





## MEMORANDUM

**TO:** Scott R. Niehaus, Village Manager

**FROM:** William J. Heniff, AICP, Director of Community Development *WH*

**MEETING DATE:** August 16, 2018

**SUBJECT:** **PC 18-21, Text Amendment to the Zoning Ordinance: Permitted Obstructions in Required Yards**

Please find the following items for Village Board consideration as part of the August 16, 2018, Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 18-21; and
3. An Ordinance granting text amendments to Section 155.212 of the Lombard Zoning Ordinance.

The Plan Commission recommended approval of this petition by a vote of 7-0. Please place this petition on the August 16, 2018, Board of Trustees agenda for a first reading.





## VILLAGE OF LOMBARD

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August 16, 2018

**Village President**  
Keith T. Giagnorio

**Village Clerk**  
Sharon Kuderna

### Trustees

Dan Whittington, Dist. 1  
Michael A. Fugiel, Dist. 2  
Reid Foltyniewicz, Dist. 3  
Bill T. Johnston, Dist. 4  
Robyn Pike, Dist. 5  
William "Bill" Ware, Dist. 6

**Village Manager**  
Scott R. Niehaus

*"Our shared Vision for Lombard is a community of excellence exemplified by its government working together with residents and businesses to create a distinctive sense of spirit and an outstanding quality of life."*

*"The Mission of the Village of Lombard is to provide superior and responsive governmental services to the people of Lombard."*

Mr. Keith T. Giagnorio,  
Village President, and  
Board of Trustees  
Village of Lombard

### **Subject: PC 18-21, Text Amendment to the Zoning Ordinance: Permitted Obstructions in Required Yards**

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, the Village of Lombard, requests text amendments to Section 155.212 of the Lombard Zoning Ordinance (and any other relevant sections for clarity) to amend the permitted obstructions in required yards.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on July 16, 2018. Sworn in to present the petition was Anna Papke, Senior Planner.

Chairperson Ryan read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine and, hearing none, he proceeded with the petition.

Chairperson Ryan asked if any person would like to speak in favor or against this petition, or for public comment. Hearing none, he asked for the staff report.

Ms. Papke presented the staff report, which was submitted to the public record in its entirety. The Village is requesting a text amendment to the zoning ordinance to amend standards related to the percentage of a required yard that can be occupied by a permitted obstruction. Currently, the Zoning Ordinance allows certain improvements to cover up to 30% of a required yard. This standard applies to all yards in all districts. During permit review, staff has found that this standard creates unrealistic limits for property owners,

and does not accurately reflect common patterns of development in many districts.

Staff proposes to eliminate the yard coverage limitation for commercial and multi-family development, with the understanding that parking areas and accessory uses often occupy significant portions of the yards on these properties. Staff also proposes eliminating the coverage requirement in rear and interior side yards for single-family development. Staff proposes amending the yard coverage standard to allow driveways, parking surfaces and patios to occupy up to 40% of front and corner side yards in single-family residential lots. Other permitted encroachments, such as front porches and sidewalks, would not count toward the 40% limit. This change will provide some flexibility to homeowners while maintaining a reasonable coverage limit in single-family neighborhoods. Staff notes that open space requirements will still apply to properties as a whole.

Chairperson Ryan asked for public comment, and, hearing none, opened the meeting for comments among the Commissioners.

Commissioner Burke asked if the Village had previously denied Plan Commission petitions based on the existing standards. Ms. Papke said she was not aware of any past petitions that had been denied for that reason.

Commission Mrofcza asked if the proposed amendment would impact the amount of open space required on properties. Ms. Papke said the open space standards would not be amended.

On a motion by Commissioner Mrofcza, and a second by Commissioner Guiliano, the Plan Commission voted 7-0 to recommend that the Village Board approve the petition associated with PC 18-21.

Respectfully,

**VILLAGE OF LOMBARD**

Donald Ryan, Chairperson  
Lombard Plan Commission

c. Lombard Plan Commission

ORDINANCE \_\_\_\_\_

**AN ORDINANCE APPROVING A TEXT AMENDMENT  
TO THE LOMBARD ZONING ORDINANCE  
TITLE 15, CHAPTER 155, SECTION 155.212,  
OF THE LOMBARD ZONING CODE**

PC 18-21: Text Amendments to the Zoning Ordinance: Permitted Obstructions in Required Yards

WHEREAS, the Village of Lombard maintains a Zoning Ordinance which is found in Title 15, Chapter 155 of the Lombard Code; and,

WHEREAS, the Board of Trustees deem it reasonable to periodically review said Zoning Ordinance and make necessary changes; and,

WHEREAS, a public hearing to consider text amendments to the Zoning Ordinance has been conducted by the Village of Lombard Plan Commission on July 16, 2018, pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the text amendments described herein; and,

WHEREAS, the President and Board of Trustees approve and adopt the findings and recommendations of the Plan Commission and incorporate such findings and recommendations herein by reference as if they were fully set forth herein;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

**SECTION 1:** That Title 15, Chapter 155, Section 155.212 of the Lombard Zoning Ordinance shall be amended to read in part as follows:

**§ 155.212 – Front Yard Obstructions.**

Yard obstructions of ~~principle~~ **principal** and accessory structures and uses shall be allowed as set forth below. ~~However, such obstructions~~ **Driveways, parking areas and patios** shall not, in the aggregate, occupy more than ~~30~~ **40** percent of any required **front or corner side** yard **for single-family residential development**.

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Re: PC 18-21  
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**SECTION 3:** That this ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

Passed on first reading this \_\_\_\_ day of \_\_\_\_\_, 2018.

First reading waived by action of the Board of Trustees this \_\_\_\_ day of \_\_\_\_\_, 2018.

Passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2018.

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Absent: \_\_\_\_\_

Approved this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Keith T. Giagnorio, Village President

ATTEST:

\_\_\_\_\_  
Sharon Kuderna, Village Clerk

Published in pamphlet from this \_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Sharon Kuderna, Village Clerk