

# Village of La Grange



## VILLAGE BOARD MEETING

MONDAY, JANUARY 10, 2011

7:30 p.m.

Village Hall Auditorium

53 S. La Grange Road

La Grange, IL 60525

Elizabeth M. Asperger  
Village President

Robert N. Milne  
Village Clerk

VILLAGE OF LA GRANGE  
BOARD OF TRUSTEES REGULAR MEETING

Village Hall Auditorium  
53 South La Grange Road  
La Grange, IL 60525

AGENDA

Monday, January 10, 2011 – 7:30 p.m.

1. CALL TO ORDER AND ROLL CALL  
*President Elizabeth Asperger  
Trustee Bill Holder  
Trustee Mike Horvath  
Trustee Mark Kuchler  
Trustee Mark Langan  
Trustee Tom Livingston  
Trustee James Palermo*
2. PRESIDENT'S REPORT  
*This is an opportunity for the Village President to report on matters of interest or concern to the Village.*
3. PUBLIC COMMENTS REGARDING AGENDA ITEMS  
*This is the opportunity for members of the audience to speak about matters that are included on this Agenda.*
4. OMNIBUS AGENDA AND VOTE  
*Matters on the Omnibus Agenda will be considered by a single motion and vote because they already have been considered fully by the Board at a previous meeting or have been determined to be of a routine nature. Any member of the Board of Trustees may request that an item be moved from the Omnibus Agenda to Current Business for separate consideration.*
  - A. Resolution – Participation in the Northern Illinois Municipal Electrical Cooperative (NIEMC) for the Purchase of Electricity for Village Facilities
  - B. Award of Contract – Two Year Extension / Tree Removal Program
  - C. Minutes of the Village of La Grange Board of Trustees Regular Meeting Monday, December 13, 2010
  - D. Consolidated Voucher 101227
  - E. Consolidated Voucher 110110

5. CURRENT BUSINESS

*This agenda item includes consideration of matters being presented to the Board of Trustees for action.*

A. Ordinance – Zoning Code Amendments – Miscellaneous Residential Amendments: *Referred to Trustee Kuchler*

6. MANAGER'S REPORT

*This is an opportunity for the Village Manager to report on behalf of the Village Staff about matters of interest to the Village.*

7. PUBLIC COMMENTS REGARDING MATTERS NOT ON AGENDA

*This is an opportunity for members of the audience to speak about Village related matters that are not listed on this Agenda.*

8. EXECUTIVE SESSION

*The Board of Trustees may decide, by a roll call vote, to convene in executive session if there are matters to discuss confidentially, in accordance with the Open Meetings Act.*

9. TRUSTEE COMMENTS

*The Board of Trustees may wish to comment on any matters.*

10. ADJOURNMENT

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The Village of La Grange is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations so that they can observe and/or participate in this meeting, or who have questions, regarding the accessibility of the meeting or the Village's facilities, should contact the Village's ADA Coordinator at (708) 579-2315 promptly to allow the Village to make reasonable accommodations for those persons.

**OMNIBUS VOTE**

VILLAGE OF LA GRANGE  
Public Works Department

**BOARD REPORT**

TO: Village President, Village Clerk, Board of Trustees, and Village Attorney

FROM: Robert J. Pilipiszyn, Village Manager  
Ryan Gillingham, Director of Public Works  
Lou Cipparrone, Finance Director

DATE: January 10, 2011

RE: **RESOLUTION – PARTICIPATION IN THE NORTHERN  
ILLINOIS MUNICIPAL ELECTRICAL COOPERATIVE (NIMEC)  
FOR THE PURCHASE OF ELECTRICITY FOR VILLAGE  
FACILITIES**

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The Village currently receives electricity for its facilities through Commonwealth Edison. Village Hall, Public Works and Police and Fire Facilities all receive free electricity through the franchise agreement. The Village pays separately for electricity for street lighting and water pumping.

On January 2, 2007, the State of Illinois implemented a plan to deregulate Commonwealth Edison. Under this plan, ComEd no longer generates electricity for its customers; instead ComEd only delivers power through its distribution system.

As a result of the deregulation, electricity is purchased based on market price and Exelon, the parent company of ComEd, is no longer the sole supplier of electricity in northern Illinois. Deregulation allowed new electric suppliers to enter the Illinois electrical marketplace to compete against Exelon.

The Illinois Commerce Commission (ICC) has authorized commercial users to negotiate lower pricing with one of 23 approved power suppliers.

Changing electrical suppliers has no effect on the delivery of electricity to any of the Village facilities. ComEd still remains responsible for the delivery of electricity and service requests if required.

In response to this deregulation, Northern Illinois Municipal Electric Cooperative (NIMEC) was formed as a municipal cooperative that pools the energy needs of members of the cooperative in order to secure more competitive pricing based on higher volumes than can be provided individually to a single municipality. NIMEC bids out the energy to suppliers and presents the lowest bid to the membership. The cooperative is made up of 140 members, most of which are municipalities in the Chicago land area. There is no cost to join NIMEC, with the amount of compensation that NIMEC receives being built into the prices bid by the electricity supplier.

H-A

Participation in the Northern Illinois Municipal Electrical Cooperative (NIMEC) for the  
Purchase of Electricity for Village Facilities  
Board Report – January 10, 2011 – Page 2

Several municipal references were contacted to assess their experience with the program. They all indicated that the bidding process is economically beneficial and confirmed the qualifications and expertise of NIMEC.

NIMEC recently reviewed the Village's ComEd billing, and identified one water pumping account and four street lighting accounts that would benefit by moving to a NIMEC supplier. Based on the usage, the estimated annual savings would be \$4,000 for street lighting and \$17,000 for the pumping station, for a total savings of \$21,000.

As an example of the benefit delivered from moving to a competitive process, recently ComEd increased the rates for street lights from 3.3¢ to 3.9¢ per kWh. Preliminary pricing received from NIMEC indicates the Village's rate could decrease to 3.1¢ per kWh.

As a result of the way the bidding process works, the Village Manager is required to have the authority to sign a contract with the lowest cost electricity provider within hours of the bids being received by NIMEC. The resolution attached for Board consideration directs the Village Manager to engage the services of NIMEC and provides Board authorization to allow the Village Manager to execute a contract with the successful energy supplier upon receipt of the bids by NIMEC.

The contract with the selected electrical supplier will be for a one year period and will be re-bid at the same time next year. Should the bids not be in the Village's best interest, there is no obligation to sign a contract and the Village could keep the existing service provider, Commonwealth Edison.

We recommend that the Village Board waive the competitive bidding process for electricity purchases, and approve the attached resolution authorizing the participation in the Northern Illinois Municipal Electric Cooperative (NIMEC), and the Village Manager to execute a contract with the lowest responsible electricity provider.

4-A.1

## RESOLUTION

A RESOLUTION WAIVING THE COMPETITIVE BIDDING REQUIREMENTS FOR ELECTRICITY PURCHASE, AUTHORIZING THE PARTICIPATION IN THE NORTHERN ILLINOIS MUNICIPAL ELECTRIC COOPERATIVE (NIMEC) AND AUTHORIZING THE VILLAGE MANAGER TO EXECUTE A CONTRACT WITH THE LOWEST RESPONSIBLE ELECTRICITY PROVIDER

WHEREAS, Village President and the Board of Trustees of the Village of La Grange find as follows:

A. On January 2, 2007 the State of Illinois implemented a plan to deregulate Commonwealth Edison;

B. Under the aforementioned deregulation plan, Commonwealth Edison no longer generates electricity for its customers, but will continue to provide electric power through its distribution system;

C. As a result of this deregulation, electricity will be purchased based on market price and Exelon, the parent company of Commonwealth Edison, is no longer the sole supplier of electricity in Northern Illinois, resulting in new electricity suppliers being able to compete against Exelon, and competitive market forces dictating the price of electricity;

D. Municipalities can now purchase electric power in the open market in order to mitigate some of the economic impact of rising rates.

E. The Village of La Grange has selected the Northern Illinois Municipal Electric Cooperative (NIMEC) to serve as the Village's broker relative to the acquisition of electrical energy due to NIMEC's municipal experience and the fact that NIMEC is a municipal cooperative which will be pooling the energy needs of members of the cooperative in order to secure more competitive pricing based on higher volumes than can be provided individually to a single municipality;

F. NIMEC has the experience and expertise to seek bids from various electrical suppliers. The amount of compensation that NIMEC receives, if the Village chooses the NIMEC electricity supplier, is built into the prices bid by the electricity supplier and equals 1% of the cost per kilowatt hour. Therefore no fees or other direct payments are made to NIMEC.

G. That because of the way the bidding process works, the Village Manager will need to have the authority to sign a contract with the electricity provider which is deemed most favorable for the Village within hours of the bids being received by NIMEC.

NOW, THEREFORE, BE IT RESOLVED by the Village President and Board of Trustees of the Village of La Grange that the Northern Illinois Municipal Electric Cooperative (NIMEC) is hereby appointed as the Village's broker for purposes of obtaining a supply of electricity for the Village's municipal needs, and Village Staff is hereby directed to take all actions necessary to establish said broker relationship.

4-A.2

BE IT FURTHER RESOLVED that the competitive bidding requirements are hereby waived and instead the Village of La Grange will participate in the NIMEC bid for electricity. Also, the Village Manager is authorized to discuss and negotiate energy rates directly with suppliers in an effort to secure a lower energy cost for the Village of La Grange.

BE IT FURTHER RESOLVED that, in light of the time constraints applicable to the acceptance of a competitive bid for a supply of electricity, once the bids are received by NIMEC, the Village Manager is hereby authorized to execute the contract with the lowest responsible bidder, provided the bid is at a rate that is less than is being offered through Commonwealth Edison.

