

Village of La Grange

A G E N D A

PLAN COMMISSION
of the
VILLAGE OF LA GRANGE

Village Hall Auditorium

53 S. La Grange Road, La Grange, IL

Tuesday, November 9, 2010 - 7:30 p.m.



1. Call to Order and Roll Call of the Plan Commission
2. Approval of Minutes – September 14, 2010
3. Business at Hand:

CONTINUATION OF PLAN COMMISSION CASE #197 — Zoning Text Amendments - single family dwellings (houses) including clarification of definitions and adjustments of regulations that may apply to fences, garages, parking, permissible encroachments in required yards, and other residential district regulations.

4. Old Business
5. New Business
6. Adjournment

(Commissioners: Please call 579-2320 to confirm your attendance.)

Individuals with disabilities and who require certain accommodations to participate at this meeting are requested to contact the ADA Coordinator at 579-2315, to allow the Village to make reasonable accommodations.

MINUTES

Plan Commission of the
Village of La Grange
September 14, 2010

I. CALL TO ORDER AND ROLL CALL:

Chairman Kardatzke called the meeting to order on September 14, 2010, at 7:30 p.m. in the Village Hall Auditorium, 53 S. La Grange Road, La Grange, IL.

Present: Commissioners Nowak, Pierson, Paice, Reich, Weyrauch, Williams and Kardatzke.

Absent: None.

Also, present: Village Trustee Liaison Bill Holder, Patrick Benjamin, Community Development Director; Angela Mesaros, Assistant Director of Community Development and Village Attorney Mark Burkland.

II. APPROVAL OF MINUTES:

The Minutes of the May 11, 2010, Plan Commission meeting were presented for approval. It was moved by Commissioner Reich, seconded by Commissioner Nowak, that the Minutes be approved. Motion carried unanimously by voice vote.

III. OLD BUSINESS:

None.

IV. BUSINESS AT HAND:

PLAN COMMISSION CASE #197 – Zoning Text Amendments to the Single Family Residential Districts.

Staff presented proposed amendments. Staff presented each of the proposed amendments as outlined in the Staff Memorandum dated September 14, 2010, and stated for each recommendation why the particular addition and/or revisions to the Code would be consistent.

Commissioners asked questions about standards for accessibility ramps, grade issues with patios, appropriate time limit for temporary storage containers, sight triangle language, height limitations for columns and statues in rear yards, potential length and width of arbors and trellises, gazebos height and size, and standards for new technology such as solar panels and wind turbines.

Kurt Hoigard of 325 S. 6th Avenue commented on solar panels, real estate signs and asked whether it would be necessary to regulate gazebos as they are regulated by building and lot coverage. In addition, he asked how the Code distinguishes between a corner side and front yard in the case of a square lot.

Commissioners asked that staff come back with additional information and revised proposal at the next meeting.

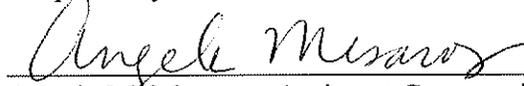
V. NEW BUSINESS:

None.

VI. ADJOURNMENT:

There being no further questions or comments from the audience or Commissioners, A motion was made by Commissioner Reich and seconded by Commissioner Nowak that the Plan Commission meeting be continued to November 9, 2010. The meeting was adjourned at 9:50 p.m.

Respectfully Submitted:



Angela M. Mesaros, Assistant Community Development Director

VILLAGE OF LA GRANGE
Community Development Department

MEMORANDUM

TO: Plan Commissioners

FROM: Patrick D. Benjamin, Community Development Director
Angela M. Mesaros, Assistant Community Development Director

DATE: November 9, 2010

RE: CONTINUATION OF PLAN COMMISSION CASE #197 - Amendments to the Zoning Code related to Single Family Residential Housing.

At your last meeting in September 2010, staff presented amendments to the Zoning Code related to single family housing for your consideration. At tonight's meeting, staff will present additional information and revised recommendations based on discussion at your last meeting. Attached are the applicable Sections of the Zoning Code with revisions as discussed at last night's meeting. In this Memorandum, we have prefaced each section of Code with a brief description of any changes from the last meeting's recommendations. Following this discussion, we will open the public hearing for consideration of the amendments.

A. Specified Structures and Uses in Required Yards in the Single Family Districts of the Zoning Code

Staff has made the following changes to the attached Draft of the "Specified Structures and Uses in the Required Yards" (ZC 3-110G (5)), of the Zoning Code, as recommended at your last meeting:

- Accessibility Ramps – Commissioners agreed that these structures should be permitted within all yards. The Village Attorney has drafted language that refers to federal and State accessibility laws.
- Arbors and Trellises –Based on comments at your last meeting, Staff has drafted text that allows arbors and trellises in front yards, but with further limitations: (1) maximum length of 6 feet in front and corner side yards; and (2) not closer than 5 feet to any side lot line. (See Attached Illustration A: Arbor)
- Decorative Columns and Pillars – Staff has changed the language to limit height and size only in the required front and corner side yards with no further revisions to existing limitations in rear yards (height 15 feet and 3 feet from property lines). In addition, these structures would be restricted to 5 feet setback from the side lot lines.

- *Gazebos & Pergolas* – At the last meeting, Commissioners expressed concern that residents may not want to see pergolas in front yards. Therefore, we have added gazebos and pergolas as permitted structures in rear yards only and subject to limitations of the accessory uses and structures discussed in further detail in the next section of this Memorandum. (See Attached Illustration B: Gazebo & Illustration C: Pergola)
- *Landscape plant materials* – Staff originally proposed that hedges be limited in front and corner side yards for visibility concerns. As requested, we have amended this item to include all landscaping plant materials. Plant materials will be permitted within all yards, but limited to 3 feet in height within clear site areas as defined in our Code along driveways and corner lots. The recommended definition for “driveway clear site area” is in Section D of this Memorandum below.
- *Mechanical Equipment*. Commissioners supported the amendment as proposed at your last meeting. Staff, therefore, has not changed the specific limitations.
- *Patios* – Based on Commissioner comments, Staff has redefined the parameters of allowable patios in the front yard. It was discussed that five feet might not be enough space to allow a sufficient size patio. Therefore, Staff’s recommendation is to allow patios to encroach 7 feet into the front and corner side yards, but not closer than 20 feet to front lot line. We also recommend allowing a seat wall with a maximum height of 22 inches. (See Attached Illustration D: Seat Wall). As requested at your last meeting, Staff has also added a cross reference to the Village’s grading and drainage ordinance. In addition, we have added a definition for patios and entry sidewalks to distinguish the use of a patio from walkways and parking areas.
- *Temporary Portable Storage Containers* – It was discussed the allowable timeframe should be limited to not more than 10 consecutive days at any one time, which is a reduction from the original proposed 15 days and that it remain a total of 30 days in a calendar year. Staff has made these revisions to the attached draft.

**(DRAFT Article III, “Single Family Residential Districts, November 2010”
ATTACHED)**

	R-1	R-2	R-3	R-4	R-5
A. <u>Height</u> ⁽¹⁾					
1. <u>Stories</u> (whichever)	2.5	2.5	2.5	2.5	2.5
2. <u>Feet</u> (is less)	35	35	35	35	35
3. <u>Maximum</u>	38	38	38	38	38
B. <u>Minimum Lot Area and Dimensions</u> ⁽²⁾					
1. Total Lot Area (square feet)	16,000	12,500	7,500	6,000	5,000
2. Lot Width (feet)	60	60	50	50	50
C. <u>Minimum Yards</u> ^{(2) (3) (4) (5) (6) (7)}					
1. Front Yard (feet) ^{(8) (12)}	35	35	35	35	35
2. Corner Side Yard (feet)	24	24	17	17	17
3. Interior Side Yard ⁽⁹⁾					
(A) Percentage of Average lot width (Whichever is Greater)	10%	10%	10%	10%	10%
(B) Feet	8	8	5	5	5
(C) Minimum total both yards (feet)	--	--	12	12	12
4. Rear Yard (feet) ⁽⁹⁾	20% of Lot depth or 25', whichever is greater - 35' maximum (all Residential Zones)				
D. <u>Minimum Dwelling Unit Size</u> (square feet)					
	2,000	2,000	1,500	1,200	1,200
E. <u>Maximum Building Coverage</u> ⁽¹⁰⁾					
1. Interior Lot	25%	25%	30%	30%	35%
2. Corner Lot	30%	30%	35%	35%	40%
F. <u>Maximum Lot Coverage</u>					
	45%	45%	45%	45%	45%
G. <u>Minimum Spaces Between</u> ⁽¹¹⁾ Principal and Accessory					
	10	10	10	10	10

G. Exceptions and Explanatory Notes.

- Height Limitation for Accessory Structures. No accessory structure shall exceed 15 feet in height, measured in accordance with the definition of height in Subsection 16-102H of this Code, or 19 feet in maximum height provided, however, that (i) flagpoles may extend to a height of 10 feet above the highest point of the roof of the principal structure and (ii)

the height of any antenna with a surface area in excess of 10 square feet shall be governed by subsection 9-101C of this Code.

