

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)
 X Other Business (Pink)

TO: PRESIDENT AND BOARD OF TRUSTEES

FROM: William T. Lichter, Village Manager

DATE: October 27, 2004 (B of T) Date: November 4, 2004

TITLE: Fences in Corner Side Yards

SUBMITTED BY: Department of Community Development *WTL/wll*

BACKGROUND/POLICY IMPLICATIONS:

The Department of Community Development presents for your consideration a PowerPoint presentation regarding existing Zoning Ordinance fence regulations within corner side yards. (ALL DISTRICTS)

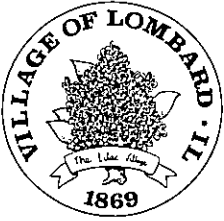
Please place this item on the November 4, 2004 Board of Trustees agenda under Separate Action.

Fiscal Impact/Funding Source:

Review (as necessary):

Village Attorney X _____	Date _____
Finance Director X _____	Date _____
Village Manager X <i>W. T. Lichter</i>	Date <u>10/28/04</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, Director of Community Development *DH/GH*

DATE: November 4, 2004

SUBJECT: **Fences in Corner Side Yards**

At the August 19 and September 16, 2006 Village Board meetings, the Board tabled consideration of two Zoning Board of Appeals petitions (ZBA 04-08 at 324 S. Ahrens and ZBA 04-10 at 7 W. Greenfield) to the November 4, 2004 Village Board meeting. The Board requested that staff prepare a presentation regarding existing Zoning Ordinance fence regulations within corner side yards.

Attached is a PowerPoint presentation, which staff will present at the November 4, 2004 meeting prior to consideration of the two pending fence variation requests. Staff will also seek direction from the Board as it relates to the following:

1. Does the Board support a text amendment to allow for fences greater than four feet in height within front or corner side yards?
2. If so, should the Zoning Ordinance be amended to further distinguish between type of fence materials (i.e., open fences vs. solid fences) and/or types of construction?
3. Does the Board support a differentiation within the Zoning Ordinance as it relates to fences on corner lots versus reverse corner lots?

ACTION REQUESTED

Please place this item on the November 4, 2004 Villager Board Agenda Under Items for Separate Action.

***Fence Regulations
Corner Side Yards***



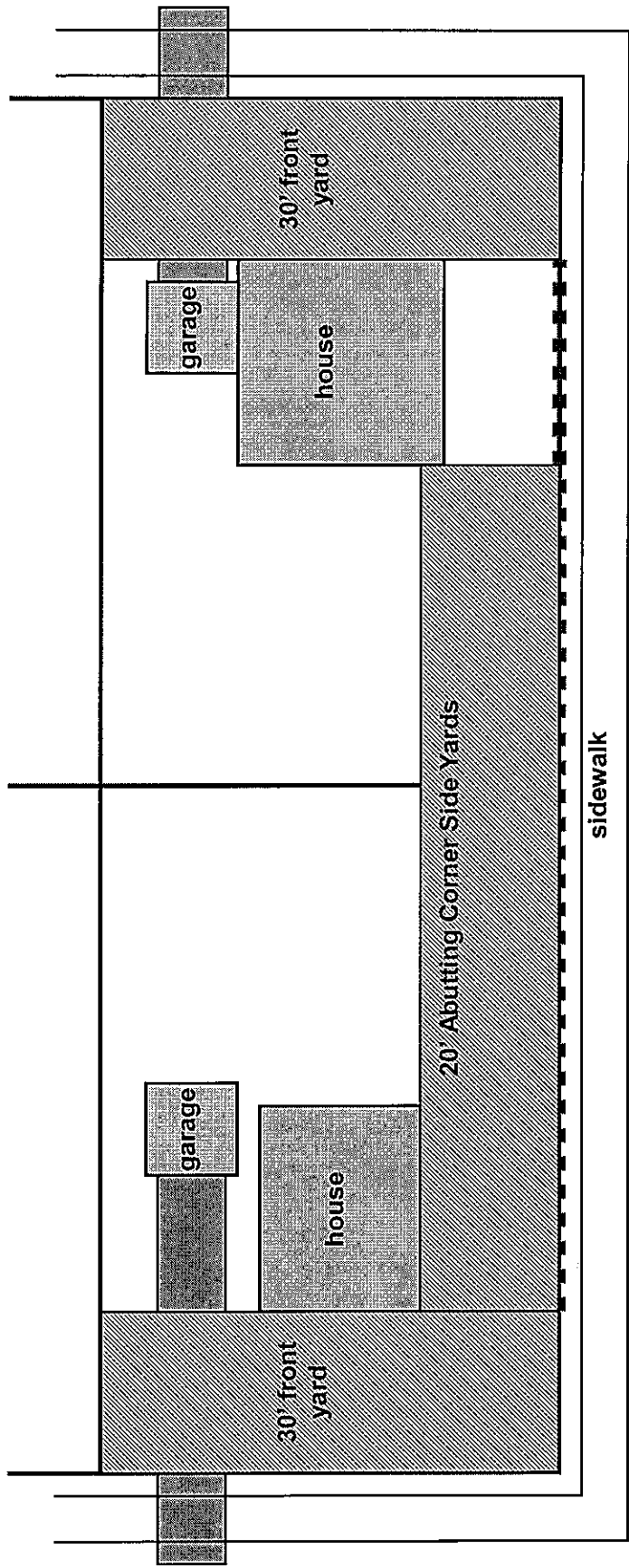
**Lombard Village Board Presentation
November 4, 2004**

