



## Legislation Text

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File #: 19-703, Version: 1

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### CITY COUNCIL AGENDA ITEM

#### **ACTION REQUESTED:**

Consider the petitioner's request to appeal the Historic Preservation Commission's decision regarding COA #19-402 for construction of a single family residential home at the subject property located at 26 N. Sleight

**DEPARTMENT:** Transportation, Engineering and Development

**SUBMITTED BY:** Gabrielle Mattingly

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

The Historic Preservation Commission (HPC) reviewed COA #19-402 at their meeting held on May 23, 2019. The HPC's motion to approve the COA for the proposed new single family home failed (vote: 3 in favor; 6 against).

#### **BACKGROUND:**

The applicant, DJK Custom Homes Inc., on behalf of the potential homeowners, Christopher and Mary Anne Yep, submitted a Certificate of Appropriateness (COA) request for the property located on the southeast corner of Sleight Street and Franklin Avenue with a common address of 26 N. Sleight. The COA request is for demolition of the existing single family residential home and construction of a new single family residential home in its place (COA #19-402). The subject property is approximately 9,693 square feet and is currently zoned R2 (Single-Family and Low Density Multiple-Family Residence District). The existing home is a 2 story, Vernacular Gable Front architectural style residential home.

#### ***Demolition Request***

On March 21, 2019, the HPC voted on the request for demolition of the existing single family home. This vote resulted in a tie. The tie vote was then appealed to the City Council. Following discussion, the City Council concurred with the petitioner and approved the requested demolition (vote: 7 in favor; 1 opposed).

#### ***Current Request***

Following approval for demolition of the existing home, the applicants requested to move forward with the proposal for construction of a new single-family home. This request was heard by the HPC on May 23, 2019 and was denied (vote: 3 in favor; 6 against). The applicants have requested to appeal the decision rendered by the HPC. The current request before the City Council is regarding review of the proposed single family residential home.

The City of Naperville Municipal Code Section 6-11-8:2.11 and Section 6-11-8:2.8, requires a COA, subject to Historic Preservation Commission (HPC) approval, for review of the primary façade of any

new principal structure. The primary façade includes both the façade facing Franklin Avenue and the façade facing Sleight Street.

## **DISCUSSION:**

### ***Historic Preservation Commission Review***

A Certificate of Appropriateness (COA) request for construction of single-family home was reviewed by the Historic Preservation Commission (HPC) on May 23, 2019 for the subject property located at 26 N. Sleight Street (COA #19-402). The HPC voted on the request, which resulted in denial of the request (vote: 3 in favor; 6 against). Those in support of the requested COA found that the proposed home met the guidelines as listed in the Historic Building Design Resource Manual for construction of a new single-family home and found that the overall size of the home was compatible when taking additions to existing historic homes into account; those against found the proposed height and building footprint was incompatible with the existing neighborhood and requested modifications to the vernacular style and the proposed placement of the front door.

### ***Request to Appeal***

Following the meeting, the petitioners indicated that they would like to seek an appeal to the HPC's denial. Per Section 6-11-8:4.4.7 (Certificate of Appropriateness Required: Decision Rendered) of the Naperville Municipal Code, the Commission's recommendation is final unless the applicant wishes to appeal the decision. Per Section 6-11-8:4.6 (Appeals to City Council), the Commission's findings of fact and meeting minutes related to the appealed case shall be forwarded to the City Council. Upon consideration of these materials, the City Council shall make the final determination as to whether the COA is approved or denied. Note: A text amendment to the Historic Preservation Section of the Code was recently approved by the City Council on June 18, 2019. This amendment included public notice requirements for any requests to appeal (Section 6-11-8:4.6.5). The public notice requirements include a letter of notice to the surrounding property owners within 300' and a sign posted on the property no less than 15 days in advance of the meeting. In accordance with this amendment, the applicant has provided public notice on the current request to appeal.

### ***Proposed Home***

The architectural style of the proposed single family residential home is farm-style with steep gable roof lines. The proposed home is a 1 story home, but is designed to appear like a 1 ½ story home. The petitioner has indicated that the proposed home will have approximately 3,384 square feet of gross floor area, with a 235 square feet screened-in porch, and a 530 square feet front porch. The proposed detached garage is 751 square feet. No alterations to the exterior design of the home have been made since denial by the Historic Preservation Commission. Renderings of the proposed home have been included in the attachments.

### **HPC Findings of Fact**

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 majority of the HPC felt the proposed footprint and ranch style was incompatible with the typical size and number of stories of homes that are found in the district. Commissioners also raised concern with the proposed location of the front door of the home, requesting the front door be located off of Sleight Street to coincide with the Sleight Street address. Other Commissioners found the proposed footprint was compatible when taking additions to existing historic homes into account.*

**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 majority of the Commission found the proposed vernacular style was compatible but requested modifications be made. These modifications included: consideration of a two-story home, relocation of the front door entrance to be off of Sleight Street, and general changes to the overall design to create a more historic feel.*

**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 majority of the Commission found the footprint of the home to be too large in comparison with typical homes that are found in the district concluding the proposal was not economically reasonable.*

**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 majority of the Commission found the overall footprint of the proposed home to be too large in comparison to existing homes in the historic district, therefore finding the proposal did not provide enough consideration towards overall energy conservation.*

**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 majority of the Commissioners felt the overall height and massing of the proposed home was incompatible with the existing neighborhood and requested the petitioner consider*

*constructing a home that is two stories in height with a more modest building footprint.*

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

*Analysis: The majority of the Commissioners felt the proposal did not meet the specifications listed in the HBDRM raising concern with the scale, massing, placement of the front door, and the proposed style. Other Commissioners felt the proposal complied with the guidelines in the HBDRM for construction of a new single-family home.*

**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 #19-402 request for construction of a single family home at 26 N. Sleight.

**Option B:** If the City Council concurs with the HPC, the Council shall make a motion to deny COA #19-402 request for construction of a single family home at 26 N. Sleight.

### ***Key Takeaways***

- The petitioner, DJK Custom Homes, Inc. has submitted COA #19-402 in order to demolish the existing single family home and construct a new single family home at 26 N. Sleight.
- The request for demolition of the existing single family home was approved on a request to appeal by the City Council at their meeting held on April 16, 2019.
- The Historic Preservation reviewed the request to construct a single family home at their meeting held on May 23, 2019. The HPC took a vote on the request for demolition which resulted in denial of the application (vote: 3 in favor; 6 against).
- 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 for COA #19-402.

### **FISCAL IMPACT:**

N/A