

**PINs: 08-29-103-040  
08-29-103-041**

**ADDRESS:  
1223 OXFORD LANE  
NAPERVILLE, IL 60540**

**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 #19-1-143**

**ORDINANCE NO. 20- \_\_**

**AN ORDINANCE GRANTING A VARIANCE TO SECTION 6-2-12:1.2 (FENCES:  
RESIDENCE DISTRICTS) IN ORDER TO INSTALL A 5' AND 6' FENCE FOR  
THE PROPERTY LOCATED AT 1223 OXFORD LANE**

**RECITALS**

1. **WHEREAS**, Robert J. and Andrea R. Siracusano ("Owners") have petitioned the City of Naperville for approval of a variance in order to construct a 5' and 6' fence within the required front and corner side yards on the subject property located at 1223 Oxford Lane, Naperville, IL, which is legally described in **Exhibit A** and depicted on **Exhibit B** ("Subject Property"); and
2. **WHEREAS**, the Subject Property is zoned E2, Medium Density Estate District and is located at the southwest corner of Hobson Road and Oxford Lane; and
3. **WHEREAS**, the subject property has a platted 50' corner side yard and a platted 35' front yard; and

4. **WHEREAS**, Municipal Code Section 6-2-12:1.2 (Fences: Residence District) allows an open style fence up to 4' in height in the required front and corner side yards; and
5. **WHEREAS**, the Petitioner wishes to construct a 5' and 6' tall open style fence; and
6. **WHEREAS**, the proposed fencing will be located in the required front and corner side yards on the Subject Property as depicted on **Exhibit B**; and
7. **WHEREAS**, the proposed fencing consists of an open design detailed in **Exhibit C**; and
8. **WHEREAS**, the proposal requires a variance for the proposed height and location of the fencing; and
9. **WHEREAS**, on May 6, 2020, the Planning and Zoning Commission conducted a public hearing to consider the Petitioner's request for the Subject Property and recommended approval of the request; and
10. **WHEREAS**, the requested variances meet the standards for granting a variance as provided in **Exhibit D** attached hereto; and
11. **WHEREAS**, the City Council of the City of Naperville has determined that the Petitioner's request 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 herein. All Exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

**SECTION 2:** A variance to permit a 5' and 6' tall open style fencing in the required front and corner side yards, as depicted on the Site Plan attached to this Ordinance as **Exhibit B** and the Fence Detail as **Exhibit C**, is hereby approved.

**SECTION 3:** The variance approved by this Ordinance shall expire unless within two (2) years from the effective date of this Ordinance if: (1) a building permit has been obtained and the construction or alteration of the structure as specified in this Ordinance has been started, or (2) the use specified in this Ordinance has commenced.

**SECTION 4:** This variance shall be subject to revocation for failure to comply with all other applicable provisions set forth in the Naperville Municipal Code, as amended from time to time, and all other applicable laws.

**SECTION 5:** The City Clerk is authorized and directed to record this Ordinance with the DuPage County Recorder.

**SECTION 6:** If any section, paragraph, or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, or provision, shall not affect any of the remaining provisions of this Ordinance or any other City ordinance, resolution, or provision of the Naperville Municipal Code.

**SECTION 7:** This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_ day of \_\_\_\_\_, 2020.

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Steve Chirico  
Mayor

ATTEST:

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Pam Gallahue, Ph.D.  
City Clerk