2. Nonconforming Lots. See Section 12-105 of this Code for lot requirements with respect to nonconforming lots of record.
3. Visibility Across Corners. Notwithstanding any other provision of this Code to the contrary, nothing shall be erected, placed, planted, allowed to grow, or maintained on any corner lot in any residential district in violation of the standards established in Chapter ~~154-155~~ of the La Grange ~~Municipal Code~~ Code of Ordinances.
4. Special Setbacks for Signs. Special setbacks established for some signs in Article XI of this Code shall control over the yard and setback requirements established in the table.
5. Specified Structures and Uses in Required Yards. The following structures and uses, except as limited below, may be located in any required yard:
 - (a) Accessibility ramps, compliant with applicable federal and State accessibility laws; and
 - (b) Arbors and trellises having a height of 10 feet or less, ~~but not in any front yard, but, if located within a front or corner side yard, with~~ (i) no horizontal element shall exceed 6 feet in length, and (ii) located at least five feet from front and side lot lines; and
 - (c) Awnings, canopies, eaves, and gutters projecting not more than three feet from an exterior wall of any principal structure and not more than one foot from an exterior wall of any accessory structure, but in no event closer than three feet from any lot line; and
 - (d) Bay windows and balconies projecting not more than three feet from an exterior wall for a

distance not more than 1/3 of the length of such wall in any front or rear yard; provided that such projections shall come entirely within planes drawn from the main corners of the building at an interior angle of 22 ½ degrees with the wall in question; and

- (e) Chimneys, flues, belt courses, leaders, sills, pilasters, lintels, ornamental features, cornices, and the like projecting not more than one and one-half feet from any exterior wall, but in no event closer than three feet from any lot line; and
- (f) Decorative columns, pillars and bases, but, if located within a front or corner side yard, (i) having a height of four feet or less, (ii) having no horizontal element exceeding two feet in width or diameter, (iii) located at least five feet from front and side lot lines, and (iv) subject to the limitations of clear sight area in Subsection 9-104L; and
- (g) Animal exercise areas, but only in rear yards and not closer than three feet from any lot line; and
- (h) Fences, walls and hedges, subject to the limitations of Sections 9-104 and 9-105 of this Code; and
- (i) Flagpoles having a height of 15-20 feet or less; and
- (j) Gazebos and pergolas, but only in rear yards and subject to the limitations of Subsection 9-101C of this Code; and
- (k) Landscape plant materials, but subject to the limitations of clear sight area standards in Subsection 9-104L of this Code; and
- (l) Heating and air conditioning—Mechanical equipment, but only in rear yards, but (i) in no event closer than a distance equal to 10 percent of average lot width from any lot line, (ii)

screened with plant material or a suitable screening wall of all sides of the equipment that are visible from a public way, and (iii) subject to the noise control standards established in Chapter 97 of the La Grange Code of Ordinances; and

~~(l)~~(m) Nonmechanical laundry equipment, but only in rear yards; and

(n) Outdoor Kitchens, only in rear yards, but in no event closer than a distance equal to 20% of average lot width or 10 feet from any lot line whichever is greater, and subject to the limitations of Subsection 9-101C of this Code; and

~~(m)~~(o) Outside stairways projecting from an exterior supporting wall not more than ~~three~~ four feet and having a height of four feet or less, but not in any side yard; and

~~(n)~~(p) Recreational devices, except in front yards; provided however that freestanding basketball standards are not governed by this section; and

(q) Parking areas, but only in rear yards and subject to the limitations of Paragraph 9-101C4 of this Code; and

~~(q)~~(r) Patios, but (i) extending not more than seven feet into any front or corner side yard, (ii) in no event closer than 20 feet to any front lot line, and (iii) subject to the grading and drainage standards established in Chapter 150 of the La Grange Code of Ordinances; and

(s) Seat walls, but (i) extending not more than seven feet into any front or corner side yard, and (ii) in no event closer than 20 feet to any front lot line and five feet from any other lot line; and

~~(r)~~(t) Statuary—Statues and ornamental light standards having a height of 10 feet or less; and

~~(s)~~(u) Temporary storage containers, but in no event closer than five feet from any front lot line and three feet from any other lot line, not greater than 10 consecutive days at any one time or more than 30 days in any calendar year; and

(v) Window wells for at-grade or sub-grade windows, but in no event closer than three feet from any lot line and not including any cover or appurtenances such as fences, blocks, stones or similar features extending higher than 12 inches above grade.

B. Accessory Uses and Structures in the Single Family Districts

Staff has made the following changes to the attached Draft of the “Accessory Uses and Structures” (ZC 9-101), of the Zoning Code, as recommended at your last meeting:

- Gazebos – As discussed, we have looked closer at both industry standards and other municipal zoning regulations for gazebos. (See Attached Illustration B: Gazebo). Based on this review, staff is recommending that the size limitations be based on lot size, which is consistent with the regulations for detached garages. We recommend the following size limitations: smaller lots -120 square feet, midsize lots -144 square feet, and limited to 250 square feet on the largest lots. As requested by some of the Commissioners at your last meeting, we have lowered the height standard from the originally proposed 15 feet to 12 feet in maximum height, which measurement would include a cupola or similar structure. We also recommend limiting that no more than one gazebo be located on any zoning lot and the surface of each gazebo should be at least 50% open.
- Outdoor Kitchens – Staff has added this use as a permitted accessory use. Outdoor kitchens and living spaces are a trend that is becoming increasingly popular in the past few years. (See Attached Illustration E: Outdoor Kitchen) We have issued several building permits in the past year and our Code currently does not regulate size, setbacks or height of these structures specifically. The issue that we encounter most often is with proximity to neighboring properties, which could cause fireplace smoke emission onto adjacent properties. Our recommendation is to establish a setback of 20% of the lot width with a minimum of 10 feet; maximum height of 8 feet for kitchen structures, but chimney would have to meet the existing limitation of 15 feet overall height. As a general standard, we recommend a reference to the nuisance provisions in the Village Code of Ordinances.
- Solar Energy Systems - Based on comments from Commissioners at your last meeting and further review of municipal codes and industry standards. (See Attached Illustration F: Solar Panel) Staff and the Village Attorney have drafted provisions for location of building mounted solar energy systems. We are also prepared to discuss ground-mounted regulations, if Commissioners feel that such structures should be permitted. In addition, we have drafted definitions for Solar Energy Systems and Solar Panel.
- Wind Energy Systems - Staff and the Village Attorney are prepared to discuss regulations for wind energy systems, if Commissioners feel that such structures should be permitted. (See Attached “Draft Wind Energy System Regulations”)

**(DRAFT Section 9-101, “Accessory Uses and Structures, November 2010”
ATTACHED)**

ARTICLE IX

ACCESSORY USES AND STRUCTURES; TEMPORARY USES;
HOME OCCUPATIONS; BUFFERS AND LANDSCAPING; FENCES;
PERSONAL WIRELESS SERVICES

9-101 ACCESSORY USES AND STRUCTURES

- A. Authorization. Subject to the limitations of this Section, accessory uses and structures are permitted in any zoning district in connection with any principal use lawfully existing within such district.
- B. Definition. An accessory use or structure is a use or structure that:
1. Is subordinate in extent and purpose to, and serves, a principal use or structure; and
 2. Is customarily found as an incident to such principal use or structure; and
 3. Contributes to the comfort, convenience, or necessity of those occupying, working at, or being served by such principal use or structure; and
 4. Except as otherwise expressly authorized by the provisions of this Code, is located on the same zoning lot as such principal use or structure; and
 5. Is under the same ownership and control as such principal use or structure.
- C. Special Regulations Applicable to Particular Accessory Uses and Structures.
1. Accessory Parking in Single Family Residential Districts. Parking lots shall not be permitted as an accessory use in any single family residential district.
 2. Amateur Radio Facilities With Surface Area Exceeding 10 Square Feet. Any antenna and antenna support structure having a combined surface area greater than

10 square feet or having any single dimension exceeding 12 feet that is capable of transmitting as well as receiving signals and is licensed by the Federal Communications Commission as an amateur radio facility must satisfy each of the following conditions:

- (a) Number Limited. No more than one such antenna support structure with a surface area greater than 10 square feet or any single dimension exceeding 12 feet may be located on any zoning lot.
- (b) Height Limited. No such antenna support structure shall, if ground mounted, exceed 75 feet in height or, if attached to a building pursuant to Subparagraph C7(c) of this Section, the height therein specified.
- (c) Attachment to Buildings Limited. No such antenna or its support structure shall be attached to a principal or accessory structure unless all of the following conditions are satisfied:
 - (i) Height. The antenna and its support structure shall not extend more than 20 feet above the highest point of the building on which it is mounted.
 - (ii) Mounting. The antenna and its support structure shall not be attached to or mounted upon any building appurtenance, such as a chimney. The antenna and its support structure shall not be mounted or attached to the front of any principal building or to the side of any building facing a street, including any portion of the building roof facing any street. The antenna and its support structure shall be designed to withstand a wind force of 80 miles per hour without the use of supporting guy wires.
 - (iii) Grounding. The antenna and its support structure shall be bonded to a grounding rod.

