



## Legislation Text

---

File #: 19-222, Version: 1

---

### **CITY COUNCIL AGENDA ITEM**

#### **ACTION REQUESTED:**

Consider the petitioner's request to appeal the Historic Preservation Commission's decision regarding COA #19-25 for the subject property located at 105 S. Sleight

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Gabrielle Mattingly

#### **BOARD/COMMISSION REVIEW:**

A Certificate of Appropriateness (COA) request was reviewed by the Historic Preservation Commission (HPC) on January 24, 2019 for the subject property located at 105 S. Sleight Street (COA #19-25). The COA request was to alter the window style on the east facing facade of the existing home located at this property by removing the existing picture window and the sidelights surrounding the picture window and instead install three double hung windows of equal size in its place. The HPC voted to recommend approval of the COA with a condition that middle proposed double hung window be approximately 6" wider than the two flanking double hung windows (vote 7,0).

#### **BACKGROUND:**

The subject property is located within the historic district at 105 S. Sleight. The existing home is a 1.5 story, Queen Anne Cottage style residential home. It is an approximately 11,000 sq. ft. lot located at the southwest corner of Sleight Street and Van Buren Avenue. It is zoned R2 (Single-Family and Low-Density Multiple-Family Residence District).

Based on information provided in the Architectural and Historical Survey (2008) for the subject property, an alteration was made at some point to enlarge the 1<sup>st</sup> floor windows in order to construct a 3-part picture window.

#### **DISCUSSION:**

The City of Naperville Municipal Code Section 6-11-8:2.2 requires a COA subject to Historic Preservation Commission (HPC) approval for work that will result in a change of window style of any window located on the primary facade (Note: the primary facade is defined as the portion of the facade that abuts or is nearest to a front yard or corner side yard and is visible from a public street). The homeowners, Bill and Lana Bassetto, submitted a COA request #19-25 in order to alter the style of the existing picture window and the sidelights surrounding the picture window on the east facing facade and replace the windows with three equal sized double hung wood windows with exterior aluminum cladding. The petitioners submitted the request because the existing window is cracked. No changes to the total window size opening is being made with this proposal.

### **Historic Preservation Commission Review**

At their meeting held on January 24, 2019, the HPC reviewed COA application #19-25. The owners of the request were not present at the meeting, but representatives of the owners were present. Section 6-11-8:5 of the City's Code (Certificate of Appropriateness Required) establishes the factors for consideration of a COA application. Based on the discussion held at the meeting, a summary of the Commission's findings to each of the factors for consideration of a COA application has been provided below. In addition to the findings, a draft of the meeting minutes can be found in the attachments.

### **Factors for Consideration of a Certificate of Appropriateness Application:**

5.1. Compatibility With District Character: The Commission and Zoning Administrator shall consider the compatibility of the proposed improvement with the character of the historic district in terms of scale, style, exterior features, building placement and site access, as related to the primary facade (s), in rendering a decision to grant or deny a Certificate of Appropriateness.

*Analysis: The Historic Preservation Commission found the proposed three equal sized double hung windows were incompatible with the district character. The HPC found the condition of requiring the middle window to be approximately 6" wider than the flanking windows to be compatible with the district character given the home is a Queen Anne style home.*

5.2. Compatibility With Architectural Style: The Commission and Zoning Administrator shall consider the compatibility of the proposed improvement with the historic architectural style of the building or structure to be modified by the Certificate of Appropriateness request.

*Analysis: The Historic Preservation Commission found a Queen Anne style home typically has a bay window feature, with a larger center window and narrower flanking windows, on the front façade. Requiring the middle window to be approximately 6" wider than the flanking windows, creating a bay window style look, would be compatible with the architectural style of the home. In addition, the Historic Preservation Commission found the existing picture window was an alteration to the home and requested the condition of approval to be consistent with the original architectural style of the home. The HPC found an equal sized triple window would be very appropriate for the side of the house and not on the front facade.*

5.3. Economic Reasonableness: The Commission and the Zoning Administrator shall consider the economic reasonableness of any recommended changes determined to be necessary to bring the application into conformity with the character of the historic district.

*Analysis: The Historic Preservation Commission found the condition to be an economically reasonable change as necessary to bring the application into conformity with the character of the historic district. No cost information was provided by the petitioner.*

5.4. Energy Conservation Effect: In making its determinations, the Commission and Zoning Administrator shall consider the effect that any recommended changes may have on energy conservation.

