

Responses to Variance Standards:

1. The variance that I am seeking is in harmony with the general purpose. My property is facing a busy street, River Road and I have an outdoor pool on my property, the existing 6' tall privacy fence provides safety and comfort to the public, as well as privacy for my family. Since the existing 6' tall privacy fence has aged and broken, and is in desperate need of replacement, I intend to replace it with a new 6' tall privacy fence exactly the same size in layout and continue to ensure public safety around the pool.
2. When I purchased my property back in 2017, the existing 6' tall privacy fence, an outdoor pool and the outdoor patio already existed on my property as shown on the Plat of Survey. The existing pool location and the patio make it impossible to erect the new fence per the current setback requirement. Therefore, I am seeking a variance approval that would allow me to replace my aging fence with a new fence, same size and in the same location.
3. The requested variance, if granted, will not impact the surrounding properties and neighborhood at all because the existing fence has been there for over 10 years. I have not received any complaints about the existing fence. Replacing the aging and broken fence with a new one will ensure continued safety around the pool and improve the value of my neighborhood.



REQUIRED VARIANCE STANDARDS

The Naperville Municipal Code requires a petitioner who is seeking a variance to respond to a set of standards that demonstrate both the need and appropriateness of the variance request. Your response to the standards is forwarded to the Planning and Zoning Commission and City Council for consideration, along with a report prepared by staff, when reviewing your requested variance. It is important to provide thorough responses to each of the standards listed below. To assist in better understanding the intent of each standard, a more detailed explanation for each standard is provided below along with helpful information to consider when preparing your responses.

EXHIBIT 1: Section 6-3-6:2: Standards for Granting a Zoning Variance and/or Sign Variance

1. The variance is in harmony with the general purpose and intent of this Title and the adopted comprehensive master plan; and

Explanation: The Zoning Code seeks to improve and protect the public health, safety, comfort, convenience, and general welfare of the people by establishing a uniform set of rules applicable to each zoning district. A variance is a request to deviate from the standard rules. In this response, you should provide an explanation as to how the overall intent of the zoning code (see [Purpose and Intent](#) of the Zoning Code) and the comprehensive master plan (see [City's website](#)) will still be maintained if the specific variance you are requesting is granted.

2. Strict enforcement of this Title would result in practical difficulties or impose exceptional hardships due to special and unusual conditions which are not generally found on other properties in the same zoning district; and

Explanation: Explain how your property is different from others that are zoned and used in a similar manner (i.e., other residential lots) and how these differences make it difficult to comply with the standard code requirements. For example, the location of a mature tree on your property may make it difficult to build an addition onto your home in a location that complies with required setbacks. As a result, you may be seeking a variance to locate a portion of the addition within the required setback in order to preserve the tree. In this case, the tree presents a special condition and unusual hardship for your property that makes compliance with the code difficult. Per the code, hardships should not be self-imposed (i.e., "I would simply like a bigger addition than permitted") and should not be financially based (i.e., "It will be too costly to build in compliance with the Code").

3. The variance, if granted, will not alter the essential character of the neighborhood and will not be a substantial detriment to adjacent property.

Explanation: Provide details as to how the requested variance, if granted, will not significantly impact the surrounding properties and neighborhood. Questions to ask yourself when preparing this response may include: Will the variance result in an improvement that is out of character or inconsistent with surrounding properties? Will abutting properties be impacted by the variance I am requesting? If so, what considerations/alterations/conditions have been made to protect the adjacent properties from the proposed improvement? Are other properties in the immediate area improved in a similar manner?