



Legislation Details (With Text)

File #: 20-1421B **Version:** 1
Type: Ordinance **Status:** Agenda Ready
File created: 12/2/2020 **In control:** City Council
On agenda: 12/15/2020 **Final action:**
Title: Pass the ordinance approving a variance to allow a screened-in porch to encroach into the rear yard setback at 2429 Newport Drive - PZC 20-1-100

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ordinance, 2. Exhibit A - Legal Description, 3. Exhibit B - Plat of Survey, 4. Exhibit C - Response to Standards, 5. Application, 6. Letter from Applicant, 7. Screen Room Renderings, 8. Location Map, 9. Public Comment, 10. Additional Public Comment

Date	Ver.	Action By	Action	Result
12/15/2020	1	City Council	passed	Pass

CITY COUNCIL AGENDA ITEM

ACTION REQUESTED:

Pass the ordinance approving a variance to allow a screened-in porch to encroach into the rear yard setback at 2429 Newport Drive - PZC 20-1-100

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Gabrielle Mattingly, Community Planner

BOARD/COMMISSION REVIEW:

The Planning and Zoning Commission (PZC) considered PZC 20-1-100 on December 2, 2020 and provided a positive recommendation on the request (approved 8,0).

BACKGROUND:

The subject property is generally located on the west side of Newport Drive which is located south of 87th Street and is zoned R1B PUD (Medium Density Single Family Residence District Planned Unit Development). The property is approximately 0.18 acres and is improved with a single-family structure.

DISCUSSION:

The owners are Brent and Collen Carius. The petitioner, Brent Carius, is seeking to construct a screened-in porch in the rear of the property as illustrated the attachments. The petitioner is requesting approval of a variance from Section 6-6B-7:1 of the Naperville Municipal Code to allow the proposed screened-in porch to encroach approximately 5' into the 28.5' required rear yard setback. If approved, the screened-in porch would be approximately 14' deep by 18' wide (252 sq.ft. in size); approximately 90 square feet of the proposed screened-in porch would be located in the required rear yard. A deck was previously placed in the approximate location of the proposed screened-in

porch. This deck has since been removed. The screened-in porch will not encroach as far as the deck and is a reduction in the footprint.

While the previously existing deck was permitted to encroach into the required rear yard setback per the Zoning Code, once the structure is enclosed, it is required to comply with the setbacks applicable to the primary structure. Therefore, the proposed screened-in porch requires a variance as it encroaches 5' into the required 28.5' rear yard setback.

The petitioner's responses to the Standards for Granting a Variance are included in the Development Petition. The setback and lot coverage requirements that are established for both attached and detached accessory structures are intended to preserve a portion of a residential rear yard for open space. The PZC and staff are in support of the response to the Standards and recommend adding the following condition of approval to this variance request to further the intent of the Zoning Ordinance to preserve such open space:

The 90 square feet of the screened-in porch encroaching into the rear yard setback shall be included when calculating the percentage of the required yard that may be occupied by detached accessory structures, such that the total detached accessory structures plus the proposed screened-in porch shall not exceed 25% of the required rear yard per Section 6-2-10.5.

Key Takeaways

- The petitioner requests a variance to construct a screened-in porch that extends 5' into the 28.5' rear yard setback.
- The proposed screened-in porch would replace the existing deck and would have a smaller footprint than the existing deck. Although the variance is not substantial, if the variance is granted, staff recommends the inclusion of a condition of approval that factors the screened-in porch in the calculation of percentage of the required rear yard that may be occupied by detached accessory structures.

FISCAL IMPACT:

N/A