

**CITY OF ROCHELLE
PLANNING & ZONING COMMISSION
REPORT OF FINDINGS**

Case No.: PZC-13-22
Applicant: Toby and Betsy Petrie
Address: 421 S. 3rd. Street, Rochelle, IL

Narrative:

The petitioner is seeking a variance of setbacks to construct a proposed four-foot chain link fence beyond the building line at 421 S. 3rd Street. The property is zoned R5, Multi Family High Density Residential. The petitioner is requesting to extend the fence beyond the building line from the southeast corner of the driveway, south up to the public sidewalk, west parallel along the public sidewalk, then back north to the front southeast corner of the house.

Sec. 110-545- Residential, Security and Farm Fences (1). On corner lots, no fence or wall will extend beyond the street setback requirements, or building line, whichever is greater.

Compliance with Sec. 110-545 would place the petitioners fence directly through the middle of their usable yard, reducing the enclosed area to a 10' wide strip. The petitioner's reason for the request is to "ensure the safety of children by providing a minimally adequate enclosed play area along a busy street."

Staff Presents

Staff is presenting the request for a variance of setbacks for a fence.

Findings:

1. Is the proposed variance allowed in the proposed zoning district?

Yes: _____ No: _____

Explanation: _____

If the answer to any of the following questions is "Yes", then the Commission should recommend that the City Council deny the petition for a special use permit. If the answer to all of the following questions is "No", then the Commission may recommend that the City Council approve or deny the petition for a special use permit. Each question should state an answer and give an explanation. If the answers to all of the questions is "No", but the Commission votes to recommend denying the petition, the Commission should provide an explanation as to why.

2. Is the proposed variance detrimental or dangerous to public health?

Yes: _____ No: _____

Explanation: _____

3. Will the proposed variance impair property value in the neighborhood?

Yes: _____ No: _____

Explanation: _____

4. Will the proposed variance impede the normal development of the surrounding properties?

Yes: _____ No: _____

Explanation: _____

5. Will the proposed variance:

- (a) impair light and air to adjacent property;
- (b) congest public streets;
- (c) increase the risk of fire;
- (d) substantially diminish property values within the vicinity; or
- (e) endanger the public health?

Yes: _____ No: _____

Explanation: _____

Recommendation:

Based on the findings above, the Planning and Zoning Commission hereby recommends to the Rochelle City Council that:

_____ That the Petitioner be granted a variance for the proposed use at the Subject Property, without conditions other than the other applicable requirements of the Rochelle Municipal Code.

_____ That the Petitioner be granted a variance for the proposed use at the Subject Property, with the following conditions attached thereto, in addition to the requirements of the Rochelle Municipal Code:

_____ That the Petitioner be denied a variance for the proposed use at the Subject Property. If this is based on any reason other than a “Yes” response above, the Planning and Zoning Commission explains as follows:

Passed by the Planning & Zoning Commission: _____

Vote:

Ayes: _____ **Nays:** _____ **Abstain:** _____

CHAIRMAN