



Legislation Details (With Text)

File #: 20-802C **Version:** 1

Type: Ordinance **Status:** Passed

File created: 8/6/2020 **In control:** City Council

On agenda: 8/18/2020 **Final action:** 8/18/2020

Title: Pass the ordinance granting a variance to the front yard setback requirements in order to construct a porch for the property located at 421 School Street - PZC 20-1-043.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 26 W. 8th Ave Ordinance, 2. Exhibit A Legal Description, 3. Exhibit B Site plan, 4. Exhibit C Standards, 5. PZC Meeting Minutes 8-5-20 DRAFT, 6. HPC Minutes, 7. Application, 8. Disclosure of Beneficiaries, 9. Location Map, 10. Plat of Survey

Date	Ver.	Action By	Action	Result
8/18/2020	1	City Council	passed	Pass

CITY COUNCIL AGENDA ITEM

ACTION REQUESTED:

Pass the ordinance granting a variance to the front yard setback requirements in order to construct a porch for the property located at 421 School Street - PZC 20-1-043.

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Kathleen Russell, Community Planner

BOARD/COMMISSION REVIEW:

The application was submitted for Historic Preservation Commission (HPC) review on January 23, 2020. The HPC recommended approval of the request to reduce the required setbacks for a front porch. The HPC also granted a Certificate of Appropriateness (COA) for the proposed porch. The PZC conducted the public hearing on the requested variance on August 5, 2020 and recommended approval of PZC 20-1-043 (vote 8-0); staff concurs.

BACKGROUND:

The subject property is located within the historic district at 421 School Street. It is an approximately .08-acre parcel located on the north side of School Street. The property is zoned R2 (Single-family and Low Density Multiple-Family Residence District) and is currently improved with a two story single-family residence and detached garage.

DISCUSSION:

The homeowner, Mark E. Dowd, has requested approval of a variance to construct a front porch on the south side of the home facing School Street that wraps around to the east side of the home. The

proposed porch will be located approximately 13'7" from the southern property line and would be 6' wide. Construction of this structure requires approval of a variance to Sections 6-2-3:3.2 and 6-6C-7:1 (Yard Requirements and R2 Yard Requirements) of the Naperville Municipal Code. The variance would be to reduce the front yard setback from the required 20' (25' front yard setback with 5' porch encroachment allowance) to 13'7".

HPC Review

The requested one-story porch requires a variance to the City of Naperville Municipal Code. Per Section 6-11-5:3 (Applicability of Zoning Provisions: Conditional Uses; Variances; Amendment to Zoning Title) of the Municipal Code, the HPC is required to review any variances requested for properties located within the Historic District to determine if the requested variance impacts the historic nature of the property or district; HPC's recommendation is forwarded to the Planning and Zoning Commission (PZC) for their consideration. The HPC also reviewed the style of the proposed porch because the request is a change to the primary façade and requires a COA per Section 6-11-8 (Certificate of Appropriateness Required) of the Municipal Code.

On January 23, 2020, the HPC reviewed the application (COA #19-3032) and made a positive recommendation to the variance and approved the COA (minutes from the HPC meeting are provided in the attachments).

Requested Variance

Per the requirements in Section 6-3-6 (Variances) of the Naperville Municipal Code, any recommendation by the PZC on variance requests must be predicated on the evidence that they meet the three standards outlined in Section 6-3-6:2 (Variances: Standards for Variances). The petitioner has provided a response to these standards (see attachments). Based on the factors and analysis below, staff recommends approval of the variance to the front yard setback of the proposed porch.

The proposed porch will be built 13'7" from southern property line. Per Section 6-2-3:3.2 (Yard Requirements) of the Municipal Code, porches are permitted to encroach 5' into the front yard setback, which for the subject property, located in the R2 zoning district would be 20' from the front property line. Staff finds that the reduced setback from the front property line may be supported because the existing home is setback only 19' 6" from the front property line, therefore, any additions made to the front of the home require a variance to encroach further within the setback. Staff is in support of the encroachment finding the proposed alteration to be compatible with the existing architectural style of the home. Staff recommends approval of the variance to the setback requirement from 20' to 13'7" from the front property line.

Findings of Fact

The petitioner's responses to the Standards for granting a Subdivision Deviation are attached. Staff is in general agreement with the petitioner's Findings and recommends their adoption by the City Council.

Planning and Zoning Commission Action

The Planning and Zoning Commission opened the public hearing to consider PZC 20-1-043 on August 5, 2020. Mark Dowd spoke as the petitioner. After limited discussion, the Planning and Zoning Commission closed the public hearing and voted to recommend approval of PZC 20-1-043 (approved, 8-0). Staff concurs with the Planning and Zoning Commission's recommendation.

Key Takeaways

- The petitioner is requesting approval of PZC #20-1-043 to construct a one-story porch at 421 School Street.
- The HPC recommended approval of the requested variance and granted a COA for the proposed porch.
- The PZC recommended approval of the requested variance.
- Staff recommends approval of a variance from Sections 6-2-3:3.2 and 6-6C-7:1 (Yard Requirements and R2 Yard Requirements) of the Naperville Municipal Code in order to reduce the setback from the front property line to allow for construction of a one-story porch at 421 School Street.

FISCAL IMPACT:

N/A