



**NAPERVILLE PLANNING AND ZONING COMMISSION
COUNCIL CHAMBERS – MUNICIPAL CENTER
FINAL AGENDA
01/18/2012 - 7:00 p.m.**

CALL TO ORDER:

A. ROLL CALL

B. APPROVE MINUTES

1. Approve the minutes of the December 21, 2011 Planning and Zoning Commission Meeting.

C. OLD BUSINESS

D. PUBLIC HEARINGS

1. PC Case # PCZ 11-1-156 131 E. Hillside Road Fence Variance
Petitioner: Eric and Keri Johnson
Location: 131 E. Hillside Road, at the northeast corner of Hillside Road and Riverview Drive

Request: Conduct the public hearing for a fence variance at 131 E. Hillside Road, PZC 11-1-156

Official Notice: Published in the Naperville Sun on December 21, 2011
2. PC Case # PCZ 11-1-159 903 Stanton Court Fence Variance
Petitioner: Crestview Builders, 4432 Chinaberry Lane, Naperville, IL
Location: 903 Stanton Court, at the end of Stanton Court, north of Hobson Road

Request: Conduct the public hearing for a fence variance at 903 Stanton Court, PCZ # 11-1-159

Official Notice: Published in the Naperville Sun on January 1, 2012

E. REPORTS AND RECOMMENDATIONS

AGENDA
NAPERVILLE PLANNING AND ZONING COMMISSION
01/18/2012 - 7:00 p.m. - COUNCIL CHAMBERS
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- F. CORRESPONDENCE**
- G. NEW BUSINESS**
- H. ADJOURNMENT**

Any individual with a disability requesting a reasonable accommodation in order to participate in a public meeting should contact the Accessibility Coordinator at least 48 hours in advance of the scheduled meeting. The Accessibility Coordinator can be reached in person at 400 S. Eagle Street, Naperville, IL., via telephone at 630-420-6725 or 630-305-5205 (TDD) or via e-mail at manningm@naperville.il.us. Every effort will be made to allow for meeting participation.



**NAPERVILLE PLANNING AND ZONING COMMISSION
DRAFT MINUTES OF DECEMBER 21, 2011**

Call to Order		7:00 p.m.
A. Roll Call		
Present:	Bruno, Frost, Gustin, Messer, Meyer, Trowbridge, Williams, Herzog	
Absent:	Coyne	
Student Members:	None	
Staff Present:	Planning Team – Forystek, Emery Code Enforcement – Michalsen	
B. Minutes	Approve the minutes of December 7, 2011.	
	Motion by: Gustin Second by: Williams	Approved (8 to 0)
C. Old Business		
D. Public Hearings		
D1. Case # Case Name	The petitioner requests a major change to the conditional use to allow for a public assembly use, an expanded training studio and a variance from Section 6-9-3 (Schedule of Off-Street Parking Requirements) in order to allow Kidz Kabaret (Fair Lady Productions, Inc.) to occupy and expand uses in an existing tenant space.	
	Katie Forystek, Planning Services Team, gave an overview of the request.	
	Len Monson, 552 S. Washington Street, Naperville, IL, Attorney on behalf of the petitioner provided an overview of the request noting: <ul style="list-style-type: none"> • The request for expansion is primarily for storage space. • Parking occupancy counts show adequate availability of parking on-site. • Kidz Kabaret and adjacent warehouse tenants are complimentary uses, as they have different peak hours of operation. 	
	Planning and Zoning Commission inquired about <ul style="list-style-type: none"> • Trowbridge: Requested confirmation that if parking becomes an issue it will be addressed based on the existing conditions of approval laid out by staff. • Meyer: Sought clarification regarding who requested an allowance for potential future expansion. Inquired whether or not the Legal Department has reviewed the condition of approval related to the future expansion. Staff stated that staff came up with idea to allow for future 	

	<p>expansion through the condition of approval included in the staff memo and the petitioner concurred with the concept. Staff also noted that the City’s Legal Department has reviewed the condition of approval.</p> <ul style="list-style-type: none"> • Bruno: Sought clarification on whether or not the Commission was being asked to approve the petitioner’s expansion and an additional 6,000 square feet of tenant space. The petitioner clarified that they are seeking expansion of approximately 3,000 square feet and in the future if they wish to expand they could do so under the parameters of the condition of approval in the staff memorandum.
	<p>Public Testimony: None</p>
	<p>Petitioner responded to testimony None</p>
	<p>Planning and Zoning Commission inquired about</p> <ul style="list-style-type: none"> • Bruno – Noted that placing a time limit on the allowance for the 6,000 square feet expansion should be considered. The petitioner stated that they do not know when or if they will expand in the future or if additional adjacent space will become available. • Gustin – Sought clarification on the process for the petitioner if the Zoning Administrator did not approve a future expansion. Staff clarified that the petitioner would have the opportunity to seek approval of a major change to the conditional use and a parking variance through a public hearing before the Commission and final approval from the City Council. <p>Planning and Zoning Commission closed the public hearing.</p>
	<p>Plan Commission Discussion:</p> <ul style="list-style-type: none"> • Bruno – Has concerns with approval process and the open ended time frame for expansion. • Meyer – Supports the petitioner’s request, but is hesitant about Zoning Administrator approval and the open time period for expansion, • Trowbridge – Supports the request. • Gustin – Supports the request and feel that the allowance for future expansion is a good process for the petitioner. • Herzog – Supports the motion as written by staff. • Williams – Supports the petitioner’s request.
	<p>Planning and Zoning Commission moved to recommend approval of a major change to the conditional use to allow for a public assembly use, an expanded training studio and a variance from Section 6-9-3 (Schedule of Off-Street Parking Requirements) in order to allow Kidz Kabaret (Fair Lady Productions, Inc.) to occupy and expand uses in an existing tenant space subject to the conditions outlined in the staff memorandum.</p>

	<p>Motion by: Trowbridge Seconded by: Williams</p> <p>Motion of substitution by Commissioner Bruno to incorporate a 5 year time limit for the proposed 6,000 square foot expansion subject to Zoning Administrator approval.</p> <p>Motion by: Bruno Seconded by: Meyer</p> <p>Ayes: Bruno, Meyer Nays: Frost, Gustin, Messer, Trowbridge, Williams, Herzog</p> <p>Motion of substitution failed (Denied, 2-6)</p> <p>Planning and Zoning Commission moved to recommend approval of a major change to the conditional use to allow for a public assembly use, an expanded training studio and a variance from Section 6-9-3 (Schedule of Off-Street Parking Requirements) in order to allow Kidz Kabaret (Fair Lady Productions, Inc.) to occupy and expand uses in an existing tenant space subject to the conditions outlined in the staff memorandum.</p> <p>Ayes: Bruno, Meyer, Frost, Gustin, Messer, Trowbridge, Williams, Herzog Nays: None.</p>	<p>Approved (8 to 0)</p>
<p>E. Reports and Recommendations</p>		
<p>F. Correspondence</p>	<p>1. Multi-Tenant Ground Signs Memorandum – Commissioner Herzog stated that the memorandums prepared by staff addressed his concerns.</p>	
<p>G. New Business</p>		
<p>H. Adjournment</p>		<p>7:28 p.m.</p>



