



Legislation Details (With Text)

File #: 18-898 **Version:** 1

Type: Public Hearing **Status:** Agenda Ready

File created: 10/11/2018 **In control:** Planning and Zoning Commission

On agenda: 10/17/2018 **Final action:**

Title: Conduct the public hearing to consider a variance to permit a 6' tall solid fence in the required corner side yard and front yard at the subject property located at 2703 Wolf River Court, Naperville - PZC 18-1-084

Sponsors:

Indexes:

Code sections:

Attachments: 1. Application, 2. Disclosure of Beneficiaries, 3. Pin and Legal Description, 4. Letter from Homeowner, 5. Standards, 6. Plat of Survey, 7. Location Map, 8. Public Comment

Date	Ver.	Action By	Action	Result
10/17/2018	1	Planning and Zoning Commission	accept	Pass

PLANNING AND ZONING COMMISSION AGENDA ITEM

ACTION REQUESTED:

Conduct the public hearing to consider a variance to permit a 6' tall solid fence in the required corner side yard and front yard at the subject property located at 2703 Wolf River Court, Naperville - PZC 18-1-084

DEPARTMENT: Transportation, Engineering and Development

SUBMITTED BY: Gabrielle Mattingly

BOARD/COMMISSION REVIEW:

Official notice for the public hearing for PZC 18-1-084 was published in the Naperville Sun on September 30, 2018.

BACKGROUND:

The subject property is zoned R1A (Low Density Single Family Residence District) and is located west of Wolf River Court just south of Fox River Lane. The 13,680 square foot property is currently improved with a single-family residence. The owner and petitioner, Jeffrey Stacey, requests approval of a variance in order to replace an existing 6' tall solid style fence in the required 30' corner side yard and the required 30' front yard (site plan showing the location of the fence is included in the attachments).

DISCUSSION:

Per Section 6-2-12:1 (General Zoning Provisions: Fences), an open, or picket style, fence 4' tall or less is permitted in the required corner side yard and 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. Due to the proposed

location of the fence in the required 30' corner side yard and 30' required front yard, the solid style of the fence, and the proposed 6' height, a variance is required.

As noted above, only 4' tall open (picket style) fences are permitted in the required corner side and front yard. The purpose of this regulation is to preserve sight lines and the open nature of the corner side yard. However, the proposed variance is for a replacement fence as a fence already exists in the proposed location. Staff conducted a review of the existing fence and found that the encroachment of the fence in its existing location is limited in nature and has minimal impact on sight visibility on the adjacent roadways. In addition, there is substantial landscaping at the existing residence that has a larger impact on the intersection sight distance. Given this information, staff is in support of the variance.

The petitioner's responses to the Standards for Granting a Variance are included in the Development Petition. Staff is in general agreement with the petitioner's Findings and recommends adoption by the Planning and Zoning Commission.

Key Takeaways

- The petitioner requests a variance to permit a 6' tall, solid style wooden fence that encroaches into the required corner side and front yard.
- Staff supports the requested variance finding the existing fence location to have minimal impact on the intersection sight distance. Staff recommends approval of the variance request.