Existing Zoning Ordinance Fence Regulations

- **Corner Side Yard**
 - 20' from corner side property line (not dependent on direction house faces)
 - Fences may be no more than 4' tall
 - Does not apply to fences within the clear line of sight area (2' maximum height)

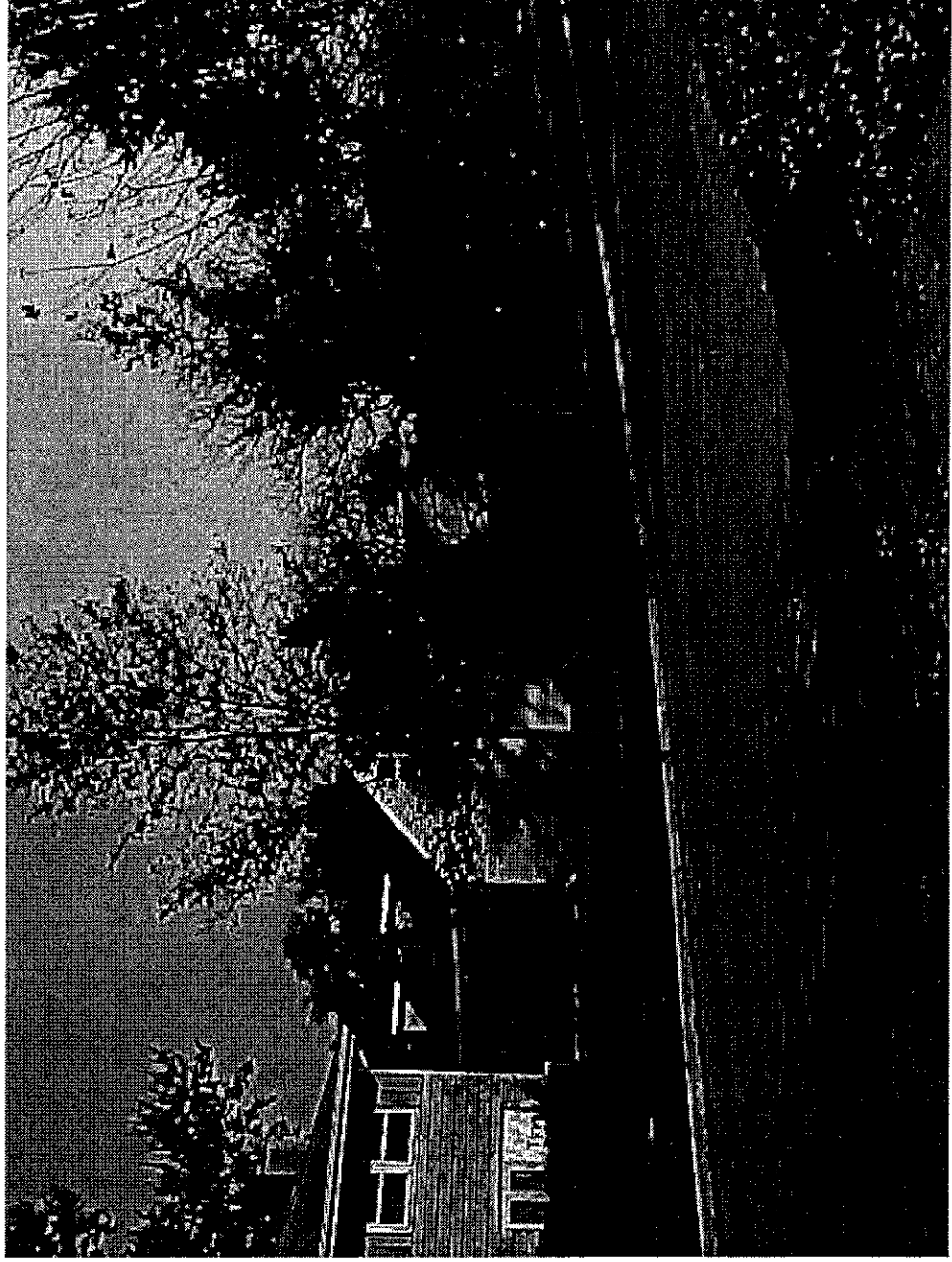
Fence Regulations - Background

Types of Corner Side Yards



Abutting Corner Side Yards

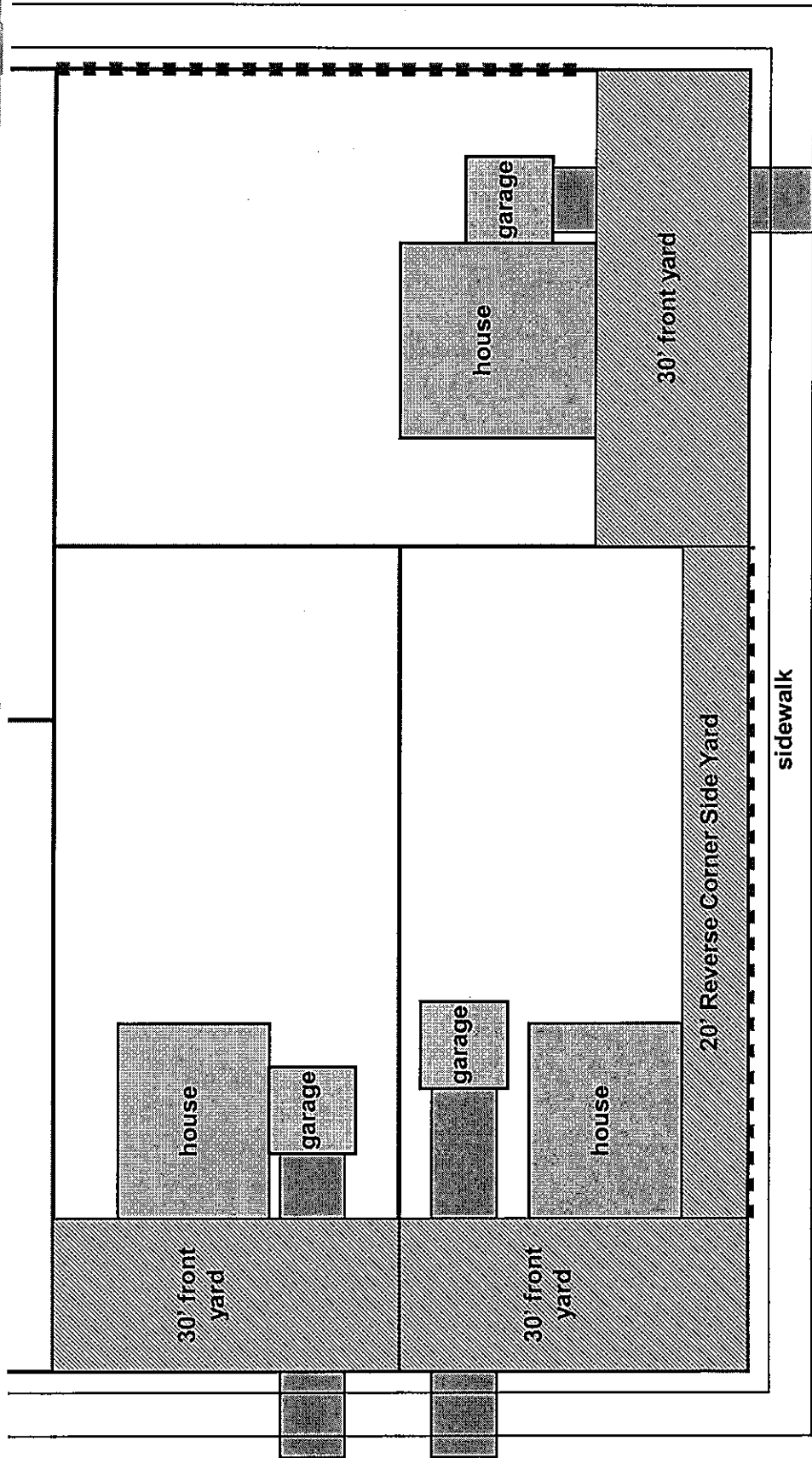
Fence Regulations - Background Types of Corner Side Yards



