

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

Resolution or Ordinance (Blue) Waiver of First Requested
 Recommendations of Boards, Commissions & Committees (Green)
 Other Business (Pink)

TO : PRESIDENT AND BOARD OF TRUSTEES

FROM: Scott Niehaus, Village Manager

DATE : December 21, 2018 **(BOT) Date:** January 03, 2019

SUBJECT: PC 18-37: Text Amendment to the Zoning Ordinance – Lots of Record

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

BACKGROUND/POLICY IMPLICATIONS:

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 155.209 – Minimum lot size; Section 155.220 – Development on lots of record; Section 155.306 – Lot sizes – Reconstruction; and any other relevant sections for clarity

The Plan Commission recommended approval of this petition by a vote of 7-0. Please place this petition on the January 3, 2019, Board of Trustees agenda for a first reading.

Fiscal Impact/Funding Source:

Review (as necessary):

Finance Director _____ Date _____
Village Manager _____ Date _____

NOTE: All materials must be submitted to and approved by the Village Manager's Office by 12:00 noon, Wednesday, prior to the agenda distribution.



MEMORANDUM

TO: Scott R. Niehaus, Village Manager

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

MEETING DATE: January 3, 2019

SUBJECT: **PC 18-37, Text Amendment to the Zoning Ordinance – Lots of Record**

Please find the following items for Village Board consideration as part of the January 3, 2019, Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 18-37; and
3. An Ordinance granting text amendments to Sections 155.209 and 155.220 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 January 3, 2019, Board of Trustees agenda for a first reading.



VILLAGE OF LOMBARD

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January 3, 2019

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 18-37, Text Amendment to the Zoning Ordinance –
Lots of Record**

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 155.209 – Minimum lot size; Section 155.220 – Development on lots of record; Section 155.306 – Lot sizes – Reconstruction; and any other relevant sections for clarity.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on December 17, 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 text amendments to the zoning ordinance to clarify various sections related to lots of record. Currently, the Zoning Ordinance requires that the majority of new development occur on a lot of record. The Zoning Ordinance also makes allowances for limited development on assessments lots, and provides an administrative process for creating lots of record from assessment lots that do not meet current minimum

lot sizes. In the course of reviewing permits and responding to questions from owners of assessment lots, staff has found that these portions of the Zoning Ordinance require clarification. The proposed amendments will not substantially change the circumstances under which assessment lots will require platting.

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

On a motion by Commissioner Sweetser, and a second by Commissioner Olbrysh, the Plan Commission voted 7-0 to recommend that the Village Board approve the petition associated with PC 18-37.

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, SECTIONS 155.209 AND 155.220
OF THE LOMBARD ZONING CODE**

PC 18-37: Text Amendments to the Zoning Ordinance – Lots of Record

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 December 17, 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 155.209 of the Lombard Village Code is hereby amended as follows:

§ 155.209 - Minimum lot size.

Every building hereafter erected shall provide a lot in accordance with the lot size requirement in the district within which it is located. ~~However, in R0, R1 or R2 Single Family Residence Districts if a lot of record or a parcel of land created by an assessment division was established prior to November 19, 1998, a single family dwelling may be constructed on such lot if it consists of sufficient width and area to provide at least 80 percent of the width and area required for lots in the applicable zoning district. The provisions of this section shall be limited to lots that abut a dedicated right-of-way.~~ **However, in the R0, R1 or R2 Single Family Residence**

Districts if a lot of record or parcel of land created by an assessment division was established prior to November 19, 1998, the owner may construct a single-family dwelling without need to appear before either the Plan Commission or the Zoning Board of Appeals, provided:

- (A) **The lot size and lot width of the lot or parcel in question equals at least 80 percent of that required for lots in the applicable zoning district; and**
- (B) **The owner of the lot or parcel in question submits a plat of subdivision or consolidation, and request for approval of same, if said lot or parcel is not a single subdivided lot of record.**

The provisions of this section shall be limited to lots that abut a dedicated right-of-way.

SECTION 2: That Title 15, Chapter 155, Section 155.220 of the Lombard Village Code are hereby amended as follows:

§ 155.220 - Development on lots of record.

The following construction activity shall only occur on a lot of record:

- (A) The construction of a principal structure.
- (B) The construction of an addition to a principal structure which **increases the ground floor area of said structure by more than 350 square feet.** ~~includes a foundation, footers or piers, except where:~~
 - ~~(1) The foundation, footers or piers are replacing an existing foundation or existing footers or piers; and~~
 - ~~(2) The addition does not exceed 350 square feet.~~
- (C) The construction of an accessory structure greater than 800 square feet.

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 _____, 2019.

First reading waived by action of the Board of Trustees this ____ day of _____, 2019.

Passed on second reading this ____ day of _____, 2019.

Ordinance No. _____

Re: PC 18-37

Page 3

Ayes: _____

Nays: _____

Absent: _____

Approved this _____ day of _____, 2019.

Keith T. Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Published in pamphlet from this _____ day of _____, 2019.

Sharon Kuderna, Village Clerk