Naperville

NAPERVILLE PLANNING AND ZONING COMMISSION AGENDA ITEM

PC CASE: 11-1-156 **AGENDA DATE:** 1/18/2012

SUBJECT: 131 E. Hillside- Fence Variance
 Petitioner: Eric and Keri Johnson, 131 E. Hillside Road

LOCATION: 131 E. Hillside Road, at the northeast corner of Hillside Road and
 Riverview Drive

Correspondence New Business Old Business Public Hearing

SYNOPSIS:

The petitioner requests approval of a variance from Section 6-2-12 (Fences) to construct a 54-inch (4 ½ foot) fence within the required corner side yard for the property at 131 E. Hillside Road.

PLAN COMMISSION ACTION PREVIOUSLY TAKEN:

Date	Item No.	Action
N/A		

ACTION REQUESTED/RECOMMENDED THIS MEETING:

Conduct the public hearing.

PREPARED BY: Suzanne Thorsen, AICP, Planning Services Team

EXISTING ZONING, LAND USE, AND LOCATION:

The subject property is located at the northeast corner of Hillside Road and Riverview Drive, with a common street address of 131 Hillside Road. It is zoned R1A (Low Density Single Family Residence District) and is presently being improved with a single-family home.

CONTROLLING AGREEMENTS AND ORDINANCES:

N/A

PLANNING SERVICES TEAM REVIEW:

In accordance with Section 6-2-12 (Fences), fences that are located within the required corner side yard must not exceed 4' in height if they are at least 30% open, or 3' in height if they are opaque. Fences exceeding 4' in height must comply with the minimum corner side setback requirement (R1A requires 30' setback for the corner side yard).

131 Hillside Road – PCZ 11-1-156
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The petitioner wishes to construct an open fence (ornamental aluminum picket style) approximately 4.5' in height, which will be located within the required corner side yard, approximately 10' from the corner side property line. The fence will enclose a pool area in accordance with the requirements of the Building Code, which mandates that pool fences measure at least 4' in height.

The right-of-way abutting the subject property is Riverview Drive, a small cul-de-sac with three fronting residential lots and one driveway extending to a residence located on an interior lot. No homes presently front Riverview Drive. While the intent of the zoning ordinance is to maintain open character and a high level of visibility on the corner side of residential properties, the particular configuration of the right-of-way abutting the subject property and the extremely limited traffic flow within the area are unique conditions that warrant consideration of the requested variance. Further, the additional ½ foot in height does not compromise the open appearance of the fence within the corner side yard.

Staff Summary

Staff has reviewed the petitioner's request for variance and concurs. Furthermore, staff finds that the petitioner's request is consistent with the general purpose and intent of the Zoning Ordinance to maintain an open character in corner side yards and would not alter the essential character of the neighborhood or be a detriment to adjacent property.

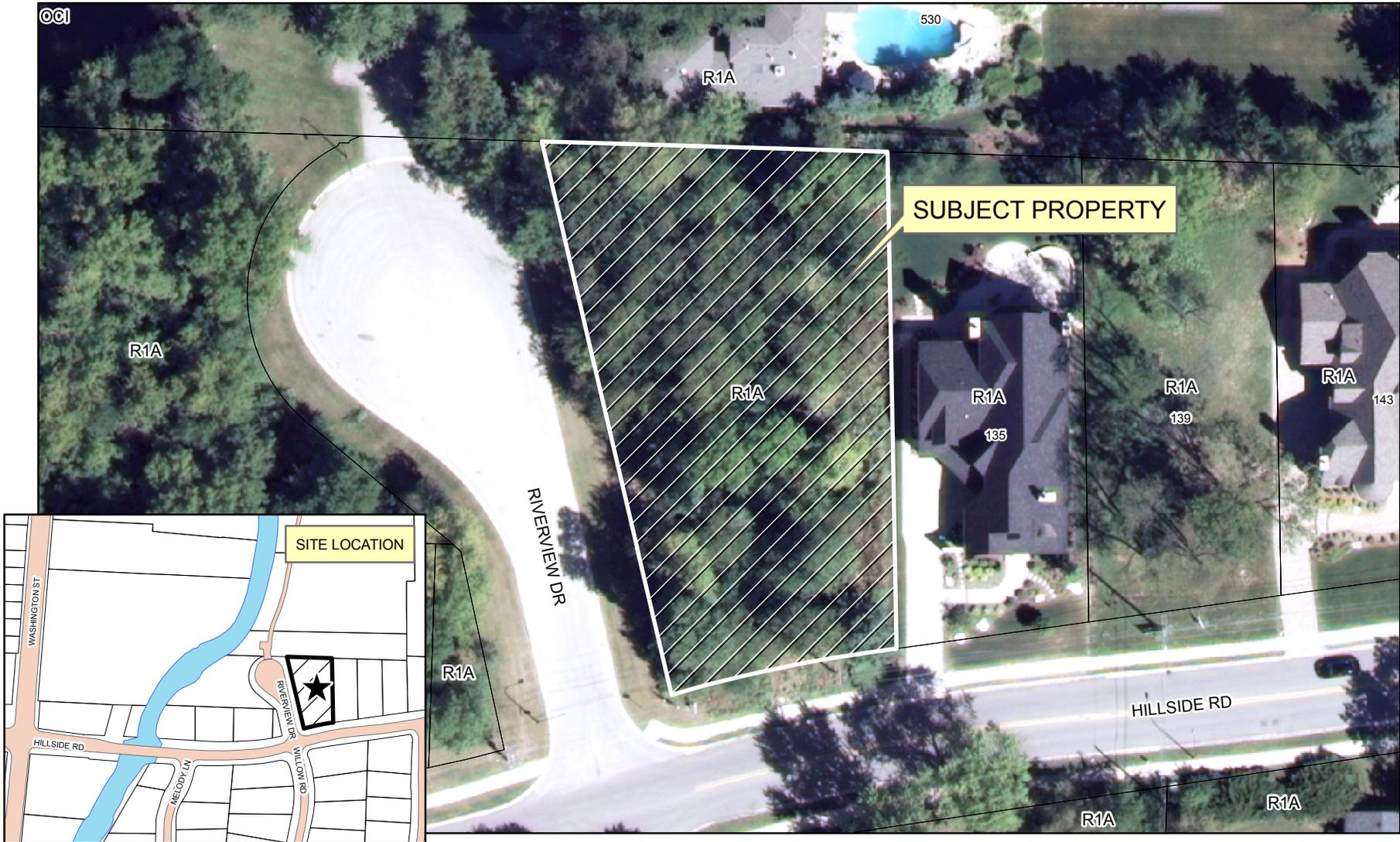
ACTION REQUESTED:

Conduct the public hearing.

