NAPERVILLE PLANNING AND ZONING COMMISSION
APPROVED MINUTES OF MAY 20, 2015

UNOFFICIAL PRIOR TO PZC APPROVAL
APPROVED BY THE PZC ON JUNE 3, 2015

Call to Order **7:00 p.m.**

A. Roll Call

Present:	Hansen, Martinez, Messer, Williams, Hastings
Absent:	Crawford
Student Members:	None
Staff Present:	Planning Team – Erin Venard, Derek Rockwell Engineer – Yifang Lu

B. Minutes Approve the minutes of the May 6, 2015 Planning and Zoning Commission meeting.

Motion by: Williams — Approved
Second by: Hastings — (5 to 0)

C. Old Business

D. Public Hearings

D1.
PZC 15-1-040
324 S. Julian Street
Circular Driveway
Variance

The petitioner requests a variance from Section 6-9-2:12.2 (Residential Driveway Design) to permit parking within the required front yard at the subject property located at 324 S. Julian Street.

Erin Venard, Planning Services Team, gave an overview of the request.

Planning and Zoning Commission inquired about:

- Hansen – How was the installation of the brick paver driveway discovered? Venard – Through the petitioner's current application for a driveway addition.

Dean Batogowski, Homeowner, spoke on behalf of the petitioner:

- Initially the plans for the property called for a front yard circular driveway, but due to floodplain concerns on the rear of the property, the house was not able to constructed any further back than it currently is.

- Would like a second curb cut from Julian to the existing circular driveway to provide easier access for elderly parents.
- Two large trees prevent sunlight from getting to a portion of the front yard landscaping.
- If the house could have been built further back, the driveway could have been constructed to meet the requirements of the Municipal Code.
- The petitioner showed a picture of the front yard to the PZC.
- There would be a significant investment in the property if the variance were granted.
- Would provide easier access to the home from the south.
- Received the support of nearby neighbors.

Planning and Zoning Commission inquired about:

- Hastings – Can a car be driven around the current circle on the property? Batogowski - Only with a small car.
- Hastings – Were there any letters of dissent? Venard – No.
- Williams – What is staff's position regarding the permitting process for the existing driveway? Venard – The builder and the homeowner met with staff in 2013 and it was explained at that time that the driveway was not permitted. Later, the builder explained to staff that the driveway work was not completed by him. In another conversation at the site between the petitioner and staff, the petitioner stated that the driveway was installed by a landscaper.
- Williams – Could this be cured by extending the existing driveway to the north? Venard – The proposal before the PZC would increase the severity of the nonconformity of the driveway.
- Williams – What did the petitioner's builder say about the nonconforming brick driveway? Batogowski - He was surprised.
- Williams - Did the builder get the original permit? Venard - Yes.
- Martinez – Did you build the home in 2013? Batogowski - Yes. Did you install the paver driveway? Batogowski - Yes. How was it determined that it was noncompliant? Batogowski - I was under the impression that the driveway had received permits until recently.
- Messer – Was there a paver driveway on the home previously? Batogowski - No.
- Messer – What must be done to receive a Certificate of Occupancy? Rockwell – All required City inspections must be completed and passed in accordance with the approved plans, and the building must be deemed habitable.
- Hansen – Would you like to put the curb cut between the existing trees? Batogowski - Yes.

Public Testimony: None

Planning and Zoning Commission closed the public hearing.

Planning and Zoning Commission Discussion:

- Williams – Don't like the idea of parking in the front yard. Wanted a similar setup for my property and was unable to receive it on my

property. Agree with staff that a hardship does not exist. The issue of shading from a tree is not a legal basis for a hardship.

- Hastings – I have some confusion about this case and will abstain.
- Hansen – The purpose of the regulations regarding the number of curb cuts is to limit access points along a road. The reason for a required front yard is to maintain that area as primarily green space. The additional curb cut increases the impervious surface in this area. The requirements for approving a variance have not been addressed by the petitioner.
- Messer – My property is in a flood plain as well, but I am inclined to not support. If a circle driveway had existed previously and the circumstances were different, I would support. Does not meet the hardship standards.
- Martinez – Cannot support the variance. This could have been addressed when the existing driveway was installed. If cars began to park in the front yard all the time, neighbors would start to complain.

Planning and Zoning Commission moved to recommend approval of PZC 15-1-040, a variance from Section 6-9-2:12.2 (Residential Driveway Design) to permit parking within the required front yard at the subject property located at 324 S. Julian Street.

Motion by: Williams — Not Approved
Seconded by: Messer — (0 to 4)

Ayes: None
Nays: Williams, Messer, Hansen, Martinez
Abstain: Hastings

E. Reports and Recommendations

F. Correspondence

G. New Business

H. Adjournment — 7:39 p.m.