

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

\_\_\_\_\_  
  X    
\_\_\_\_\_

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

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: William T. Lichter, Village Manager

DATE: July 25, 2006 (B of T) Date: August 17, 2006

TITLE: PC 06-19: Text Amendments (Yard Encroachments)

SUBMITTED BY: Department of Community Development *[Signature]*

BACKGROUND/POLICY IMPLICATIONS:

The Plan Commission transmits for your consideration its recommendation relative to the above-mentioned petition. The Village of Lombard is proposing amendments to Table 2.1 within Section 155.212 and Section 155.802 of the Lombard Zoning Ordinance as it pertains to bay window and window well encroachments into required yards. The amendments also include alterations to Table 2.1 for clarity purposes. (ALL DISTRICTS)

Staff is requesting a waiver of first reading.

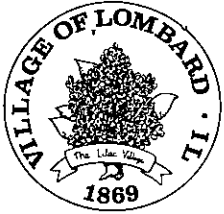
The Plan Commission recommended approval of this petition.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X _____	Date _____
Finance Director X _____	Date _____
Village Manager X <u>W. T. Lichter</u>	Date <u>8/1/06</u>

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:** William T. Lichter, Village Manager

**FROM:** David A. Hulseberg, AICP *Datt*  
Assistant Village Manager/Director of Community Development

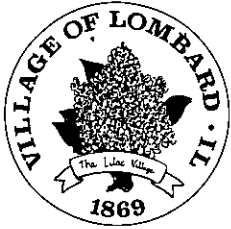
**DATE:** August 17, 2006

**SUBJECT:** **PC 06-19: Text Amendments to the Zoning Ordinance**

Attached please find the following items for Village Board consideration as part of the August 17, 2006 Village Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 06-19; and
3. An Ordinance granting approval of text amendments to the Zoning Ordinance as described within the IDRC reports and referral letter.

Staff requests a waiver of first reading of the associated Ordinance.



## VILLAGE OF LOMBARD

255 E. Wilson Avenue  
Lombard, IL 60148-3926  
(630) 620-5700 FAX: (630) 620-8222  
TDD: (630) 620-5812  
www.villageoflombard.org

**Village President**  
William J. Mueller

**Village Clerk**  
Brigitte O'Brien

**Trustees**  
Greg Alan Gron, Dist. 1  
Richard J. Tross, Dist. 2  
John "Jack" T. O'Brien, Dist. 3  
Steven D. Sebby, Dist. 4  
Kenneth M. Florey, Dist. 5  
Rick Soderstrom, Dist. 6

**Village Manager**  
William T. Lichter

August 17, 2006

Mr. William J. Mueller,  
Village President, and  
Board of Trustees  
Village of Lombard

**Subject: PC 06-19: Text Amendments to the Lombard Zoning Ordinance (Permitted Encroachments in Required Yards)**

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The Village of Lombard is proposing amendments to Table 2.1 within Section 155.212 and Section 155.802 of the Lombard Zoning Ordinance as it pertains to bay window and window well encroachments into required yards. The amendments also include alterations to Table 2.1 for clarity purposes. After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on June 19, 2006.

"Our shared *Vision* for Lombard is a community of excellence exemplified by its government working together with residents and business 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."

Michelle Kulikowski, Planner I, presented the petition. She gave an overview of the text amendments and the proposed changes to Table 2.1. She noted that the purpose of setbacks is to establish yards, ensure that yards remain free and open of visual obstructions, and minimize impacts to adjacent properties. She referenced an illustration of required yards in residential districts. She stated that Table 2.1 supplements the Zoning Ordinance by providing exceptions to the setback provisions. She noted that encroachments were permitted for practical and aesthetic purposes and help promote compliance with the intent of the Building and Development Codes.