ATTACHMENTS:

1. Location Map
2. Petition for Variance

City of Naperville
131 E. HILLSIDE ROAD



Transportation, Engineering and
Development Business Group
Questions Contact (630) 420-6719
www.naperville.il.us
December 2011



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or application of the data. Reproduction or redistribution is
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CITY OF NAPERVILLE APPLICATION FOR A ZONING VARIANCE

ADDRESS OF SUBJECT PROPERTY: 131 E. HILLSIDE RD, NAPERVILLE, IL 60540

PARCEL IDENTIFICATION NUMBER (PIN) 0819106024

APPLICANT'S NAME: ERIC L. + KERI A. JOHNSON

APPLICANT'S ADDRESS: 12921 TIPPERARY LANE

CITY: PLAINFIELD STATE: IL ZIP CODE: 60585

APPLICANT'S DAYTIME PHONE: (312) 486-4442

E-MAIL ADDRESS: eric.l.johnson@deloitte.com

OWNER OF PROPERTY: ERIC L. + KERI A. JOHNSON

OWNER'S ADDRESS: 12921 TIPPERARY LANE

CITY: PLAINFIELD STATE: IL ZIP CODE: 60585

OWNER'S DAYTIME PHONE: (312) 486-4442

ZONING OF PROPERTY: R1A

AREA OF PROPERTY (Acres or sq ft): 21,720 SQ. FT.

List Improvements on property (buildings, fences, pools, decks, etc.)

RESIDENTIAL HOME UNDER CONSTRUCTION

DETAILED DESCRIPTION OF VARIANCE (include relevant Section numbers of Municipal Code; attached additional pages if needed):

FENCE VARIANCE

TITLE 6, CHAPTER 2, SECTION 6-2-12

EXHIBIT A

STANDARDS FOR A ZONING VARIANCE

A zoning variance can only be granted if there are specific, land-related hardships or practical difficulties in carrying out the requirements of the ordinance for a particular piece of property. Self-inflicted hardships or increased profit or property value are not sufficient justifications to warrant a variance.

The recommendations prepared by staff and the Planning and Zoning Commission are prepared based upon the following standards, which are contained in Section 6-3-5 of the Naperville Municipal Code. *You should review the standards and, if necessary, prepare written findings or other evidence to support your request.*

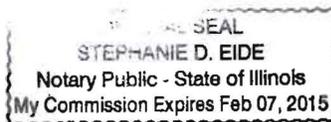
1. The variance is in harmony with the general purpose and intent of this Title; and
2. Strict enforcement of this Title would result in practical difficulties or impose exceptional hardships due to special and unusual conditions which are not generally found on other properties in the same zoning district; and
3. The property cannot yield a reasonable return if permitted to be used only under the conditions allowed by this Title; and
4. The variance, if granted, will not alter the essential character of the neighborhood and will not be a substantial detriment to adjacent property.

I have reviewed the Standards for a Zoning Variance and understand and acknowledge that my request will be considered based upon the extent to which it fulfills these standards. Further, I understand and acknowledge that I may be required to provide a written explanation detailing how my request fulfills these standards.

Teri A. Johnson 12/8/2011
 (signature of applicant) (date)

SUBSCRIBED AND SWORN TO before me this 8th day of Dec, 2011

Stephanie D. Eide
 (Notary Public and Seal)



The above information, to the best of my knowledge, is true and accurate:

Keri Johnson 12/8/2011
(signature of applicant) (date)

SUBSCRIBED AND SWORN TO before me this 8th day of Dec, 2011

Stephanie D. Eide
(Notary Public and Seal)

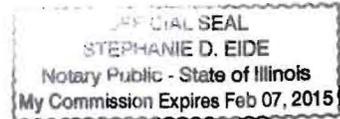


EXHIBIT A

CITY OF NAPERVILLE
DISCLOSURE OF BENEFICIARIES

In compliance with Ordinance 85-193, An Ordinance amending Title 1 (Administrative) of the Naperville Municipal Code, as amended, by adding Chapter 12 thereto requiring disclosure of certain interests by persons applying for permits, licenses, approvals or benefits from the City of Naperville.

1. Applicant: Keri A. Johnson
Address: _____

2. Nature of Benefit sought: Fence variance

3. Nature of Applicant (Please check one):
- a. Natural Person
 - b. Corporation
 - c. Land Trust/ Trustee
 - d. Trust/Trustee
 - e. Partnership
 - f. Joint Venture

4. If applicant is an entity other than described in Section 3, briefly state the nature and characteristics of applicant:
N/A

5. If in your answer to Section 3 you checked box b, c, d, e or f, identify by name and address each person or entity which is a 5% shareholder in the case of a corporation, a beneficiary in the case of a trust or land trust, a joint venture in the case of case of a joint venture, or who otherwise has a proprietary interest, interest in profits and losses or right to control such entity:

a. N/A

b. _____

c. _____

d. _____

6. Name, address and capacity of person making this disclosure on behalf of the applicant:
N/A

IMPORTANT NOTE: In the event your answer to Section 5 identifies entities other than a natural person, additional disclosures are required for each entity.

VERIFICATION
I, Keri A. Johnson, being first duly sworn under oath, depose and state that I am the person making this disclosure on behalf of the applicant, that I am duly authorized to make this disclosure, that I have read the above and foregoing Disclosure of Beneficiaries, and that the statements contained therein are true in both substance and fact.

Signature: Keri A. Johnson

Subscribed and Sworn to before me this 8th day of Dec., 2011.