- (iv) Other Standards. The antenna support structure shall satisfy such other design and construction standards as the Building Commissioner reasonably determines are necessary to ensure safe construction and maintenance of the antenna and its support structure.
 - (d) Setback from Street. No such antenna or its support structure shall be erected or maintained closer to any street than the wall of the principal building to which it is accessory that is nearest to such street.
 - (e) Setbacks from Adjacent Buildings. No such antenna or its support structure shall be located in any required side yard or nearer than one-half the height of the antenna and support structure to any habitable building on any adjacent property.
3. Antennas With Surface Areas of 10 Square Feet or Less. Antennas and antenna support structures having a combined surface area not greater than 10 square feet, and no single dimension exceeding 12 feet, shall be permitted as an accessory use. See Subsection 9-104F of this Code for landscaping and screening requirements applicable to ground mounted antennas.
4. Antennas, other than Amateur Radio Facilities, with Surface Areas Exceeding 10 Square Feet. Except for amateur radio facilities permitted pursuant to Paragraph C7 of this Section, antennas and antenna support structures having a combined surface area greater than 10 square feet, or having any single dimension exceeding 12 feet, shall be permitted as an accessory use only in compliance with the following regulations:
- (a) Number Limited. No more than one such antenna and antenna support structure may be located on any zoning lot.
 - (b) Height Limited. No such antenna or antenna support structure shall exceed 12 feet in height unless such antenna and antenna support structure

is attached to a building pursuant to Subparagraph C6(c) of this Section.

- (c) Attachment to Buildings Limited. No such antenna or antenna support structure shall be attached to a principal or accessory structure unless all of the following conditions are satisfied:
- (i) Size. The antenna and its support structure shall not exceed 15 square feet in area or 12 feet in any dimension.
 - (ii) Height. The antenna and its support structure shall not extend more than three feet above the highest point of the building on which it is mounted or the maximum permissible building height, whichever is less.
 - (iii) Mounting. The antenna and its support structure shall not be attached or mounted upon any building appurtenance, such as a chimney. The antenna and its support structure shall not be mounted or attached to the front of any principal building or to the side of any building facing a street, including any portion of the building roof facing any street. The antenna and its support structure shall be designed to withstand a wind force of 80 miles per hour without the use of supporting guy wires.
 - (iv) Color. The antenna and its support structure shall be a color that blends with the roof or building side on which it is mounted.
 - (v) Grounding. The antenna and its support structure shall be bonded to a grounding rod.
 - (vi) Other Standards. The antenna and its support structure shall satisfy such other design and construction standards as the Village Manager determines are necessary to ensure safe construction and maintenance of the antenna and its support structure.

- (d) Setback from Street. No such antenna or its support structure shall be erected or maintained closer to any street than the wall of the principal building to which it is accessory that is nearest to such street.
 - (e) Guy Wires Restricted. No guy or other support wires shall be used in connection with such antenna or its support structure except when used to anchor the antenna or support structure to an existing building to which such antenna or support structure is attached.
 - (f) Screening. See Subsection 9-104F of this Code for landscaping and screening requirements applicable to ground mounting antennas.
5. Gazebos. Must satisfy each of the following conditions:
- (a) Size. No gazebo in any single family residential district shall exceed the following gross floor area maximums:
 - (i) Lots 6,500 square feet or less in total lot area: 120 square feet;
 - (ii) Lots 6,501 to 10,000 square feet in total lot area: 144 square feet;
 - (iii) Lots greater than 10,000 square feet in total lot area: 250 square feet.
 - (b) Height. The gazebo shall not exceed 12 feet in maximum height.
 - (c) Number Limited. No more than one gazebo may be located on any zoning lot.
 - (d) Other Standards. Each surface of the gazebo shall be at least 50 percent open.

6. Outdoor Kitchens. Must satisfy each of the following conditions:

- (a) Height. No outdoor kitchen or any of its structures shall exceed 8 feet in height, with the exception of the chimney and flue for a wood burning stove, which shall in no event shall exceed 15 feet in maximum height.
- (b) Setback from Lot Lines. Outdoor kitchens may be located no closer than 10 feet, or 20 percent of the lot width, whichever is greater, from any lot line.
- (c) Other Standards. No outdoor kitchen shall be in violation of the standards established in Chapter 98 of the La Grange Code of Ordinances.

7. Off Street Storage of Vehicles in Residential Districts. The following provisions shall govern the off street storage of all vehicles in all residential districts:

- (a) Storage Defined. For purposes of this Paragraph, the term storage shall mean the parking of a vehicle for a continuous period of longer than eight hours.
- (b) Classification of Vehicles. For purposes of this Code, vehicles shall be classified as follows according to size, regardless of the use to which the vehicle is put or intended or designed to serve and regardless of any other classification system made applicable to vehicles by any other governmental body:
 - (i) Class I Vehicle: A vehicle, other than a recreational vehicle, that does not exceed 20 feet in length, seven feet in width, or eight feet in height.
 - (ii) Class II Vehicle: A vehicle that is not a Class I vehicle and that does not exceed 23 feet in length, eight feet in width, or 10 feet in height and that, if used in

commerce, does not exceed 8,000 pounds in gross weight, including vehicle and maximum load.

(iii) Class III Vehicle: A vehicle that is neither a Class I vehicle nor a Class II vehicle.

(c) Storage of Vehicles in Garages: Any number of Class I, Class II, or Class III vehicles may be stored in a garage in a residential district provided (1) that said garage complies with all applicable provisions of this Code, and (2) that Class III vehicles shall be stored only in a completely enclosed garage, and (3) that the door openings on a front-loading garage that is not a detached garage shall not exceed a total width of 18 feet on any lot zoned in a single family residential district that is 50 feet or less in lot width, and (4) no detached garage in any single family residential district shall exceed the following gross floor area maximums:

(i) Lots 6,500 square feet or less in total lot area: 484 square feet;

(ii) Lots 6,501 to 10,000 square feet in total lot area: 600 square feet;

(iii) Lots greater than 10,000 square feet in total lot area: 660 square feet.

No more than one garage, whether detached or attached to the principle structure on the lot, shall be permitted on any lot in a residential district.

(d) Storage of Vehicles in Parking Lots. Any number of Class I or Class II vehicles may be stored in lawfully existing parking lots in any district in which multiple family dwellings are permitted as of right or by special use permit; provided, however, that no vehicle shall be stored so as to reduce the availability of off street parking spaces below the minimum number of spaces

required pursuant to Subsection 10-101F of this Code. No Class III vehicle shall be stored in any parking area or lot in a residential district. For purposes of this Subparagraph, a common parking area provided pursuant to Subparagraph 10-101B2(b) of this Code shall be treated as a parking lot.

(e) Storage of Vehicles in Parking Areas.

(i) Maximum Number Permitted. The maximum number of vehicles permitted to be stored in all parking areas on any lot in a single family residential district at any one time shall be as follows:

- (A) Total Vehicles: four
- (B) Class I Vehicles: four
- (C) Class II Vehicles: one
- (D) Class III Vehicles: none

(ii) Location on Lot. Vehicles may be stored in parking areas only in compliance with the provisions of Subparagraph C4(f) of this Section and only in the following locations on a lot in a residential district:

- (A) Class I Vehicle: Anywhere on the lot except in any required front or side yard.
- (B) Class II Vehicle: Anywhere on the lot except in any required front or side yard.
- (C) Class III Vehicle: Nowhere on the lot.

(f) General Regulations and Standards: The following standards and regulations shall apply to the storage of vehicles in parking lots and parking areas on a lot in a residential district:

(i) Distance from Lot Line, Public Sidewalk. No Class II vehicle shall be stored within three

feet of any lot line or any vehicular or pedestrian right-of-way.

- (ii) Surface. No motorized vehicle shall be stored except on an all weather, durable, and dustless pavers or asphaltic or cement pavement surface.
- (iii) Screening. See Section 9-104 of this Code for landscaping and screening requirements applicable to the storage of Class II vehicles on a lot in a residential district.
- (iv) Permanent Location Prohibited. No vehicle shall have its wheels removed or be affixed to the ground so as to prevent its ready removal.
- (v) Residential Use Prohibited. No vehicle shall be used for living, sleeping, or housekeeping purposes.
- (vi) Utility Hookups. No vehicle shall be connected to any public utility except for required servicing.
- (vii) Unsafe Conditions. No vehicle shall be parked or stored so as to create a dangerous or unsafe condition. The ground under or surrounding the location wherein a vehicle is stored shall be free of noxious weeds, debris, and combustible material.
- (viii) Commercial Identification Prohibited. No vehicle with any exterior marking in excess of ~~one~~ two square foot in area, measured as provided in Subsection 11-105L of this Code, identifying or advertising a commercial enterprise shall be stored in any parking area on any lot in a residential district.
- (g) Inoperable Vehicles. No vehicle incapable of being driven or used for the purpose or use for which it was designed, other than a vehicle awaiting timely repair at an automotive repair

shop, gasoline service station, or new or used car dealer, shall be stored in any parking lot or parking area.