Ms. Kulikowski reviewed the current regulations for bay windows. She stated that bay windows are listed as permitted encroachments in front, corner side, and rear yards provided that they are one story high and project no more than three feet (3') into the required yard. She noted that bay windows are not permitted encroachments in interior side yards. She stated that the proposed text amendments would list bay windows as permitted encroachments in interior side yards with provisions limiting overall size and bulk. She mentioned that the bay window encroachments could not be supported by a foundation, would be limited to ten feet (10') in width and a two foot (2') projection into the yard, and could

August 17, 2006

Re: PC 06-19

Page 2

not encroach into any easement area. She also noted that a definition for bay window would be added to the Rules and Definitions Section. Ms. Kulikowski explained the rationale for the bay window text amendment. She noted other permitted encroachments in interior side yards such as chimneys, eaves and gutters, as well as awnings and canopies. She stated that bay windows and chimneys do not differ as far as overall bulk and intensity. She also mentioned that the text amendment would allow flexibility to incorporate bay windows as an architectural feature on exterior side walls. She noted other architectural elements such as eaves are permitted encroachments and that bay windows could help break up monotony of side exterior walls to avoid a "box like" appearance. Ms. Kulikowski referenced pictures showing examples of bay windows on side exterior walls.

Ms. Kulikowski explained the text amendment pertaining to window wells. She stated that the Zoning Ordinance currently does not address window wells, and therefore they are not a permitted encroachment in any yard. She noted that window wells are required to meet Building Code requirements for light and ventilation in basements and for means of egress from the basement level. She mentioned that technically the Zoning Ordinance would require exterior walls to be setback further in order for window wells to comply with the minimum setback requirements. She stated that the proposed amendment will provide consistency between the Building Code and the Zoning Ordinance and codify staff policy not to include window wells in setback measurements. Ms. Kulikowski outlined the limitations only allowing window wells to project three feet (3') or less into the yard and prohibiting window wells from into any easement area.

Ms. Kulikowski reviewed the text amendment pertaining to open porches. She noted that breezeways and open porches are listed as permitted encroachments in rear yards, but the Zoning Ordinance is not clear as to what constitutes an open porch. She stated that porches are inherently open as enclosed porches would be considered a sun room or three season room. She mentioned that the roof cover is the defining characteristic of a porch, as porches without roofs would be considered a deck. She stated that the limitations for deck encroachments could be circumvented by considering a structure to be an open porch rather than a deck. She noted that the proposed text amendment would clarify the terminology used for porches by eliminating open porches from Table 2.1 and just referencing roofed-over porches.

Ms. Kulikowski discussed the final text amendment clarifying the limitations for roofed-over porches as permitted encroachments. She noted that these encroachments are limited to porches that project no more than seven feet (7') from the front wall of the principal structure and maintain at least a twenty-five foot (25') front yard setback. She stated that the proposed text amendment would refer to front wall(s) in order to clarify that the front wall is not necessarily the wall closest to the front property line. There may be more than one front wall if one portion of the building is closer to the front property line. She noted that this particularly makes a difference in how the seven foot projection is measured. Ms. Kulikowski referenced an illustration demonstrating a difference between a seven foot (7') projection from the wall closest to the front property line and from the front walls of a building.

Chairperson Ryan asked if there was anyone in the audience who was in favor or against the petition. Hearing none, the meeting was opened to the Plan Commissioners.

August 17, 2006

Re: PC 06-19

Page 3

Commissioner Burke asked whether an eave could encroach an additional three feet (3') on a bay window already encroaching into the setback.

William Heniff, Senior Planner, stated that Footnote D in Table 2.1 limits the bay window itself to a two foot (2') projection in the side yard. He noted that an eave on a bay window would be limited to the net difference of the three foot (3') maximum allowed projection into the yard and the projection of the bay window. A bay window projecting the maximum two feet (2') into an interior side yard would only be permitted to have eaves projecting one foot (1') from the bay window.

Commissioner Burke asked why bay window encroachments were limited to one story in height. He noted that some of the pictures included in the presentation showed two story bay windows.

Ms. Kulikowski noted that some of the pictures included properties that are not within the Village of Lombard.

