



**NAPERVILLE PLANNING AND ZONING COMMISSION  
MINUTES OF NOVEMBER 18, 2015**

**UNOFFICIAL PRIOR TO PZC APPROVAL  
APPROVED BY THE PZC ON DECEMBER 16, 2015**

**Call to Order**

**7:00 p.m.**

**A. Roll Call**

Present: Martinez, Hansen, Messer, Crawford, Williams, Hajek, Peterson, Bansal  
Absent: Hastings  
Student Member: Butler  
Staff Present: Planning Team – Katie Ashbaugh, Erin Venard  
Engineering Team – Andy Hynes

**B. Minutes**

Approve the minutes of the November 4, 2015 Planning and Zoning Commission meeting.

Motion by: Williams  
Second by: Messer

Approved  
(8 to 0)

**C. Old Business**

**D. Public Hearings**

**D1.  
PZC 15-1-104  
Naperville Area  
Humane Society**

The petitioner requests approval of the rezoning of the subject property from B3 (General Commercial District) to I (Industrial District) zoning and approval of a conditional use to permit a pet care establishment with an outdoor area in the I (Industrial District) for the property located at 1620 & 1624 W. Diehl Rd.

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

Phil Wolf, Wolf Pack Development Group, spoke on behalf of the petitioner:

- Available for questions.

Planning and Zoning Commission inquired about:

- Hansen – Is the old car wash building going to remain on-site? Wolf –It has already been razed.

**Public Testimony: NONE**

Planning and Zoning Commission closed the public hearing.

Planning and Zoning Commission Discussion:

- Bansal – In favor.
- Peterson – In favor.
- Crawford – In favor.
- Messer – In favor.
- Martinez – Feels the zoning is consistent with the area plan.
- Hansen – In favor.
- Williams – No objection; only concerned with I zoning for the Humane Society. I presume there is nothing lesser that will do the job, so I am not going to object to it.
- Hajek – In favor.
- Butler – In favor.

Planning and Zoning Commission moved to recommend approval of PZC 15-1-104, approving the rezoning of the subject property from B3 (General Commercial District) to I (Industrial District) zoning and approval of a conditional use to permit a pet care establishment with an outdoor area in the I (Industrial District) for the property located at 1620 & 1624 W. Diehl Rd.

Motion by: Williams  
Seconded by: Crawford

Approved  
(8 to 0)

Ayes: Hansen, Williams, Messer, Peterson, Crawford,  
Hajek, Martinez, Bansal  
Nays: None  
Absent: Hastings

**D2.  
PZC 15-1-116  
720 Thornwood Dr.**

The petitioner requests approval of variances to Section 6-6A-7:1 (R1A District, Yard Requirements) and to Section 6-2-10:2 (Accessory Structures, Yard Requirements) to reduce the required corner side yard on the subject property in order to construct a single-family residence and associated detached garage at 720 Thornwood Drive.

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

Planning and Zoning Commission inquired about:

- Williams – Does staff object to this? Venard – Staff would object to the project in its current form, but would be amenable to a project where less of the home encroached into the setback.
- Williams - What could be done to bring the project within Code? Venard – Staff would be open to reviewing something similar to the project that was approved on the property to the north of the subject property. In this case, only the garage is encroaching in the setback and the bulk of the home is not encroaching.

- Hajek – What is the square footage of the proposed house? Hellyer – About 4,100 square feet.
- Martinez – What is the square footage of the original house? Hellyer – I have the plat of survey showing the dimensions of the footprint of the home, but not the total square footage. Venard - The existing house is also encroaching into the corner side yard setback. The proposed house will actually encroach slightly less than the existing house. Other corner houses in the area maintain a similar encroachment in the corner side yard.
- Martinez – How many houses are in the area from the 1959 era that do not meet the corner side yard setback? Venard – There are 3.
- Williams – I understand that the petitioner is going to completely tear down the existing home and now is subject to the current zoning code rather than if it was just an interior remodel. Venard – Yes.
- Williams – Have the petitioner and staff worked together on a compromise for this project? Venard – Yes, staff and the petitioner have been working together.

Dave Hellyer, Hellyer Custom Builders, spoke on behalf of the petitioner:

- Builder in Naperville.
- This is a home for a family with young children.
- Would like the proposed home to be located where the existing home is located.
- Has worked closely with Charles Vincent George Architects to design a home that is soft on the corner and not be overbearing.
- This property is a challenge due to the zoning restrictions.
- Does not believe that it would be possible to work within the existing foundation.