Stephanie D. Eide
Notary Public

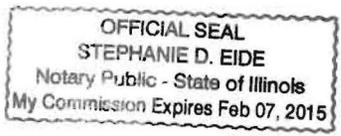
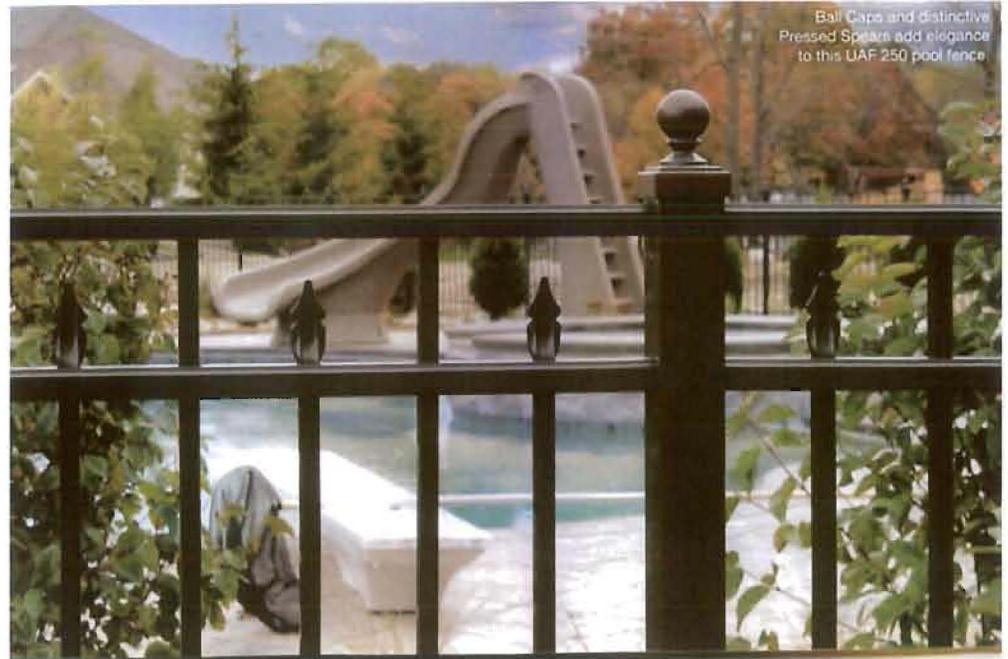
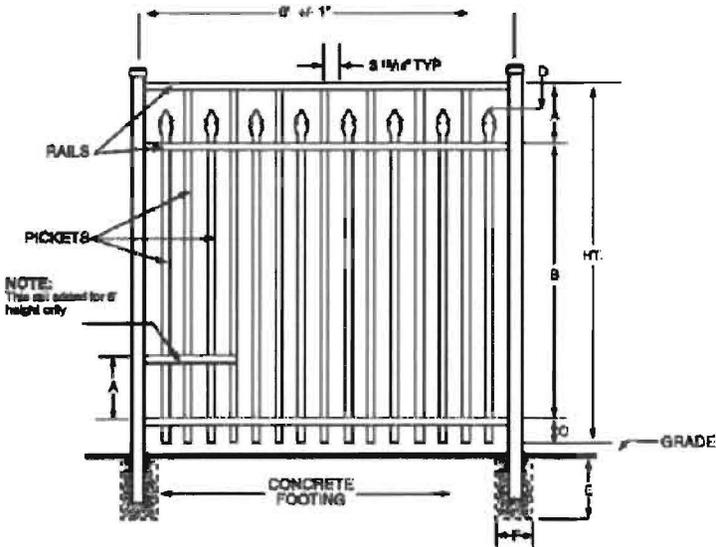
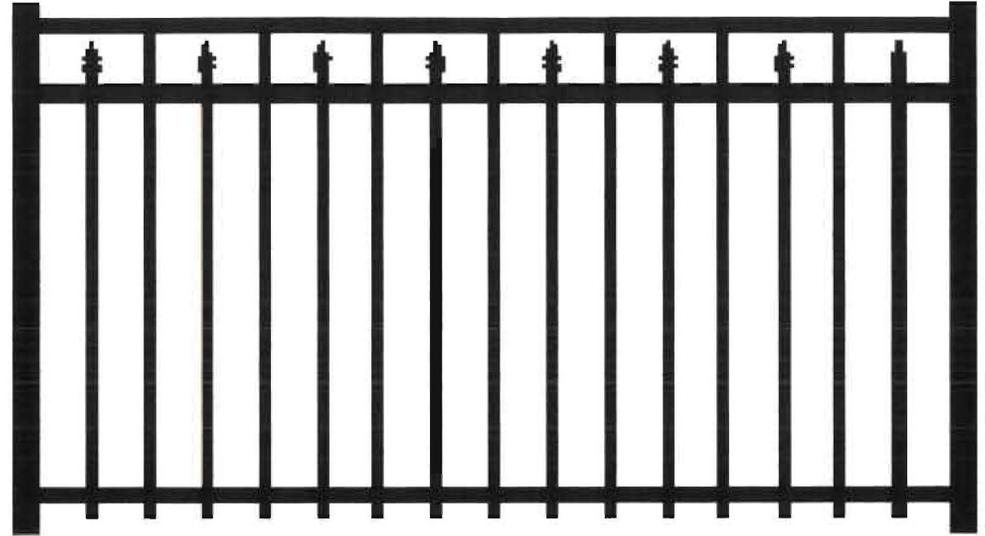


EXHIBIT B

EXHIBIT A: Topographical Map of the SUBJECT PROPERTY (131 E. HILLSIDE RD)



EXHIBIT B: Illustration of the Proposed Pool Fence



Date: December 4, 2011

To: Naperville Zoning Board of Appeals

From: Eric & Keri Johnson

Copy: Brad Drendel, Brad Drendel Builders
Scott Poulos, Naperville Pool & Spa
R.J. Howland, Accurate Fence & Deck

Re: Petition for a variance from Section 6-2-12 (Fences) of the Naperville Municipal Code to increase the allowed height for a fence in the required corner side yard setback at 131 E. Hillside Road.

Legal Description of Property: Lot 1 in Ashton Estates Subdivision, being a subdivision of part of section 19, Township 38 North, Range 10 East of the third principal meridian, according to the Plat thereof recorded, December 12, 2005, as document no. r2005_274913, in Dupage County, IL. (PIN: 0819106024).

We are the owners of the residence under construction at 131 E. Hillside Avenue (“Subject Property”). A topographical map of the local area including the Subject Property can be found at **EXHIBIT A**.

We have a signed contract with Naperville Pool & Spa to construct an in ground pool on the Subject Property in the Spring of 2012.

The City of Naperville Transportation, Engineering & Development (T.E.D.) Services Team Pool Barrier Requirements (“Pool Barrier Requirements”) provides that an in ground pool must be surrounded by a pool fence of at least 48 inches (4 feet) in height and otherwise be in compliance with the 2006 International Residential Code, Appendix G.