~~9.~~(h) Temporary Storage. Notwithstanding any other provision of this Paragraph C4, any vehicle may be stored at any location on a lot in a residential district except any required front yard for a temporary period not to exceed 48 hours; provided, however, that, unless authorized by the Village Manager based on special circumstances, no more than one such temporary period shall occur in any 30-day period. No Certificate of Zoning Compliance shall be required for such temporary storage.

8.7. Exterior Lighting. Any permitted accessory lighting fixtures shall be so designed, arranged, and operated as to prevent glare and direct rays of light from being cast onto any adjacent public or private property or street and so as not to produce excessive sky-reflected glare. Except for street lights, no exterior light in or adjacent to any residential district shall be so designed, arranged, or operated to produce an intensity of light exceeding one-half foot candle at any residential lot line.

~~10-9.~~8. Garages as Dwelling Units. No garage or other accessory structure shall be used or occupied as a dwelling unit in any residential district.

~~11-10.~~ Residential Recreational Facilities. Residential recreational facilities shall be limited to use by the occupants of the principal residential use and their guests. See Subsection 9-104E of this Code for landscaping and screening requirements applicable to such facilities.

11. Solar Energy Systems, Building Mounted. Solar panels and solar thermal collectors when mounted on a rooftop must satisfy each of the following conditions:

(a) Solar panels and collectors must be located so that they do not reflect light into abutting residential lots.

(b) A Solar panel or solar thermal collector may not extend more than three feet above the highest peak of the roof to which it is attached.

(C) No Solar panel or solar thermal collector may be mounted facing or within a 60 degree angle of the front lot line.

12. Storage. Except as otherwise expressly permitted by this Code, outdoor storage shall not be allowed as an accessory use. When so permitted, such storage shall be screened as required by Subsection 9-104D of this Code. The total gross floor area of all accessory storage structures, other than garages, on a lot shall not exceed 100 square feet in gross floor area if accessory to a residential use nor 10 percent of either the floor area or the volume of the principal structure if accessory to any other type of principal structure.

13. Uses Subject to Special Restrictions. When the district regulations of this Code require compliance with any procedures or standards with respect to a specific use, such use shall not be established as an accessory use except in compliance with those procedures and standards.

D. Use, Bulk, Space, and Yard Regulations. Except as expressly provided otherwise in this Section, every accessory use and structure shall comply with the use, bulk, space, and yard regulations made applicable to them by the regulations of the district in which they are located.

E. Use Limitation. No accessory use or structure shall be constructed, established, or maintained on any lot prior to the substantial completion of construction of the principal structure to which it is accessory.

C. Buffers and Landscaping in the Single Family Districts

Staff has made the following changes to the attached Draft of the “Buffers and Landscaping” (ZC 9-104), of the Zoning Code, as recommended at your last meeting:

- Driveway Clear Sight Area - After review of the Village’s intersection sight lines Ordinance, we determined that intersections at corners are regulated by this ordinance; therefore, we have drafted language that references the Village’s Code of Ordinances related to clear site area where appropriate. This Ordinance, however, does not cover visibility and clear sight distances along driveways in cases of interior lots. Therefore, the Village Attorney has drafted language that applies to these particular locations limiting plantings and fences or other structures to less than 3 feet in height within five feet of the driveway intersection with the sidewalk. The recommended definition is in Section C below.

(DRAFT Section 9-104, “Buffers and Landscaping, November 2010” ATTACHED)

The provisions of this Subsection H shall not apply to any use established prior to the effective date of this Code.

- I. I-1 District. All lots zoned in the I-1 Light Industrial District that abut any lot zoned in any residential district shall be buffered and screened by a perimeter landscaped open space equal in width to the applicable required yard along each lot line abutting such residential district.
- J. General Landscaping and Maintenance Requirements. Except for accessory uses expressly permitted to be located in required yards, all yards and open space between and about structures and off-street parking and loading areas and lots shall be landscaped and kept free of accumulations of garbage, trash, refuse, debris, and other unsightly or nuisance creating materials. All landscaping shall be continually maintained by the owner or other person responsible for maintenance of the premises, and all planting areas shall be kept free of weeds and debris. Undeveloped areas shall be mowed and kept free of accumulations of garbage, trash, refuse, debris, and other unsightly or nuisance creating materials until developed.
- K. Screening and Landscaping within Sight Triangles. Notwithstanding any other provision of this Section to the contrary, no landscaping, fencing, or other screening shall be erected or maintained in violation of the standards established in Chapter 154 of the La Grange Municipal Code.
- L. Driveway Clear Site Areas. Any other provision of this Code to the contrary notwithstanding, nothing may be erected, placed, planted, allowed to grow, or maintained on any lot in any residential district above a height of 3 feet above grade within the area of a driveway clear sight area as defined in Section 16-102D of this Code.

D. Residential Real Estate Signs

At the last meeting, Commissioners supported staff recommendations for revisions to the limitations on size and location of residential real estate signs that we found appropriate based on changes in State law and review of nearby municipal Codes.

- Increase size limitation for residential real estate signs to six square feet with riders allowed up to two additional square feet; and
- Change the wording of the required distance from the sidewalk, from “not closer to sidewalk or street line than 10 feet” to “*subject to the limitations of Driveway Clear Sight Area standards in Subsection 9-104L.*” (See Buffers and Landscaping Subsection above.)

**(DRAFT Section 11-106, “Residential Real Estate Signs, November 2010”
ATTACHED)**

DRAFT NOVEMBER 2010

and shall be removed within 24 hours following the conclusion of such sale. No ground sign shall be higher than four feet, nor closer to any sidewalk or street line than 10 feet or any lot line than six feet.

- L. Private Warning Signs. Such signs shall be no more than two square feet in area each, shall be limited to the number necessary to accomplish the intended purpose, and shall be illuminated only as required to accomplish such purpose.
- M. Real Estate Signs. Such signs shall be limited to one single- or double-faced, non-illuminated sign of the following maximum gross surface areas:
1. Single family residential, individual lots: no more than ~~four~~-~~six~~ square feet per sign face with riders allowed up to two square feet.
 2. Single family residential, multi-lot developments: no more than ~~four~~-~~six~~ square feet per sign face per zoning lot located in the development with riders allowed up to two square feet, up to a maximum of 64 square feet.
 3. Other districts: no more than 36 square feet.

Every such sign shall be removed within ten days after the execution of a sales contract or rental lease of the property or the expiration of any conditions precedent therein that might avoid the sale or lease, whichever occurs later, or, for multi-unit developments or structures, within 14 days following the date upon which such development or structure is 90 percent sold or leased. The name, address, and telephone number of the person responsible for such removal shall be clearly marked on the sign. ~~No ground sign shall be closer to any sidewalk or street line than 10 feet~~ Subject to the limitations of driveway clear sight area in Subsection 16-102D.

- N. Restaurant Menu Display. Such signs shall be permitted only in the C-1 Central Commercial District. Only one such sign shall be permitted per zoning lot. No such sign shall exceed three square feet in total sign area.
- O. Temporary Use Signs. Such signs may include:

E. Definitions

Staff has added the following definitions to clarify our regulations, based on researched of other municipal codes as well as architectural and planning dictionaries and language that we found applicable. We have also added exhibits to this Section to clarify terms. See the attached Draft “Definitions” (ZC 16-102), of the Zoning Code for further details:

- Accessibility Ramp
- Arbor (See Attached Illustration A: Arbor)
- Bay Window
- Dormer Window
- Driveway Clear Sight Area
- Eave
- Entry Sidewalk
- Gable
- Gazebo (See Attached Illustration B: Gazebo)
- Gutter
- Height
- Lot, Reversed Corner
- Outdoor Kitchen (See Attached Illustration E: Outdoor Kitchen).
- Patio
- Pergola (See Attached Illustration C: Pergola)
- Public Utility Station
- Seat Wall
- Solar Energy System
- Solar Panel (See Attached Illustration F: Solar Panel)
- Solar Thermal Collector
- Statue
- Temporary Storage Container

(DRAFT Section 16-102, “Definitions, November 2010” ATTACHED)

16-102 DEFINITIONS

- A. When used in this Code, the following terms shall have the meanings herein ascribed to them:

ABUT. To touch, to lie immediately next to, to share a common wall or lot line, or to be separated by only a street, alley, or drainage course.

ACCESSIBILITY RAMP. A ramp or similar structure which provides wheelchair or handicapped access to a building.

ACCESSORY BUILDING, STRUCTURE, OR USE. See Section 9-101 of this Code.

ADJACENT. To lie near, close to, or in the vicinity of. "Adjacent" may mean separated by only a street or alley.

ADULT USES. See Subsection 7-109G of this Code.

ADVERTISING SIGN. See Section 11-105 of this Code.

ALLEY. A public right-of-way that affords only a secondary means of vehicular access to abutting property.

ALTERATION. Any change in the size, shape, character, occupancy, or use of a structure.

ALTERATION, STRUCTURAL. See Subsection 16-102S of this Section for "Structural Alteration."

AMENDMENT. See Article XIV, Part VI of this Code.

ANIMAL EXERCISE AREA. An area of land enclosed by a fence, wall, or other structure that has no permanent cover or canopy designed and intended for the keeping, harboring, or exercising of domestic animals.

ANIMATED OR MOVING SIGN. See Section 11-105 of this Code.

