

**PINS:**

07-01-09-403-045, 07-01-09-403-050,  
07-01-09-403-055, 07-01-09-403-060,  
07-01-09-403-030, 07-01-09-403-035,  
07-01-09-403-040, 07-01-09-403-065,  
07-01-09-403-070, 07-01-09-403-142,  
07-01-09-403-144, 07-01-09-403-146

**PROPERTY ADDRESSES:**

2909-3017 SAGANASHKEE LANE  
NAPERVILLE, IL 60564

**PREPARED BY:**

CITY OF NAPERVILLE  
LEGAL DEPARTMENT  
630/420-4170  
400 SOUTH EAGLE STREET  
NAPERVILLE, IL 60540

**RETURN TO:**

CITY OF NAPERVILLE  
CITY CLERK/COMMUNITY SERVICES DEPT.  
400 SOUTH EAGLE STREET  
NAPERVILLE, IL 60540

PZC Case DEV-0015-2025

**ORDINANCE NO. 25 - \_\_\_\_**

**AN ORDINANCE GRANTING A VARIANCE FROM  
SECTION 6-2-12:1.7 (FENCES) OF THE NAPERVILLE MUNICIPAL CODE  
FOR THE PROPERTIES LOCATED AT 2909-3017 SAGANASHKEE LANE**

**RECITALS**

1. **WHEREAS**, Remington at Tall Grass, the HOA, 24012 W Renwick Road Unit 220, Plainfield, IL 60544 ("**Owner**"), is the owner of the properties legally described on **Exhibit A** and depicted on **Exhibit B** ("**Subject Properties**").
2. **WHEREAS**, Northwest Fence Inc., 15537 S Weber Rd., Romeoville, IL 60446 ("**Petitioner**"), has petitioned the City of Naperville on behalf of the Remington at Tall Grass Homeowners Association for approval of a variance in order to maintain the

existing fence that exceeds the allowable height limitation on the Subject Properties located at 2909-3017 Saganashkee Lane, Naperville, IL 60564.

3. **WHEREAS**, the Subject Properties are currently zoned R3A (Medium Density Multiple-Family Residence District) and are improved with single-family attached townhomes and associated common areas in the Tall Grass of Naperville Unit 8 subdivision.
4. **WHEREAS**, in accordance with Naperville Municipal Code Section 6-2-12:1.7 (Fences), subdivision perimeter fencing shall be permitted, provided that the height of the fence does not exceed 9 feet in height along major arterial rights-of-way.
5. **WHEREAS**, the Subject Properties are adjacent to IL Route 59, a major arterial right-of-way.
6. **WHEREAS**, pursuant to Section 6-3-6:2 (Standards for Variances) of the Naperville Municipal Code, the Petitioner, as authorized by the Owner, requests approval of a variance to Section 6-2-12:1.7 (Fences) of the Naperville Municipal Code to allow a 10-foot fence to remain along the east boundary of the Subject Properties, along IL Route 59, as depicted on **Exhibit B** (“**Site Plan**”).
7. **WHEREAS**, the requested variance meets the Standards for Variances as provided in **Exhibit C** attached hereto.
8. **WHEREAS**, on April 16, 2025, the Planning and Zoning Commission considered the requested variance and recommended approval of the Petitioner’s request.
9. **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 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 from Section 6-2-12:1.7 (Fences) of the Naperville Municipal Code to allow a 10-foot fence to remain along the east boundary of the Subject Properties, as depicted on the Site Plan attached hereto as **Exhibit B**, 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 Will 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. Technical and minor substantive revisions as deemed acceptable to the City Attorney

may be made to this Ordinance and to the exhibits hereto prior to recordation with the office of the Recorder in which the Subject Property is located within.

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

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Scott A. Wehrli  
Mayor

ATTEST:

\_\_\_\_\_  
Dawn C. Portner  
City Clerk