1, 2017.

BACKGROUND:

The owners and petitioners, Judith Wivell and Ron Szmurlo, have submitted a variance request for the property generally located north of Aurora Avenue and west of River Bluff Circle with a common address of 415 River Bluff Circle. The variance request has been submitted in order to construct a 150 square foot screened-in porch onto an existing duplex. The subject property is approximately 6,434 sq. ft. and is currently zoned R1A PUD (Low Density Single Family Residence District). This request will require approval of a variance from Section 6-6A-7:1 of the Naperville Municipal Code.

DISCUSSION:

The owners and petitioners, Judith Wivell and Ron Szmurlo, are proposing to construct a screened-in porch addition on the south side of the property that will encroach within the required 8' interior side yard setback. The new screened-in porch will be 150 square feet in area, and will encroach approximately 3' into the required interior side yard setback. The Municipal Code provides that no portion of the principal structure shall encroach into the required interior side yard setback. Therefore,

the petitioner requests a variance from the R1A side yard setback requirement provided in Section 6-6A-7:1 (Low Density Single-Family Residence District:Yard Requirements) of the Naperville Municipal Code in order to construct the proposed screened-in porch.

The existing home complies with the 8' R1A interior side yard setback requirement. The purpose of the requested variance is to provide a screened-in porch that will accommodate the petitioner's needs during inclement weather. Prior to the current request, a deck was located on the south side of the home generally in the same location as the proposed screened-in porch. The deck did not cause any issues and has since been removed. Review of the proposal has been completed and it has been determined that there are no issues with encroachments into any easements. The impact is minimal on the neighborhood streetscape given that the proposed addition is located near the rear of the property. Given the location, the screened-in porch will not be a substantial detriment to the subject property and is consistent with the appearance and scale of the existing single-family home. The requested variance, if approved, will be subject to compliance with the site plan and will only be applicable to the screened-in porch.

Findings of Fact

The petitioner's responses to the Standards for Granting a Zoning Variance are attached. Staff is in agreement with the petitioner's Findings for the variance from Section 6-6A-7:1 (R1A: Yard Requirements) and recommends their adoption by the Planning and Zoning Commission.

Key Takeaways

- The petitioner is requesting a variance to Section 6-6A-7:1 (R1A: Yard Requirements) of the Naperville Municipal Code in order to allow for a 150 square foot addition to the existing duplex for the property located at 415 River Bluff.