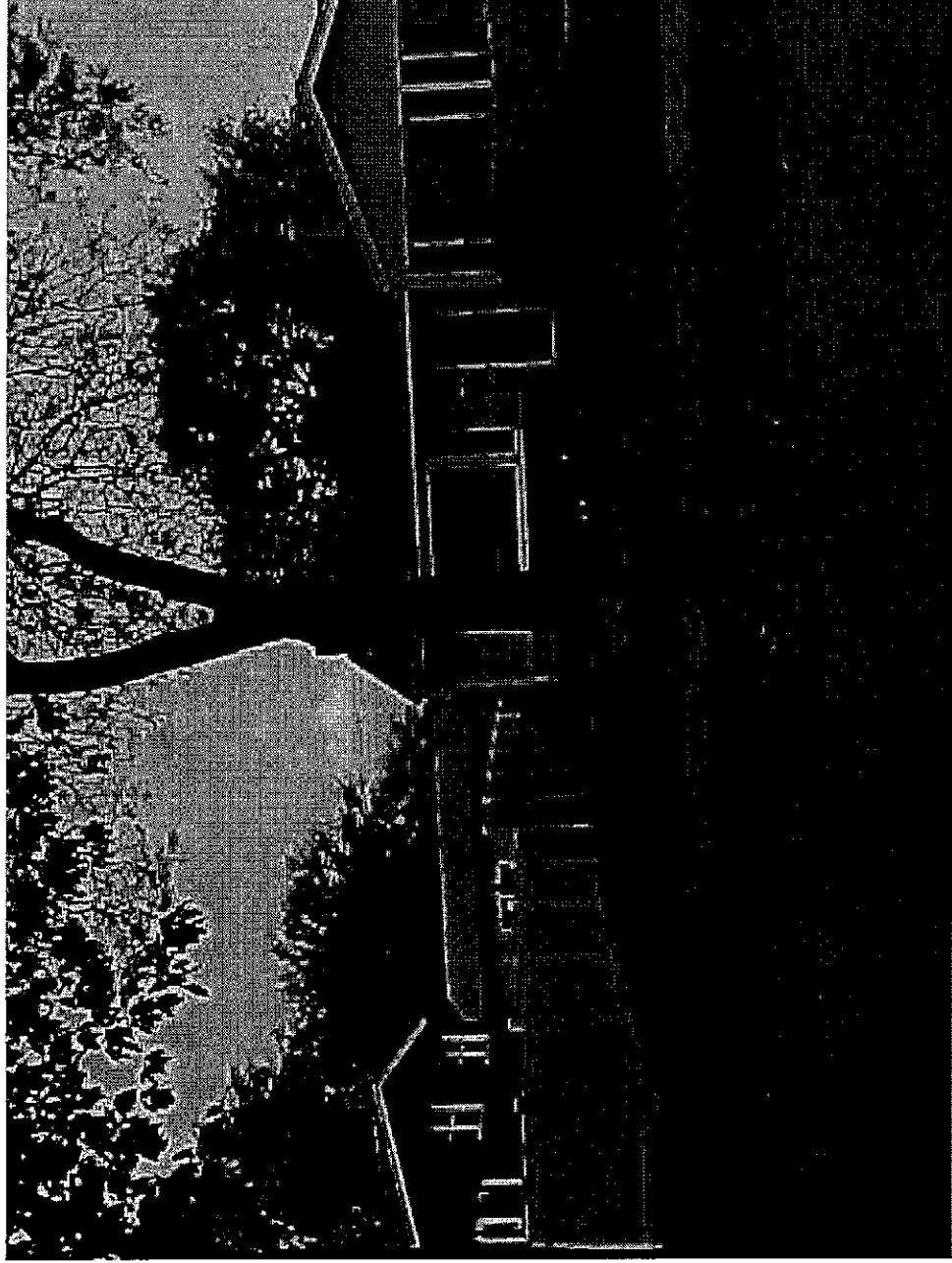
Abutting Corner Side Yards - Hammerschmidt and Harrison