Mr. Heniff explained that Footnote C, which includes the one story limitation, is already part of the current regulations. He noted that the text amendment just modifies how it appears in the Ordinance. He mentioned that the intent was to minimize the additional living space created by the cantilever and that it mainly relates to a bulk issue. He noted that an argument can be made to allow two story bay windows because there is no height limitation for chimneys that encroach into an interior side yard. He stated that the Plan Commission can choose to strike the one story provision if they feel it is appropriate.

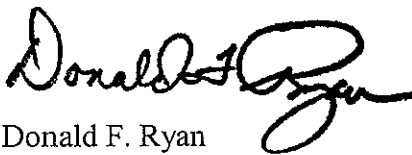
Chairperson Ryan stated that the one story provision should be removed.

Mr. Heniff asked the Commissioners if they wanted staff to clarify the definition of eaves. The Commissioners indicated that they did.

After due consideration of the petition and the testimony presented, the Plan Commission found that the proposed text amendments do comply with the standards of the Lombard Zoning Ordinance. Therefore, the Plan Commission, by a roll call vote of 4 to 0, recommended to the Corporate Authorities, approval of PC 06-19.

Respectfully,

**VILLAGE OF LOMBARD**



Donald F. Ryan

Chairperson

Lombard Plan Commission

att-

H:\CD\WORDUSER\PCCASES\2006\PC 06-19\Referral Letter.doc

**VILLAGE OF LOMBARD**  
**INTER-DEPARTMENTAL REVIEW GROUP REPORT**

TO: Lombard Plan Commission

HEARING DATE: June 19, 2006

FROM: Department of Community  
Development

PREPARED BY: Michelle Kulikowski, AICP  
Planner I

**TITLE**

**PC 06-19; Text Amendments to the Lombard Zoning Ordinance:** The Village of Lombard is proposing amendments to Table 2.1 within Section 155.212 and Section 155.802 of the Lombard Zoning Ordinance as it pertains to bay window and window well encroachments into required yards. The amendments also include alterations to Table 2.1 for clarity purposes.

**DESCRIPTION:**

The Planning Services Division of the Community Development Department is proposing an amendment to the Zoning Ordinance as it pertains to Table 2.1 Permitted Encroachments in Required Yards. The amendments will allow bay windows as permitted encroachments within interior side yard under certain conditions. Currently, the Zoning Ordinance only allows bay windows within front, rear and corner side yards. A definition of bay window is also added to Section 155.802 Rules and Definitions. The proposed amendments also add window wells as permitted encroachments within all required yards. Other minor changes to Table 2.1 are included to help provide clarity and consistency.

**INTER-DEPARTMENTAL REVIEW COMMENTS**

**ENGINEERING**

The Private Engineering Services Division does not have any comments.

**PUBLIC WORKS**

Public Works has reviewed the petition and does not have any comments.

**BUILDING AND FIRE**

The Bureau of Inspectional Services has reviewed the petition and does not have any comments.

## PLANNING

### *Bay Windows*

The Zoning Ordinance currently allows bay windows as permitted encroachments in front, rear, and corner side yards but does not allow them within interior side yards. However, the Ordinance does allow other encroachments within interior side yards. Chimneys are permitted to encroach up to twenty four inches (24'') into an interior side yard. As far as overall bulk and intensity, staff finds no difference between a bay window and a chimney. Eaves and gutters are also permitted to project up to three feet (3') into an interior side yard. Eave overhangs generally serve as architectural enhancements. The intent of the bay window amendment is to provide the flexibility to incorporate bay windows as an architectural feature on side exterior walls.

Within front, rear, and corner side yards, the Zoning Ordinance already limits bay windows to a one story height and a projection of three feet (3') or less. The proposed amendments would only allow bay windows without foundations to encroach within side yards. The bay window also cannot be any wider than ten feet (10') and can project no more than two feet (2') into the side yard. Staff finds that limiting the bay window to two feet (2') rather than three feet (3') as permitted in front, rear, and corner side yards is more appropriate as it is consistent with provisions for chimney encroachments.

The amendments also include a definition for bay windows to be added to the Rules and Definitions section of the Zoning Ordinance (Section 155.802). The definition is general so that it encompasses other type of window projections such as box windows and bow windows.