ANTENNA. Any structure designed for transmitting signals to a receiving station or for receiving television, radio, data, or other signals from satellites or other services.

ANTENNA SUPPORT STRUCTURE. Any structure used for the principal purpose of supporting an antenna.

ANTENNA SURFACE AREA. See Subsection 16-102S of this Section.

APPEAL. See Section 14-302 of this Code.

ARBOR. An open latticework bower used principally as decorative screening or support for climbing vines or flowers or other plants. A trellis.

AREA, GROSS. The total land and water area included in a parcel that is the subject of an application filed pursuant to this Code, excluding only property located in public rights-of-way or private easements of access or egress at the time of application.

AREA, NET. The gross area of a parcel less land and water areas required or proposed to be publicly dedicated, or to be devoted to private easements of access or egress.

ATTACHED DWELLING. See Subsection 16-102D of this Section.

ATTENTION-GETTING DEVICE. See Section 11-105 of this Code.

AUTOMATIC TELLER MACHINE. An automated device that performs banking or financial functions at a location remote from the controlling financial institution.

AUTOMOBILE REPAIR, MAJOR. General repair, rebuilding, or reconditioning of engines, motor vehicles, or trailers, such as collision service, body repair, and frame straightening; painting and upholstering; vehicle steam cleaning; and undercoating.

AUTOMOBILE REPAIR, MINOR. Minor repairs, incidental replacement of parts and motor service to passenger automobiles and trucks not exceeding one and one-half capacity, but not including any operation included in "Automobile Repair, Major" as defined in this Subsection.

AWNING. A roof-like covering, temporary in nature, that projects from the wall of a building.

AWNING SIGN. See Section 11-105 of this Code.

- B. When used in this Code, the following terms shall have the meanings herein ascribed to them:

BASEMENT. A portion of a structure located partly underground but having less than half its clear floor to ceiling height over more than half of its floor area below grade.

BAY WINDOW. A large window or set of windows of one or more stories in height protruding from the outer wall of a house and creating a recessed space within the house.

BERM. A hill or contour of land that acts as a visual barrier between a lot and adjacent properties, alleys, or streets.

BLOCK. A tract of land bounded by streets or by a combination of streets, public lands, railroad rights-of-way, waterways, or boundary lines of the Village.

BOARD OF APPEALS. The Zoning Board of Appeals of the Village. See Section 13-102 of this Code.

BOARD OF TRUSTEES. The President and the Board of Trustees of the Village of La Grange.

BUFFERING. Any means of protecting a parcel from the visual or auditory effects of an adjacent use. Buffering may include, but is not limited to, berming, fencing, landscaping, setbacks, or open spaces.

BUILDING. Any structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, or property.

BUILDING, ACCESSORY. See Section 9-101 of this Code.

BUILDING CODE. The Building Code of the Village of LaGrange.

BUILDING COVERAGE. The percentage of a lot's area covered, whether at grade or above grade, by any portion of a building or structure, including without limitation porches; provided, however, that the only portion of any eaves on a single family detached dwelling that shall be included in the calculation of building coverage are those portions of eaves that extend within three feet of any lot

line. See also Subsection 16-102L, "Lot Coverage," of this Section.

BUILDING DEPTH. The longest straight line that can be drawn through a structure, from one end to the other end, substantially parallel to the side or corner side lot lines of the lot on which it is located.

BUILDING, DETACHED. A building surrounded entirely by open space.

BUILDING OR STRUCTURE FRONT. Except as provided in Subsection 16-102H of this Section, that exterior wall of a building or structure facing the front lot line of the lot on which it is located.

BUILDING HEIGHT. See Subsection 16-102H ~~of this Section for~~ "Height."→

BUILDING, PRINCIPAL. A building in which is conducted the principal use of the lot on which ~~said the~~ building is situated.

BUILDING WIDTH. The longest straight line that can be drawn through a structure, from one side to the other side, parallel to the front lot line.

BULK AND SPACE REGULATIONS. The regulations of this Code pertaining to the permissible or required height, volume, area, floor area, floor area ratio, minimum lot area and dimensions, building coverage, lot coverage, and usable open space applicable to uses and structures. The term does not include yard requirements.

BULLETIN BOARD SIGN. See Section 11-105 of this Code.

BUSINESS DISTRICT. Any district whose designation begins with the letter "C," as set forth in Section 2-101 of this Code.

BUSINESS SIGN. See Section 11-105 of this Code.

BUSINESS USE OR PURPOSE. Any use permitted in a business district.

- C. When used in this Code, the following terms shall have the meanings herein ascribed to them:

CANOPY. A roof-like structure of a permanent nature that projects from the wall of a building.

CANOPY SIGN. See Section 11-105 of this Code.

CARRY-OUT EATING PLACE. See Subsection 16-102E of this Section.

CELLAR. A portion of a structure located partly or wholly underground and having half or more than half its clear floor to ceiling height over half or more than half of its floor area below grade.

CERTIFICATE OF NONCONFORMITY. See Subsection 14-201G of this Code.

CERTIFICATE OF ZONING COMPLIANCE. See Section 14-201 of this Code.

CIRCULATION AISLE. The means of access to a parking or loading space for a motor vehicle.

CIVIC OR CIVIC USE OR PURPOSE. An undertaking in which the citizens of a community, by their cooperative action and as their central goal, seek to promote the general welfare and common good of the community; in other words, a community movement to accomplish community goals.

CLASSIFICATION OR ZONING CLASSIFICATION. The district into which a parcel of land is placed and the body of regulations to which it is subjected by this Code and the Zoning Map.

CLEAR SIGHT AREA. An area, as provided in Chapter 1545 of the La Grange ~~Municipal~~ Code of Ordinances, in which the height of structures and vegetation is limited in order to promote visibility at street intersections.

CLEAR SIGHT AREA, DRIVEWAY. See Subsection 16-102D for "Driveway Clear Site Area."

COMMERCIAL BUILDING. A building the principal use of which is a commercial use.

DEVELOPMENT. Any man-made change, other than maintenance of existing structures, paved areas or utilities, to improved or unimproved real estate, including, without limitation, the construction or installation of new, or enlargement of existing, structures, streets, or utilities; dredging, filling, drilling, mining, grading, paving, or excavating operations; and open storage of materials.

DISPLAY SURFACE OR FACE. The area made available by a sign structure for the purpose of displaying the sign's message.

DISTANCE OF SIGN PROJECTION. The distance from the exterior wall surface of a building to the sign element farthest distant from such surface.

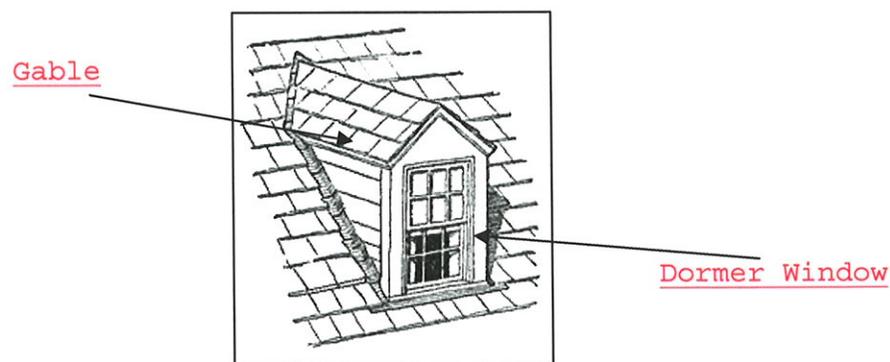
DISTRICT OR DISTRICT, ZONING. See Subsection 16-102Z of this Section.

DISTRICT BOUNDARY LINE. A line on the Zoning Map separating one district from another. See also Subsection 2-104C of this Code.

DISTRICT BOUNDARY LOT. Any lot or parcel of land any lot line of which coincides with a district boundary line or which is contiguous to any public or private right-of-way containing a district boundary line.

DORMER WINDOW. A window set vertically within a small gable projecting from a roofline. See Subsection 16-102G of this Section for "Gable." (See Figure 1: Dormer Window)

FIGURE 1: DORMER WINDOW



DOWNTOWN DESIGN REVIEW DISTRICT. See Section 8-304 of this Code and the Zoning Map.

DRIVE-IN ESTABLISHMENT OR FACILITY. An establishment or facility that by design of physical facilities or by service or packaging procedures encourages or permits customers to receive a service or obtain a product that may be used or consumed in a motor vehicle on or off the premises or to be entertained while remaining in a motor vehicle.

DRIVE-IN EATING PLACE. See Subsection 16-102E of this Section.

DRIVEWAY. A private access way that provides direct access from a street to not more than one lot or one principal building or use.

DRIVEWAY CLEAR SIGHT AREA. The area defined as anywhere within five feet of any point of intersection of a private driveway with a front, corner side, or rear lot line, within which no plant or other landscaping, or solid fence or other structure of any kind, may exceed three feet in height

DWELLING. Any structure or portion thereof designed or used for habitation by one or more families.