*Analysis: The Historic Preservation Commission found that requiring the applicant to install a middle window that is approximately 6" wider than the flanking windows does not result in any adverse impact on energy conservation at the Subject Property.*

5.5. Application Of Regulations: The Commission and Zoning Administrator shall not impose specific regulations, limitations, or restrictions as to the height and bulk of buildings, or the area of yards or setbacks, or other open spaces, density of population, land use, or location of buildings designed for

conditional uses except as applicable for compliance with the underlying zoning district.

5.5.1. The Commission however, may consider the height and bulk of buildings and area of yards or setbacks within the context of existing neighborhoods in making its determinations. The Commission shall be permitted to deny a Certificate of Appropriateness on the basis of height and bulk of buildings and the area of yards or setbacks only upon finding that the approval of such a request would be detrimental to the existing or historical character of its surrounding neighborhood. The Commission may adopt procedural rules concerning the type of information that it considers necessary to make such a finding.

5.5.2. The Commission's consideration of height and bulk of buildings and area of yards or setbacks shall not exempt the applicant from compliance with the provisions of this [Title 6 <https://library.municode.com/il/naperville/codes/code\\_of\\_ordinances?nodeId=TIT6ZORE>](https://library.municode.com/il/naperville/codes/code_of_ordinances?nodeId=TIT6ZORE) (Zoning Regulations).

*Analysis: The Historic Preservation Commission found the proposed condition does not impose specific regulations, limitations, or restrictions as to the underlying zoning district regulations.*

5.6. The City's Historic Building Design and Resource Manual may be used as a resource in consideration of the above.

*Analysis: While no details on front façade facing windows of Queen Anne style homes are included in the resource manual, the Historic Preservation Commission found a Queen Anne style home to typically have a bay window feature on the front façade. The Historic Preservation Commission found the condition of approval was compatible with the architectural style of the home.*

### **Request to Appeal**

Following the meeting, the petitioners indicated that they would like to seek an appeal to the HPC's approval given that they do not concur with the condition placed on this approval.

Certificate of Appropriateness requests are reviewed by the Historic Preservation Commission. Per Code 6-11-8:4.4.6 (Certificate of Appropriateness Required: Decision Rendered), the Commission shall render a decision to grant or deny an application for a Certificate of Appropriateness at their scheduled meetings. The decision made by the Historic Preservation Commission is final unless the applicant wishes to appeal the decision. Per Code 6-11-8:4.6, the owner or applicant may appeal any denial of an application for a Certificate of Appropriateness as determined by the Historic Preservation Commission to the City Council. City Council may choose to uphold or overturn the HPC's ruling on the subject COA.

### **City Council Review**

On request to appeal, the City Council shall consider the meeting minutes and the findings of fact of the Historic Preservation Commission and shall determine whether the Certificate of Appropriateness should be approved or denied. A summary of the HPC's findings of fact can be found below. A draft of the meeting minutes and a copy of staff's report sent to the HPC can be found in the attachments.

**Option A:** If the City Council concurs with the petitioner to appeal the decision made by the Historic Preservation Commission, the Council shall make a motion to approve the COA #19-25 request for a change in window style at 105 S. Sleight Street to replace an existing picture window and the sidelight windows surrounding the picture window with three equal sized double hung windows without a condition.

**Option B:** If the City Council chooses to uphold the decision made by the Historic Preservation

Commission, the Council shall make a motion to deny the request for an appeal and uphold the Historic Preservation Commission's approval of COA #19-25 including the condition that the proposed middle double hung window be approximately 6" wider than the two flanking double hung windows.

***Key Takeaways***

- The homeowners of 105 S. Sleight Street submitted a COA request (COA #19-25) to alter the style of the existing window facing Sleight Street from a picture window with sidelights surrounding the picture window to three double hung windows of equal size. Per code, review by the Historic Preservation Commission is required for any work to historic home that results in a change of window style on the primary façade.
- The Historic Preservation reviewed COA #19-25 at their meeting held on January 24, 2019. Upon review, the HPC found that a typical Queen Anne style home has a bay window on the front façade. Given this information, the HPC voted to approve the request upon the condition that the middle double hung window was approximately 6" wider than the flanking windows (vote 7,0).
- In accordance with Section 6-11-8: 4.6 (Appeals to City Council) of the Municipal Code, the petitioner has requested to appeal the decision made by the HPC of COA #19-25 finding that the three equal sized windows were more in line with the architectural style of the home and that creating a middle window that is approximately 6" wider than the flanking windows would be too costly.

**FISCAL IMPACT:**

N/A