DATED this 10th day of January, 2011

Village of La Grange, an  
Illinois municipal corporation,

By: \_\_\_\_\_  
Elizabeth M. Asperger, VILLAGE PRESIDENT

SEAL

ATTEST

\_\_\_\_\_  
Robert N. Milne, VILLAGE CLERK

PASSED: January 10, 2011

APPROVED: January 10, 2011

4-A.3

VILLAGE OF LA GRANGE  
Department of Public Works

**BOARD REPORT**

TO: Village President, Village Clerk, Board of Trustees, and Village Attorney

FROM: Robert J. Pilipiszyn, Village Manger  
Ryan Gillingham, Director of Public Works

DATE: January 10, 2011

RE: **AWARD OF CONTRACT – TWO YEAR EXTENSION / TREE  
REMOVAL PROGRAM**

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Each year, the Village removes public parkway trees that are diseased, dead or become a safety concern to pedestrians, motorists or property. For trees larger than 11” in diameter, the Village contracts with a tree removal company due to the special skills and equipment required for removal. The FY 2010-11 Village budget provides \$60,000 for the removal of trees and subsequent restoration of parkways.

In April of 2009 the Village Board approved a contract with D. Ryan Tree & Landscaping for the tree removal program. Under this two year contract D. Ryan Tree & Landscaping has removed a total of 166 trees. The majority of the trees removed over the last two years have been elm trees infected with Dutch Elm Disease.

A competitive bidding process was used in 2009 for the selection of a contractor for this two year tree removal program. The contract was a unit price contract where the contractor was paid for tree removal based on the diameter of the tree. The following table provides the contract unit prices for tree removal:

<b>DIAMETER CLASS</b>	<b>PRICE PER INCH</b>
11" to 18"	\$12.00
19" to 24"	\$19.00
25" to 30"	\$20.00
31" to 36"	\$21.00
37" and Over	\$21.00

The contract for this program ended December 31, 2010. D. Ryan Tree & Landscaping has offered to extend their 2009 pricing for the tree removal program for an additional two years until April 30, 2013.

4-B

Staff recommends the execution of a new two-year contract with D. Ryan Tree & Landscaping at their 2009 rates for the following reasons:

1. At the time of bidding two years ago, the bid prices of D. Ryan Tree & Landscaping were low compared to other bidders. Since this time, costs have increased such as fuel, however the contractor has proposed to keep the rates the same for an additional two years. The Village gains significant value by accepting the 2009 pricing for an additional two years.
2. The contractor is familiar with Village tree removal operations and expectations for clean up, traffic control, and other operational requirements.
3. D. Ryan Tree & Landscaping has performed well over the past two years. They have consistently completed tree removal requests in a timely fashion and have been available during emergencies.
4. Tree removal does not lend to budget deferral due to safety issues associated with dead trees and the potential for falling limbs.

We therefore recommend that the Village Board waive the competitive bidding process and enter into a new two-year contract with D. Ryan Tree & Landscaping for the tree removal program. We anticipate that the overall number of trees removed under this contract will increase due to the progression of the Emerald Ash Borer throughout the Village. Funds are budgeted in future fiscal years for tree removal in both the Public Works budget line for tree removal and the Capital Projects Fund line item for the Emerald Ash Borer. The new contract would extend through the next two fiscal years until April 30, 2013.

4-B.1

## MINUTES

VILLAGE OF LA GRANGE  
BOARD OF TRUSTEES REGULAR MEETING  
Village Hall Auditorium  
53 South La Grange Road  
La Grange, IL 60525

Monday, December 13, 2010 - 7:30 p.m.

### 1. CALL TO ORDER AND ROLL CALL

The Board of Trustees of the Village of La Grange regular meeting was called to order at 7:30 p.m. by President Asperger. On roll call, as read by Administrative Secretary Ellie Elder, the following were present:

PRESENT: Trustees Holder, Horvath, Kuchler, Langan, Livingston, and Palermo

ABSENT: Village Clerk Milne

OTHERS: Village Manager Robert Pilipiszyn  
Assistant Village Manager Andrianna Peterson  
Village Attorney Mark Burkland  
Finance Director Lou Cipparrone  
Community Development Director Patrick Benjamin  
Public Works Director Ryan Gillingham  
Fire Chief William Bryzgalski  
Police Chief Mike Holub

### 2. PRESIDENT'S REPORT

#### A. Oath of Office – Firefighter/Paramedic James D. Baum

With the recent resignation of a Firefighter/Paramedic, the La Grange Board of Fire and Police Commissioners have appointed James D. Baum to fill the position effective October 14, 2010. President Asperger noted his experience and requested he come forward to receive the oath of office.

President Asperger congratulated all involved in the successful Hometown Holiday Walk sponsored by the La Grange Business Association.

Announcing that the next regularly scheduled Village Board meeting on Monday, December 27, 2010 would be canceled, President Asperger added the first meeting in the New Year would be held on Monday, January 10, 2011.

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President Asperger reflected upon 2010 as a year of continued growth for the Village despite federal and state economic conditions. President Asperger commended department heads and the entire staff for their professionalism and performance in servicing the public.

3. PUBLIC COMMENTS REGARDING AGENDA ITEMS

Harlan Hirt, 421 S. Spring expressed his opinions related to item 4A of the Omnibus Agenda and presented his written statement to the Village President.

In his written statement Mr. Hirt indicated his main concern was and is that the Board should seek supporting information and public discussion prior to taking any further action on this item.

Thom Rae, added his inquiries regarding item 4A of the Omnibus Agenda and Village Attorney Burkland responded.

4. OMNIBUS AGENDA AND VOTE

- A. First Amendment to Property Transfer Agreement Between the Village of La Grange and the Park District of La Grange.
- B. Resolution (#R-10-20) – Authorization for Agreement With Cook County for Federal Stimulus Grant for Facility Improvements
- C. Ordinance (#O-10-35) – Disposal of Surplus Property
- D. Minutes of the Village of La Grange Board of Trustees Regular Town Meeting Monday, November 22, 2010
- E. Consolidated Voucher 101213 – (\$1,367,744.35)

It was moved by Trustee Langan to approve items A, B, C, D, and E of the Omnibus Agenda, seconded by Trustee Holder.

Approved by roll call vote.

Ayes: Trustees Holder, Horvath, Kuchler, Langan, Livingston and Palermo  
Nays: None  
Absent: None

5. CURRENT BUSINESS

- A. Ordinance (#O-10-36) Abatement of 2010 Tax Levy / 2005 Street Light Refunding Bonds: Referred to Trustee Holder

4-C.1

Trustee Holder explained the history of the Residential Streetlight Program noting the Village Board's approval to issue alternate revenue bonds in 1998 to complete the program. Due to more favorable interest rates in 2005, the Village adopted an ordinance authorizing the refunding of the remaining outstanding bonds, thereby saving the Village approximately \$100,000 in interest over the remaining life of the issue which matures on December 1, 2017. Trustee Holder added that the Series 2005 bond issue is a general obligation, alternate revenue source issue, backed by the full faith and credit of the Village. Revenues derived from the collection of utility taxes are pledged to pay the principal and interest expenditures related to this issue. Because sufficient revenues from the utility tax are available within the General Fund, it is appropriate to abate this portion of the tax levy.

It was moved by Trustee Holder to approve the Ordinance abating taxes levied for 2010 with respect to the \$2,785,000 General Obligation Refunding Bonds, Alternate Revenue Source, Series 2005, in the amount of \$303,765, seconded by Trustee Langan. Approved by roll call vote.

Ayes: Trustees Horvath, Kuchler, Langan, Livingston, Palermo and Holder  
Nays: None  
Absent: None

Trustee Holder indicated he would like to present the 2010 Property Tax Levy as the next item on the agenda.

B. Ordinance (#O-10-37) – 2010 Property Tax Levy for Village Operations: Referred to Trustee Holder

Trustee Holder commented on the Village's sound financial management while continuing to provide quality services. Trustee Holder explained that the preliminary 2010 property tax levy was reviewed and discussed in detail at the November 8, 2010 Village Board meeting and since the tax levy did not exceed Truth in Taxation requirements it was not necessary to hold a public hearing to adopt the final levy.

The final tax levy includes an increase of 3.73%, exclusive of debt service, over the prior year's tax extension. The increase reflects the allowable increase under the Property Tax Limitation Act of 2.7% (Consumer Price Index) as of December 2009.

Trustee Holder noted that on average, a home with an assessed property value of \$250,000 would only incur an annual increase of \$26.09 from the Village levy and \$7.53 from the Library levy.

4-C.2

Although a Special Service Area levy is filed with Cook County to fund on-going maintenance of the Central Business District, it is not subject to Truth in Taxation requirements. By ordinance the Special Service Area levy is to be adjusted annually by the Consumer Price Index utilized as part of the Property Tax Limitation Act. Trustee Holder noted the 2010 Special Service Area levy of \$58,582 reflects an increase of 2.7% over last year's levy of \$57,042.

It was moved by Trustee Holder to adopt the ordinance requesting a 2010 property tax levy of \$7,912,373, exclusive of debt service, which is a 3.73% increase from the 2009 levy, seconded by Trustee Langan. Approved by roll call vote.

Ayes: Trustees Langan, Livingston, Palermo, Holder, Horvath, and Kuchler  
Nays: None  
Absent: None

C. Resolution – Levying a Tax for Library Operating Purposes: Referred to Trustee Holder

Trustee Holder explained that the La Grange Library Board of Trustees 2010 tax levy request for operating purposes is \$1,970,146 which is a 3.73% increase over last year's tax levy. This is the allowable increase under the Property Tax Limitation Act equal to the increase of the Village tax levy request. Because the La Grange Library this a "municipal library" rather than a separate "public library district" it must levy property taxes as part of the Village of La Grange tax levy.

Members of the La Grange Public Library were in attendance to answer any questions.

It was moved by Trustee Holder to accept La Grange Public Library Resolution approved by the Library Board, seconded by Trustee Langan. Approved by roll call vote.