### *Window Wells*

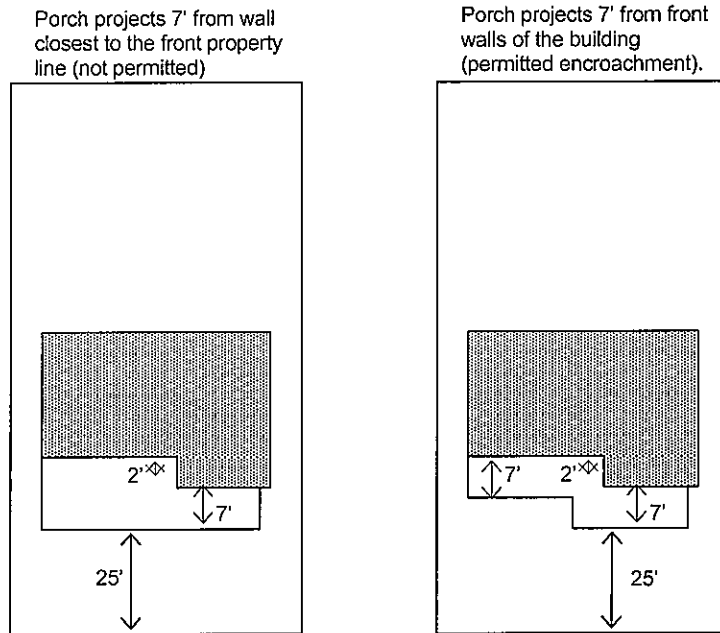
Window wells are typically used on single family homes to meet Building Code requirements for light and ventilation in basements and for means of egress from the basement level. Window wells must project at least three feet from the foundation wall, however, the Zoning Ordinance does not list window wells as a permitted encroachment within any yard. As such, buildings have to be setback farther in order to accommodate window wells and comply with both the Building Code and the Zoning Ordinance. Effectively, the minimum setbacks for exterior walls are three feet (3') more than what is outlined in the Zoning Ordinance. While staff policy has been to exclude window wells from setback measurements, the proposed text amendment will codify staff policy and provide consistency between the Building Code and the Zoning Ordinance.

### *Other Amendments to Table 2.1*

Staff proposes to remove open porches from Table 2.1 as it is unclear what type of structure it refers to. Table 2.1 also references roofed-over porches as well as decks and terraces and provides specific conditions in which they are permitted encroachments. Staff considers the roof cover as one of the defining characteristics of a porch. Any structure that is similar to a porch, but does not have a roof cover, is considered either a deck or terrace (patio). As there are no definitions within the Zoning Ordinance for decks or porches, one may misconstrue a deck to be an open porch. Footnotes A and B in Table 2.1 provide limitations to deck and terraces encroaching within required yards while no limitations are placed on open porches. Removing

open porches from Table 2.1 will prevent people from circumventing the restrictions on deck and terraces by calling a structure an open porch.

Staff also proposes a small change to clarify the conditions in which a porch can encroach into the front yard. One condition states that the porch can project no more than seven feet (7') from the front wall of the principal structure. The amendment includes the term "front wall(s)" to clarify that there may be more than one front wall and that it is not necessarily refer to the wall closest to the front property line. Staff has interpreted that the front wall to consist of any walls that would be shown in a front elevation drawing. Staff finds that if the ordinance intended for the seven foot projection to be measured from the wall closest to the front property line, it would be worded as such. The wording makes a difference particularly when one portion of the house is closer to the front property line resulting in more than one front wall. As porches encroaching into the front yard can only project seven feet from the front walls, the porch must follow the contour of the front elevation if it is to extend the entire width of the building. *See illustration below.*



### Proposed Text Amendments

The proposed text amendments are noted below. **Proposed changes to the ordinances are denoted by striking out old text and underlining new text.** The Standards for Text Amendments is also included below.

#### **§155.212 PERMITTED OBSTRUCTIONS IN REQUIRED YARDS**

Yard obstructions of principle and accessory structures and uses shall be allowed as set forth below. However, such obstructions shall not, in the aggregate, occupy more than 30 percent of any required yard.