Fence Regulations - Background

Types of Corner Side Yards



Fence Regulations - Background Types of Corner Side Yards



Reverse Corner Side Yard - 1065 S. Norbury

Corner Fence Regulations Past Review of Regulations

- Village Board discussed fence regulations in 1999 & 2000 (when permit requirements were established)
- Text amendment to increase fence height to six feet for reverse corner lots was workshopped before Plan Commission in May 2002 - Plan Commission recommended that current regulations should remain in place

Fence Regulations

Survey of Non-conforming Fences

- Staff conducted an inventory of all nonconforming fences in August 2000
- There were 125 nonconforming fences
 - 3 of the 125 have obtained permits for fences that comply with current code requirements
 - 4 of the 125 applied for and received zoning relief to exceed the four foot height restriction

Fence Variation Requests Front/Corner Side Yards

Year	# of Requests	Approved	Denied	Withdrawn
2000	2	2	0	0
2001	1	1	0	0
2002	7	5	1	1
2003	4	0	4	0
2004	3	1		0

Fence Regulations ZBA Case Histories

- Most requests have been for board on board solid fences
- One request for an “open” construction fence was granted this year for an industrial property

Fence Regulations Non-Compliant Fences Erected in the Corner Side Yard

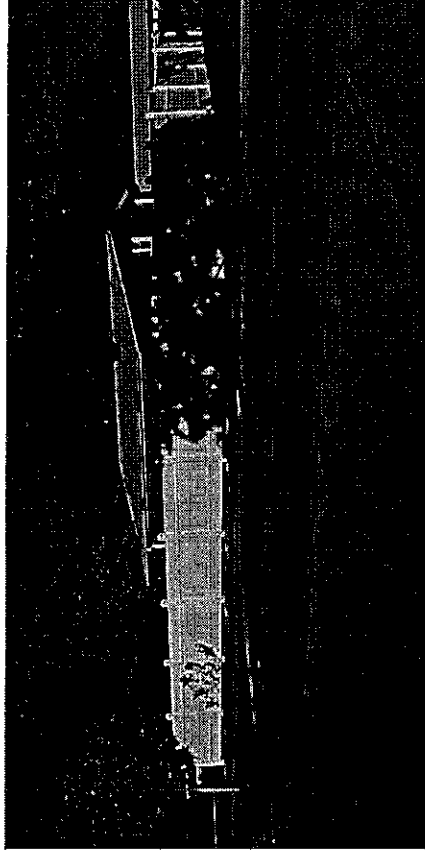
- In 2003, four fences have been required to be modified or altered after they were erected
- In each instance, the applicant placed the fence contrary to the permit received