Ayes: Trustees Kuchler, Langan, Livingston, Palermo, Holder, and Horvath  
Nays: None  
Absent: None

6. MANAGER'S REPORT

Village Manager Robert Pilipiszyn stated that Village offices would be closed on Friday, December 24 and 31 in observance of the holiday, however a full compliment of public safety personnel will be on call.

4-C.3

Lastly, Mr. Pilipiszyn noted that Allied Waste will adhere to the regular refuse pick-up schedule. Allied will also pick-up Christmas trees from the parkway as part of the regular refuse beginning on December 27 through January 13.

7. PUBLIC COMMENTS REGARDING MATTERS NOT ON AGENDA

None.

8. EXECUTIVE SESSION

9. TRUSTEE COMMENTS

Trustee Holder added his gratitude to all who participated in the La Grange Business Association's Hometown Holiday.

President Asperger expressed her gratitude to fellow Board members for their hard work and commitment to the citizens of La Grange.

10. ADJOURNMENT

At 8:10 p.m. it was moved by Trustee Langan to adjourn, seconded by Trustee Livingston. Motion approved by voice vote.

\_\_\_\_\_  
Elizabeth M. Asperger, Village President

ATTEST:

\_\_\_\_\_  
Robert N. Milne, Village Clerk

Approved Date:

4-C.4

## VILLAGE OF LA GRANGE

Disbursement Approval by Fund

December 27, 2010

Consolidated Voucher 101227

Fund No.	Fund Name	12/27/10 Voucher	12/23/10 Payroll	Total
01	General	243,231.59	271,627.04	514,858.63
21	Motor Fuel Tax			0.00
22	Foreign Fire Insurance Tax			0.00
24	ETSB	237.50		237.50
40	Capital Projects	3,572.00		3,572.00
50	Water	18,053.47	40,965.83	59,019.30
51	Parking	4,413.07	23,086.88	27,499.95
60	Equipment Replacement	84,586.00		84,586.00
70	Police Pension			0.00
75	Firefighters' Pension			0.00
80	Sewer	2,009.79	10,962.34	12,972.13
90	Debt Service			0.00
91	SSA 4A Debt Service			0.00
93	SAA 269			0.00
94	SAA 270			0.00
		<u>356,103.42</u>	<u>346,642.09</u>	<u>702,745.51</u>

We the undersigned Manager and Clerk of the Village of La Grange hereby certify that, to the best of our knowledge and belief, the foregoing items are true and proper charges against the Village and hereby approve their payment.

\_\_\_\_\_  
Village Manager

\_\_\_\_\_  
Village Clerk

\_\_\_\_\_  
President

\_\_\_\_\_  
Trustee

\_\_\_\_\_  
Trustee

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Trustee

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Trustee

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Trustee

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Trustee

4-D

**VILLAGE OF LA GRANGE**

Disbursement Approval by Fund

January 10, 2011

Consolidated Voucher 110110

<u>Fund No.</u>	<u>Fund Name</u>	<u>01/10/11 Voucher</u>	<u>01/07/11 Payroll</u>	<u>Total</u>
01	General	395,179.78	305,477.47	700,657.25
21	Motor Fuel Tax			0.00
22	Foreign Fire Insurance Tax			0.00
24	ETSB	6,545.56		6,545.56
40	Capital Projects	13,987.06		13,987.06
50	Water	228,267.66	42,563.09	270,830.75
51	Parking	20,050.36	23,332.51	43,382.87
60	Equipment Replacement	5,708.64		5,708.64
70	Police Pension			0.00
75	Firefighters' Pension	2,593.93		2,593.93
80	Sewer	19,513.34	12,169.90	31,683.24
90	Debt Service			0.00
91	SSA 4A Debt Service			0.00
93	SAA 269			0.00
94	SAA 270			0.00
		<u>691,846.33</u>	<u>383,542.97</u>	<u>1,075,389.30</u>

We the undersigned Manager and Clerk of the Village of La Grange hereby certify that, to the best of our knowledge and belief, the foregoing items are true and proper charges against the Village and hereby approve their payment.

\_\_\_\_\_  
Village Manager

\_\_\_\_\_  
Village Clerk

\_\_\_\_\_  
President

\_\_\_\_\_  
Trustee

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Trustee

4-E

**CURRENT BUSINESS**

VILLAGE OF LA GRANGE  
Community Development Department

**BOARD REPORT**

TO: Village President, Village Clerk,  
Board of Trustees, and Village Attorney

FROM: Robert J. Pilipiszyn, Village Manager  
Patrick D. Benjamin, Director of Community Development  
Angela M. Mesaros, Assistant Director, Community Development

DATE: January 10, 2011

RE: **ORDINANCE – ZONING CODE AMENDMENTS – MISCELLANEOUS  
RESIDENTIAL AMENDMENTS**

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In order to complete our review of the single family districts begun in 2006, Staff has undertaken an examination of the zoning regulations throughout the Code related to single-family residential districts in order to complete the residential review. This current phase of review includes standards for required yards, accessory uses and structures, signs, sight distances, and definitions.

This current evaluation is part of the Village's comprehensive, phased review of the Zoning Code, which was last comprehensively amended in 1991. Most recently, the Village has amended its use lists in the commercial, industrial and office districts. Specifically, the amendments under consideration are a follow-up to amendments to the residential bulk, yard and space regulations, new standards for lot coverage, creation of a process for minor relief from zoning in the single family districts, and design standards for two unit buildings.

This Report presents the recommendations of the Staff and the Plan Commission regarding (A) amendments to allowable encroachments within required yards, (B) amendments to the accessory structures in the single family districts, (C) a new provision for driveway clear sight area, (D) amendments to residential real estate signs, and (E) amendments to the definitions, including both new and revised zoning definitions.

In formulating these recommendations, Staff examined current residential zoning regulations in other municipalities in our region as well as best practices identified by the American Planning Association. We also solicited comments from the public, Village Trustees, Commissioners, department heads, and inspectional/code enforcement staff.

At public hearings on September 14 and November 9, the Plan Commission considered all proposed amendments. After substantial deliberation and suggested modifications, the Plan Commission unanimously recommended that the Board of Trustees approve the following recommended amendments:

**Additions and Revisions to the Specified Structures and Uses in Required Yards  
(Subsection 3-110G):**

This Subsection of the Zoning Code, “Specified Structures and Uses in Required Yards,” lists structures and uses that are permitted within required yards in the single-family districts. At times, staff receives requests for construction of structures that are not currently listed in our Code. The proposed regulations include several items that have become popular since the Code was adopted in 1991. The recommendation is to add the following structures to this list:

1. Accessibility ramps – This recommendation includes language providing that accessibility ramps be permitted within all required yards as well as a reference to federal and State accessibility laws.
2. Gazebos and pergolas – Gazebos and pergolas currently are not specifically regulated; this would limit these structures to rear yards only. They would also be subject to limitations that are established within the accessory uses and structures subsection discussed in further detail in the next section of this report. (See attached Illustration A: Gazebo & Illustration B: Pergola)
3. Landscape plant materials – This item allows landscaping plants within all yards but further restricts the height to three feet maximum within a clear sight area defined in our Code along driveways and corner lots. The specific limitations are discussed in further detail in below.
4. Outdoor Kitchens – As people are spending more time in their backyards, Staff has received more requests for cooking and preparation facilities. Outdoor kitchens as proposed would be permitted only in rear yards. Based on public comments and Commissioner analysis, the proposed ordinance would require that these facilities be a minimum of 20% of lot width (10 feet on a typical 50-foot wide lot) from the side lot lines and limited to ten feet from the rear lot line.
5. Patios – Currently, patios at grade would be permitted in any location on the lot with no required setbacks. The recommendation is to limit patios to encroach only seven feet into the front and corner side yards, but not closer than twenty feet to the front lot line with a cross reference for the Village’s grading and drainage ordinance.
6. Seat Walls – Seat walls would be permitted at a maximum height of twenty-two inches to be located within any yard, but not within 20 feet of the front lot line and minimum five feet from any other lot line. (See attached Illustration C: Seat Wall)
7. Temporary Storage Containers – Portable storage containers are used for temporary storage and moving – empty containers are delivered, packed by the resident, and picked up whenever the resident calls, then taken to a storage center. Discussion among Commissioners focused on the length of time necessary to pack up belongings and the proper location on the property for storage containers. The Plan Commission has

5-A.1

recommended that such structures would be permitted only ten consecutive days at a time and limited further to thirty days a year. In addition, they can be placed not closer than five feet from the front lot line and three feet from any other lot line.

The following structures are currently listed as permitted within particular required yards in our single-family districts, but that we feel they should be revised/ updated based on permit requests and trends:

1. Arbors and trellises – These structures are currently permitted within all yards except front yards. Based on requests for building permits and location of existing trellises, the recommendation is to allow these structures within front yards but with limitations, the maximum length of six feet in front and corner side yards and not closer than five feet to any side lot line. (See attached Illustration D: Arbor)
2. Decorative columns and pillars – Currently, we allow statuary and ornamental light standards but the Code does not address decorative columns and bases, which have become more popular in recent years. The recommendation is to specifically identify and allow these structures in all yards with further restrictions in front and corner side yards: only four feet in height and to five feet minimum setback from the side lot lines. Within the rear yard, the height limitation of fifteen feet and setback of three feet from property lines as currently stated in the Code would still apply. (See attached Illustration E Decorative Columns)
3. Flagpoles – The current height limitation is fifteen feet. The recommendation is to amend the height restriction to twenty feet or less, which is consistent with other communities' height limitations and industry standards.
4. Mechanical equipment – Currently the Village limits the location of heating and air conditioning units to only the rear yard but does not specifically regulate emergency electrical generators. We have seen an increase in the installation of such generators due to increased power outages from recent storms. Staff effectively treats generators in the same manner as heating and air conditioning units. However, the recommendation is that these be included within a general category of mechanical equipment and that the regulations not change from the current limitation to the rear yards only, minimum distance of at least 10% of the lot width with screening with plant material on all sides visible from the public right of way and subject to noise control standards established in the Code of Ordinances.
5. Outside Stairways - Currently, the Code allows the stairway at the front entrance of a house to extend three feet into the required yard. Based on discussion with inspectional staff and requests from homeowners, this recommendation is to allow for four feet when steps are necessary for access to the house. This would be in keeping with our building code, which requires a four foot landing.