The proposed pool fence is a UA 250 ornamental aluminum fence (bronze) to be installed by Accurate Fence & Deck. Illustration of the proposed pool fence is provided at **EXHIBIT B**. The proposed pool fence is in compliance with the Pool Barrier Requirements.

The fence is designed to comply with the stringent BOCA swimming pool safety codes. Due to the specific design of the fence, the fence height rises to 54 inches (4.5 feet) in order to meet a BOCA requirement that the mid-rail must be at least 45 inches above the bottom rail.

We are proposing to construct the proposed pool fence along the northernly part of the east side yard, the north property line in the rear yard and into the corner side yard setback on the northernly part of the west side of the Subject Property. Illustration of the proposed pool fence on the Subject Property is provided at **EXHIBIT C**.

Section 6-2-12 and the Naperville Fence Guide permits fences with heights up to 72 inches (6 feet) in the rear yard and side yards, however only open style fences up to 48 inches (4 feet) high can extend into a corner side yard.

Accordingly, we respectfully request that the Naperville Zoning Board of Appeals consider a variance to allow the proposed pool fence (54 inches or 4.5 feet in height) to extend into the corner side yard of the property. We submit the following responses to the standards for granting a Sign/Fence Variance:

To: Naperville Zoning Board of Appeals
Re: Petition for Variance – 131 E. Hillside Rd
Date: December 4, 2011
Page 2

1. The variance is in harmony with the general purpose and intent of the Zoning Ordinance.

The purpose and intent of the Zoning Ordinance is to protect the health, safety, and welfare of all citizens. Section 6-2-12 imposes a required fence height and setback to maintain adequate open space between adjacent structures. Section 6-2-13 imposes rules to maintain visibility on corner side lots in order to not obstruct the vision of drivers of motor vehicles.

We believe that the style, location, and height of the proposed fence on the Subject Property provides adequate open space between adjacent structures pursuant to Section 6-2-12 and does not limit the visibility on this corner side lot pursuant to Section 6-2-13. Therefore, we believe that the proposed pool fence on the Subject Property is in harmony with the general purpose and intent of the Zoning Ordinance.

2. Unique Conditions of the Subject Property make the request for a Sign/Fence variance reasonable.

A typical corner side lot in the city has two street frontages. The Subject Property has frontage on one street (Hillside Road) and frontage on a cul-de-sac which provides access to a private drive (Riverview Drive). Most of the property lining the cul-de-sac remains undeveloped as it is located in a flood zone.

In addition, although a public sidewalk crosses in front of the Subject Property along Hillside Road, no public sidewalk extends along the property line in the cul-de-sac. Further, the cul-de-sac does not receive significant “through traffic” compared to a typical street frontage for a corner lot property. Only three (3) private residences are located along Riverview Drive.

Accordingly, the attributes of the corner side yard on the Subject Property are not consistent with a typical corner lot, making the request for a Sign/Fence variance reasonable.

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 location of the Subject Property, the proposed location of the pool fence, and the relative location of adjacent properties are factors in favor of granting a variance.

The Subject Property is located in a cul-de-sac with arguably no other proximate residents, no sidewalk route around the cul-de-sac, and very little traffic through the cul-de-sac. The proposed pool fence will be located on the north side of the Subject Property, farthest from the Hillside street frontage and will not impact visibility on the corner side lot.

Adjacent residential properties are located north (“North Property”) and east (“East Property”) of the Subject Property. The fence is proposed to border both properties. In relation to the North Property, the proposed pool fence is the Subject Property’s rear yard. In relation to the East Property, the proposed pool fence is in the Subject Property’s side yard. The height of the proposed pool fence (54 inches or 4.5 feet) is less than the maximum height (72 inches or 6 feet) for a fence located in a rear or side yard.

For these reasons, as well as the reasons provided above, we believe that the variance will not alter the essential character of the neighborhood, nor will it impose a substantial determinant to any adjacent properties.



Naperville

NAPERVILLE PLANNING AND ZONING COMMISSION AGENDA ITEM

PC CASE: 11-1-159 **AGENDA DATE:** 1/18/2012

SUBJECT: 903 Stanton Drive- Fence Variance
 Petitioner: Crestview Builders, 4432 Chinaberry Lane, Naperville, IL

LOCATION: 903 Stanton Drive, at the south end of Stanton Drive, abutting Hobson Road in the rear.

Correspondence New Business Old Business Public Hearing

SYNOPSIS:
 The petitioner requests approval of a variance from Section 6-2-12 (Fences) to construct a 6' privacy fence along Hobson Road for the property at 903 Stanton Drive.

PLAN COMMISSION ACTION PREVIOUSLY TAKEN:

Date	Item No.	Action
N/A		

ACTION REQUESTED/RECOMMENDED THIS MEETING:
 Conduct the public hearing.

PREPARED BY: Suzanne Thorsen, AICP, Planning Services Team

EXISTING ZONING, LAND USE, AND LOCATION:
 The subject property is located at the south end of Stanton Drive cul-de-sac, abutting Hobson Road in the rear, with a common street address of 903 Stanton Drive. It is zoned R1A (Low Density Single Family Residence District) and is presently being improved with a single-family home.

CONTROLLING AGREEMENTS AND ORDINANCES:
 N/A

BACKGROUND:
 The 1988 Hobson Road Study, a component of the Naperville Comprehensive Master Plan, emphasizes the unique rural, low-intensity character of Hobson Road. The study was widely supported by area residents as a means to preserve the spacious, rural and open character that exists along the corridor. Its recommendations were incorporated into the Zoning Ordinance through the creation of the E-3 (Rural Estate District) and increasing minimum lot size

903 Stanton Road – PCZ 11-1-159

January 18, 2012

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requirements in the E-2 (Estate District) to maintain larger lot sizes and setbacks in the area, as well as restrictions on fence height/style along Hobson Road.

Although six-foot privacy fences are permitted along residential rear property lines citywide, the Fence Ordinance was modified in accordance with the guidance of the Hobson Road Study as follows: *“In order to maintain the rural character of Hobson Road, no stockade fences located along Hobson Road shall be permitted. Other types of fences shall be limited to chain link, split rail, and three-board fences (horse fences), none of which can exceed four and one-half (4½) feet in height.”*

In December 2011, the City inadvertently issued a permit in error to Crestview Builders permitting the installation of a 6’ privacy fence/wall along Hobson Road (rear property line of 903 Stanton Drive). As installation began, the permit error was raised to the city by a neighboring resident who noted that the fence height and type are not permitted, as fences must be no taller than 4 ½ feet and limited to chain link, split rail and three-board varieties. Upon confirmation of the code violation, the City issued a stop work order and directed the petitioner to seek approval of a zoning variance to construct the fence as planned. The petitioner has noted that the requested 6’ privacy fence/wall is needed to serve as a sound barrier from Hobson Road.

