

**CITY OF NAPERVILLE
BUILDING REVIEW BOARD**

**AGENDA
Wednesday, August 18, 2010 – 2:00 p.m.
City Council Chambers**

**Naperville Municipal Center
400 S. Eagle St.
Naperville IL 60540**

- I. Call to Order**
- II. Roll Call**
- III. Introduction of Board Members and Staff**
- IV. New Business**

BRB # 76

Variation Ruling:

Applicant: First National Bank of Naperville
Address: 555 Fort Hill Drive
Naperville, Illinois 60540

Property Address: 12 N. Webster

The petitioner is requesting a variation ruling to the Naperville Municipal Code Section 5-1A-3, which amends the 2006 International Building Code Section 3002.4, Elevator Car to Accommodate Ambulance Stretcher. The code states that the elevator car shall be of such size and arrangement to accommodate a 24" X 84" ambulance stretcher. The applicant is requesting to install an elevator car with the dimensions of 51" X 69". The application may be viewed in the Development Services Team Department, 400 S. Eagle Street, Naperville, Illinois.

- V. Adjournment**

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BRB # 76



CITY OF NAPERVILLE
Transportation, Engineering, & Development (T.E.D.) Business Group

APPLICATION TO BUILDING REVIEW BOARD
Municipal Code, Title II, Chapter 4, "Building Review Board"

DATE: 7-23-10

ADDRESS OF SUBJECT PROPERTY: 12, N. WEBSTER STREET

APPLICANT NAME: FIRST NATIONAL BANK OF NAPERVILLE PHONE: (630) 361-3555

APPLICANTS ADDRESS: 555 FORT HILL DR.

CITY/STATE: NAPERVILLE IL ZIP CODE: 60540

E-MAIL ADDRESS: RUSS@RW-ATTORNEYS.COM FAX: 630-352-3610

CONTACT NAME: RUSS WHITAKER PHONE: 630-355-9600

1. Application to the Naperville Building Review Board is hereby made for a:

() RULING (X) VARIATION

2. List the specific section(s) of the City of Naperville's Municipal Code, Title V, Building Regulations, from which a ruling of a variation is requested:

NAPERVILLE MUNICIPAL CODE SECTION S-1A-3, WHICH AMENDS THE 2006 INTERNATIONAL BUILDING CODE SECTION 3002.4 AND SUCH OTHER SECTIONS AS MAY BE NECESSARY BASED ON SUBMITTED PLANS.

3. City Departments, Officers and Employees whose statements and decisions have previously been sought are:

- a) CHIEF BUILDING OFFICIAL (d) _____
- b) _____ (e) _____
- c) _____ (f) _____

4. The location of the site for which a ruling or variation is sought is:

- a) Subdivision and Unit: TOWN OF NAPERVILLE, BLOCK 10
- b) Lot Numbers(s): LOT 2
- c) Street Address(es): 12, N. WEBSTER ST.

5. My short, concise statement of the question to be resolved, and my position on the question is as follows:

SEE EXHIBIT A.

- A.) 2 Copies of Application Required
- B.) 2 Copies of Plans, include one 8 1/2X11
- C.) 1 Plat of Survey With Legal Description

Authorized Signature - Applicant: [Signature] \$250 Application Fee Paid

Within fifteen (15) days from the date of filing of the application, the Business Group Leader shall determine any additional legal, technical, and staff expenses that may be incurred by the City in the course of the consideration, and obtain from the applicant a guarantee, in a manner acceptable to the Business Group Leader of these additional expenses

EXHIBIT A

The Applicant seeks a single Building Code variance from Section 5-1A-3 of the Naperville Municipal Code, which amends the 2006 International Building Code. The proposed variance would permit the applicant to install an elevator that complies with both the 2006 International Building Code and the Illinois Accessibility Code, but fails to meet the oversized design requirements of Naperville's amendment to the Code.

At issue is the minimum required size of an elevator. The Illinois Accessibility Code (IAC) sets the minimum standard for elevator car size throughout Illinois. The IAC provides that the minimum elevator car size shall be 51" x 68." The 2006 International Building Code (2006 IBC), which has been adopted by the City of Naperville, restricts elevator car size in a slightly different manner. The 2006 IBC provides that where one or more elevators are to be installed in a *building of four (4) or more stories* the elevator car shall be of such size and dimension so as to accommodate a 24" x 84" stretcher in the horizontal or open position. The City of Naperville has amended the 2006 IBC to further restrict elevator size. The Naperville Municipal Code requires that an elevator in a *building of two or more stories* shall accommodate a 24" x 84" stretcher in the horizontal or open position. The Applicant proposes to comply with both the IAC and the 2006 IBC, but cannot comply with the more stringent restriction contained in Naperville's amendment the 2006 IBC.