5-A.2

**Accessory Uses and Structures (Section 9-101):**

The Plan Commission has made the following recommendations to this Section of the Code after comparison to similar municipal codes and review of current practices in La Grange. In addition to alphabetizing the entire section to make it more user-friendly and easier to find the specific accessory uses and structures, the following are recommended new items as well as a revision to one item.

1. Gazebos – With the addition of gazebos to the list of permitted structures in required yards, this Section needs to be amended to include limits on size and height. The recommendation is that gazebos be limited in size according to lot size as follows: (1) 120 square feet maximum on smaller lots, 6,500 square feet or less in total lot area; (2) On lots 6,501 – 10,000 square feet in total area 144 square feet; and (3) limited to 250 square feet on the largest lots, which are greater than 10,000 square feet. This is consistent with our current regulations for sizes of detached garages. The amendments also include limiting height to twelve feet maximum, which is smaller than the accessory structure limitation of fifteen feet as currently regulated. Measurement would include a copula or similar structure. In addition, no more than one gazebo could be located on any one property and the surface of each gazebo should be at least 50% open.
2. Outdoor Kitchens – As mentioned previously, outdoor kitchens and living spaces are becoming increasingly popular. The recommendation is to limit the height and setback of these structures to establish a setback that is 20% of the lot width for side lot lines and limited to ten feet from rear lot lines, a maximum height of eight feet for kitchen structures with a chimney not exceeding the existing limitation of fifteen feet overall height. Although Commissioners voted unanimously to recommend this height limitation, there was much discussion of the limitation of fifteen feet proposed for chimneys and concern about smoke blowing towards neighbors' houses. (See attached Illustration F: Outdoor Kitchen)
3. Solar Energy Systems – With new technology and reliance on alternative energy, we have seen increasing number of requests for solar panels on roofs. The Code does not address these systems. The recommendation is to allow building mounted solar panels and collectors located in such a manner as to not reflect light into abutting residential lots, and limit height to not above the peak of the roof. In addition, they may not be mounted so that they face or are within a sixty degree angle of the front lot line.
4. Commercial Identification of vehicles – Based on industry standards and experience of Code Enforcement staff, the current one square foot limitation on any identification sign on a vehicle in a parking area or lot may be too restrictive based on industry standards. Therefore, the suggestion is to increase the allowable commercial exterior markings from one square foot to two square feet and permit an identification sign on the side of a car up to two square feet in area.

5-14.3

**Buffers and Landscaping (Section 9-104):**

*Driveway Clear Sight Area* – The Village’s current ordinance for intersection sight lines, does not establish a clear sight area as vehicles pull out of driveways on interior lots. Therefore, we recommend language that limits plantings and other structures to less than three feet in height within five feet of the driveway intersection of the sidewalk to provide clear sight for vehicles backing out of driveways.

**Residential Real Estate Signs (Section 11-106):**

Since the adoption of the Code in 1991, state laws have changed and now allow real estate agents to place additional information on their real estate signs, such as e-mail and website addresses. Our current limitation is maximum four square feet. However, after reviewing several municipal codes and speaking with agents and brokers about industry standards, we have recommended that the size be increased to six square feet, also allowing riders up to two square feet. In addition, the current limitation of not closer to the sidewalk than ten feet, would be changed to the more practical reference to the driveway clear sight area standard.

**Additions to the list of Definitions (Section 16-102):**

The following definitions have been recommended as additions to the Code for clarification of terms consistent with the recommended regulations (see attached Exhibit D of the Ordinance for further details):

1. *Accessibility Ramp*
2. *Arbor*
3. *Bay Window*
4. *Dormer Window*
5. *Driveway Clear Sight Area*
6. *Eave*
7. *Entry Sidewalk*
8. *Gable*
9. *Gazebo*
10. *Gutter*
11. *Height*
12. *Lot, Reversed Corner*
13. *Outdoor Kitchen*
14. *Patio*

5-A.4

15. Pergola
16. Public Utility Station
17. Seat Wall
18. Solar Energy System
19. Solar Panel
20. Solar Thermal Collector
21. Statue
22. Temporary Storage Container

Staff concurs with the Plan Commission's findings that the proposed amendments are logical and appropriate and promote the best interests of the Village and its residents and guests.

Staff recommends approval of "An Ordinance Amending Various Sections of the La Grange Zoning Code Related to Required Yards, Accessory Structures, Signs and Definitions for Single Family Residential Districts," in the form attached to this Report.

**ILLUSTRATION A GAZEBOS**



**ILLUSTRATION B PERGOLA**

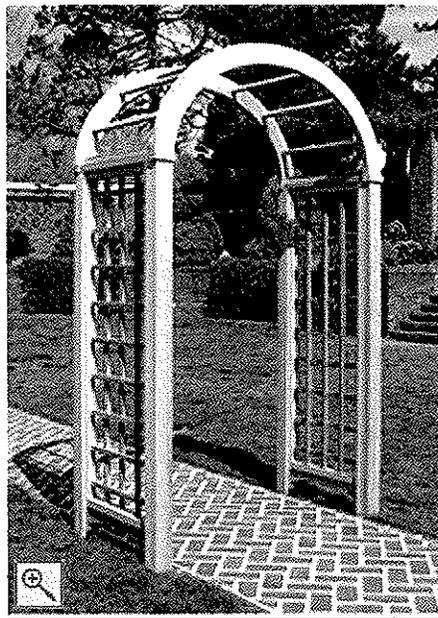


5-A.6

**ILLUSTRATION C SEAT WALL**



**ILLUSTRATION D ARBOR**



5-A.7

**ILLUSTRATION E: DECORATIVE COLUMNS**



**ILLUSTRATION F: OUTDOOR KITCHEN**



5-14.8

VILLAGE OF LA GRANGE

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING VARIOUS  
SECTIONS OF THE LA GRANGE ZONING CODE  
RELATED TO REQUIRED YARDS, ACCESSORY STRUCTURES, SIGNS, AND  
DEFINITIONS FOR THE SINGLE FAMILY RESIDENTIAL DISTRICTS

WHEREAS, the Village recently has undertaken a review of various provisions of the La Grange Zoning Code, and the President and the Board of Trustees have enacted amendments to the La Grange Zoning Map and to regulations affecting the commercial zoning districts ; and

WHEREAS, the Village staff recently completed a broad review of provisions in Articles III, IX, XI, and XVI of the Zoning Code related to the single family residential districts, and the staff has made recommendations for amendments to the regulations affecting encroachments in required yards and various other regulations governing the single family residential districts; and

WHEREAS, the La Grange Plan Commission conducted public hearing sessions on September 14 and November 9, 2010 to consider all of the proposed amendments, pursuant to proper public notice thereof; and

WHEREAS, at the public hearing, the Plan Commission considered all of the facts and circumstances related to the proposed amendments; and

WHEREAS, after the conclusion of the public hearing, the Plan Commission determined that the proposed amendments, as they were adjusted during the Plan Commission's deliberations, meet the standards stated in the Zoning Code for amendments of general applicability, and the Plan Commission unanimously recommended that the Board of Trustees approve those amendments; and

WHEREAS, the President and Board of Trustees of the Village of La Grange have considered the findings and recommendations of the Plan Commission regarding all of the facts and circumstances affecting the proposed amendments related to single family dwellings, and the President and Board of Trustees have determined that the proposed amendments in the form included in this Ordinance satisfy the standards applicable to them in Section 14-605 of the Zoning Code; and

WHEREAS, the President and Board of Trustees have determined that it is (a) consistent with the purposes of the Zoning Code as provided in Section 1-102 of the Zoning Code, (b) for the benefit and protection of the public health, safety, and welfare, and (c) appropriate and in the best interests of the Village and its residents to amend regulations related to single family dwellings as provided in this Ordinance.

5-A.9

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of La Grange, Cook County and State of Illinois, as follows:

Section 1. Recitals. The foregoing recitals are incorporated into this Ordinance as findings of the President and Board of Trustees.

Section 2. Amendment of Zoning Code Section 3-110 Relating to Structures and Uses in Residential Districts. The Board of Trustees, pursuant to the authority vested in it by State law and Article XIV, Part VI of the La-Grange Zoning Code, hereby amends the regulations governing specified structures and uses in required yards of the Single Family Residential Districts of the Zoning Code as set forth in Exhibit A attached to this Ordinance and by this reference incorporated into this Ordinance.

Section 3. Amendment of Zoning Code Subsection 9-101C Relating to Accessory Structures. The Board of Trustees, pursuant to the authority vested in it by State law and Article XIV, Part VI of the La Grange Zoning Code, hereby amends the regulations applicable to accessory structures and uses in the Single Family Residential Districts of the Zoning Code as set forth in Exhibit B attached to this Ordinance and by this reference incorporated into this Ordinance.

Section 4. Amendment of Zoning Code Section 9-104 Relating to Landscaping. The Board of Trustees, pursuant to the authority vested in it by State law and Article XIV, Part VI of the La Grange Zoning Code, hereby amends Section 9-104, titled "Buffers and Landscaping," of the La Grange Zoning Code by adding thereto a new Subsection L, as follows:

- L. Driveway Clear Sight 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 three feet above grade within the area of a driveway clear sight area as defined in Section 16-102D of this Code.