DWELLING, SINGLE FAMILY ATTACHED. A dwelling composed of a row of two or more adjoining dwelling units, all capable of individual sale, and each of which is separated from the others by one or more unpierced walls extending from ground to roof, and each of which is provided with garage space sufficient for at least two vehicles.

DWELLING, SINGLE FAMILY DETACHED. A dwelling containing only one dwelling unit, situated on a separate subdivision lot or being a separate condominium unit capable of individual sale and completely surrounded by open space.

DWELLING, MULTIPLE FAMILY. A dwelling, other than a single family attached dwelling, containing more than two dwelling units, or a dwelling unit located in a building otherwise devoted to non-dwelling uses.

DWELLING, STAFF. A dwelling where lodging is provided in rooming units exclusively for the administrators, employees, or other personnel of a hospital, and their families.

- E. When used in this Code, the following terms shall have the meanings herein ascribed to them:

EASEMENT. Authorization by a property owner for the use by another, and for a specified purpose, of any designated area of his property. The term also refers to such a designated area.

EATING PLACE. An establishment where food is available to the general public primarily for consumption within a structure on the premises, where at least 50 percent of the gross floor area of the establishment is devoted to patron seating and where the consumption of food in motor vehicles on the premises in neither encouraged nor permitted.

EATING PLACE, CARRY-OUT. An establishment, which by design of physical facilities or by service or packaging procedures permits or encourages the purchase of prepared, ready-to-eat foods intended to be consumed off the premises, and where the consumption of food in motor vehicles on the premises in neither permitted nor encouraged.

EATING PLACE, DRIVE-IN. A drive-in establishment, as defined in Subsection 16-102D of this Section, where food is prepared and served for consumption in motor vehicles.

EAVE. Any part of a roof that extends beyond the building wall, and, for purposes of measuring building height, the lowest edge of a sloping roof regardless of whether it extends beyond the building wall.

EFFECTIVE DATE. See Section 15-107 of this Code.

ENLARGEMENT. An addition to the floor area of an existing building or an increase in the size of any other existing structure.

ENTRY SIDEWALK. See Subsection 16-102S for "Sidewalk, Entry."

EXTENSION. An increase in the amount of existing floor area used for an existing use within an existing structure or an increase in that portion of a tract of land occupied by an existing use.

EXTERIOR WALL. Any wall of a building or structure one side of which is exposed to the outdoors.

FLOOR AREA, NET. The gross floor area of a building minus floor space devoted to washrooms intended for general public use; elevator shafts and stairwells at each floor; floor space and shafts used for mechanical, electrical, and plumbing equipment; floor space devoted to off-street parking and loading; and basement and attic floor space used only for bulk storage.

FLOOR AREA RATIO (FAR). The gross floor area of a building divided by the total lot area of the zoning lot on which it is located. For planned developments, the FAR shall be determined by dividing the gross floor area of all principal buildings by the net area of the site.

FOOT CANDLE. The illumination at all points one foot distant from a uniform point source of one candle power.

FRONT LOT LINE. See Subsection 16-102L ~~of this Section~~ for "Lot Line, Front."

FRONT YARD. See Subsection 16-102Y ~~of this Section~~ for "Yard, Front."

FRONT YARD LINE. See Subsection 16-102Y ~~of this Section~~ for "Yard Line, Front."

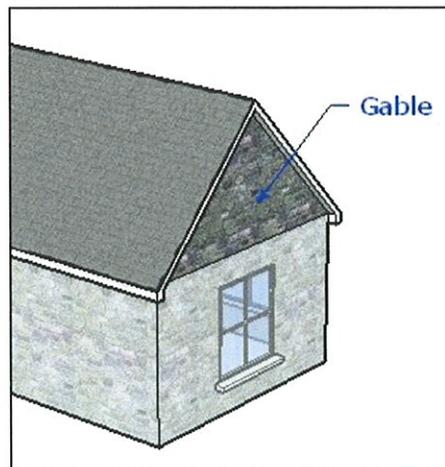
FRONTAGE. All the property fronting on one side of a street, measured along such street, between an intersecting or intercepting street and another intersecting or intercepting street, a right-of-way in excess of 30 feet, an end of a dead-end street, a watercourse, or a Village boundary.

FRONTAGE, ZONING LOT. All of the property of a zoning lot fronting on a street, measured between side or corner side lot lines.

- G. When used in this Code, the following terms shall have the meanings herein ascribed to them:

GABLE. A triangular section of wall formed by a roofline with two slopes, extending from the eaves of that roofline to the ridge where the two slopes of the roofline meet. A gable projecting from a roofline may be miniaturized over a dormer window. See Subsection 16-102D for "Dormer Window." (See Figure 2: Gable)

FIGURE 2: GABLE



GARAGE. A structure, or part thereof, designed or used for the parking and storage of vehicles at one or more levels.

GARAGE, DETACHED. A freestanding garage, or a garage that is attached to a principal structure on the lot only by a breezeway, entranceway, or other passageway or decorative structure or otherwise is not integrated into the principal structure.

GARAGE, PRIVATE. A garage accessory to a residential structure having a capacity of not more than three vehicles for each dwelling unit to which it is accessory.

GAZEBO. A freestanding roofed accessory structure designed for occasional recreational use, subject to the limitations of Subsection 9-101C of this Code.

GRADE. (1) For structures more than five feet from any street line, the average elevation of the ground existing prior to any reshaping of the contours at the four corners of a structure or a proposed structure that are closest to the lot lines. When the existing ground level slopes away from any such corner, then the elevation of the ground at such corner shall be measured at the lowest point lying within six feet of such corner. (2) For structures any portion of which are located within five feet of a street line or lines, the curb elevation, or the average of the curb elevation, at such street line or lines.

GRADING. Reshaping natural land contours using natural land materials.

GROUND SIGN. See Section 11-105 of this Code.

GROUP FAMILY HOUSEHOLD. A group of not more than six persons not constituting a family as defined in this Code but living together in a dwelling unit under a common housekeeping management based on an intentionally structured relationship of mutual responsibility providing an organization and stability essentially equivalent to, and having many aspects in common with, those found in families based on relationships of blood, marriage, or legal adoption and having at least one adult resident who is domiciled in the dwelling unit and is capable of, and in fact is, functioning as a head of the household. The following are specifically excluded from this definition: living arrangements that serve as an alternative to incarceration, hospitals and clinics, boarding houses, convalescent homes, homes for the aged, and similar facilities.

GUTTER. A shallow channel of metal or wood set immediately below or along the eaves of a building to catch and carry off rainwater from the roof.

- H. When used in this Code, the following terms shall have the meanings herein ascribed to them:

HEIGHT. The vertical distance measured from grade at the front of a structure to the highest point of the roof for flat roofs, to the deck line for mansard roofs and to the mean height between eaves and ridge for gable, hip, and gambrel roofs or to the highest point of a structure without a roof. Where a parapet wall, penthouse, mechanical equipment, or any similar structure is located on the roof of a building, building height shall be measured to the highest point of said structure if any part of it extends above the height as measured pursuant to the first sentence of this definition. Chimneys of residential buildings shall be disregarded determining the height of such buildings. Where a structure faces more than one street, the structure face with the greater height when measured as herein required shall be deemed to be the front of the structure for purposes of measuring structure height. Building height shall be measured on a gable if (a) the width of any one gable exceeds 30 percent of the length of the building side on which the gable is measured, which length shall be measured to the outer edges, or (b) if the combined total area of all gables exceeds 30 percent of the total roof area of the building.

HEIGHT, MAXIMUM. The vertical distance measured from grade to the highest point of a structure. Chimneys of single family residential buildings shall be disregarded in determining the maximum building height of such buildings. Where a parapet wall, penthouse, mechanical equipment, or any similar structure is located on the roof of a building, maximum building height shall be measured to the highest point of said structure if any part of it extends above the height as measured pursuant to the first sentence of this definition.

HOLIDAY DECORATIONS. See Section 11-105 of this Code.

HOME OCCUPATION. See Subsection 9-102B of this Code.

HOTEL. An establishment that is designed for transient guests, that is commonly known as a hotel in the community in which it is located, and that provides customary hotel services such as maid service, furnishing and laundry of linen, telephone service, desk service, bellboy service, and the use and upkeep of furniture.

- I. When used in this Code, the following terms shall have the meanings herein ascribed to them:

IDENTIFICATION SIGN. See Section 11-105 of this Code.

IMPERVIOUS SURFACE. Material covering the ground that is incapable of being penetrated by water. "Impervious surface" includes houses, garages, sheds, and other buildings; decks and patios; sidewalks, driveways, and other paved areas; compacted gravel; and similar areas that are constructed or otherwise created in a manner that causes water runoff rather than allowing water to run into the ground. "Impervious surface" may include an area where the ground has been made impervious due to compaction or other manmade condition, regardless of the material placed on that ground. "Impervious surface" does not include (1) the surface area of the water of a swimming pool or other water bodies, or (2) wooden planked decks with spacing between the planks and permeable ground beneath the deck, or (3) patios or other areas constructed of permeable materials with permeable ground beneath the area. The determination whether a particular material or area is impervious or permeable shall be made by the Village Engineer or Director of Community Development. See Subsection 160-102L of this Section for the definition of "Lot Coverage."

