

VILLAGE OF LOMBARD
INTER-DEPARTMENTAL REVIEW GROUP REPORT

TO: Lombard Plan Commission

HEARING DATE: December 20, 2010

FROM: Department of
Community Development

PREPARED BY: Michael S. Toth
Planner I

TITLE

PC 10-24; Text Amendments to the Zoning Ordinance: The Village requests a text amendment to Section 155.205(A)(1) of the Lombard Zoning Ordinance (and other sections where needed for clarity) to prohibit chain link ~~and privacy fences~~ to be installed in the front yard of properties in ~~single family~~ residential districts.

GENERAL INFORMATION

Petitioner: Village of Lombard
255 E. Wilson Ave.
Lombard, IL 60148

ANALYSIS

DESCRIPTION

The Planning Services Division was directed to review the fencing regulations within the Zoning Ordinance, more specifically fencing located in the front yard of residential properties. As a result of this review, staff is preparing text amendments that address fencing material allowed in the front yard.

INTER-DEPARTMENTAL REVIEW COMMENTS

PUBLIC WORKS

The Department of Public Works has no comments.

PRIVATE ENGINEERING SERVICES

The Private Engineering Services Division of Community Development has no comments.

BUILDING DIVISION

The Building Division has no comments.

FIRE DEPARTMENT

The Fire Department has no comments.

PLANNING

With the exception of clear line of sight areas, the Zoning Ordinance allows fences, not exceeding four (4) feet in height, to be erected in the front yard of properties in residential districts. However, the Zoning Ordinance does not specify a required or prohibited material for fences in the front yard.

Based upon complaints received by the Village, specifically related to chain link fences in the front yard, staff has reviewed provisions of the Zoning Ordinance relative to the fencing materials allowed in the front yard. As a result, staff revisited aesthetic provisions currently existing within the Zoning Ordinance to determine whether or not chain link fencing is appropriate in the front yard.

Based upon direction from the Village Board, Plan Commission and Zoning Board of Appeals, staff implemented text amendments to the Zoning Ordinance relative to permissible corner side yard fencing materials in 2005 (PC 05-11). The Zoning Board of Appeals and Plan Commission both agreed that solid six-foot fences on reverse corner side yards were unacceptable due to the impact they would have on the front yard of neighboring properties. As such, staff was directed to compose provisions permitting decorative or ornate fencing (wrought iron or comparable materials), which incorporate a 75% open construction, in the corner side yard to a height of six (6) feet. The following provisions were a direct result of PC 05-11 (which still apply to this date):

Fences located in a corner side yard can be up to six (6) feet in height provided that the following conditions are met:

- a) The fence, in its entirety, must consist of decorative materials such as wrought iron or comparable material (*chain link fences are specifically excluded*);
- b) The fence, in its entirety, must be a minimum of seventy-five percent (75%) open space in total for every one (1) foot of linear dimension.

As demonstrated in the aforementioned corner side yard fence provisions, the Village does have a history of amending its Zoning Ordinance to address fence design aesthetics on residential properties relative to fencing. The Zoning Ordinance establishes aesthetic guidelines for fences in the corner side yard by only allowing fences constructed of a decorative material to exceed the maximum four (4) height restriction. Staff believes that fences located in the front yard of residential properties should also be more restrictive relative to the types of permissible fencing materials as such fences are visible to the public right-of-way. As previously mentioned, the Zoning Ordinance does not specify required materials for fences in the front yard of properties in residential districts. Similar to the aforementioned corner side yard provisions, staff believes that chain link fences should be specifically excluded as a permissible fencing material in the front yard to avoid a potential negative visual impact imposed by such fences.

At this time, staff is only proposing amendments to chain link fencing. The Village has not had any recent complaints relative to other fencing materials in the front yard. Understandably, this could be attributed to the fact that property owners do not wish to construct fences in their own front yard

that would considered to be unappealing. Should complaints arise in the future; staff will revisit the issue at such time.

The following pictures illustrate the different fencing materials used on a property:



Chain Link Fencing



Picket Fencing

Proposed Text Amendments

The following are the proposed text amendments for the Zoning Ordinance and Code of Ordinances. Proposed changes to the Zoning Ordinance are denoted by **underlining** new text.

SECTION 155.205 FENCES, WALLS, AND HEDGES

(A) Fences and Walls

(1) Fences or walls in Residential Districts

(c) Permitted Height

(ii.) Fences or walls in required front and corner side yards shall not exceed four feet (4') in height. Fences in required front yards shall not be constructed of chain link (with or without slats). Notwithstanding the foregoing, fences in a corner side yard, may be increased up to six (6) feet in height provided the following conditions are met:

- a) The fence, in its entirety, must consist of decorative materials such as wrought iron or comparable material (chain link fences being specifically excluded);
- b) The fence, in its entirety must be a minimum of seventy-five percent (75%) open space in total for every one (1) foot of linear dimension.

FINDINGS AND RECOMMENDATIONS

Based on the above findings, the Inter-Departmental Review Committee has reviewed the petition and finds that it meets the standards required by the Lombard Zoning Ordinance. As such, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending **approval** of this petition:

Based on the submitted petition and the testimony presented, the requested text amendments **comply** with the standards required by the Lombard Zoning Ordinance; and, therefore, I move that the Plan Commission accept the findings and recommendations of the Inter-Departmental Report as the findings of the Plan Commission and I recommend to the Corporate Authorities **approval** of PC 10-24.

Inter-Departmental Review Group Report Approved By:

William Heniff, AICP
Director of Community Development