Section 5. Amendment of Zoning Code Subsection 11-106M Relating to Residential Real Estate Signs. The Board of Trustees, pursuant to the authority vested in it by State law and Article XIV, Part VI of the La Grange Zoning Code, hereby amends the special regulations applicable to residential real estate signs of the Zoning Code as set forth in Exhibit C attached to this Ordinance and by this reference incorporated into this Ordinance.

Section 6. Amendment of Zoning Code Article XVI Relating to Definitions. The Board of Trustees, pursuant to the authority vested in it by State law and Article XIV, Part VII of the La Grange Zoning Code, hereby amends Section 16-102, titled "Definitions," of the Zoning Code as set forth in Exhibit D attached to this Ordinance and by this reference incorporated into this Ordinance.

Section 7. Effective Date. This Ordinance will be in full force and effect from and after its passage, approval, and publication in pamphlet form in the manner provided by law.

PASSED this \_\_\_\_ day of \_\_\_\_\_ 2010.

AYES:

NAYS:

ABSENT:

APPROVED this \_\_\_\_ day of \_\_\_\_\_ 2010.

\_\_\_\_\_  
Elizabeth Asperger, Village President

ATTEST:

\_\_\_\_\_  
Robert Milne, Village Clerk

EXHIBIT A

TO ORDINANCE NO. \_\_\_\_\_

AMENDMENTS TO SUBSECTION 3-110G

G. Exceptions and Explanatory Notes.

1. 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, (i) with no horizontal element may exceed 6 feet in length and (ii) located at least five feet from front and side lot lines; and

5-A, 12

- (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 for clear sight areas in Subsection 9-104L of this Code; 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 for clear sight areas 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 lot width from any lot

5-A.13

- line, (ii) screened with plant material or a suitable screening wall of all sides on 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, but only in rear yards, 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
- ~~(g)~~ (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 (i) in no event closer than five feet from any front lot line and three feet from any other lot line, and (ii) for ~~time~~ periods not exceeding 10 consecutive days or 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.

EXHIBIT B

TO ORDINANCE NO. \_\_\_\_\_

AMENDMENTS TO VARIOUS PARAGRAPHS OF SUBSECTION 9-101C

5. Gazebos. Gazebos must satisfy all of the following conditions:
- (a) Size. No gazebo in any single family residential district may 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. No gazebo may 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 vertical surface of the gazebo must be at least 50 percent open.
6. Outdoor Kitchens. Outdoor kitchens must satisfy all of the following conditions:
- (a) Height. No outdoor kitchen or any of its structures may exceed eight feet in height, with the exception of a chimney or flue for a wood burning stove, which in no event may exceed 15 feet in height.
  - (b) Setback from Lot Lines. Outdoor kitchens may be located no closer than (i) 10 feet from the rear lot line and (ii) a distance equal to 20 percent of the lot width from any side lot line.
  - (c) Other Standards. Outdoor kitchens must comply with all standards established in Chapter 98 of the La Grange Code of Ordinances.

5-A.16

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:

(e) 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:

(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.

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

(a) Each solar panel must be located so it does not reflect light onto abutting residential lots.

(b) A solar panel may not extend above the peak of the roof to which it is attached.

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

EXHIBIT C

TO ORDINANCE NO. \_\_\_\_\_

AMENDMENTS TO SUBSECTION 11-106M

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 attachable riders allowed up to two additional 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 attachable 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~~10 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~~ Such signs are subject to the limitations within a driveway clear sight area as provided in Subsection 16-102D of this Code.

5-A.18

EXHIBIT D

TO ORDINANCE NO. \_\_\_\_\_

AMENDMENTS TO SECTION 16-102

ARTICLE XVI

USAGE AND DEFINITIONS

16-102 DEFINITIONS

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

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

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

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

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

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

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.

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 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.

5-A.19

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.

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

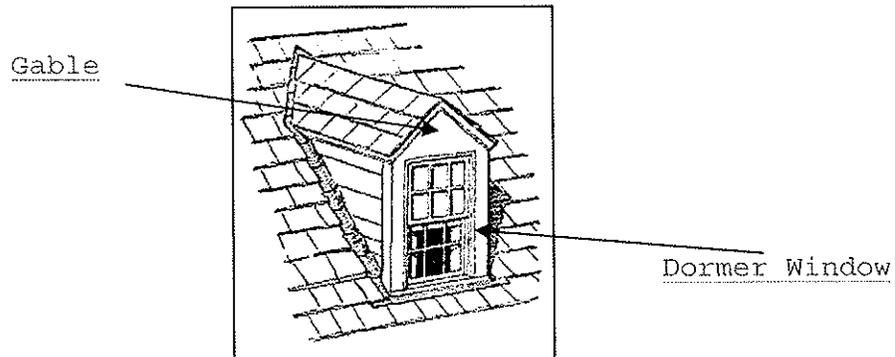
CLEAR SIGHT AREA. An area, as provided in Chapter 1545 of the La Grange Municipal Code of Ordinances, in which the height of structures and vegetation is limited in order to promote visibility at street and driveway intersections.

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

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

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



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.

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

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.

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

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

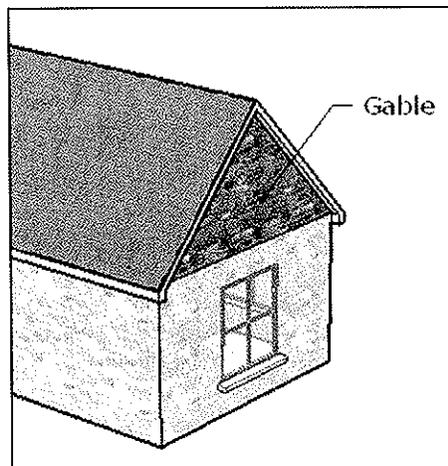
FRONT YARD. See Subsection 16-102Y of this Section for "Yard, Front."

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

- 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



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

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 roof area of all gables exceeds 30 percent of the total roof area of the building.

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

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

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

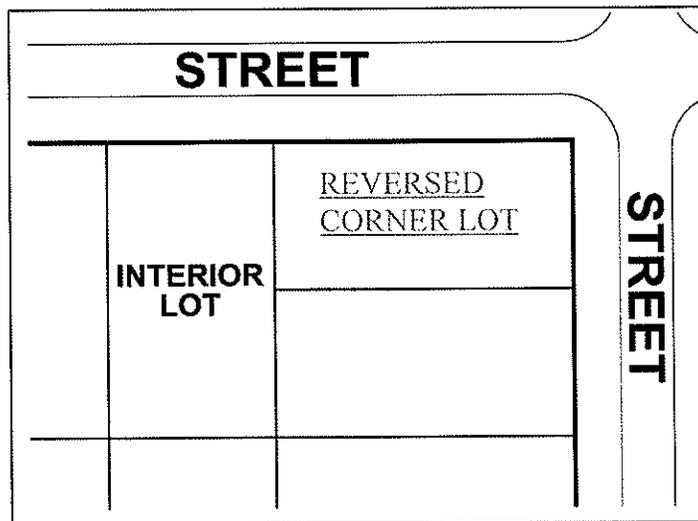
LA GRANGE CODE OF ORDINANCES. The La Grange Code of Ordinances, as amended from time to time. See Subsection 16-102-M for "Municipal Code".

LEGAL NONCONFORMING LOT OF RECORD. See Subsection 16-102N for "Nonconforming Lot of Record, Legal."~~of this Section.~~

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



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

MUNICIPAL CODE. The La Grange Municipal Code of 1996, as amended Ordinances.

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

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 covered by a roof, canopy, or trellis-like latticework; and subject to the limitations of Subsection 9-101C of this Code

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

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 any part of a parking space or driveway.

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.

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.

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

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.

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.

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."

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. The term "solar panel" includes solar thermal collectors. See regulations in Subsection 9-101C of this Code.

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

STRUCTURE, NONCONFORMING. See Subsection 16-102N of this Section for "Structure, Nonconforming."

STRUCTURE, PRINCIPAL. See Subsection 16-102P of this Section for "Structure, Principal."

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 "Arbor."

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

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

USABLE OPEN SPACE. See Subsection 16-10200 of ~~this Section~~ for "Open Space, Usable."

USE, NONCONFORMING. See Subsection 16-102N of ~~this Section~~ for "Nonconforming, Use."

USE, PERMITTED. A use that appears on the permitted use list of a particular zoning district.

USE, PRINCIPAL. See Subsection 16-102P for "Principal Use." of ~~this Section.~~

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

VEHICLE, RECREATIONAL. See Subsection 16-102R of ~~this Section~~ for "Recreational Vehicle."

VILLAGE MANAGER. See Section 31-100 of the La Grange ~~Municipal Code of Ordinances.~~ When used in this Code, the term Village Manager shall refer either to such official or to his or her duly authorized delegate.

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

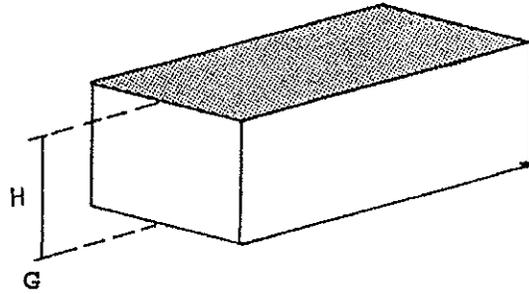
WIDTH OF LOT. See Subsection 16-102L of ~~this Section~~ for "Lot Width."

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

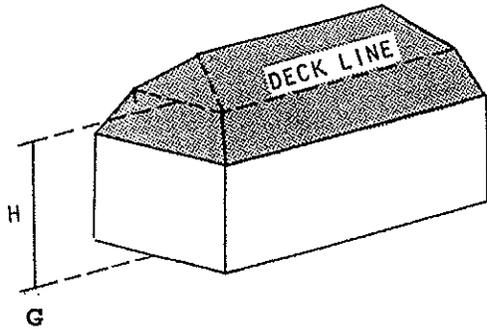
ZONING CLASSIFICATION. See Subsection 16-102C of ~~this Section~~ for "Classification."