IMPROVEMENT OR FACILITY, PUBLIC. A sanitary sewer, storm sewer, drainage appurtenance, water main, roadway, parkway, sidewalk, planting strip, or other facility for which the Village or any other government agency may assume maintenance or operational responsibility.

INSTITUTIONAL BUILDING. Any building the principal use of which is an institutional use.

INSTITUTIONAL USE OR PURPOSE. Any use permitted in the Institutional Buildings District.

INTEGRATED CENTER. A grouping of compatible uses on a single zoning lot, such uses being in either single ownership or under unified control.

INTERPRETATION. See Section 14-301 and Article XV, Part II, of this Code.

INTERIOR LOT. See Subsection 16-102L ~~of this Section for~~ "Lot, Interior."

public right-of-way shall be considered to be the front lot line.

LOT LINE, REAR. That lot line that is parallel to and most distant from the front lot line of the lot; provided, however, that in any case where no lot line of at least 20 feet in length is parallel to the front lot line, an imaginary line 20 feet in length, entirely within the lot, parallel to, and at the maximum possible distance from, the front lot line shall be considered to be the rear lot line.

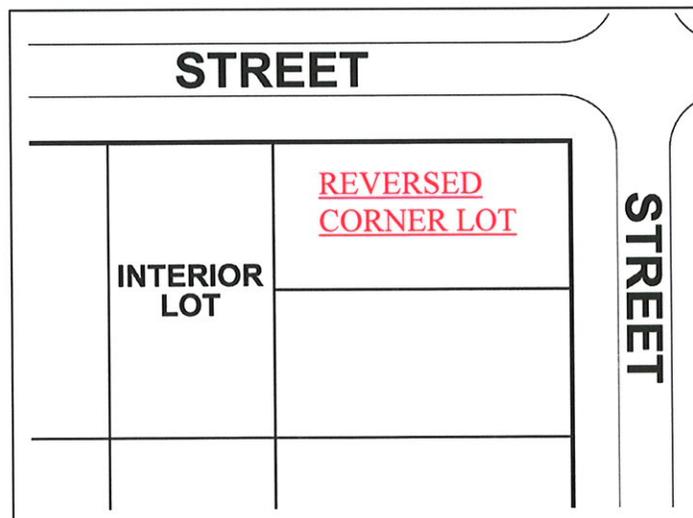
LOT LINE, SIDE. Any lot line other than a front, corner-side, or rear lot line.

LOT, MINIMUM TOTAL AREA OF. The smallest lot on which a particular use or structure may be located in a particular district.

LOT OF RECORD. A lot that is part of a subdivision, the properly approved plat of which has been recorded in the office of the Recorder of Deeds or Registrar of Titles of Cook County, Illinois, or a parcel of land separately described in a recorded deed. See also Subsection 16-102N ~~of this Section for definitions of~~ "Nonconforming Lot of Record" and "Nonconforming Lot of Record, Legal".

LOT, REVERSED CORNER. A corner lot the corner side lot line of which is substantially a continuation of the front lot line of the zoning lot abutting the rear lot line of that corner lot. (See Figure 3: Reversed Corner Lot)

FIGURE 3: REVERSED CORNER LOT



- (e) not covered by water or devoted to agricultural production.

OPEN SPACE, COMMON. Open space held in private ownership, regularly available for use by the occupants of more than one dwelling or the users of more than one non-residential building.

OPEN SPACE, PRIVATE. Open space held in private ownership, the use of which is normally limited to the occupants of one dwelling or the users of one non-residential building.

OPEN SPACE, PUBLIC. Open space dedicated to or owned by any government or governmental agency or authority.

OUTDOOR KITCHEN. An outdoor structure or installation accessory to a single family detached dwelling that is designed and intended for preparation and cooking of food, that includes one or more types of cooking fixtures such as a grill, cook top, oven, and fireplace; that may include cabinets or other storage places; that may be partially but not fully enclosed with railings, low walls, screening, or similar elements; and that may be covered or partially by roof, canopy, trellis-like latticework; and subject to the limitations of Subsection 9-101C of this Code

OWNER. Includes the holder of legal title as well as holders of any equitable interest, such as trust beneficiaries, contract purchasers, option holders, lessees under leases having an unexpired term of at least 10 years, and the like. Whenever a statement of ownership is required by this Code, full disclosure of all legal and equitable interests in the property is required.

- P. When used in this Code, the following terms shall have the meanings herein ascribed to them:

PARKING AREA. Any land area, not located in a garage, designed and used for the parking of not more than four vehicles.

PARKING LOT. Any land area designed or used for the parking, and associated circulation, of more than four vehicles.

PARKING SPACE. An area for the parking of a vehicle.

PARTICULATE MATTER. Material other than water that is suspended or discharged into the atmosphere in a finely divided form as a liquid or solid.

PATIO. A level, surfaced area no higher than one foot above grade without a permanent roof typically designed and intended for recreational purposes and not as a parking space.

PERGOLA. An unenclosed wooden structure, open on the sides and top and usually square or rectangular in shape, composed generally of vertical support posts tied together with side rafters at the top of the posts and horizontal rafters across the top at regular intervals.

PERIMETER LANDSCAPED OPEN SPACE. A landscaped open space intended to enhance the appearance of, or screen from view, parking lots and other outdoor aesthetically unpleasant uses or areas or to create a transition between incompatible uses by means of appropriate buffering, landscaping, or screening primarily along lot lines. See Subsection 9-104A of this Code.

PERSONAL WIRELESS SERVICES. Commercial mobile telecommunications services, and unlicensed wireless telecommunications services, and common carrier wireless telecommunications exchange access services.

PERSONAL WIRELESS SERVICES ANTENNA. An antenna used in connection with the provision of personal wireless services.

PLANNED DEVELOPMENT. See Article XIV, Part V of this Code.

PUBLIC UTILITY. Any person, firm, or corporation under public regulation furnishing franchised services such as cable television, electricity, gas, telephone, water, or sewage service.

PUBLIC UTILITY STATION. Buildings, structures, and facilities including generating and switching stations, poles, lines, pipes, pumping stations, repeaters, antennas, transmitters and receivers, and valves, related to furnishing of public utility services to the public such as electricity, gas, telephone, water or sewage service.

PUBLIC RIGHT-OF-WAY OR PUBLIC WAY. See Subsection 16-102R of this Section.

PYLON SIGN. See Section 11-105 of this Code.

- S. When used in this Code, the following terms shall have the meanings herein ascribed to them:

SATELLITE RECEIVING ANTENNA. See Subsection 16-102A of this Section and Section 9-101 of this Code.

SCREENING. A structure erected or vegetation planted to conceal an area from view.

SEAT WALL. A wall on or abutting a deck, patio, or distinct landscape feature, designed for seating and not exceeding 22 inches in height at any point.

SENIOR CITIZEN HOUSING. A dwelling unit in a dwelling:

- (a) constructed, maintained, and operated for the exclusive occupancy by: (i) persons who are at least 62 years of age; (ii) persons who are under a disability or are handicapped as determined by the regulations of the United States Department of Housing and Urban Development; or (iii) two or more persons, one of whom meets the occupancy criteria stated in (i) or (ii): provided, however, that not more than one dwelling unit in such dwelling may be occupied by a resident manager who does not meet the aforesaid occupancy criteria; and
- (b) that complies with such special construction standards that may from time to time be imposed on dwellings constructed and maintained pursuant to the United States Housing Act of 1937 by federal statute or regulation and such additional special construction standards for Senior Citizen Housing as the Board of Trustees may, from time to time, approve by ordinance or resolution; and
- (c) that may provide communal eating facilities for the exclusive use of the aforesaid occupants and their occasional guests.

SETBACK. The minimum horizontal distance between a specified lot line, measured at a right angle to such lot line, and the nearest point of a building or structure.

SIDE LOT LINE. See Subsection 16-102L of this Section.

SIDE YARD. See Subsection 16-102Y of this Section.

SIDE YARD LINE. See Subsection 16-102Y of this Section.

SIDEWALK, ENTRY. The sidewalk on private property serving as the principal means of pedestrian access to the lot, typically leading from the sidewalk on adjacent public-right-of way to the front entry of the building on the lot, and typically traversing the front yard or corner side yard.

SIGHT TRIANGLE. See Subsection 16-102C, "Clear ~~Site-Sight~~ Area," and Subsection 16-102D "Driveway Clear Sight Area," of this Section.

SIGN. Any object, device, display, or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event, or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected images. For definitions of particular functional and structural types of signs, see Section 11-105 of this Code.

SIGN, NONCONFORMING. Any sign that fails to conform to the regulations of Sections 11-108 and 11-109 of this Code.

SIGN WITH BACKING. Any sign that is displayed upon, against, or through any material or color surface or backing that forms an integral part of such display and differentiates the total display from the background against which it is placed.

SIGN WITHOUT BACKING. Any sign other than a sign with backing.

SINGLE FAMILY ATTACHED DWELLING. See Subsection 16-102D ~~of this Section~~for "Dwellings, Single Family Attached."

SINGLE FAMILY DETACHED DWELLING. See Subsection 16-102D ~~of this Section~~for "Dwellings, Single Family Attached."