Fences That Were Required to be Modified

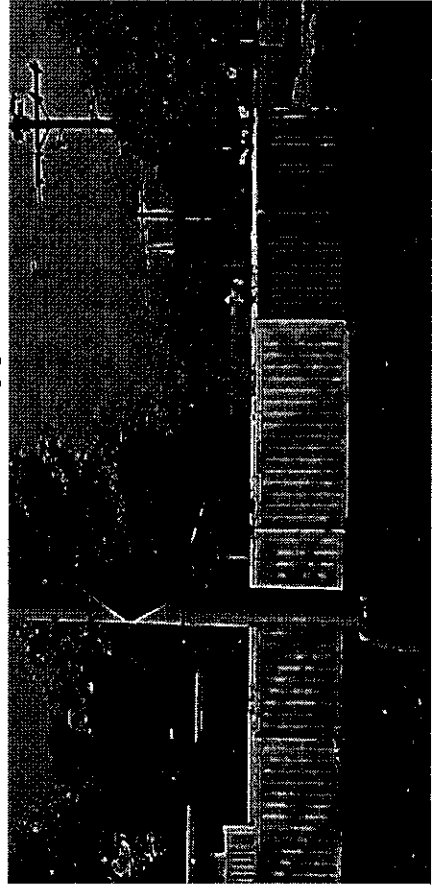
Before



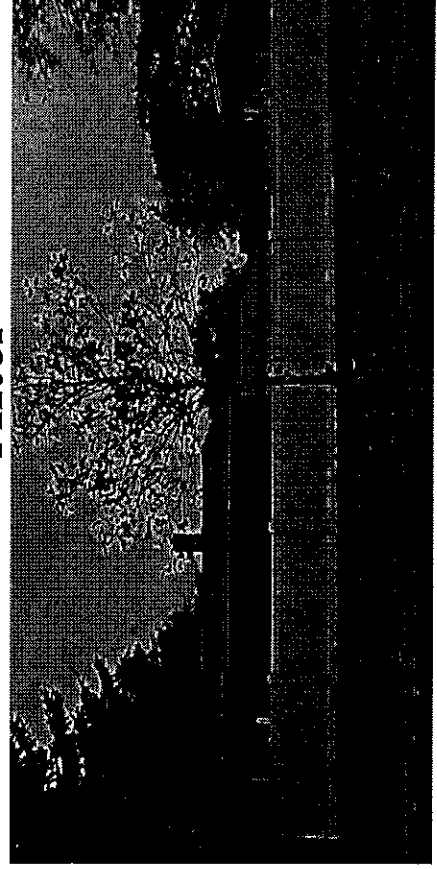
Before



After



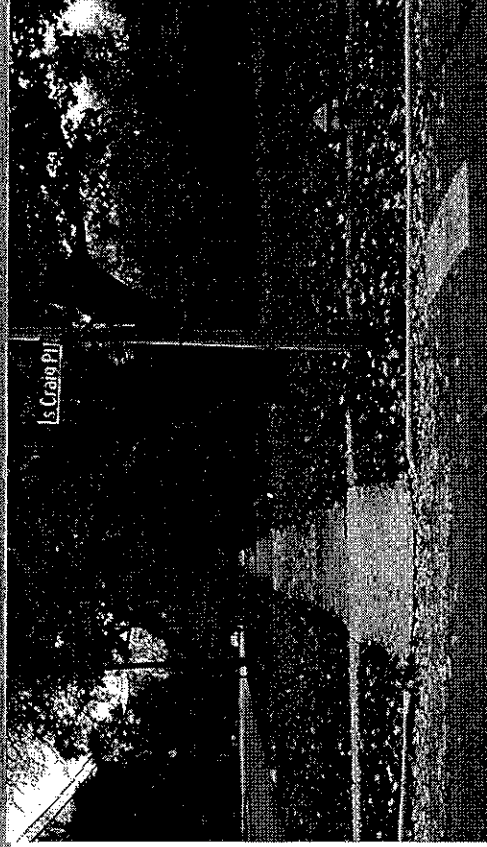
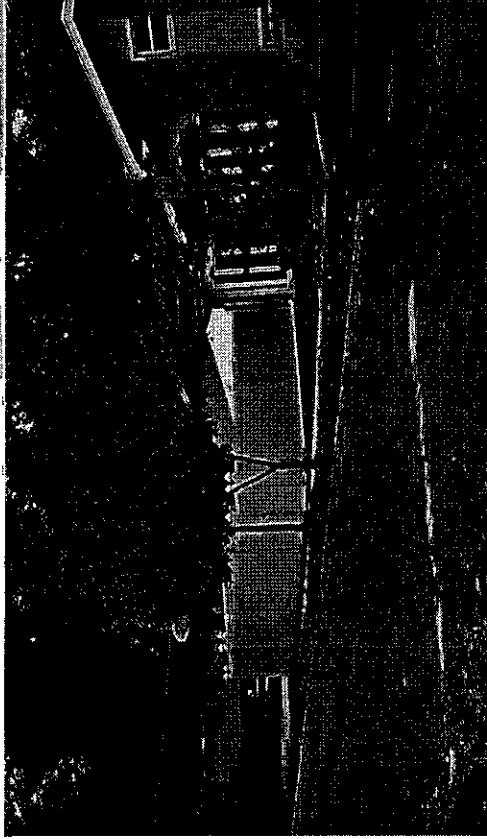
After



