

VILLAGE OF LA GRANGE
Community Development Department

BOARD REPORT

TO: Village President, Village Clerk,
Board of Trustees, and Village Attorney

FROM: Robert J. Pilipiszyn, Village Manager
Patrick D. Benjamin, Director of Community Development
Angela M. Mesaros, Assistant Director of Community Development

DATE: February 14, 2011

RE: **ORDINANCE – ZONING CODE AMENDMENTS – MISCELLANEOUS
RESIDENTIAL AMENDMENTS**

This report will provide clarification, additional information, and revised ordinance language based on Village Board discussion of the proposed amendments presented at the January 10th meeting. Some discussion at the meeting involved the purpose of specific ordinance language. Some of amendments serve to address encroachments into required yards, accessory structures and uses in residential districts that exist with no specific standards in place to authorize or regulate. The language also addresses new trends in residential districts, while other amendments seek to clarify existing zoning regulations.

The following paragraphs address the specific revisions to the amendments.

1. *Decorative columns and pillars* – Currently, the zoning regulations do not address columns and pillars in front yards. At the public hearing, several options for standards were discussed related to the placement of columns and pillars on residential properties. At the request of the Plan Commission, the language was revised to include a setback from the front lot line based on concerns about safety hazards and sight lines in front yards along driveways. At the same time, Commissioners agreed that no limitations would be necessary in back yards because no safety issues were raised. Therefore, the current standards of 15 feet height and three feet setback from the property lines would remain.

After discussions at the Village Board meeting and based on the new standard for clear sight lines, we recommend that it would be appropriate to allow columns and pillars with no setback from the front lot line, as long as they are subject to the clear sight area restrictions. This is consistent with the original Staff Report. This change is reflected in the attached ordinance.

2. Temporary Storage Containers – As the Board discussed, it may be appropriate to allow exceptions to the proposed time limitation for temporary portable storage containers (like PODs containers) under certain extraordinary circumstances, such as a fire, flood, or similar event or during construction work when access is required to items stored in the container. These circumstances could be distinguished from the temporary storage of personal belongings in the event of a move or other temporary situations. Therefore, Staff and the Village Attorney have revised the ordinance language to include a provision for the Village Manager to allow extended storage time. This too is consistent with the recommendations in the original Staff Report.

In addition, Staff has revised the required setback from a side lot line to allow the containers to be placed close to lot lines if they are on a driveway or other surfaced area. This change reflects the fact that there is little space for a temporary storage container on a 50-foot-wide lot that has a driveway leading to garages.

3. Solar Panels – The Zoning Code currently does not regulate solar panels. Staff's research revealed that in many communities, solar panels and other energy collecting devices are regulated extensively. The proposed placement restrictions for solar panels apply only to front lot lines and not to the front of the house facing the street. Panels are limited from facing the defined "front lot line." The "front lot line" on a corner lot is defined as the shorter of the two lot lines that abut the streets. (The longer lot line is called the "corner side lot line.") Panels would not be restricted from facing the corner side lot lines.

Approximately 100 of the single-family properties (about 5,000) in the Village have front lot lines facing south. It may be appropriate to create an exception to the front lot line limitation allowing those south-facing houses to have solar panels facing the front lot line. The concern with that would be that the owners of the north-facing houses across that street then would look directly at any solar panels that are installed. We have prepared language to create the exception if the Board determines it is appropriate to add it into the ordinance.

In addition, we thought it might be useful, based on Village Board discussion, to clarify the following items for which the amendments themselves have not changed:

- Seat walls – Seat walls are not currently addressed in the Zoning Code. Therefore, they are technically not permitted within required front yards. Staff has received requests in the recent past to locate a seat wall within the required front yard as part of a patio area. The purpose of this amendment is to allow these requests with some limitations. The requirement of five feet from side yards provides a reasonable setback for the activity areas without inhibiting neighboring properties. The thought was that there would be no need or purpose for optional recreational uses to encroach into the side yards. Side yards were designated to be clear of all structures above the ground, with the exception of

necessary structures such as window wells. With the first phase of residential amendments, the Village tightened regulations for side yards due concerns raised by the public about the potential impact on neighboring properties. This proposed regulation would be less restrictive than the current 20-foot setback required from all lot lines for any outdoor activity area.

- Commercial identification signs – Commercial identification signs are currently strictly limited to a maximum size of one square foot on a vehicle located in a “parking area” in a residential district. A “parking area” is defined in the Code as unenclosed, which would not include a garage. Therefore, commercial vehicles are permitted within garages. The purpose of this regulation is to limit commercial advertisements on vehicles within residential districts, to protect the residential character of neighborhoods. Staff believes the one-square-foot limitation on the commercial markings is outdated and too restrictive. Staff proposed an increase of that limitation to two square feet. This recommendation increases the allowable size of permissible signs in order to allow contractors, retailers, etc. to display painted or magnetic door signs a more reasonable size of 12” by 24” (two square feet), which is not currently permitted.

In addition, in response to suggestions by the Village Board, we have posted this document on the website on February 1 along with an email blast to website subscribers. In addition, we will modify our process for any future review of zoning amendments that involve residential properties with a two week advanced period for review by interested parties. This process will also include a website posting and email blast to subscribers, and notice to media to announce that proposed the amendments are available for review.

We recommend approval of the attached ordinance that was revised pursuant to the discussion of the Village Board at your January 10, 2011 meeting.