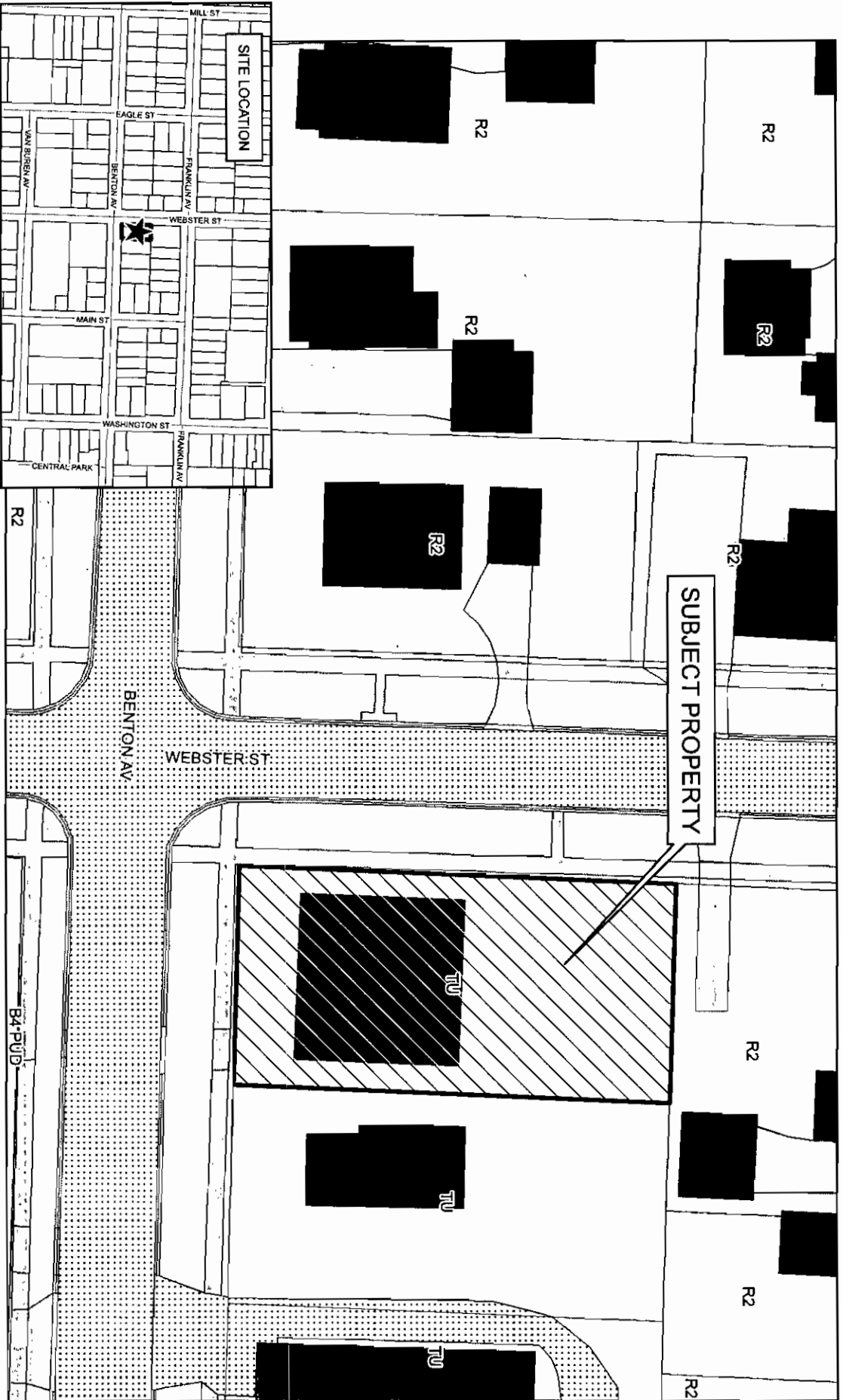
The proposed variance is driven by the existing condition of the property at issue. The previous owner of the property pulled permits and began construction of the existing three story brick and stone structure in early 2006. The proposed use of the structure was a very small first floor commercial space with residential condominiums on the top two floors. Construction subsequently halted and the property went through foreclosure. The Applicant has extensively marketed the property for the originally proposed commercial/residential use but has received no viable interest.

The Applicant is now working with a prospective purchaser who seeks to occupy the structure for a professional office. This change in proposed use has triggered significant changes to building and zoning code requirements and the interior design and function of the structure. Applicant simply cannot accommodate the numerous commercial restrictions now imposed upon the structure while maintaining a reasonably efficient and commercially desirable build-out of the interior. Accordingly, the Applicant seeks a variance, in accord with the IAC and the 2006 IBC, to permit the installation of a 51" x 69" elevator in the existing structure. Failure to grant the proposed variance would create significant hardship and would cause the property to remain unfinished and an unproductive use of property in the City's downtown core.

LEGAL DESCRIPTION

LOT 2 IN BLOCK 10 OF THE TOWN OF NAPERVILLE, BEING A SUBDIVISION IN THE SOUTH ½ OF SECTION 13, TOWNSHIP 38 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 15, 1842 AS DOCUMENT 131, IN DUPAGE COUNTY, ILLINOIS.

City of Naperville
12 N. WEBSTER STREET



Transportation Engineering and
 Development Business Group
 Questions Contact (630) 420-8694
 www.naperville.il.us
 July 2010



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