Table 2.1  
**PERMITTED OBSTRUCTIONS**

Type of Structure or Use Obstruction X = Permitted Obstruction	Front & Corner Side Yard	Interior Side Yards	Rear Yard
Accessory structures in residential districts subject to the setbacks and other requirements of Section 155.210, above		X	X
Air conditioners which are window units projecting not more than 18 inches into the required yard	X	X	X
Arbors and trellises	X	X	X
Awnings and canopies, in non-residential districts	X	X	X
Awnings and canopies, in residential districts, projecting three (3) feet or less into the yard	X	X	X
Balconies			X
Basketball poles, nets	X	X	X
Bay windows which are one story high and project three (3) feet or less into the yards	<u>Must meet footnote C</u>	<u>Must meet footnote D</u>	<u>Must meet footnote C</u>
Breezeways and open porches			X
Central air-conditioning systems, the outside elements of which extend not more than four feet into the yard			X
Chimneys projecting 24 inches or less into the yard	X	X	X
Decks and Terraces	<u>Must meet footnote A</u>	<u>Must meet footnote A</u>	<u>Must meet footnote A or B</u>
Eaves and gutters projecting three (3) feet or less into the yard	X	X	X
Fallout shelters (completely underground)			X
Fences or walls subject to applicable height restrictions of Section 155.207, above	X	X	X
Flagpole	X	X	X
Handicap access ramp	X		
Laundry drying equipment			X
Parking, open off-street spaces	X	X	X
Recreational equipment			X
Roofed-over porches which are unenclosed, constructed on footings or piers, and projecting not more than seven (7) feet from the front wall(s) of the principal structure, provided that a minimum twenty-five (25) foot front yard setback is maintained.	<u>Permitted in front yard only</u>		
Satellite Dishes			X
Signs, subject to the Lombard Sign Ordinance	X	X	X
Steps four (4) feet or less above grade which are necessary for access to a permitted building or for access to a zoning lot from a street or alley	X	X	X
<u>Window wells projecting no more than three (3) feet into the yard, provided that the window well does not encroach into any easement area.</u>	<u>X</u>	<u>X</u>	<u>X</u>

- A. Open terraces and decks not over three (3) feet above the average level of the adjoining ground, provided that a minimum two (2) foot side yard setback is maintained.
- B. Open terraces and decks attached to single family residences not more than one (1) foot above the established top of the foundation height at the front of the residence, provided that a minimum twenty-five (25) foot rear yard setback is maintained.

- C. Bay windows which are one story high and project three (3) feet or less into the yards.
- D. Bay windows, which are not supported by a foundation, are no more than ten (10) feet wide, and project no more than two (2) feet into the yard, provided that the bay window does not encroach into any easement area.

## §155.802 RULES AND DEFINITIONS

BAY WINDOW is a large window or series of windows projecting from the outer wall of a building and forming an interior recess or alcove.

### Standards for Text Amendments

1. *The degree to which the proposed amendment has general applicability within the Village at large and not intended to benefit specific property.*

Should the proposed amendments be approved, it would apply to all properties within the R1 and R2 Districts.

2. *The consistency of the proposed amendment with the objectives of this ordinance and the intent of the applicable zoning district regulations.*

The Zoning Ordinance establishes setbacks to ensure that the yards remain open and free from visual obstructions. Table 2.1 is intended to supplement the Zoning Ordinance by providing exceptions to the setback provisions that are acceptable for practical and aesthetic purposes. The window well amendment is intended to provide consistency between the Zoning Ordinance and the building code. The bay window amendment is intended to provide additional flexibility to property owners for architectural enhancements and is consistent with other permitted encroachments in interior side yards such as chimneys and eaves.

3. The degree to which the proposed amendment would create nonconformity.

The Ordinance would not create any nonconformities.

4. *The degree to which the proposed amendment would make this ordinance more permissive.*

The amendments would make the code more permissive as it would allow additional encroachments within required yards. However, the bay window and window amendments include restrictions to ensure that they do not interfere with any utility easements. Restrictions on the size of bay windows ensure that the encroachments are not excessive and generally serve as an architectural element. Restrictions on the size of window wells ensure that they project no more than what is required to meet building code requirements.

