

ANALYSIS

SUBMITTALS

This report is based on the following documents, which were filed with the Department of Community Development on May 28, 2004.

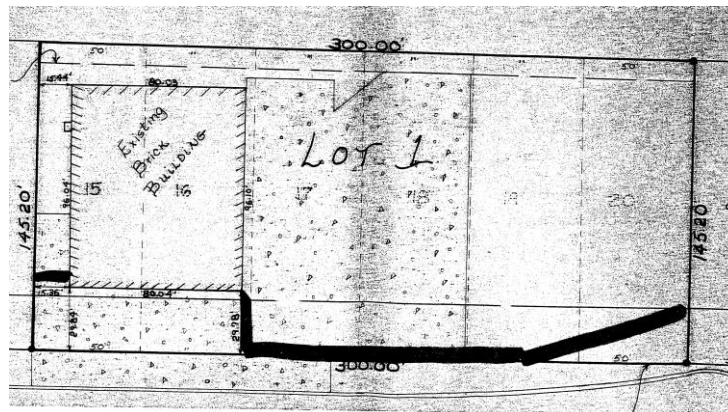
1. Petition for Public Hearing
2. Response to the Standards for Variation
3. Plat of Survey with proposed fence locations on the property

DESCRIPTION

In 1998 the Board of Trustees created an Ad Hoc Committee on the East St. Charles Road Corridor. Through the committee review process, property owners along the corridor informed the Village of the need for additional parking in the area. When the former Kohler Trading Company site across the street from the subject property was redeveloped by Safeguard Storage, the developer agreed to install on-street parking on Western Avenue at the request of the Village. Staff met with the property owners along Western Avenue to establish agreements specifying improvements to be made to their properties in exchange for licenses to access the on-street parking constructed on the south side of Western Avenue.

One improvement identified in the license agreement for the property at 702 E. Western was the removal and replacement of an existing chain link fence in the front yard. The existing fence is approximately six feet in height with barbed wire across the top. The license agreement states that the fence may be replaced with a new decorative wrought iron fence of up to eight feet in height provided that the owner applies for and is granted a variation to exceed the four foot maximum height in the required front yard. The petitioner intends to replace the fence with a six-foot metal fence and therefore requests a variation at this time.

Site Plan



Photographs



ENGINEERING

Private Engineering Services

From an engineering or construction perspective, PES has no comments.

Public Works Engineering

Public Works Engineering has no comments regarding this request.

FIRE AND BUILDING

The Fire Department/Bureau of Inspectional Services has no comments.

PLANNING

The four-foot (4') height restriction of fences in front yards is intended to provide adequate visibility for pedestrian, bicycle, and vehicular traffic. This restriction is also intended to ensure that light and air flow are not obstructed on other properties, as well as for aesthetic purposes within neighborhoods. Staff finds that the material and placement of the proposed fence will not inhibit light or air circulation on adjacent properties. A portion of the fence will be located within a line of sight area as it will be adjacent to a driveway on the subject property. Since the proposed fence will consist of open construction, staff finds that the fence will not obstruct visibility when traveling in or out of the site.

As the subject property is located within the Limited Industrial District, staff finds that the placement of a six foot fence in the front yard is acceptable given the nature of the uses within the area and will therefore be unobtrusive to surrounding properties. Staff also finds that the

proposed replacement fence will be an aesthetic improvement to the property as well as to the corridor overall. Staff can support the requested variation assuming that the fence is at least 75% open which will prevent the front yard area from appearing enclosed.

Compatibility with Surrounding Land Uses

East and west of the subject property are properties zoned for and developed as industrial uses. Many of these properties have utilized the front yard for storage and circulation purposes. The petitioner's proposed fence would not be inconsistent with past development activity along Western Avenue and would be more compatible with the adjacent uses. While the property to the south is zoned and development for retail uses, the uses are oriented toward St. Charles Road and the uses back-up to the Western Avenue right-of-way. As such, the fence would not be impacting the retail nature and function of these properties.

With respect to the single-family residence at 116 S. Chase, the property is oriented toward Chase and away from the subject property. As the new fence is replacing an existing fence already located on the property, the residential property should not be negatively impacted.

FINDINGS AND RECOMMENDATIONS

The Department of Community Development has determined that the information presented **affirmed** the Standards for Variations for the requested relief. Based on the above considerations, the Inter-Departmental Review Committee recommends that the Zoning Board of Appeals make the following motion recommending **approval** of the requested variation:

Based on the submitted petition and the testimony presented, the requested fence height variation **complies** with the Standards required for a variation by the Lombard Zoning Ordinance; and, therefore, I move that the Zoning Board of Appeals accept the findings on the Inter-Departmental Review Committee as the findings of the Zoning Board of Appeals and recommend to the Corporate Authorities **approval** of ZBA 04-07, subject to the following conditions:

1. That the petitioner shall apply for and receive a building permit for any proposed fencing on the subject property.
2. That the fence staff be located per the petitioner's plans submitted as part of this request.
3. That the fence consist of wrought iron or an equivalent material not to exceed six feet (6') in height when measure from grade to the top of the post. Said design subject to the approval of the Director of Community Development.
4. That the fence shall be of at least 75% open construction and shall meet all provisions of Section 155.205(A)(3)(e) of the Lombard Zoning Ordinance.

Zoning Board of Appeals

Re: ZBA 04-07

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Inter-Departmental Review Group Report Approved By:

David A. Hulseberg, AICP
Director of Community Development

att-

c: **Petitioner**

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