SITE PLAN APPROVAL. See Section 14-402 of this Code.

SMOKE. Small gas-borne particles other than water that form a visible plume in the air.

SOLAR ENERGY SYSTEM. A system including solar panels that use the power of the sun to capture, distribute, and/or store energy for on-site consumption of utility power.

SOLAR PANEL. A device, consisting of an array of solar cells, often attached to rooftops and similar locations that converts the energy in sunlight into electrical energy through the process of photovoltaics. This item includes solar thermal collectors. Subject to the limitations of Subsection 9-101C of this Code.

SPECIAL USE PERMIT. See Section 14-401 of this Code.

STANDARD INDUSTRIAL CLASSIFICATION MANUAL (SIC). The 1987 edition of the publication prepared by the Statistical Policy Division, Office of Management and Budget, Executive Office of the President of the United States, available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C., as amended through the effective date of this Code.

STATUE. A three-dimensional form or likeness sculpted, modeled, carved, or cast in stone, clay, wood, metal, or any similar material.

STORY. Except as otherwise specifically provided in this Code, that portion of a building included between the surface on any floor and the surface of the floor next above it, or if there is no floor above, then the space between the floor and the ceiling next above it. The floor of a story may split levels provided that there is not more than four feet difference in elevation between the different levels of the floor. When the floor area of the upper-most story that has a floor-to-ceiling height of less than seven feet is more than 50 percent of the gross floor area of the story next below it, such upper-most story shall be counted as one-half story. A basement shall be counted as one-half story; a cellar shall not be counted as a story. Any area in which the distance from one floor to the floor or ceiling above it is more than 16 feet shall be deemed to consist of one story for each 16 feet of height or major fraction thereof.

STREET. The paved portion of a public or private right-of-way, other than a driveway, that affords the principal means of vehicular access to abutting property.

STREET, PRIVATE. Any street other than a public street.

- T. When used in this Code, the following terms shall have the meanings herein ascribed to them:

TEMPORARY SIGN. See Section 11-105 of this Code.

TEMPORARY STORAGE CONTAINER. Any sort of portable self-storage container delivered to a property to store belongings for a limited period of time. Temporary Storage Containers are sometimes known as "PODS" (Portable On-Demand Storage containers).

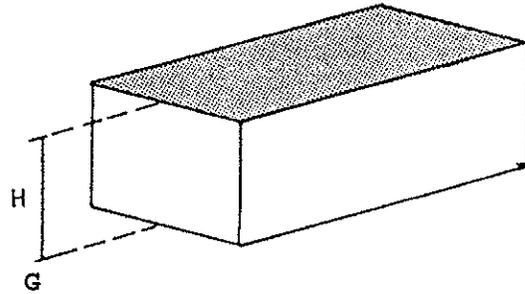
TEMPORARY USES. See Section 9-103 of this Code.

TRELLIS. See ~~definition~~ subsection 16-102A for ~~of~~ "Arbor."

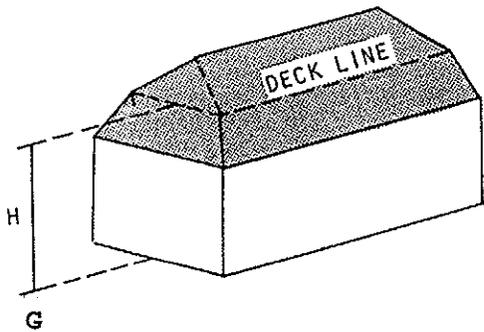
TWO FAMILY DWELLING. See Subsection 16-102D ~~of this Section~~ for "Dwelling, Two Family."

APPENDIX A

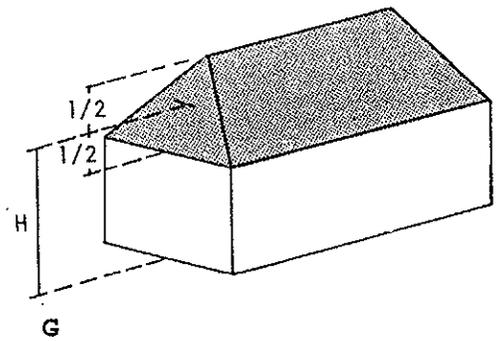
BUILDING HEIGHT



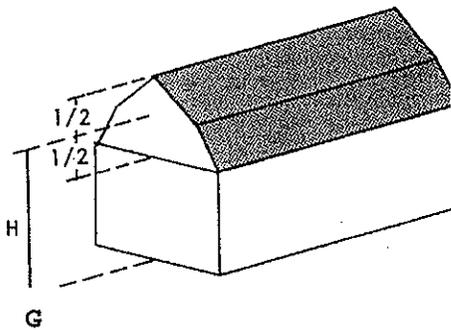
FLAT ROOF



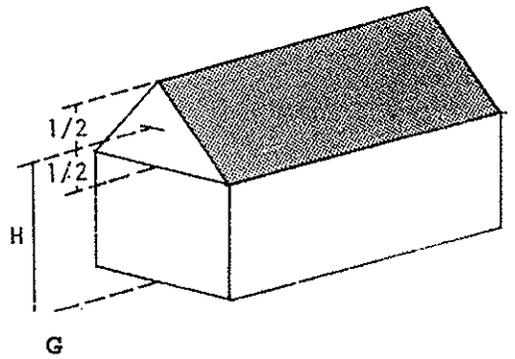
Mansard Roof



Hip Roof



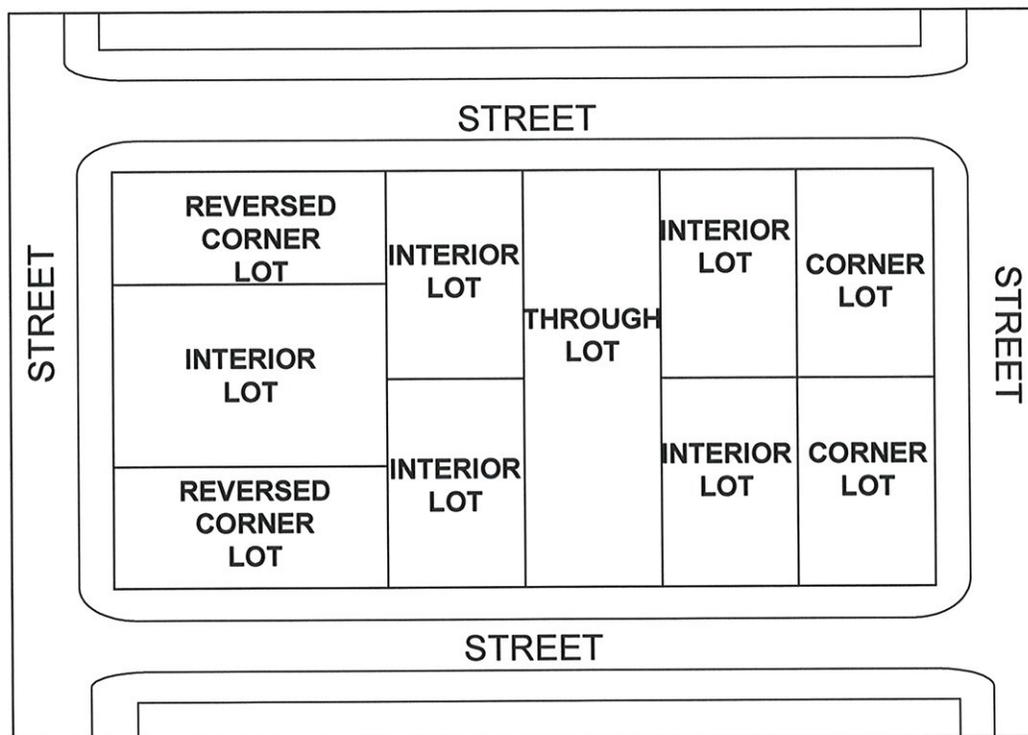
Gambrel Roof



Gable Roof

H = Height
G = Grade

Examples of Lot Types



Corner Lot - A lot abutting upon two or more streets at their intersection or junction or a lot bounded on two sides by a curving street where it is possible to draw two intersecting tangents, one each commencing at each of the two points of intersection of the lot lines and street line, which intersect with each other to form an interior angle of less than [135] degrees.

Reversed Corner Lot - A corner lot the corner side lot line of which is substantially a continuation of the front lot line of the zoning lot abutting the rear lot line of that corner lot.

Interior Lot - A lot other than a corner lot.

Through Lot - A lot having frontages on two non-intersecting streets.

RECOMMENDATION

Staff recommends that the Plan Commission consider amending Zoning Code §3-110G(5) (specified structures and uses in the required yards), Zoning Code §9-101 (accessory uses and structures), Zoning Code §9-104 (buffers and landscaping), Zoning Code §11-106 (residential real estate signs), and Zoning Code §16-102 (definitions) by adding and deleting uses as stated in Part A of this memorandum.

ILLUSTRATION A: ARBOR



ILLUSTRATION B: GAZEBOS



ILLUSTRATION C: PERGOLA



ILLUSTRATION D: SEAT WALL



ILLUSTRATION E: OUTDOOR KITCHEN