APPENDIX A

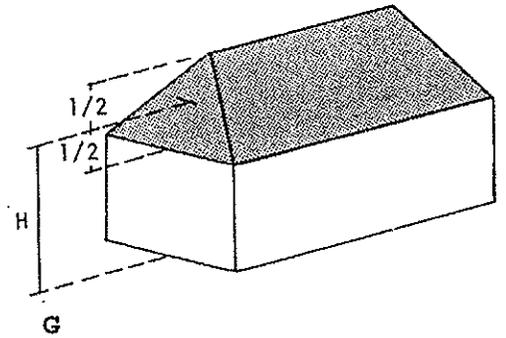
BUILDING HEIGHT



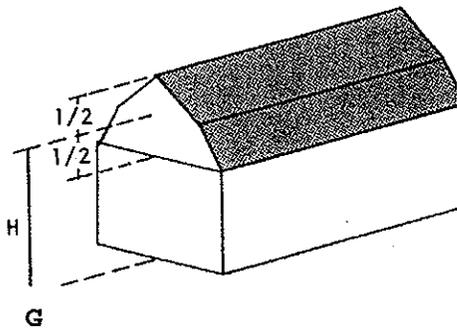
FLAT ROOF



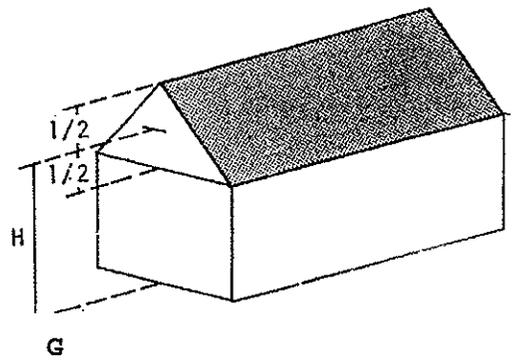
Mansard Roof



Hip Roof



Gambrel Roof

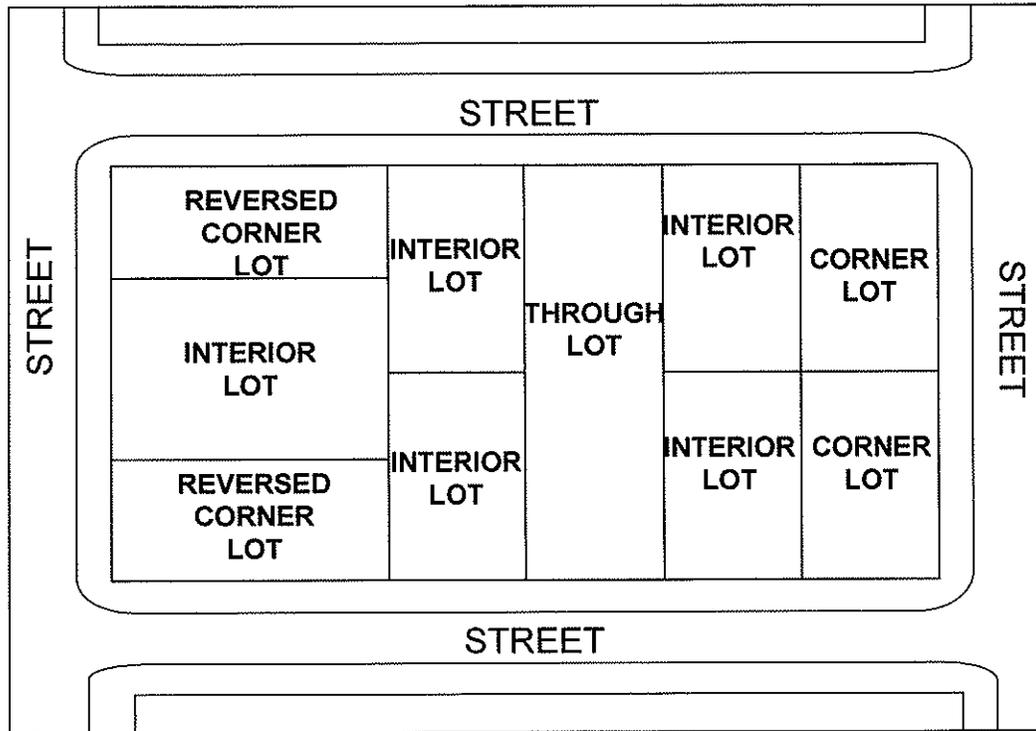


Gable Roof

H = Height  
G = Grade

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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.

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## FINDINGS OF FACT

### PLAN COMMISSION OF THE VILLAGE OF LA GRANGE

President Asperger and  
Board of Trustees

September 14, & November 9, 2010

**RE: PLAN COMMISSION CASE #197-Zoning Code Amendments to single family housing regulations, including permissible encroachments in required yards, accessory structures, real estate signs, commercial vehicle parking and definitions.**

We transmit for your consideration the recommendations adopted by the Plan Commission of the Village of La Grange on amendments related to the single family housing regulations of the Zoning Code.

#### **I. THE APPLICATION**

The Village Staff, with the assistance of Village Attorney Mark Burkland, has reviewed specified structures and uses in required yards, accessory structures, buffers and landscaping, residential real estate signs and definitions. (ZC Sections 3-110G, 9-101, 9-104, 11-106 and 16-102) and recommends amendments to those sections.

#### **II. THE PUBLIC HEARING**

After due notice given in accordance with law, the Plan Commission held a public hearing on September 14, 2010, in the La Grange Village Hall Auditorium. Present were Commissioners Nowak, Pierson, Paice, Reich, Weyrauch, and Williams with Chairman Kardatzke presiding. Also present were Community Development Director Patrick D. Benjamin, Assistant Community Development Director Angela M. Mesaros, Village Attorney Mark Burkland, and Village Trustee Liaison Bill Holder.

Chairman Kardatzke introduced the public hearing process and administered an oath to all persons in attendance who desired to give testimony during the hearing.

- On behalf of the Village, Staff presented proposed amendments to the Zoning Districts related to single family housing. Mr. Benjamin introduced the amendments including the process and staff recommendations. Ms. Mesaros then presented each of the recommendations as outlined in the Staff Memorandum dated September 14, 2010. She stated for each recommendation why the particular addition and/or revisions to the Code would be consistent.

Chairman Kardatzke then offered Commissioners the opportunity to ask questions of the Village representatives about the recommendations.

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- Commissioners Paice asked whether there were Codes in place for height and width of accessibility ramps. Answer: yes, the State regulates this through the Illinois Accessibility Code.
- Commissioners asked about the grade issue with patios. Staff explained that front patios are becoming popular and the Village has no current regulations on the amount of patio space permitted within the required front yard. Commissioner Reich requested a cross reference to the Village's grading and drainage ordinance.
- Commissioners discussed the appropriate time limit on temporary storage containers. They agreed that fifteen days seemed excessive for the amount of time required to move and store items. Staff stated that this recommendation was based on comparison of other communities' standards. Commissioners agreed to further restrict this time limit from 15 to 10 days at any one time, with 30 days total per year remaining in place.
- Commissioners discussed the sight triangle language proposal for hedges. Commissioners expressed a general concern about hedges on corners, sight lines based on the angle of the road, and the variation from intersection to intersection. Attorney Burkland stated that we would prepare language for landscaping as it related to driveway visibility.
- Commissioners discussed decorative columns and sculptures in required yards. Commissioner Weyrauch asked if the Village had an ordinance concerning spill light. Answer: Yes. Commissioner Nowak discussed the possibility of no further limitations on height in rear yards. Commissioners agreed.
- Commissioners discussed the potential for regulating length and width of arbors and trellises. Staff agreed to further analyze this and come back with a recommendation at the next meeting.
- There was general agreement about the proposed increase in the allowable encroachment or entry stairways from 3 feet to 4 feet.
- Commissioners agreed with the proposed recommendation for electrical generators.
- There was no discussion from the audience regarding the recommendations for the specific structures and uses in required yards.
- Accessory Uses and Structures were discussed. Commissioners felt the Village might further limit the height of gazebos - 15 feet might be too high and that we should potentially require that a certain percentage of the sides be open. Limitations based on lot size were also discussed.

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- Commissioners discussed height and location of solar panels. Staff was asked to further analyze this industry and best practices from other communities in order to draft recommendations for the next meeting.
- Commissioners briefly discussed wind turbines. Issues raised included noise and the potential to generate electricity on La Grange's small zoning lots.
- Commissioners agreed with the recommendation to increase the size of identification signs on commercial vehicles.

Chairman Kardatzke opened the public hearing for testimony and questions from all interested members of the audience:

- Kurt Hoigard, 345 S. 6<sup>th</sup> Avenue, commented about solar panels: he believes that the three feet limitation off the roof proposed by staff is good, that these units can be made to track the sun and change position and he also stated that in rural areas, he has seen them seasonally tracking the sun and located in yards. He further stated that regarding commercial identification signs, he believes the standard size is two square feet and would support that proposal. Finally, regarding gazebos, Mr. Hoigard asked the question whether they were not already limited by building coverage.

Following Audience comments, Commissioners asked questions concerning the recommendations for the single family housing standards:

- Chairman Kardatzke asked about potential visibility issues with locating real estate signs closer to the sidewalk than 10 feet. Staff stated that they would be limited by the sight triangle regulations. Commissioner Weyrauch affirmed that she has noticed several signs that do not comply with our current Code.
- Commissioners generally supported the definition for garage height. Staff explained that the dormer discretion has been difficult to regulate in recent years. Commissioner Weyrauch felt the wording as proposed needed clarification.
- Commissioners agreed with the reversed corner definition and directed Staff and the Village Attorney to develop restrictions for accessory uses and structures permitted within the reversed corner yard.
- Commissioners asked that the sight triangle language be revised and an illustration provided.