Planning and Zoning Commission inquired about:

- Williams – What if the garage was not detached? Would that save some space in terms of the encroachment? Hellyer – We have to detach the garage to accommodate the buildable footprint.
- Martinez - If the garage were attached would it help with the setback encroachment? Hellyer - I don't know that it would help with the setback given the first and second floor layout and I am not sure if this is feasible. But if the 18ft encroachment is a problem, can we pick up 2ft in the rear yard? Giving the current grading, we can make that work also.
- Williams – I am troubled by the fact that you are tearing down the old house and using it as an argument to build a new house in the same place. I would like to see you work with the staff to bring this case into compliance. You need to work within the new code, not the 1959 house. You can do something with the garage being attached as well.
- Peterson – Would like to clarify the interior side and rear setback requirements. Venard – The side opposite Thornwood Drive is the interior side yard and the setback is 8ft. The side opposite Sunset Drive is considered the rear yard. The setback for the primary structure,

which is the house is 30ft. The setback for detached structure, such as the garage is 5ft.

- Bansal – I am in agreement with Commissioner Williams. I am unable to understand what the hardship is. Is the variance based upon that you want to use the same footprint? Hellyer – Yes. It is challenging to accommodate the square footage that we want to achieve on the first floor. The current setbacks make the house very narrow and hard to accommodate the desired rooms on the first floor.
- Bansal – The hardship is more of a design issue than anything else? Hellyer – Yes.
- Martinez – Is there anything you would like to say in a closing remark?
- Hellyer – I would definitely be willing to work with staff to bring it in to compliance. Is picking up a couple of feet on the rear yard something that would cause me to start this process over?
- Williams – No you do not need to start over. I would be happy to make a motion to continue this matter for you. I cannot imagine that you cannot work this out. This is not a complicated case.
- Hellyer - My clients and I thought that we could build a house in the same footprint as the existing house.
- Williams – I understand you thought that but we have to enforce a law that is modern. All you have to do is redraw the plans, come back in a few weeks and it is probably going to be a no-brainer

**Public Testimony: NONE**

Planning and Zoning Commission closed the public hearing.

Planning and Zoning Commission Discussion:

- Martinez - Would the Commissioners like to take a straw poll about granting a continuance on this application?
- Bansal – I am not in agreement with the proposal as is and the design is not really a hardship. I am okay with continuing it.
- Peterson – I am okay with continuing it but I believe a hardship exists in that we are trying to apply a modern code to an old lot. I would vote for it as it stands. I don't know how the lot could house a livable home under the current ordinances. I would vote for the current proposal or a continuance.
- Crawford – In favor of a continuance. It is well designed home. It is a late fifties neighborhood but a 2015 market; so there needs to be some flexibility. However, I think there is just too much bulk. I would like to see you work out and come back.
- Messer – I concur almost completely with Commissioner Crawford. I would like to see you work with staff and come back.
- Hajek – I support a continuance as well. You have a lot that is 9,300 sq. ft. and it is an odd shape. You have certainly put a beautiful home

and great plans together. I am in favor of it as it stands but I am okay with a continuance too.

- Williams – In favor of a continuance.
- Hansen – I also agree with Commissioners Crawford and Messer. The fact that you are applying standards for a 10,000 sq. ft. lot on a 9,300 sq. ft. warrants consideration for some flexibility. However, a hardship cannot be self-inflicted. I think the current configuration of the home is simply too intense for the lot. I agree with continuing the case.
- Martinez - I agree with Commissioners Crawford and Messer. This is an awesome plan and a great house. We have lots from the 1950s, but now we are building more modern houses. So I would be in favor of a continuance.
- Butler - I think if you would work with staff and with us, you will have a plan that works in a few weeks.

Planning and Zoning Commission moved to continue PZC 15-1-116, approving variances to Section 6-6A-7:1 (R1A District, Yard Requirements) and to Section 6-2-10:2 (Accessory Structures, Yard Requirements) to reduce the required corner side yard on the subject property in order to construct a single-family residence and associated detached garage at 720 Thornwood Drive.

Motion by: Williams  
Second by: Bansal

Continued  
(8 to 0)

Ayes: Hansen, Williams, Messer, Peterson, Crawford, Hajek, Martinez, Bansal  
Nays: None  
Absent: Hastings

## **F. Correspondence**

## **G. New Business**

## **H. Adjournment**

7:35 p.m.