



Legislation Details (With Text)

File #: 20-1250 **Version:** 1

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

File created: 10/16/2020 **In control:** Planning and Zoning Commission

On agenda: 10/21/2020 **Final action:**

Title: Conduct the public hearing to consider a variance to Section 6-6A-6 for the subject property located at 610 N. Sleight Street (Waldron Resubdivision) - PZC 20-1-067

Sponsors:

Indexes:

Code sections:

Attachments: 1. Development Petition, 2. Disclosure of Beneficiaries, 3. Legal Description, 4. Prelim-Final Subdivision Plat, 5. Responses to Standards, 6. Site Plan, 7. Temporary Use Letter, 8. Location Map, 9. Public Comment

Date	Ver.	Action By	Action	Result
10/21/2020	1	Planning and Zoning Commission		

PLANNING AND ZONING COMMISSION AGENDA ITEM

ACTION REQUESTED:

Conduct the public hearing to consider a variance to Section 6-6A-6 for the subject property located at 610 N. Sleight Street (Waldron Resubdivision) - PZC 20-1-067

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Gabrielle Mattingly, Community Planner

BOARD/COMMISSION REVIEW:

Official notice for the public hearing for PZC 20-1-067 was published in the Daily Herald on October 5, 2020.

BACKGROUND:

The subject property is zoned R1A (Low Density Single Family Residence District) and is located on the east side of Sleight Street, just north of 6th Avenue. The subject property was previously comprised of two lots; however, in 2008, the 2 lots were consolidated into 1 large lot through the approval of Jarrett's Resubdivision. Today, the 0.522-acre property is currently improved with a single-family residence and a horseshoe driveway; the north half of the existing lot is largely comprised of accessory structures and open space.

DISCUSSION:

The owners and petitioners, Daniel B. Waldron and Stephanie C. Waldron, Trustees of the Waldron Family 2014 Trust dated May 1, 2014 have submitted a request to subdivide the existing lot into two lots. The existing home will remain on the southern lot and a new home will be constructed on the northern lot.

Plan Revision

As required per Section 6-3-5:4.1 of the Naperville Municipal Code, public notice in the form of a written letter to neighboring property owners within 300' of the subject property, a sign posted on the subject property and publication in the Daily Herald newspaper was provided for the case 15 days in advance of the public hearing. The issued public notice included three variance requests in association with the project. Since issuance of the public notice, the petitioner has revised the plan to remove the existing detached patio which was the subject of two of the variance requests. Therefore, based on the revision, only one variance is now required for the proposal as further described below.

Lot Width Variance

The proposal calls for subdivision of the property into two lots: Lot 1 to be 60.14' in width (10,504 sf in size) and Lot 2 to be 69.86' in width (12,217 sf in size). The R1A zoning district requires a minimum lot width of 70' per lot (Section 6-6A-6 of the municipal code), thereby triggering the need for a variance.

As noted above, prior to a 2008 lot consolidation, the subject property was two lots each 65' in width. The 65' lot width was consistent with the lot widths found in the overall subdivision which was created in the 1950s. As proposed, the lot widths will deviate slightly from the original 65' lot width, however, this is due to having to work around the existing improvements on the site. Staff has no concern with the shift to accommodate the existing improvements since the widths are not far off from the original 65' width.

Staff is in support of the subdivision finding the proposed lot sizes are in compliance with the R1A minimum (10,000 square feet per lot). Additionally, the proposed lot sizes are in compliance with the 90% rule requirement (10,169 square feet per lot) which specifies that the minimum lot sizes of the newly created lots in a residential subdivision shall be equal or greater than 90% of the mean of the lot sizes within 300' of the subject property. Therefore, the proposed lot sizes will be generally consistent in size with lots in the surrounding neighborhood.

The petitioner's responses to the Standards for Granting a Variance are included in the Development Petition. Staff is in general agreement with the petitioner's Findings and recommends adoption by the Planning and Zoning Commission.

Temporary Use Approval

In conjunction with the subdivision request, the petitioner is seeking approval of a temporary use, subject to City Council review and approval. Per code Section 6-2-10:6, accessory structures are not permitted without a principal structure. If the plat of subdivision is approved, the accessory structures on future Lot 1 (as shown in the attached site plan) will be located on a lot without a principal structure. The temporary use request is to permit the accessory structures on future Lot 1 to remain for a period of two years, pending submittal and review of a building permit for construction of a new single-family home (note: if the plat of subdivision is not approved, the temporary use approval will not be necessary). Any other accessory structures which currently exist on the subject property, but are not shown on the site plan, are not included with the temporary use approval and will be removed prior to recordation of the plat of subdivision. At the conclusion of the two-year timeframe, the temporary use will expire and all accessory structures on future Lot 1 will be required to comply with the code provisions (whether that be by removal of the structures or construction of a new single-family residence). The temporary use request does not require review by the Planning and Zoning Commission and is provided for reference only. The temporary use approval will be reviewed by the City Council during a subsequent meeting date.

Key Takeaways

- The petitioner requests approval of a variance to Section 6-6A-6 in order to subdivide the property located at 610 N. Sleight Street into two lots. Staff recommends approval of the variance request.
- The applicant is also requesting approval of a temporary use to permit accessory structures to remain on Lot 1 for a period of two years without a principal structure. The temporary use request will be reviewed by the City Council at a subsequent meeting date.