

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 : March 27, 2018 **(BOT) Date:** April 5, 2018

SUBJECT: PC 18-13: Text Amendment to the Zoning Ordinance, Assessment Lots

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

BACKGROUND/POLICY IMPLICATIONS:

The Department of Community Development transmits for your consideration text amendments to Section 155.209 of the Lombard Zoning Ordinance (and any other relevant sections for clarity) to recognize parcels of land created by an assessment division prior to November 19, 1998 as a buildable lot for a single-family dwelling.

The Plan Commission recommended approval of this petition by a vote of 5-0.
Staff requests a waiver of 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: April 5, 2018

SUBJECT: **PC 18-13; Text Amendment, Assessment Lots**

Please find the following items for Village Board consideration as part of the April 5, 2018 Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 18-13; and
3. An Ordinance granting approval of a text amendment

The Plan Commission recommended approval of this petition by a vote of 5-0. Please place this petition on the April 5, 2018 Board of Trustees agenda with a waiver of first reading.



VILLAGE OF LOMBARD

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April 5, 2018

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 18-13, Text Amendment to the Zoning Ordinance:
Assessment Lots**

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 of the Lombard Zoning Ordinance (and any other relevant sections for clarity) to recognize parcels of land created by an assessment division prior to November 19, 1998 as a buildable lot for a single-family dwelling, provided that the assessment division is at least eighty percent (80%) of the lot width and lot area for lots in the underlying zoning district. The amendment would also be limited to lots that abut a dedicated right of way.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on March 26, 2018. Sworn in to present the petition was Jennifer Ganser, Assistant Director.

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. Ganser presented the staff report, which was submitted to the public record in its entirety. The Village is requesting a text amendment to the zoning ordinance to to Section 155.209 of the

Lombard Zoning Ordinance (and any other relevant sections for clarity) to recognize parcels of land created by an assessment division prior to November 19, 1998 as a buildable lot for a single-family dwelling, provided that the assessment division is at least eighty percent (80%) of the lot width and lot area for lots in the underlying zoning district. The amendment would also be limited to lots that abut a dedicated right of way.

The proposed amendment could eliminate a future need for variances to assessment plats that were established prior to 1998 which happen to be vacant or occupied with accessory structures. The owner of a parcel of land created by an assessment division many years ago and meets the minimum lot size of 80 percent of the applicable zoning district has a reasonable expectation that the lot is capable of being developed. This also corrects a potential staff oversight from a 1998 text amendment.

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

On a motion by Commissioner Olbrysh, and a second by Commissioner Sweetser, the Plan Commission voted 5-0 to recommend that the Village Board approve the petition associated with PC 18-13.

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, SECTION 155.209,
OF THE LOMBARD ZONING CODE

PC 18-13: Text Amendments to the Zoning Ordinance: Assessment Lots

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 March 26, 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 Zoning Ordinance shall be amended to read in part as follows (with text to be added being underlined and text to be removed in ~~strikeout~~):

§ 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**~~any residence district~~, if a lot of record **or a parcel of land created by an assessment division** was established prior to **November 19, 1998** ~~the effective date of this Chapter~~, a single-family dwelling may be constructed on such lot if it consists of sufficient width and area to

Ordinance No. _____

Re: PC 18-13

Page 2

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.**

SECTION 2: 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 _____, 2018.

First reading waived by action of the Board of Trustees this ____ day of _____, 2018.

Passed on second reading this ____ day of _____, 2018.

Ayes: _____

Nays: _____

Absent: _____

Approved this ____ day of _____, 2018.

Keith T. Giagnorio, Village President

ATTEST:

Sharon Kuderna, Village Clerk

Published in pamphlet from this ____ day of _____, 2018.

Sharon Kuderna, Village Clerk