It should be noted that staff is currently in the process of evaluating permit review procedures so as to avoid this situation in the future.

PLANNING SERVICES TEAM REVIEW:

Hobson Road, particularly the portion west of Naper Boulevard, is heavily wooded with low/open fences. Given the specificity of the code for this area, as well as the land use planning that has occurred along Hobson Road, staff cannot support the requested 6’ privacy fence/wall, as it represents a departure from the established character of the Hobson Road Area in both material and height. While still a variance to the code (for the requested material), staff would be open to supporting the requested wall if the height was reduced to 4.5’ to be consistent with the other fences existing along Hobson Road.

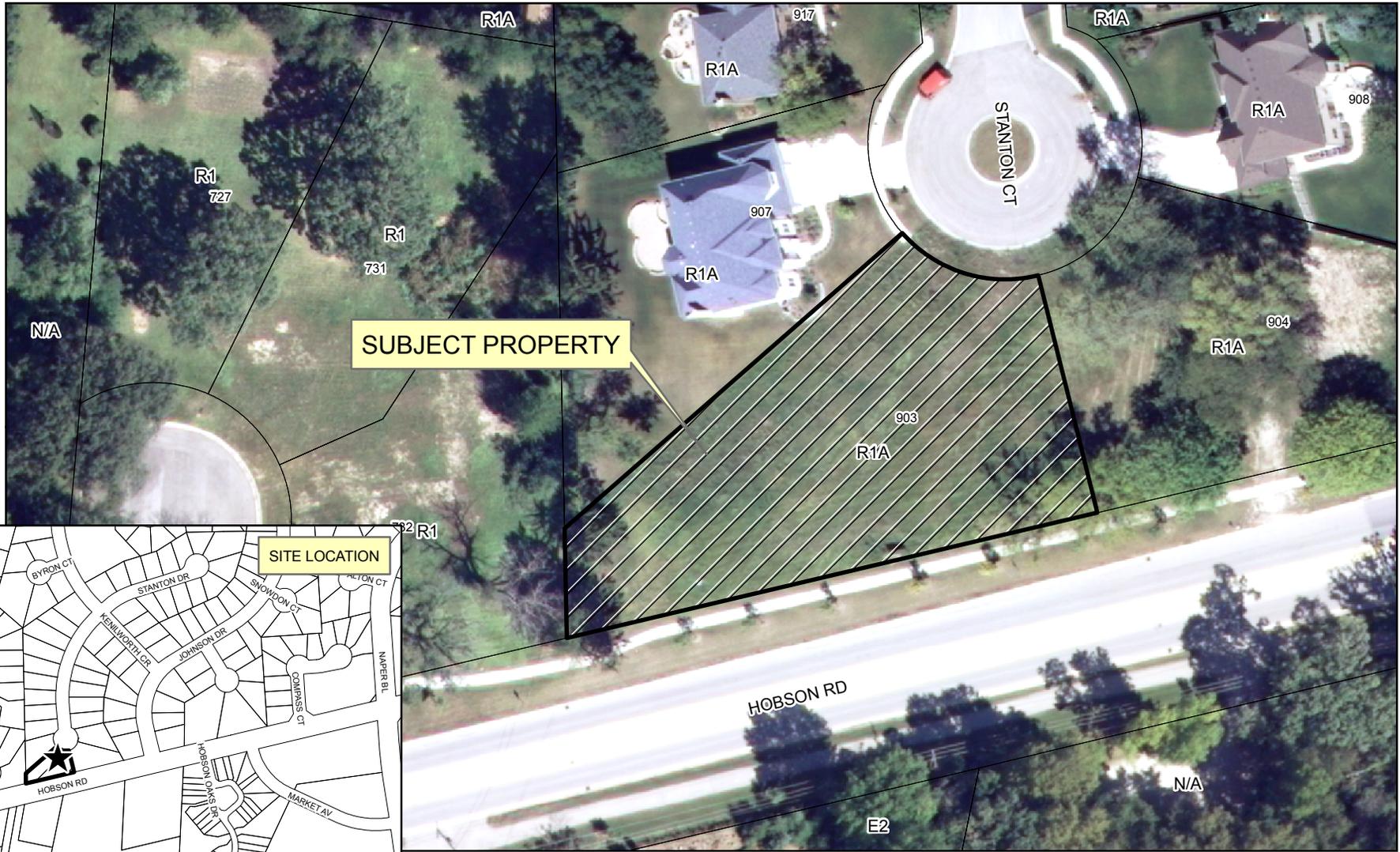
ACTION REQUESTED:

Conduct the public hearing.

ATTACHMENTS:

1. Location Map
2. Petition for Variance
3. Fence material sample

City of Naperville
903 STANTON COURT



Transportation, Engineering and
 Development Business Group
 Questions Contact (630) 420-6719
 www.naperville.il.us
 January 2012



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CITY OF NAPERVILLE APPLICATION FOR A ZONING VARIANCE

ADDRESS OF SUBJECT PROPERTY: 903 STANTON G

PARCEL IDENTIFICATION NUMBER (PIN) 08-29-102-052

APPLICANT'S NAME: Crestview Builders

APPLICANT'S ADDRESS: 4432 Cinnaberry

CITY: Naperville STATE: IL ZIP CODE: 60564

APPLICANT'S DAYTIME PHONE: 630-922-0511

E-MAIL ADDRESS: Steve@crestviewbuilders.com

OWNER OF PROPERTY: Crestview Builders

OWNER'S ADDRESS: 4432 Cinnaberry Ln

CITY: Naperville STATE: IL ZIP CODE: 60564

OWNER'S DAYTIME PHONE: 630-922-0511

ZONING OF PROPERTY: _____

AREA OF PROPERTY (Acres or sq ft): _____

List Improvements on property (buildings, fences, pools, decks, etc.)
SINGLE FAMILY HOME, APPROX 4400 sq ft

DETAILED DESCRIPTION OF VARIANCE (include relevant Section numbers of Municipal Code; attached additional pages if needed):

PRIVACY FENCE/WALL ON BACK PROPERTY LINE
6' HIGH

EXHIBIT A

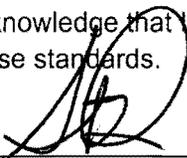
STANDARDS FOR A ZONING VARIANCE

A zoning variance can only be granted if there are specific, land-related hardships or practical difficulties in carrying out the requirements of the ordinance for a particular piece of property. Self-inflicted hardships or increased profit or property value are not sufficient justifications to warrant a variance.

