



## Legislation Details (With Text)

**File #:** 21-0937 **Version:** 2  
**Type:** Ordinance **Status:** Passed  
**File created:** 7/12/2021 **In control:** City Council  
**On agenda:** 7/20/2021 **Final action:** 7/20/2021  
**Title:** Pass the ordinance approving a variance to Section 705.8.1 of the International Building Code for property located at 1255 S. Naper Blvd. (Market Meadows) - BRB Case #109

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ord - BRB Case #109, 2. Variance Drawings 060821

Date	Ver.	Action By	Action	Result
7/20/2021	2	City Council	passed	

### CITY COUNCIL AGENDA ITEM

**ACTION REQUESTED:**

Pass the ordinance approving a variance to Section 705.8.1 of the International Building Code for property located at 1255 S. Naper Blvd. (Market Meadows) - BRB Case #109

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Peter Zibble, TED Operations Manager

**BOARD/COMMISSION REVIEW:**

The Building Review Board (BRB) recommended approval (5-0) at its meeting on June 16, 2021. Staff concurs.

**BACKGROUND:**

The petitioner, Partners in Design Architects, Inc. is seeking to demolish a portion of the existing Market Meadows shopping mall located on the northwest corner of Naper Blvd. and 75<sup>th</sup> Street and construct a new building adjacent to the existing structures. The new building will be constructed on two separate parcels with retail uses at the front (east side) and self-storage at the rear. An entrance to the self-storage facility will be constructed at the front of the building as well. The new building is proposed to be located zero feet from both the north and south property lines, with a portion of the building set-back 3.0' from the south property line to accommodate an overhead door.

The applicant has requested a variance to Section 705.8.1 of the International Building Code (IBC) to allow certain openings in the exterior of the building which would not otherwise be permitted by the code.

1. Permit a 144 sqft, three-hour rated overhead door, 3.0' from the south property line.
2. Permit a 133 sqft total unprotected aluminum storefront and glazing window, 0.0' from the

south property line.

3. Permit a three-hour rated swing door, 0.0' from the north property line.
4. Permit a three-hour rated swing door, 0.0' from the south property line.

### **DISCUSSION:**

Section 705.8.1 (Table 705.8) of the 2018 IBC dictates the allowable area of openings for a building based on the fire separation distance. In this case, the fire separation distance is defined as the distance measured from the building face to the closest interior lot line.

1. Per Table 705.8, protected openings may not exceed 15% of the total wall area for portions of the wall located between 3.0' and less than 5.0'. The proposed overhead door is protected, but is 31% of the total wall area.
2. Per Table 705.8, no openings, protected or unprotected are permitted between 0.0' and less than 3.0'. The proposed storefront is unprotected and located 0.0' from the lot line.
3. Per Table 705.8, no openings, protected or unprotected are permitted between 0.0' and less than 3.0'. The proposed swing door on the north side of the building is protected and is 0.0' from the lot line.
4. Per Table 705.8, no openings, protected or unprotected are permitted between 0.0' and less than 3.0'. The proposed swing door on the south side of the building is protected and is 0.0' from the lot line.

Staff has reviewed the circumstances surrounding the petitioner's request and supports the requested variances for the following reasons:

- a. The overhead door has been set back 3.0' from the property line and is to be protected with an automatic fire shutter mounted to the exterior face of the wall.
- b. The aluminum storefront and glazing is a minimum of ten feet from the adjacent building.
- c. The swing doors are to be three-hour rated doors, equivalent to the rating of the exterior walls, and are a critical means of egress.
- d. This project is within a shopping center and the lot lines were created for ownership and administrative purposes. Typical shopping centers without internal lot lines do not require such rated openings between adjacent units. Agreements are in place with adjacent property owners to ensure the areas outside of the openings remain unobstructed. The adjacent owner has also provided written acknowledgement that the proposed design is acceptable.

### **FISCAL IMPACT:**

N/A