



Legislation Details (With Text)

File #: 17-575 **Version:** 2

Type: Ordinance **Status:** Passed

File created: 7/11/2017 **In control:** City Council

On agenda: 8/15/2017 **Final action:** 8/15/2017

Title: Pass the Ordinance Approving a Major Change to the Conditional Use to Grant a Variance for the Height and Style of a Fence on Property Located at 1800 S. Washington Street, PZC 17-1-072.

Sponsors:

Indexes:

Code sections:

Attachments: 1. DPU-W Ordinance, 2. Exhibit A - Legal Description, 3. Exhibit B - Plat, 4. Exhibit C - Standards, 5. Proposed Fence, 6. Application, 7. 7.19.17 PZC Minutes, 8. Location Map, 9. PZC_Application, 10. PZC_Legal Description, 11. PZC_Plat - Location of Fence, 12. PZC_Proposed Fence, 13. PZC_Standards

Date	Ver.	Action By	Action	Result
8/15/2017	2	City Council	passed	
7/19/2017	1	Planning and Zoning Commission	approved and referred	Pass

CITY COUNCIL AGENDA ITEM

ACTION REQUESTED:

Pass the Ordinance Approving a Major Change to the Conditional Use to Grant a Variance for the Height and Style of a Fence on Property Located at 1800 S. Washington Street, PZC 17-1-072.

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Erin Venard

BOARD/COMMISSION REVIEW:

The Planning and Zoning Commission considered this matter on July 19, 2017 and voted to recommend approval of the request (approved 9-0). Staff concurs.

BACKGROUND:

The subject property was granted a conditional use for a public service utility building in 1961 per Ordinance 38-61. Located on the east side of Washington Street, south of Redstart Road, the subject property has a common address of 1800 South Washington Street. The 14 acre property is currently improved with a wastewater pump station/operations base for the City of Naperville’s Department of Public Utilities-Water and is zoned R1A (Low Density Single-Family Residence District). The East Sector Update to the Comprehensive Master Plan (1998) describes the future land use of the subject property as “Transportation/Utilities”; the current land use is compatible with this designation.

The petitioner, the City of Naperville Department of Public Utilities-Water, proposes to replace an existing 6’ tall chain-link fence located along the front property line with a 6’ tall wooden fence. The

petitioner requests a variance to locate the 6' tall, solid style fence in the required front yard and in conjunction with this request is required to amend the existing conditional use permit.

DISCUSSION:

Variance for the Height of a Fence

Per Section 6-2-12:1.2 (General Zoning Provisions: Fences), open style fences 4' tall in height or less are permitted in the required front yard. An open fence is defined in Section 6-1-6 (Zoning Title, Purpose, Definitions: Definitions) as a fence which has at least 30% of the surface area in open spaces which afford direct views through the fence. The petitioner proposes to install a 6' tall, solid style, wooden fence in the front yard of the subject property along the Washington Street frontage. The proposed fence will replace an existing 6' tall chain-link fence. A variance is required for the height and style of the 6' tall solid fence.

Per the petitioner, the proposed fence is necessary to provide appropriate screening and security for the facility. Staff finds the proposed fence is compatible with the fences on residential properties. The rear yard of many surrounding properties aligns with Washington Street; per Code a 9' tall fence is permitted for residential properties located

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Per the petitioner, the proposed fence is necessary to provide appropriate screening and security for the facility. Staff finds the proposed fence is compatible with the fences on residential properties. The rear yard of many surrounding properties aligns with Washington Street; per Code a 9' tall fence is permitted for residential properties located along this property line. Additionally, per Section 6-2-5 (General Zoning Provisions: Utility Facility Regulations), utility facilities are required to be screened with fences or landscaping with 75% opacity. The proposed fence complies with this requirement. The petitioner's responses to the standards for granting a variance are attached. Upon review, staff agrees with the petitioner's findings and recommends their adoption by City Council.

Amendment to the Conditional Use

The subject property was granted a conditional use for a public service utility building in 1961. Per Section 6-3-8:5.1 (Administration and Enforcement: Conditional Uses: Major Changes), approval of a variance request requires a major change to a conditional use. Staff finds that the proposed variance request for the fence is appropriate for the subject property as it provides necessary screening the utility facility. The petitioner's responses to the standards for amending a conditional use are attached. Upon review, staff agrees with the petitioner's findings and recommends their adoption by City Council.

Key Takeaways

- The petitioner requests a major change to the conditional use for a public utility facility to grant a variance to permit the installation of a 6' tall solid style fence in the required front yard.
- Staff supports the requests given the proposed fence provides necessary and appropriate screening for the utility facility.

Planning & Zoning Commission Action

The Planning and Zoning Commission considered this matter at their meeting on July 19, 2017. Mike Warfel, City of Naperville Department of Department of Public Utilities-Water, spoke on behalf of the petitioner. After limited discussion, the Planning and Zoning Commission closed the public hearing and moved to adopt the findings of fact as presented by the petitioner and approve PZC 17-1-072 (approved 9-0). Staff concurs with the Planning and Zoning Commission's recommendation.

FISCAL IMPACT:

N/A