

## Legislation Text

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File #: 21-0173, Version: 1

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### PLANNING AND ZONING COMMISSION AGENDA ITEM

#### **ACTION REQUESTED:**

Conduct the public hearing to consider a variance to the interior side yard setback in order to construct a porte cochere at 6 North Columbia Street - PZC #21-1-007

**DEPARTMENT:** Transportation, Engineering and Development

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

#### **ENTITLEMENTS REQUESTED:**

A variance to [Section 6-6C-7:1 \(R2 Yard Requirements\)](#)  
<[https://library.municode.com/il/naperville/codes/code\\_of\\_ordinances?](https://library.municode.com/il/naperville/codes/code_of_ordinances?)  
has been requested to:

- Permit a porte cochere to encroach into the interior side yard setback by 1ft, which would allow the structure to be 5ft from the northern property line at 6 N. Columbia Street.

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

Official notice for the public hearing for PZC #20-1-117 was published in the Daily Herald on January 18, 2021.

On January 28th, 2021, the Historic Preservation Commission (HPC) approved Certificate of Appropriateness (COA) 20-4723, which permitted a change to the primary façade with the addition of the porte cochere (vote: 6 in favor; 1 opposed). The HPC also recommended approval of the variance to the interior side yard setback (vote: 6 in favor; 1 opposed). There was no public testimony during the meeting. The HPC discussed the approval process for the structure and the reasoning for the setback variance and change to the primary façade.

#### **BACKGROUND:**

The subject property is located at 6 N. Columbia Street, and consists of an approximately 11,250 square foot parcel. The property is improved with a residence and detached garage, and is zoned R2 (Single-Family and Low Density Multiple Family Residence District).

#### **DISCUSSION:**

The Petitioner, Erik G. Haugsnes, a Trustee of the property owner, The Jack and Helen J. Haugsnes Living Trust, is seeking to construct a porte cochere as illustrated on the site plan. The Petitioner is requesting approval of a variance to the R2 interior side yard setback to permit the proposed structure to encroach 1ft, locating the porte cochere 5ft from the interior side property line. The porte cochere would be attached to the home and is required to be 6ft from the interior side property line.

The encroachment into the setback would be approximately four (4) square feet of the three brick columns.

Per the Petitioner, in order for the existing attached garage to align with the opening of the porte cochere, the pillars must be located within the interior side yard setback. Mr. Haugsnes also explained in the variance application that the extended width of the structure will create more space for elderly family members to be shielded from the elements while in a wheelchair transitioning between the residence and vehicle.

## **Project Background**

After researching the City's permitting requirements online, the Petitioner began work on the porte cochere without a permit based on his understanding that a permit was not required per the City's regulations. During construction, the City's Code Enforcement Team received an inquiry about the work and subsequently issued a stop work order until a building permit and Certificate of Appropriateness (COA) approval could be obtained as required by City Code. The work was not completed by the time staff visited the site.

## **HPC Review**

City staff advised the homeowners that they would be required to seek approval of a COA by the City's Historic Preservation Commission (HPC) in order to complete the porte cochere. A COA is required because major work is proposed on the primary façade of the principle building as described in [Section 6-11-8 <https://library.municode.com/il/naperville/codes/code\\_of\\_ordinances?nodeId=TIT6ZORE\\_CH11HIPR\\_6-11-8CEAPRE>](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH11HIPR_6-11-8CEAPRE). The attached site plan and elevations for the proposed structure are attached. On January 28, 2021, the HPC recommended approval of the requested COA. The HPC's approval of the COA is final; PZC review of the COA is not required.

Per Code, the HPC also provides a recommendation to the PZC regarding any variance that is sought in the historic district. On January 28, 2021, the HPC also recommended approval of the requested side yard setback variance.

## *Findings of Fact*

The Petitioner's responses to the Standards for Granting a Zoning Variance can be found in the attachments. Staff is in general agreement with the Petitioner's responses and recommends approval of the variance request.

## **Key Takeaways**

- The Petitioner requests approval of a variance to Section 6-6C-7:1 (R2 Yard Requirements) of the Naperville Municipal Code to permit a 1ft encroachment into the required 6ft interior side yard setback in order to construct a porte cochere.
- The HPC supported the variance (vote: 6 in favor; 1 opposed). COA 20-4723 was also approved by the HPC to allow for the porte cochere addition (vote: 6 in favor; 1 opposed).