5. *The consistency of the proposed amendment with the Comprehensive Plan*

Staff believes that the proposed amendment would be consistent with the Comprehensive Plan.

The amendments will enhance the character of residential neighborhoods by providing additional flexibility. Provisions in the amendments limiting the encroachments ensure that the encroachments are not excessive and the intent of the setback provisions are not contradicted.

6. *The degree to which the proposed amendment is consistent with Village policy as established in previous rulings on petitions involving similar circumstances.*

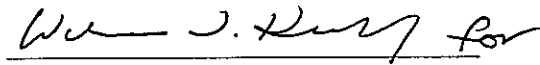
The proposed amendments are intended to mirror the actions and directions set forth by the Corporate Authorities. The Village has a history of amending its Zoning Ordinance to address newly evolving circumstances presented by petition or otherwise. As larger homes are being constructed in the Village as a result of tear downs, there is an increasing concern with the appearance of the new homes. Bay windows are an architectural feature that helps to break up the box like appearance of larger homes. The proposed amendments are consistent with the Village Policy of maintaining and enhancing the character of residential neighborhoods.

### **RECOMMENDATION:**

Based on the above considerations, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending **approval** of the request as proposed:

Based on the submitted petition and the testimony presented, the proposed text amendments comply with the standards required by the Lombard Zoning Ordinance; and, therefore, I move that the Plan Commission find that the findings included as part of the Inter-department Review Report be the findings of the Plan Commission and therefore, I recommend to the Corporate Authorities **approval** of the text amendments described in PC 06-19.

Inter-Departmental Review Group Report Approved By:

  
David A. Hulseberg, AICP  
Director of Community Development

DAH: MK

## Permitted Encroachments in Required Yards

Text Amendments to the Zoning Ordinance

PC 06-19  
June 19, 2006

## Text Amendments

- Table 2.1 Permitted Obstructions in Required Yards.
  - Modify provisions for Bay Windows
  - Add window wells
  - Remove open porches
  - Clarify provisions for roofed-over porches
- Section 155.802 Rules and Definitions
  - Add definition for Bay Window

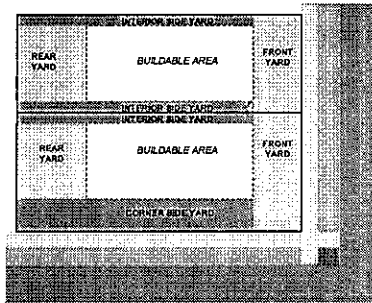
2

## Setbacks

- The purpose of Setbacks is to:
  - Establish yards
  - Ensure that yards remain free and open of visual obstructions
  - Minimize impacts to adjacent properties.

3

## Setbacks



4

## Permitted Obstructions

- Table 2.1 supplements the Zoning Ordinance by providing exceptions to the setback provisions.
  - Encroachments are permitted for practical and aesthetic purposes.
  - Helps promote compliance with the intent of building and development codes.

Table 2.1  
PERMITTED OBSTRUCTIONS

Type of Structure or Use Characterized by Permitted Obstruction	Front and Corner Side Yards	Side Yards	Rear Yard
Accessory structures in residential districts subject to the setbacks and other requirements of Section 155.210, above		X	X
Air conditioning units or window units projecting not more than 18 inches into the required yard	X	X	X
Archery and tennis	X	X	X
Awnings and canopies, in non-residential districts	X	X	X
Awnings and canopies, in residential districts, projecting three (3) feet or less into the yard.	X	X	X

5

## Bay Windows

### CURRENT REGULATIONS

- Bay windows are listed as permitted encroachments in:
  - Front Yards
  - Corner Side Yards
  - Rear Yards
- Zoning Ordinance limits bay window encroachments to bay windows which are:
  - One story high
  - Project no more than 3 feet
- Bay Windows are NOT permitted encroachments in interior side yards.

