

MEMORANDUM

TO: LOMBARD PLAN COMMISSION
Donald Ryan, Plan Commission Chairperson

FROM: William J. Heniff, AICP, Senior Planner
Department of Community Development

DATE: June 19, 2006

SUBJECT: DuPage County Public Hearing 5244-06 - Shubbak

DuPage County has received a filing for a public hearing for a variation from the County’s fence requirements to allow for a six-foot solid fence in a front yard, where a maximum fence height of four feet and fifty percent open is permitted; located on a lot within the County’s R-4 Single Family Residence District. The petition is for the property at 2S680 Gray Avenue, in the Butterfield East Subdivision (DuPage County ZBA Case 5244-06). As the subject property is located within the ultimate municipal boundaries of the Village of Lombard, the Village has received notice of the public hearing from the County and has been asked to provide comments or concerns regarding this petition.

Staff would like to solicit the input and a recommendation of the Plan Commission regarding this petition.

BACKGROUND

The subject property is located at the northwest corner of Butterfield Road and Gray Avenue. The petitioner has constructed an eight-foot solid fence along the south property line (within DuPage County Regulations). However, the petitioner would like to secure approvals from the County to extend the fence into the front yard as depicted on the plans.

The Village’s and County’s regulations are as follows:

	Petitioner’s Request	Required by DuPage County	Required by Lombard
Fence in front yard	Solid fence	50% open	2’ within clear line of sight area or 4’ if 75% open
Clear line of sight area	Within defined area	25’ x 25’ clear area	30’ x 30’ area
Fence Height	6 feet	4 feet	2’ within clear line of sight area or 4’ if 75% open

In review of the subject property, staff notes that a mature hedgerow exists along the property line. Extending the fence to the east and into the requisite front yard would have minimal impact for visibility as the yard is already encumbered by mature vegetation. Moreover, as the Butterfield Road right-of-way is substantially wider than most rights-of-way and that since motorists tend to stop at the stop sign on Gray Avenue far beyond the subject property, the fence would not create a clear line of sight issue for motorists.

FINDINGS AND RECOMMENDATION

As the property is within the extra-territorial jurisdiction of the Village, DuPage County is soliciting the comments of the Village relative to this petition. While the petitioner's requested relief is significant, staff believes that the unique factors associated with the factors (excessive right-of-way, the existing mature vegetation) would not pose a significant issue to the subject property or neighboring properties. Staff is seeking the input of the Plan Commissioner's as to whether they concur with staff's recommendation to not object to the petitioner's request for zoning relief from DuPage County as part of ZBA 5466-06.