Chairman Kardatzke opened the public hearing for testimony and questions from the Commissioners regarding definitions.

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- Kurt Hoigard, 345 S. 6<sup>th</sup> Avenue, stated that he lives on a square 150 ft. x150 ft lot and asked in his case which side would be the corner yard, and whether we should consider the direction the house faces.
- Staff introduced three discussion items, including live entertainment in residential districts, outdoor kitchens and garage size and height. Commissioners were generally not in support of the concept of regulating live entertainment nor increasing garage size, however, they directed staff to develop proposed regulations for outdoor kitchens to present at the next meeting.

A motion was made by Commissioner Reich and seconded by Commissioner Nowak that the Plan Commission meeting be continued to November 9, 2010. The Plan Commission recessed at 9:49 p.m.

On November 9, 2010, at 7:30 p.m. the Plan Commission reconvened the hearing in the La Grange Village Hall. Present were Commissioners Nowak, Pierson, Paice, Reich, and Weyrauch with Chairman Kardatzke presiding. Also present were Assistant Community Development Director Angela Mesaros, Mark Burkland, Village Attorney, and Village Trustee Liaison Bill Holder.

Chairman Kardatzke called the meeting to order and introduced the public hearing process, administering oath to all persons in attendance desiring to give testimony during the hearing.

- On behalf of the Village, Staff presented revisions to the proposed amendments based on Commissioner and public comments from the previous hearing. Ms. Mesaros presented each of the revisions as outlined in the Staff Memorandum dated November 9, 2010. Chairman Kardatzke then offered Commissioners the opportunity to ask questions of the Village representatives and allowed public comments on each of the categories.
- Commissioner Reich asked whether or not an existing pergola and courtyard that is flush with the garage and living room in the front of the house on the corner of 41<sup>st</sup> and Drexel would be permitted under the new regulations. Staff answered that they would review the location prior to the Village Board meeting. *Staff has looked at the pergola in question and determined that this structure would not be permitted due to its location within the required corner side yard. This structure could remain as an existing nonconformity with normal repair and maintenance but could not be replaced.*

- Chairman Kardatzke asked about allowing decorative columns in the side yard. Answer: the five feet yard has been established as a protected, open space along the side lot line.
- Commissioner Weyrauch asked how the decorative columns would be supported. Answer: Columns and other similar structures would be reviewed by the building inspector and regulated under the building code.
- Joan Hoigard of 345 S. 6<sup>th</sup> Avenue stated that she feels that the provision for 20% of the lot width from every lot line is not appropriate for the rear setback. She believes that this dimension should be a function of depth rather than width. For example, on her property, which is 150 feet wide, the required setback as proposed for an outdoor kitchen, would be 30 feet off the back lot line, which is the same dimension as the required rear yard of her house. Therefore, outdoor kitchens and the like would be difficult to locate within her back yard. Commissioner Reich stated that he agreed with her comments. Commissioners discussed the general setback requirements for outdoor kitchens and agreed to set a limitation of not more than ten feet from the rear lot line and to keep a standard of 20% lot width from side yards.
- Commissioners discussed the proposed height limitation of 8 feet for outdoor kitchens. Commissioner Reich asked about further limiting the height to 6 feet. Village Trustee Liaison Bill Holder, 611 S. Waiola, stated that he has an outdoor fireplace with a grill that he uses year round. This fireplace has a seat wall that is twenty inches high with a fireplace on top of that, which is four feet tall and a box on top. All of these structures equal about eight feet in total height. It is his opinion that it would be difficult to design such a structure at less than eight or ten feet high, because it is built on top of the seat wall. Commissioner agreed that eight feet seemed like a reasonable height for outdoor kitchens.
- Commissioners discussed the height limitation of 15 feet proposed for chimneys. They expressed concern about smoke blowing towards the neighbors' house second floor window at this height. Commissioners agreed to recommend this height with a note of caution that they would like to see more examples.
- Commissioners discussed standards for solar panels. Without knowing the technology, Commissioners were not certain about the proper height limitation. Based on the belief that most rooftop solar panels are fixed in place and not adjustable, Commissioners agreed that panels should not extend at any point above the roof peaks. Staff agreed to research this issue prior to the Village Board meeting.
- Commissioners agreed and had no changes to the recommended proposed amendments for driveway clear sight area, real estate signs in residential districts, and all new and revised definitions.

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 recommend to the Village Board of Trustees approval of the recommendations as outlined in the Staff Memorandum dated November 9, 2010, with the revisions recommended by the Plan Commission at the November hearing, reflected in the Findings of Fact, and in the proposed adopting Ordinance.

Motion carried by a roll call vote:

AYE: Nowak, Pierson, Paice, Reich, Weyrauch, Williams and Chairman Kardatzke.  
NAY: None.  
ABSENT: Williams.

BE IT THEREFORE RESOLVED that the Plan Commission recommends to the Board of Trustees Approval of the amendments to the Zoning Code regarding residential housing standards as presented and described in Plan Commission Case #197 with the changes recommended by the Plan Commission.

Respectfully Submitted,

PLAN COMMISSION  
OF THE VILLAGE OF LA GRANGE

  
\_\_\_\_\_  
Wayne Kardatzke, Chairman

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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.**

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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. 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.
- *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

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accessory uses and structures discussed in further detail in the next section of this Memorandum.

- 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.
- 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. 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.

**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. 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

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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. 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. 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.

**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.

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**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.)

**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
- Bay Window
- Dormer Window
- Driveway Clear Sight Area
- Eave
- Entry Sidewalk
- Gable
- Gazebo
- Gutter
- Height
- Lot, Reversed Corner
- Outdoor Kitchen

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- Patio
- Pergola
- Public Utility Station
- Seat Wall
- Solar Energy System
- Solar Panel
- Solar Thermal Collector
- Statue
- Temporary Storage Container

#### **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.

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Municipality	Accessibility Ramp	Arbor or Trellis	Electrical Generator	Exterior Stairways	Flagpoles	Outdoor Fireplace
Brookfield	Permitted in front yards					
Clarendon Hills				Stairways in all yards - No more than 4' above grade for the purpose of access; Permanent, non-enclosed entryway in front yds, no more than 12' width, projecting no more than 6' into yd.		
Downers Grove	N/A	Any required yard		All yards - No more than 4' above grade for the purpose of access	all yards	
Elmhurst		All yards - up to max of 16' in length		All yards - unroofed up to 4' above grade necessary for access to permitted building	all yards	
Glen Ellyn	Must be needed to provide access, 4' high or less	All yards - constructed of open material; height - 10' max.; length 20' max total; area - 250 s.f max.	Mechanical Equipment, private - Rear yard only, must be distance equal to 10% of lot width from lot line; all sides visible from public way shall be obscured by plant material or screen wall	Front, corner & rear - must be needed for access to building or lot, not exceed 4' in height	height per zoning lot - special uses, not more than 3 poles	Front & rear, projecting 2' or less into yard, facing lot line
Gurnee		All yards			All yards	
Hillside	Allowed in front yards					

Municipality	Accessibility Ramp	Arbor or Trellis	Electrical Generator	Exterior Stairways	Flagpoles	Outdoor Fireplace
Hinsdale	All Yards	Statuary, arbors, trellises and ornamental light standards - all yards - max. 10' in height	Section 13.5.E - Mechanical equip - rear yards, no closer than 10' from any lot line, SF & 2F are exempt from the screening requirement	All yards -no more than 11' into required setback, no closer than 10' from front or corner side lot line	Freestanding, no more than 4 per lot, 35' in height	Only in rear yard, 10' from any lot line
La Grange Park DRAFT	All Yards	All Yards	Electrical Generator - Only in rear yard, at least 10' from any lot line	Stairways - Rear yard only, no more than 4' into required setback; Steps/stoops in all yards - no more than 10' into required front yd; no more than 3' into side	height - 30', limit 3 per zoning lot	Rear yard only, 10' from any lot line
Lake Zurich		Height of 8 ft. but not in side yards in LP district		Not more than three feet and having a height of four feet or less, but not in any side yard in the LP District,		
Naperville						
Park Ridge	All Yards	Front, corner, & rear yards, at least 50% open, max. 8 ft. height, max. 6 ft. length, and max. 3 ft. depth, not permitted in interior side yards.	Only in rear yard, at least 15' from any lot line, completely screened	Stairways - Rear yard only, no more than 4' into required setback; Open steps/stoop, all yds - no more than 10' into front yd; no more than 3' into side yd, no more than 2' height	40' height, 4 per zoning lot	Rear yard only
River Grove	Allowed in front yards					

Municipality	Accessibility Ramp	Arbor or Trellis	Electrical Generator	Exterior Stairways	Flagpoles	Outdoor Fireplace
Riverside	Only side and rear - with exceptions for front if only location and physical handicap present, max. width of 4', max. distance - 15'	(includes pergolas) Only in side and rear yards - each surface area at least 50% open, 3' min from lot line; freestanding planter boxes - not in front yards	Noise standards: at no point at boundary of res. district can it exceed 55 decibels as meas with a sound level meter.	Open, all yards - no more than 4' into front yard; no more than 3' into side yard - may exceed to meet building code requirements	25' high, 1 in street yard	Only in side and rear yards
Western Springs	All Yards	All yards	Rear yard only, anchored to concrete pad within 5' of principal structure, at least 20' from side lot line; if seen from street, requires screening	All yards - 4 feet or less above grade, necessary for access, to within 6' of lot line		