6

## **Bay Windows**

### **PROPOSED AMENDMENTS**

- List bay windows as permitted encroachments in interior side yards with provisions limiting overall size and bulk.
  - Not supported by a foundation
  - No more than ten (10) feet wide
  - Project no more than two (2) feet into the yard
  - Do not encroach into any easement area.
- Add definition for bay window:  
BAY WINDOW is a large window or series of windows projecting from the outer wall of a building and forming an interior recess or alcove.

7

## **Bay Windows Text Amendment Rationale**

- The Zoning Ordinance allows other encroachments in interior side yards:
  - Chimneys (projecting 24 inches or less into the yard)
  - Eaves and Gutters (projecting 3 feet or less into the yard)
  - Awnings and canopies (projecting 3 feet or less into the yard)
- Bay windows and a chimneys do not differ as far as overall bulk and intensity.
- Provides flexibility to incorporate bay windows as an architectural feature on side exterior walls.
  - Other architectural elements such as eaves are permitted encroachments in interior side yards.
  - Can help break up monotony of side exterior walls to avoid "box like" appearance.

8

## **Bay Windows**



9

## **Bay Windows**



10

## **Bay Windows**



11

## **Bay Windows**



12

## **Bay Window**



13

## **Window Wells**

- ❑ Zoning Ordinance currently does not address window wells. As such, they are not a permitted encroachment in any yard.
- ❑ Window wells are required to meet Building Code requirements for light and ventilation in basements and for means of egress from the basement level.
- ❑ Effectively, minimum setbacks of exterior walls are increased in order to comply with both the Building Code and Zoning Ordinance.
- ❑ Proposed amendments will provide consistency between the Building Code and the Zoning Ordinance.
- ❑ Proposed amendments will codify staff policy to not include window wells in setback measurements.

14

## **Window Wells**

### **PROPOSED AMENDMENTS**

- ❑ List window wells as permitted encroachments in interior side yards with limitations.
  - Can project no more than three (3) feet into the yard
  - Cannot encroach into any easement area.

15

## **Open Porches**

- ❑ Breezeways and open porches are listed as a permitted encroachment in rear yards.
- ❑ What is an open porch?
  - Porches are inherently open - enclosed porches are considered additions.
  - Roof cover is the defining characteristics of a porch. Porches without roofs would be considered a deck.
  - Limitations for deck encroachments can be circumvented by considering a structure to be an open porch rather than a deck
- ❑ Proposed amendment clarifies open porch references in Table 2.1

16

## **Roofed-Over Porches**

- ❑ Roofed-over porches are a permitted encroachment in the front yard provided that the porch:
  - Is unenclosed;
  - Constructed on footings or piers;
  - Projects no more than 7 feet from **front wall** of the principal structure; and
  - Maintains a minimum 25 foot front yard setback.

17

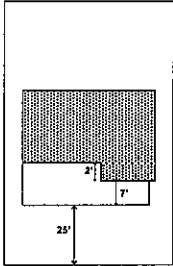
## **Roofed-Over Porches**

- ❑ Proposed Amendment to refer to **front wall(s)**.
  - Front wall is not necessarily just the wall closest to the front property line.
  - May be more than one front wall if one portion of the building is closer to the front property line.
  - Makes a difference in how the 7 foot projection is measured.

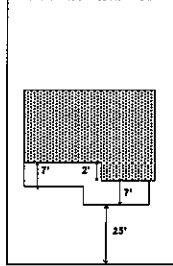
18

## ***Roofed-Over Front Porches***

Porch projects 7' from wall closest to the front property line (not permitted)



Porch projects 7' from front walls of the building (permitted encroachment).



