

EXHIBIT B Standards for granting variance

The variance from section 6-2-10:6 to permit a fence to be located on a lot which does not contain a principle structure meets the requirements for a zoning variance under the Naperville Municipal Code Section 6-3-6:2 and is appropriate based on the following factors:

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

The property is located in the R2 zoning district comprising of a single family home with an adjacent vacant lot. The petitioner would like to install a 6 foot fence around the vacant lot comprising aluminum on the front and rear and wood along the east lot line, (depiction attached). Section 6-2-10:6 of the code prohibits fencing from being located on a lot which does not have a principle structure. In this instance the single family lot and vacant lot essentially function as one unified lot with the vacant lot serving as a side yard to a single family home.

The property faces the railroad tracks by the Naperville train station and at rush hour sees many commuters traveling to from their cars or homes in the neighborhood. The fence will serve multiple function including (i) providing a clear delineation between the street and private residence; (ii) complementing the home and landscaping; (iii) increasing safety for both the public and petitioner; and (iv) allowing the petitioner to better utilize their side yard.

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

The location and residential character of the property together with the nearby train station and surrounding neighborhood creates a unique set of circumstances. Permitting a fence on the vacant lot will ensure the property is properly delineated from the commuters utilizing the street and surrounding alley. Further, it will create consistency and ensure passersby will not confuse the property as public property. Strict enforcement of the code could cause confusion for the public because the property would not be clearly delineated and may be interpreted as a public right of way to their cars or homes in the neighborhood.

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

The variance, if granted, will not alter the essential character of the neighborhood and will not be a substantial detriment to the adjacent property. To the contrary, the fence will be appealing, tasteful and will have a positive effect to the character of the neighborhood. The proposed fence will be designed, laid out and constructed in a manner that achieves both the balance and harmony with the neighborhood, fosters peaceful relations with the neighbors and blends in a visually unobtrusive manner with the surroundings. Further, the fence will be located as to not impose any hardship on any neighbors, nor serve to create a situation where any neighbors quality of life, property value or peaceful co-existence would be negatively affected.

[illegible]