



Legislation Details (With Text)

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Title: Conduct the public hearing for approval of a variance to Section 6-2-26:4 for the property located at 204 N. Huffman Street - PZC 20-1-057

Sponsors:

Indexes:

Code sections:

Attachments: 1. Petition for Zoning Variance, 2. Response to Standards, 3. Site Plan, 4. Elevations, 5. Legal Description, 6. Location Map, 7. Public Comment

Date	Ver.	Action By	Action	Result
9/2/2020	1	Planning and Zoning Commission	approved	Pass

PLANNING AND ZONING COMMISSION AGENDA ITEM

ACTION REQUESTED:

Conduct the public hearing for approval of a variance to Section 6-2-26:4 for the property located at 204 N. Huffman Street - PZC 20-1-057

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Gabrielle Mattingly, Community Planner

BOARD/COMMISSION REVIEW:

Official notice for the public hearing for PZC 20-1-026 was published in the Daily Herald on August 17, 2020.

BACKGROUND:

The property is located at the northeast corner of Huffman Street and School Street with a common street address of 204 N. Huffman Street. The 0.25 acre property is currently vacant and is zoned R2 (single family and low density multiple family residence district). The R2 zoning district permits duplexes by right.

Prior Variance Approval

On May 20, 2014, the Naperville City Council granted approval of a variance for a 3-story single family home at the subject property (Ordinance 14-051). The proposal qualified as a 3-story home given the basement ceiling was proposed to be 5.58' in height. A basement is considered a story if its ceiling is four feet or more above the datum point. The proposed single-family home was never constructed on the property and as noted in the ordinance, the variance expired two years after approval was granted since no building permit was obtained and construction at the property did not begin.

DISCUSSION:

The petitioner, Lakewest Custom Homes, Ltd. on behalf of the owners, Milton and Marisa Charter, request approval of a variance from Section 6-2-26:4 (Teardown/Infill Regulations) of the Naperville Municipal Code for construction of a duplex which exceeds the maximum height regulations. The proposed duplex will have a front yard setback of 25.47' from Huffman Street at the closest point and a corner side yard setback of 15.25' from School Street.

Current Variance Request

The tear down infill regulations (Section 6-2-26:4) of the Municipal Code state that the maximum height for duplexes shall be 2½ stories, not to exceed 35' with a maximum peak roof height of 40'. The proposed duplex is 3 stories, with a peak height of 39.14' and a mean height of 32.31'. The petitioner requests a variance to permit the duplex to exceed the 2½ story maximum by a ½ story. The proposed height complies the maximum peak and mean heights.

Per Section 6-2-4 (Building Height and Bulk) 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. Per the definition of a story (Section 6-1-6) a basement is considered a story if its ceiling is four feet or more above the datum point. The proposed duplex is 3 stories given that the basement level (5.27 feet above the datum point) is counted as a story.

The petitioner's responses to the standards for granting a variance are attached. The subject property has challenging grade changes given its location on the side of a hill. Given the elevation changes, the basement ceiling is 5.27' above the datum point requiring the basement to be counted as a story. Only a small portion of the basement will be visible when viewing the duplex from Huffman Street given the proposed layout and site topography. Therefore, the building will not be perceived as a 3-story home. In addition, the proposed home maintains compliance with the mean and peak heights as required per code. Staff finds there is a hardship found on the property and is in support of the request.

Building Review Board Variance

The City of Naperville Building Review Board considered a variance request to Section 5-2C-3 for the subject property on Wednesday, August 19th. The variance request was to permit a reduction in the required amount of masonry for the proposed duplex. The Building Review Board voted to approve the request (approved 7, 0). The variance request will be forwarded to the City Council for final review and approval.

Key Takeaways

- The petitioner is requesting approval of a variance to the height regulations in order to construct a duplex at the property located at 204 N. Huffman Street. Staff is in support of the request.