



Legislation Details (With Text)

File #: 18-761 **Version:** 1

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

File created: 9/10/2018 **In control:** Planning and Zoning Commission

On agenda: 9/19/2018 **Final action:**

Title: Conduct the public hearing to consider a variance to reduce the corner side yard setback in the R1A District in order to construct an addition on the subject property at 440 Hawley Court, Naperville - PZC 18-1-089

Sponsors:

Indexes:

Code sections:

Attachments: 1. 440 Hawley application, 2. 440 Hawley legal, 3. 440 Hawley standards, 4. 440 Hawley plans, 5. 440 Hawley location map

Date	Ver.	Action By	Action	Result
9/19/2018	1	Planning and Zoning Commission		

PLANNING AND ZONING COMMISSION AGENDA ITEM

ACTION REQUESTED:

Conduct the public hearing to consider a variance to reduce the corner side yard setback in the R1A District in order to construct an addition on the subject property at 440 Hawley Court, Naperville - PZC 18-1-089

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Erin Venard

BOARD/COMMISSION REVIEW:

Official notice for the public hearing for PZC 18-1-089 was published in the Naperville Sun on September 2, 2018.

BACKGROUND:

The subject property is located southwest of the intersection of Hawley Court and Copperfield Drive. The 14,097 square foot property is zoned R1A (Low Density Single-Family Residence District) and is improved with a single-family residence with a two car attached garage. The petitioner, Todd Nelmark, requests to construct a third car addition to the attached garage. The proposed addition encroaches into the corner side yard along Copperfield Drive and will require a variance.

DISCUSSION:

Per Section 6-6A-7:1 (R1A District: Yard Requirements) of the Municipal Code, the required corner side yard in the R1A District is 30'. The petitioner proposes to construct an addition to the existing attached garage that will encroach 3'9" into the 30' setback at its great extent. The majority of the addition will be constructed in compliance with the corner side setback requirement.

The purpose of the corner side yard setback requirement is to preserve sight lines and the open nature of the corner side yard. The proposed addition represents a minor encroachment into the corner side yard and does not affect any sight lines. The addition will also provide a third enclosed parking space on the subject property. Given these factors, staff is in support of the request. The petitioner's responses to the standards for granting a variance are attached. Staff is in general agreement with the petitioner's findings and recommends adoption by the Planning and Zoning Commission.

Key Takeaways

- The petitioner requests approval of a variance to reduce the corner side yard setback in the R1A district in order to construct an addition to the attached garage.
- Given that the proposed encroachment is minor in nature, staff supports the request.