

August 20, 2009

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

**Subject: PC 09-21; Text Amendments to the Zoning Ordinance**

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The Village of Lombard is proposing Text Amendments to Section 155.205 (A) (1) (c) of the Lombard Zoning Ordinance to allow fences in residential districts to be up to eight (8') in height along property lines that adjoin and parallel railroad right-of-way.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on July 20, 2009.

Chairperson Ryan stated that this petition has been brought forward by the Village and will be presented by staff.

Christopher Stilling, Assistant Director, presented the staff report. The Planning Services Division is proposing text amendments to Section 155.205 (A) (1) (c) of the Lombard Zoning Ordinance to allow fences in residential districts to be up to eight (8') in height along property lines that adjoin and parallel railroad right-of-way.

Mr. Stilling stated that the Zoning Ordinance already allows residential fences that abut commercially-zoned properties (those in a B, O, or I District) to be up to eight feet in height. Staff believes that the same logic that allows for a higher fence adjacent to a commercial property (presumably to screen the residence from noise and an undesirable view) would justify the need for a higher fence adjacent to a railroad.

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Referring to the standards for text amendments, Mr. Stilling stated that the proposed amendments would not create additional nonconformity, but rather allow existing nonconforming fences to be replaced, without requiring a variation. He then stated that this amendment would be consistent with staff and Board policies.

Chairperson Ryan opened the meeting for discussion and questions by the Plan Commission.

Commissioner Olbrysh asked if the code addresses using a specific type of fence. Mr. Stilling answered that the code is not material specific but it does specify that fences cannot cause bodily injury so nothing that is dangerous or sharp can be used.

After due consideration of the petition and the testimony presented, the Plan Commission found that the text amendment complies with the Zoning Ordinance and therefore, the Plan Commission, by a roll call vote of 4 to 0, recommended to the Corporate Authorities, **approval** of PC 09-21.

Respectfully,

**VILLAGE OF LOMBARD**

Donald Ryan  
Chairperson  
Lombard Plan Commission

att-

c. Petitioner  
Lombard Plan Commission