

PIN:
01-02-411-048

ADDRESS:
2816 ROLLING MEADOWS DRIVE
NAPERVILLE IL 60564

PREPARED BY:
CITY OF NAPERVILLE
LEGAL DEPARTMENT
630/420-4170

RETURN TO:
CITY OF NAPERVILLE
CITY CLERK'S OFFICE
P.O. BOX 3020
400 SOUTH EAGLE STREET
NAPERVILLE, IL 60540

PZC Case #17-1-114

ORDINANCE NO. 17- ____

**AN ORDINANCE GRANTING A VARIANCE FOR THE HEIGHT
AND STYLE OF A FENCE AT
2816 ROLLING MEADOWS DRIVE**

WHEREAS, David Garza ("Petitioner") has petitioned the City of Naperville for approval of a variance for the height and style of a fence on the subject property located at 2816 Rolling Meadows Drive, Naperville, IL, which is legally described in **Exhibit A** and depicted on **Exhibit B** ("Subject Property"); and

WHEREAS, the Subject Property is zoned R2 (Single-Family and Low Density Multiple-Family Residence District) and is also located within the Midam's Brook Crossing Unit 5 Planned Unit Development; and

WHEREAS, Municipal Code Section 6-2-12:1.2 (Fences) allows an open style fence up to 4' in height in the required corner side yard; and

WHEREAS, the Petitioner constructed a 6' tall, solid style fence in the required corner side yard on the Subject Property without a permit; and

WHEREAS, the Petitioner requests approval of a variance to maintain the existing 6' tall, solid style fence in the required corner side yard on the Subject Property; and

WHEREAS, on November 15, 2017, the Planning and Zoning Commission conducted a public hearing to consider the Petitioner's request for the Subject Property and recommended denial of the request; and

WHEREAS, the City Council of the City of Naperville has determined that the Petitioner's request meets the variance standards as provided in **Exhibit C** attached hereto and should be granted as provided herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NAPERVILLE, DUPAGE AND WILL COUNTIES, ILLINOIS, in exercise of its home rule powers, as follows:

SECTION 1: The foregoing recitals are incorporated herein as though fully set forth in this Section 1. All Exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

SECTION 2: A variance to permit a 6' tall solid style fence in the required corner side yard, as depicted on the Plat of Survey attached to this Ordinance as **Exhibit B**, is hereby approved.

SECTION 3: The City Clerk is directed to record this Ordinance and its exhibits with the Will County Recorder at the direction of the City Attorney.

SECTION 4: This Ordinance shall be in full force and effect upon its recordation with the Will County Recorder.

PASSED this _____ day of _____, 2017.

AYES:

NAYS:

ABSENT:

APPROVED this ___ day of _____, 2017.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph.D.
City Clerk