825 E. Maple

1065 S. Norbury

Fences That Were Granted Relief

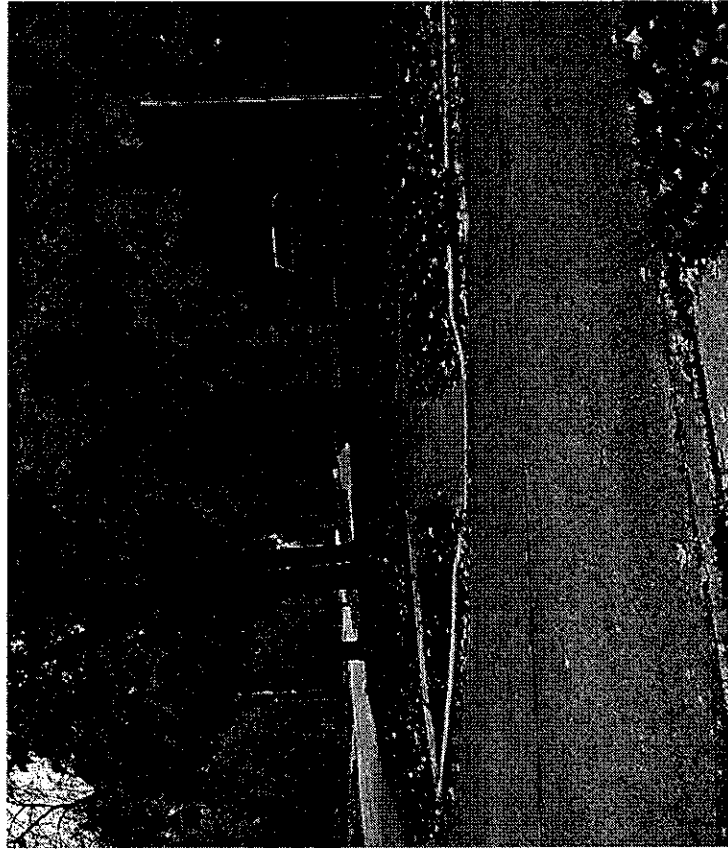


821 S. Elizabeth

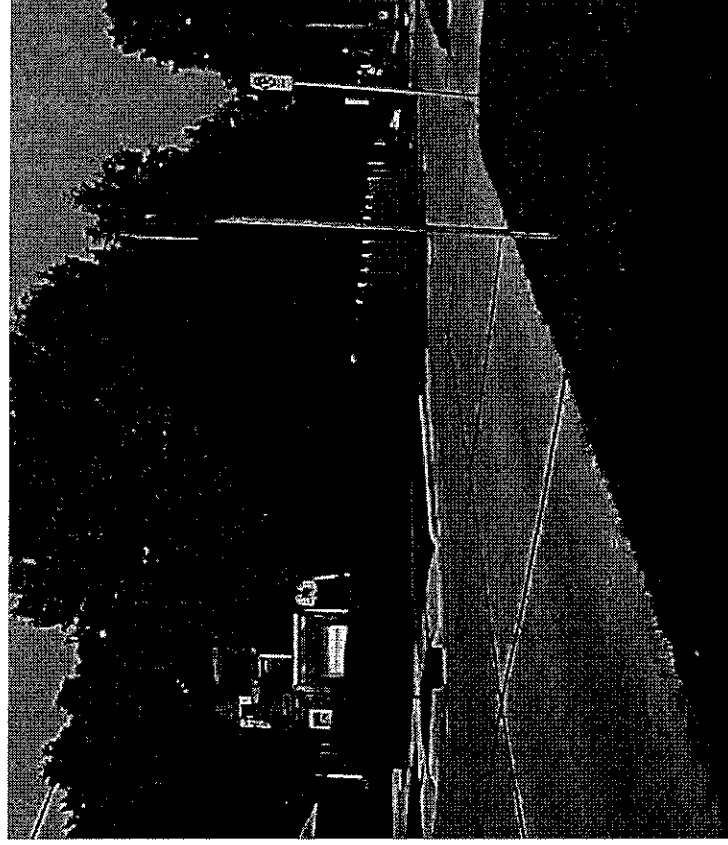


220 E. Washington

Village of Lombard Pending Cases



7 W. Greenfield



324 S. Ahrens

Corner Side Yard Fences

Discussion

- Should fences greater than 4 feet in height be allowed by right in corner side yards?
- Should the Code distinguish between materials or type of construction?
- Should the Code further distinguish various types of corner side yards?