



Legislation Text

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File #: 21-0525, Version: 1

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**PLANNING AND ZONING COMMISSION AGENDA ITEM**

**ACTION REQUESTED:**

Conduct the public hearing to consider a variance to allow a sunroom to encroach into the rear yard setback at 1163 Timberlane Court - PZC #21-1-024

**DEPARTMENT:** Transportation, Engineering and Development

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

**ENTITLEMENTS REQUESTED:**

A variance to [Section 6-6A-7:1 \(R1A Yard Requirements\)](#)

[https://library.municode.com/il/naperville/codes/code\\_of\\_ordinances?nodeId=TIT6ZORE\\_CH6REDI\\_ARTAR1LODESIMIREDI\\_6-6A-7YARE](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH6REDI_ARTAR1LODESIMIREDI_6-6A-7YARE)

has been requested to:

- Permit a sunroom to be setback 17ft from the rear property line, rather than the required 25ft.

**BOARD/COMMISSION REVIEW:**

Official notice for the public hearing for PZC #21-1-024 was published in the Daily Herald on April 5, 2021.

**BACKGROUND:**

The subject property is generally located northeast from the intersection of North Charles Avenue and Timberlane Court and is zoned R1A PUD (Low Density Single-Family Residence District Planned Unit Development). The property is approximately 11,688 square feet and is improved with a single-family structure.

**DISCUSSION:**

The Petitioner, Murphy's Landscape and Design, as authorized by the property owners, Thomas Gadfort and Ruth S. Vandewater, is seeking to construct a sunroom as illustrated on the plat of survey. The Petitioner is requesting approval of a variance from Section 6-6A-7:1 of the Naperville Municipal Code to allow the proposed sunroom to encroach approximately 8ft into the 25ft required rear yard setback. If approved, the sunroom would be approximately 15ft deep by 18ft wide (270 sqft in size); approximately 81 sqft of the proposed sunroom would be located in the required rear yard.

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. If the Planning and Zoning Commission determines that the Standards for Granting a Variance are met, staff recommends adding the following condition of approval to this variance to further the intent of the Zoning Ordinance to preserve such open space:

*The 81 square feet of the sunroom 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 sunroom 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 sunroom that extends 8ft into the 25ft rear yard setback.
- Although the variance is not substantial, if the variance is granted, staff recommends the inclusion of a condition of approval that factors the sunroom in the calculation of the percentage of the required rear yard that may be occupied by detached accessory structures.