

Legislation Details (With Text)

File #: 19-582B **Version:** 1
Type: Ordinance **Status:** Failed
File created: 6/6/2019 **In control:** City Council
On agenda: 7/16/2019 **Final action:**
Title: Pass the ordinance granting a variance to the maximum height and number of stories in order to construct a duplex at the subject property located at 125 N. Huffman Street, Naperville - PZC 19-1-043

Sponsors:

Indexes:

Code sections:

Attachments: 1. 125 N. Huffman St - Ordinance, 2. Exhibit A - Legal Description, 3. Exhibit B - Site Plan, 4. Exhibit C - Findings of Fact, 5. Exhibit D - Elevations, 6. Building Height Section, 7. Development Petition, 8. Public comment, 9. 125 N. Huffman Location Map

Date	Ver.	Action By	Action	Result
7/16/2019	1	City Council	denied	Fail

CITY COUNCIL AGENDA ITEM**ACTION REQUESTED:**

Pass the ordinance granting a variance to the maximum height and number of stories in order to construct a duplex at the subject property located at 125 N. Huffman Street, Naperville - PZC 19-1-043

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Erin Venard

BOARD/COMMISSION REVIEW:

The Planning and Zoning Commission considered this matter on June 5, 2019 and voted to recommend approval of the request (approved, 5-2). Staff concurs.

BACKGROUND:

Located on the west side of Huffman, north of School Street, the subject property has a common address of 125 N. Huffman Street. The 7,500 square foot property is zoned R2 (Single-Family and Low Density Multiple-Family Residence District) and is improved with a single-family residence and associated detached garage.

The petitioner, Steve Carr Builders and Developers, LLC, requests to demolish the existing residence and garage in order to construct a duplex on the property. The proposed duplex will require variances to exceed the height and story requirements in the R2 District.

DISCUSSION:

[Section 6-6C-8:1 \(R2 District: Height Limitations and Bulk Regulations\)](#)

https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH6REDI_ARTCR2SIMILODEMUMIREDI_6-6C-8HELIBURE of the Municipal Code states that the maximum height for duplexes in R2 shall be 2½ stories, not to exceed 35'. The proposed duplex is 4 stories and 39'1" in height. The petitioner requests the following variances: (1) to permit the 4 story duplex to exceed the 2½ story maximum by 1½ stories; and 2) to permit the 39'1" tall duplex to exceed the 35' height maximum by 4'1". The proposed duplex will comply with all other R2 bulk regulations.

Per [Section 6-2-4 \(Building Height and Bulk\)](#)

https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH2GEZOPR_6-2-4BUHEBU building height is measured from a datum point, which is established by the average of the 2 grades along each side lot line where the front yard line meets the side lot lines, to the highest point of the roof surface or parapet. The proposed duplex is 39'1" as measured from the datum point to the highest point of the rooftop access.

A story is defined in [Section 6-1-6 \(Definitions\)](#)

https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE_CH1ZOTIPUDE_6-1-6DE as that part of a building or structure between any floor and the floor next above. Exterior walls more than 4½' above the finished floor of the story below are considered a full story. The proposed duplex is considered 4 stories because both the garage level and the roof access are counted as a story. The roof access area includes the elevator shaft, a stairwell, and rooftop mechanical equipment. As a note, mechanical equipment is included in the height and story measurements due to its location in a rooftop enclosure; mechanical equipment screened by a parapet wall would not be included in the height measurement. Without the inclusion of the rooftop enclosure area, the proposed duplex would be 3 stories and approximately 32'11½" in height.

The subject property slopes upward and is significantly higher in the rear yard than the front yard. The roof access area results in additional height for the building, but does not add extra bulk. Given these reasons, staff is supportive of the variance request. The petitioner's responses to the standards for granting a variance are attached. Upon review, staff agrees with the petitioner's findings and recommends their adoption by the City Council.

Planning and Zoning Commission Action

The Planning and Zoning Commission opened the public hearing to consider PZC 19-1-043 on June 5, 2019. Steve Carr spoke as the builder and Lynn Dowd spoke as the owner. 3 members of the public spoke during public testimony raising concern with the total height of the proposed duplex and its effect on the neighboring structures.

After limited discussion, the Planning and Zoning Commission closed the public hearing and voted to recommend approval of PZC 19-1-043 (approved, 5-2). Chairman Hanson and Commissioner Losurdo cast the dissenting votes, finding there was no hardship present. Staff concurs with the Planning and Zoning Commission's recommendation.

Key Takeaways

- The petitioner is requesting variances for the total height and number of stories permitted for a duplex. Staff supports the request.

FISCAL IMPACT:

N/A