19

**ORDINANCE \_\_\_\_\_**

**AN ORDINANCE APPROVING TEXT AMENDMENTS  
TO THE LOMBARD ZONING ORDINANCE  
TITLE 15, CHAPTER 155 OF THE CODE OF LOMBARD, ILLINOIS**

(PC 06-19: Permitted Encroachments in Required Yards)

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

WHEREAS, Section 155.102 (E)(13) of the Zoning Ordinance directs the Director of Community Development to initiate a review of the provisions established within the Zoning Ordinance; and

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

WHEREAS, as the Director has identified and recommends text amendments to the Zoning Ordinance as set forth herein; and

WHEREAS, a public hearing to consider text amendments to the Zoning Ordinance has been conducted by the Village of Lombard Plan Commission on June 19, 2006 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 212, of the Code of Lombard, Illinois is hereby amended to read in its entirety as follows:



**§155.212 PERMITTED OBSTRUCTIONS IN REQUIRED YARDS**

Yard obstructions of principle and accessory structures and uses shall be allowed as set forth below. However, such obstructions shall not, in the aggregate, occupy more than 30 percent of any required yard.

Table 2.1  
**PERMITTED OBSTRUCTIONS**

Type of Structure or Use Obstruction X = Permitted Obstruction	Front & Corner Side Yard	Interior Side Yards	Rear Yard
Accessory structures in residential districts subject to the setbacks and other requirements of Section 155.210, above		X	X
Air conditioners which are window units projecting not more than 18 inches into the required yard	X	X	X
Arbors and trellises	X	X	X
Awnings and canopies, in non-residential districts	X	X	X
Awnings and canopies, in residential districts, projecting three (3) feet or less into the yard	X	X	X
Balconies			X
Basketball poles, nets	X	X	X
Bay windows	Must meet footnote C	Must meet footnote D	Must meet footnote C
Breezeways			X
Central air-conditioning systems, the outside elements of which extend not more than four feet into the yard			X
Chimneys projecting 24 inches or less into the yard	X	X	X
Decks and Terraces	Must meet footnote A	Must meet footnote A	Must meet footnote A or B
Eaves and gutters projecting three (3) feet or less into the yard	X	X	X
Fallout shelters (completely underground)			X
Fences or walls subject to applicable height restrictions of Section 155.207, above	X	X	X
Flagpole	X	X	X
Handicap access ramp	X		

Laundry drying equipment			X
Parking, open off-street spaces	X	X	X
Recreational equipment			X
Roofed-over porches which are unenclosed, constructed on footings or piers, and projecting not more than seven (7) feet from the front wall(s) of the principal structure, provided that a minimum twenty-five (25) foot front yard setback is maintained.	Permitted in front yard only		
Satellite Dishes			X
Signs, subject to the Lombard Sign Ordinance	X	X	X
Steps four (4) feet or less above grade which are necessary for access to a permitted building or for access to a zoning lot from a street or alley	X	X	X
Window wells projecting no more than three (3) feet into the yards, provided that the window well does not encroach into any easement area.	X	X	X

- A. Open terraces and decks not over three (3) feet above the average level of the adjoining ground, provided that a minimum two (2) foot side yard setback is maintained.
- B. Open terraces and decks attached to single family residences not more than one (1) foot above the established top of the foundation height at the front of the residence, provided that a minimum twenty-five (25) foot rear yard setback is maintained.
- C. Bay windows projecting three (3) feet or less into the yards.
- D. Bay windows, which are not supported by a foundation, are no more than ten (10) feet wide, and project no more than two (2) feet into the yard, provided that the bay window does not encroach into any easement area

SECTION 2: That the Title 15, Chapter 155, Section 802, of the Code of Lombard, Illinois is hereby amended to add the following definition, as follows:

### **§155.802 RULES AND DEFINITIONS**

**BAY WINDOW** is a large window or series of windows projecting from the outer wall of a building and forming an interior recess or alcove.

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.

Ordinance No. \_\_\_\_\_

Re: PC 06-19

Page 4

Passed on first reading this \_\_\_\_ day of \_\_\_\_\_, 2006.

First reading waived by action of the Board of Trustees this \_\_\_\_ day of \_\_\_\_\_, 2006.

Passed on second reading this \_\_\_\_ day of \_\_\_\_\_, 2006.

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

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

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

Approved this \_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
William J. Mueller, Village President

ATTEST:

\_\_\_\_\_  
Brigitte O'Brien, Village Clerk

Published in pamphlet form this \_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
Brigitte O'Brien, Village Clerk