The recommendations prepared by staff and the Planning and Zoning Commission are prepared based upon the following standards, which are contained in Section 6-3-5 of the Naperville Municipal Code. *You should review the standards and, if necessary, prepare written findings or other evidence to support your request.*

1. The variance is in harmony with the general purpose and intent of this Title; and
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
3. The property cannot yield a reasonable return if permitted to be used only under the conditions allowed by this Title; and
4. The variance, if granted, will not alter the essential character of the neighborhood and will not be a substantial detriment to adjacent property.

I have reviewed the Standards for a Zoning Variance and understand and acknowledge that my request will be considered based upon the extent to which it fulfills these standards. Further, I understand and acknowledge that I may be required to provide a written explanation detailing how my request fulfills these standards.


 _____ 12/28/2011
 (signature of applicant) (date)

SUBSCRIBED AND SWORN TO before me this 28th day of December 20 11

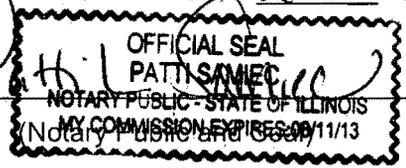


EXHIBIT A

The above information, to the best of my knowledge, is true and accurate:
[Signature] 12/30/2011
(signature of applicant) (date)

SUBSCRIBED AND SWORN TO before me this 29th day of December, 2011

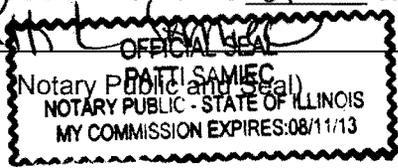


EXHIBIT A

CITY OF NAPERVILLE
DISCLOSURE OF BENEFICIARIES

In compliance with Ordinance 85-193, An Ordinance amending Title 1 (Administrative) of the Naperville Municipal Code, as amended, by adding Chapter 12 thereto requiring disclosure of certain interests by persons applying for permits, licenses, approvals or benefits from the City of Naperville.

1. Applicant: CRESTVIEW BUILDERS
Address: 4432 CHINA BERRY LANE
NAPERVILLE, IL 60564

2. Nature of Benefit sought: FENCE VARIANCE

3. Nature of Applicant (Please check one):
- a. Natural Person
 - b. Corporation
 - c. Land Trust/ Trustee
 - d. Trust/Trustee
 - e. Partnership
 - f. Joint Venture

4. If applicant is an entity other than described in Section 3, briefly state the nature and characteristics of applicant:

5. If in your answer to Section 3 you checked box b, c, d, e or f, identify by name and address each person or entity which is a 5% shareholder in the case of a corporation, a beneficiary in the case of a trust or land trust, a joint venture in the case of case of a joint venture, or who otherwise has a proprietary interest, interest in profits and losses or right to control such entity:

- a. RON WEARLI 4432 CHINA BERRY LANE, NAPERVILLE 60564
- b. MIKE STEVE " " " "
- c. _____
- d. _____

6. Name, address and capacity of person making this disclosure on behalf of the applicant:
STEVEN DANO
4432 CHINA BERRY LANE, NAPERVILLE 60564

IMPORTANT NOTE: In the event your answer to Section 5 identifies entities other than a natural person, additional disclosures are required for each entity.

VERIFICATION
I, STEVEN DANO, being first duly sworn under oath, depose and state that I am the person making this disclosure on behalf of the applicant, that I am duly authorized to make this disclosure, that I have read the above and foregoing Disclosure of Beneficiaries, and that the statements contained therein are true in both substance and fact.
Signature: [Signature]

Subscribed and Sworn to before me this 28th day of December, 2011.

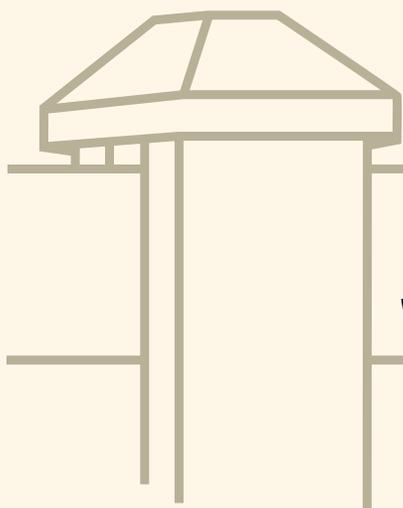
Karen Maxam
Notary Public



EXHIBIT B

The Beauty of Stone

- without the expense



SimTekTM
FENCE



Take a look at SimTek’s revolutionary “rock-look” fence.
The closer you look, the more you’ll want SimTek.
Get the look of natural stone with a **Lifetime Warranty**.





Authentic - Granite-look walls and gates.

Durable - Molded of exceptionally tough polyethylene, reinforced with galvanized steel.

Impact - Superior strength - baseballs, golf balls, and rocks bounce off.

Temperature - Stable in hot and cold weather extremes. Withstands tests at -40° to +140° F.

Wind - Superior wind resistance, 110 mph sustained, 130 mph gusts, certified to Dade County, Florida hurricane requirements.

Fade Resistant - UV stabilized for a lifetime of vibrant color.

Sound Barrier - Blocks 98% of direct sound. Wood fences block 75%, concrete 100%.

Graffiti Resistant - Easily remove graffiti using a high powered pressure washer.

Maintenance Free - Install and enjoy.

Warranty - Manufacturer's Lifetime Warranty.

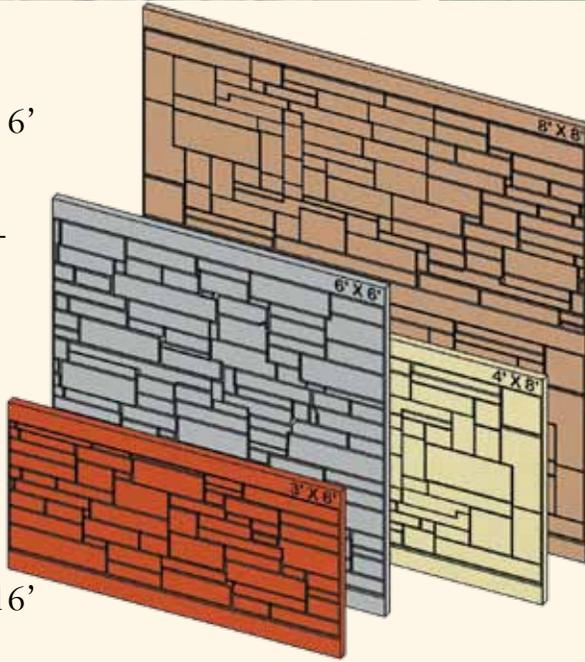
Made in the USA - out of recycled and new materials.





