



## Legislation Text

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File #: 20-1386B, Version: 1

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### CITY COUNCIL AGENDA ITEM

#### **ACTION REQUESTED:**

Pass the ordinance granting a variance to allow a recreational vehicle exceeding the weight requirements to be parked on the driveway at 16 Pepperidge Road - PZC #20-1-095

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Kathleen Russell, Community Planner

#### **BOARD/COMMISSION REVIEW:**

The Planning and Zoning Commission (PZC) considered this matter on November 18, 2020, and voted to recommend approval of the request with conditions that the ordinance will be tied to the current property owners, Linda E. Cusack and Thomas F. Cusack, and will limit the amount of the vehicle's weight permitted to exceed the limit (approved 8-0). Staff concurs with adopting the conditions of approval if the variance is approved.

#### **BACKGROUND:**

The subject property is generally located north of the intersection of Sunnybrook Dr. and Pepperidge Road and is zoned R1A (Low Density Single-Family Residence District). The property is approximately 11,122 square feet and is improved with a single-family structure.

#### **DISCUSSION:**

The petitioners and property owners, Linda E. Cusack and Thomas F. Cusack, are seeking to park a van that exceeds the permitted weight requirements for a vehicle to be parked on a driveway. The petitioners are requesting approval of a variance from Section 6-2-7:3 (Parking of Recreational Vehicles) and 6-2-20:2.1 (Curb Weight) of the Naperville Municipal Code which requires a weight limit maximum of 8,000 pounds for any recreational vehicle parked on a driveway for daily use. The proposed van would be approximately 10,360 pounds, which exceeds the weight limit by 2,360 pounds. Recreational vehicles are only permitted to be parked on a driveway when it is used daily and is the owner's principal means of transportation.

The proposed van at 21 feet 10 inches would meet the maximum length requirement (25 feet), so visually, the van will not appear to exceed the requirements of a recreational vehicle that is permitted to be parked in the driveway. If a resident would like to park a recreational vehicle in the driveway for their principle means of transportation, and the use meets the requirements of Section 6-2-20:2.1, they would be permitted to use the vehicle without a zoning permit or review.

As noted by the petitioners, the van proposed would accommodate a petitioner's health needs by elevating their feet and legs, providing refrigeration for medicine, and providing a restroom. The petitioners have noted they were not able to find a van that meets all their needs and remain under

the weight limit. The petitioners' responses to the Standards for Granting a Variance are included in the exhibits. Staff is in general agreement with the petitioners' Findings and recommends adoption by the City Council.

### **Planning and Zoning Commission**

The PZC considered this matter at its November 18, 2020 meeting. The Cusack's presented the variance request and there was no public comment. The Commission did not express any concerns and moved to adopt the findings of fact as presented by the petitioners and approve PZC 20-1-095 subject to the conditions that the variance shall only apply to the current property owners and is not transferrable to any future property owners or alternative vehicles (approved 8-0). The conditions have been added to the ordinance and are consistent with the PZC's recommendations. Staff concurs.

### **Key Takeaways**

- The petitioners request a variance in order to park a recreational vehicle that exceeds the weight requirements by approximately 2,360 pounds for their principle means of transportation.
- Staff supports the requested variance finding that the van will not visually exceed the requirements of a vehicle that is permitted to be parked on a driveway, as the proposed vehicle meets the length requirements. Staff recommends approval of the variance request with the inclusion of a conditions of approval that the ordinance will be tied to the current property owners, Linda E. Cusack and Thomas F. Cusack and will limit the amount of the vehicle's weight exceeding the requirement.
- The PZC supported the requested variance, subject to certain conditions (vote: 8 in favor; 0 opposed). The ordinance presented includes the recommended conditions.

### **FISCAL IMPACT:**

N/A