Panels:

- Panels come in 3' and 6' heights by 6' width or 4' height by 8' width.
- All panels contain high-grade galvanized steel in both top and bottom rails.
- Panel heights cannot be modified, however, panels can be cut to any custom width.
- 4' panels have been engineered to allow stacking to create 8', 12' or 16' walls on 8' centers.



Posts:

- Posts come in 8.5' and 12' heights and have a five-inch outer diameter.
- All posts contain full-length internally molded steel stiffeners for optimum strength.
- Posts are made from 50% recycled polyethylene.





- Gates come in 4' and 6' widths and may be double hung for 8', 10' or 12' openings
- Internal steel frame provides an extra rigid structure.
- All hardware mounts "steel on steel" for excellent thread engagement.
- 6-foot gates have an internal diagonal steel cable providing extra strength.
- Hinges are adjustable, spring-loaded and made of stainless steel.
- Option to integrate your own ornamental metal gates with the SimTek gate post.



Gate Hardware

Accessories



Drop Rod



Hinge



Latch



Gap Fillers



Double Caps

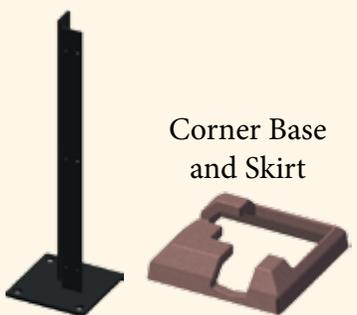
Planning and Zoning Commission - 1/18/2012 - 28 lly used when transitioning from 3' to 6' heights.

Straight line and 45 degree angle.



Post Installation Options

- Standard SimTek installations begin by setting posts in-ground with wet-mix or dry-mix concrete. Holes should meet local regulations for depth and consider frost lines.
- Optionally SimTek may be surface mounted on a concrete wall or flat driveway surface using our engineered Surface Mount Bases and decorative skirts. A minimum 8" wide poured concrete wall is required.



Corner Base and Skirt



Line Base and Skirt



End Base and Skirt



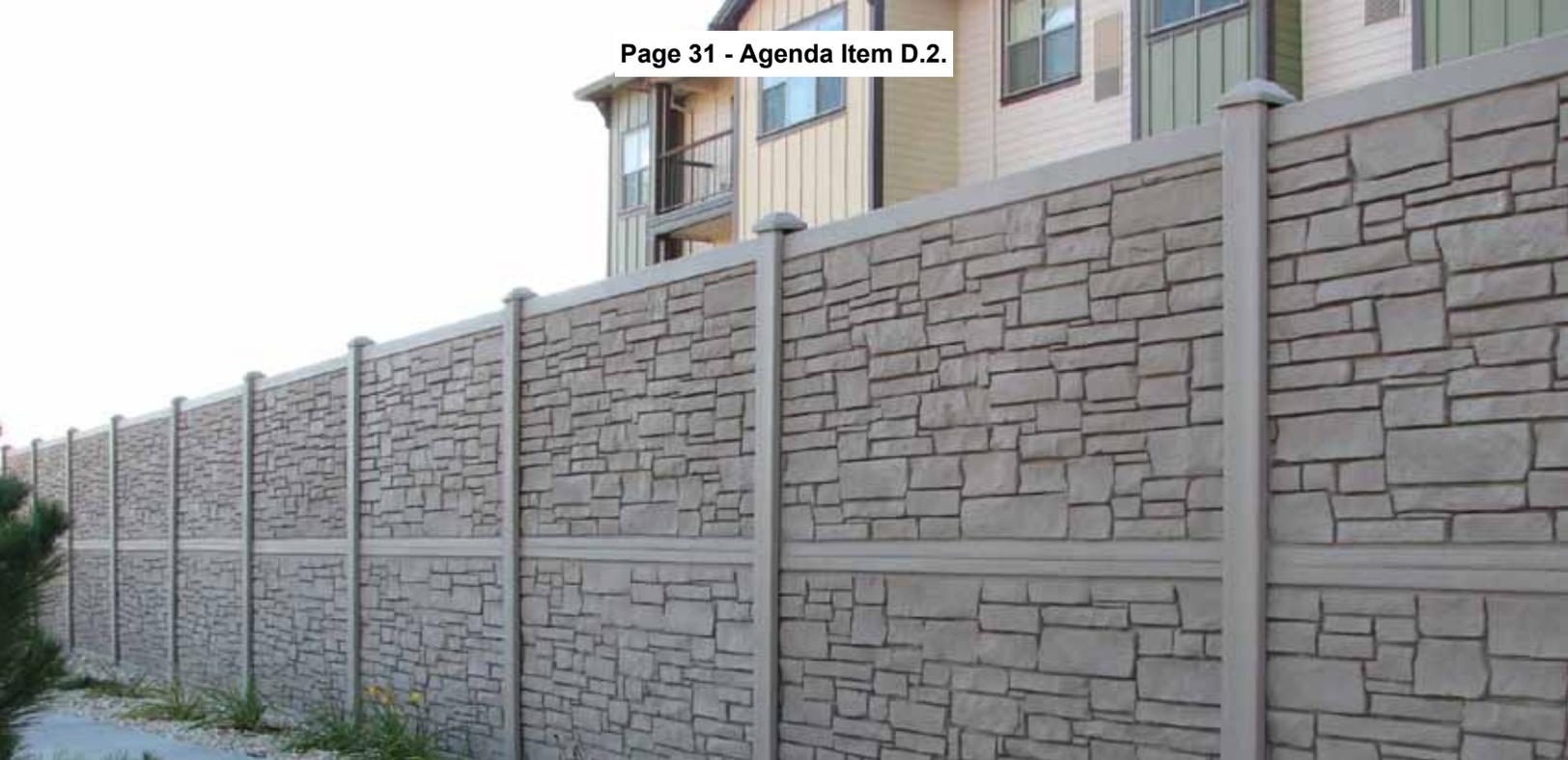


SimTek is very adaptable

- Easily conforms to varying terrain and surroundings.
- Panels may be cut to any width.
- Engineered for sub-zero cold and searing desert heat.
- Combine 3' SimTek with 3' ornamental metal for a truly unique look.
- Design your own utility or dumpster enclosures.
- SimTek accommodates ornamental gates and fence combinations and other special applications.

Create the yard of your dreams





SimTekTM
FENCE

1330 West 400 North, Orem, Utah 84057

toll free: 866-648-9336

phone: 801-655-5236

fax: 801-655-5240

www.simtekfence.com

info@simtekfence.com



U.S. Patents:

7,478,797 / 7,635,114

Foreign Patents Pending