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Municipality	Ornamental Lighting	Patio (Terrace)	Portable Storage (i.e., PODS)	Water Retention Facility	Wind Turbine	Other
Brookfield			10-day permit			
Clarendon Hills		porches without roofs, decks & patios in rear yards, 7.5' from rear lot line				wing walls - side yards no more than 3'
Downers Grove						
Elmhurst		All yards - unroofed	Such on-site storage containers must be located on a graded surface of concrete, bituminous asphalt or brick pavers. Only two on-site storage containers may be located on the property for a period not to exceed one week in one calendar month for purposes of loading and unloading.			Elements of AC may protrude 4 ft. into front or corner side if screened with hedges or fence not greater than 3 ft. in height
Glen Ellyn		Front, corner and rear - open & uncovered, not over 3' above the avg level of the adjoining ground		Pond - front, corner, rear - 10% of lot width away from lot line, if depth more than 2' must comply w swimming pool regs		
Gurnee	All Yards	Terraces (open) & porches (non-enclosed) 4 ft. into front or side yard, 10 ft into rear yard				Planting boxes in any yard
Hillside			Driveway, rear yard			

Municipality	Ornamental Lighting	Patio (Terrace)	Portable Storage (i.e., PODS)	Water Retention Facility	Wind Turbine	Other
Hinsdale	All yards - max. 10' in height, subject to 13.4 (exterior lighting)	Front - 20' from lot line; Rear - 10' from lot line, must meet min. interior side setback	Front, corner and rear - not more than 30 days in calendar year and not more than 15 consecutive days, located on hard surface.	Rear yard, 10' from any lot line	Only in rear yard (See attached)	
La Grange Park DRAFT	All yards - subject to view obstruction & exterior lighting regulations	Rear only - no more than 5' into required setback	On site mobile storage containers - only on a hard surface, only one at a time, max 16' in length, not more than 15 consecutive days, not more than 2 periods per calendar year, non toxic, nonflammable items, not for business or selling merchandise	Building-mounted - not more than 10' above peak roof height, at least 2' from public walkway, sound regs, color is monochromatic, free-standing only on more than 1.5 acres residential		
Lake Zurich		Terrace - not within 20 feet of any front, corner side, or rear lot line, and not within five feet of any interior side lot line				
Naperville		Unroofed, 5' into required front or corner yard, 10' into required rear yard				
Park Ridge	Max. height 8 ft.	Front, corner and rear - no more than 5' into any required yard, no more than 3' above grade	within driveway or on the street - 24 hours. Not in front, corner side or interior side, except pre-existing driveways or paved surfaces, rear yards - 5 days, screened, 5 ft. from lot line	Rear yard, not for swimming, maximum depth is 3 1/2 feet, max. size single container 100 s.f., multiple containers is 250 s.f.		compost pile - only in rear dog run - rear 5' from lot line; retaining wall - side & rear, 5 ft. from lot line, 2' in height, over 2' Engineer approval
River Grove						

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Municipality	Ornamental Lighting	Patio (Terrace)	Portable Storage (i.e., PODS)	Water Retention Facility	Wind Turbine	Other
Riverside	Lampposts, permanently anchored lawn furniture, decorations -benches, statue, bird baths, sculptures, fountains) All yds - only 1 in street yd; min. 5' from adjoining side lot line, 3' from adjoining rear lot line	All Yards		Side and rear yards- no closer than 5' to lot line;		compost piles, firewood storage, trash receptacles in rear yard, if screen from street in side; lampposts and permanently anchored lawn furniture and decorations (such as benches, statues, birdbaths, sculptures, fountains) subject to view obstruction requirements.
Western Springs		All Yards - open and not over 3 feet above avg. level of adjoining grade				carports, parking and covered parking spaces only in rear yards; columns/pillars - 42" high

Municipality	Total Number per Lot	Height	Distance from Lot Line	Total Square Footage of all combined	Other
Clarendon Hills			Front: 40'; Side: 2 1/2'; Corner: 20% of lot width or 15' whichever greater; Rear: 7 1/2'		
Downers Grove	One detached garage				
Elmhurst		Garage - 21', only hip or gable roofs; for purpose of arch compatibility, gambrel may be permitted if principal has gambrel	Not closer to front lot line than principal dwelling on the lot	Garage - 720 s.f.	Storage space above main story not more than 50% of cubic volume of first floor.
Glen Ellyn		Garage - meas from top of slab at midpoint of front to highest point Gazebo - 15' max above finished grade	Roofed structures - 5% of lot width, no less than 3' from rear and side lot lines, 18' from corner	Garage - 660 s.f.; 750 s.f. in Estate District Gazebo - 250 s.f.; constructed of open sides that may have screens; Pergolas - 250 s.f.	
Gurnee		20 ft., meas. From grade of principal structure	3 ft. from side lot line, 5' from rear lot line,		
Hinsdale		15 ft.	2' from interior or rear lot line, when abuts side yard of adjacent lot, not closer than 6' from that side yard	Total lot coverage - 10%	
La Grange Park DRAFT		Measured from floor to peak of roof, not exceed 10', except detached garages - 16' max. and gazebos - 12' max. height	5' from rear lot line; 3' from interior side, meas from eaves; gazebos - 5'	Not more than 50% of required rear yard; garages- 660 s.f.; gazebo - 120 s.f.	No kitchen, bathroom or sleeping area (only storage); consistency of design
Lake Zurich				Garage - 720 s.f. Storage - 120 s.f.	
Naperville		Max. 18 feet	5' from rear or interior	Cumulative bulk of detached accessory buildings and structures shall have a footprint less than that of principal structure	
Park Ridge	Max. 2, including a detached garage. One gazebo is permitted in addition to the max. two buildings.	(1) Garage - 18' to peak, 10' of sidewall, over 15 feet in height require review and approval by Appearance Commission, all plans must be licensed architect & show evidence of structural integrity (2) Gazebos & Pergolas - 12', platform no higher than 4' above grade	min. 3 ft from rear or side lot line with exceptions: Gazebos & pergolas - 5 ft.	Garage - 720 s.f. Gazebos - 120 s.f. Pergolas - 400 s.f.	(1) distance btw garage & house measured "from the walls of the building" (2) gazebos & pergolas - surfaces at least 25% open
Riverside		Garages - 16' to ridge; 18" in special districts			
Western Springs	One detached garage	14' to midpoint of roof, meas from floor to midpoint of highest roof =dormer (result has been that people take dormers off); "vertical distance from top of floor, slab or existing grade to "point of intersection of 2 roof planes of a mansard" or avg height of highest gable of a pitch or hip roof"	corner lot - not beyond the required front or corner line of either street; reversed corner not beyond front setback of adjoining property; 5' from interior and rear	enclosed access uses no more than 10% of total lot area; all access uses not more than 35% of a required yard	

5-A-5

(3)

Municipality	Visibility across Corners
Elmhurst	In any district no fence, wall, hedge or shrubbery shall be erected, constructed, maintained, or grown to a height exceeding three (3) feet above the street grade nearest thereto, within 30 feet of the intersection of any street lines or of street lines projected. The purpose of this requirement is to provide for visual clearance/traffic safety.
Glen Ellyn	Walls, fences, signs, landscape plant material (excluding grass, ground cover, or other approved ground stabilizing material) and other obstructions shall be prohibited in those portions of a lot: (a) where the vision of drivers or motor vehicles and bicycles, and the safety of pedestrians walking along the sidewalk or street is unreasonably obstructed or interfered with.... Landscape plant materials and trees shall be further restricted in the visibility triangle on corner lots. Shrubs shall be maintained to max. height of 36" and tree branches shall be 8' or higher.
Gurnee	A closed fence or wall, or a hedge limited to 3 ft. in height in location relative to a public or private street, alley, driveway or other means of ingress or egress such that the sight of oncoming vehicular or ped traffic is impaired for users of such ingress and egress
Hinsdale	Notwithstanding any other provision of this section, no landscaping, fencing, or other screening shall be erected or maintained at a height in excess of two and one-half feet (2 1/2') within the area of any sight triangle as defined in title 7, chapter 1, article D of the village code. (just intersections - not interior or corner lots & driveways)
La Grange Park DRAFT	Hedges permitted as encroachments in all yards, but to a maximum height of 3 feet in front and corner yards.
Naperville	The location of buildings, structures and landscaping on corner lots shall be regulated as follows so as not to obstruct the vision of drivers of motor vehicles. No buildings or structures shall be erected or maintained, nor any landscaping planted, grown or maintained within a triangular area determined by a diagonal line connecting two (2) points measured along the property lines of the abutting streets thirty (30) feet equidistant from the intersection of those property lines, so as to obstruct or obscure the vision of drivers of motor vehicles on either or both street(s).
Western Springs	hedges cannot overhang or interfere with ROW; no safety hazard; no hedge which exceeds 42" in height above ground level shall be planted or maintained in the front yard of any residential structure; no hedge which exceeds 42" in height above ground level shall be planted or maintained within 5 feet of the exterior side lot line on corner lots

5-A.47

(4)

<b>Municipality</b>	<b>Solar Panels</b>	<b>Code Section</b>
La Grange Park DRAFT***	Mounted so they cannot be seen from public ROW, except from any alley; mounted at same angle as the roof	12.4 Accessory Structures & Uses
Naperville DRAFT	Building-mounted solar energy systems - not exceed 5' above peak roof height, at least 2' from public walkway	Renewable Energy
Park Ridge	Refers to municode - article 15, chapter 16 - no more than 3' above roof, do not reflect light into neighboring homes, btw visually dominant lines of house/roof, not visible from front of house or street, start at ridge, end at gutter, color should match the roof, design review if stands above the roof surface	11.4 Accessory Buildings, Structures & Uses
Riverside	Mounted so they cannot be seen from public ROW, except from any alley; mounted at same angle as the roof	10-7-3 Accessory Structures and Uses

5-A.48

(5)

Municipality	Residential Real Estate Signs	
	Size	Setback
Brookfield	8 square feet	Private property
Elmhurst	6 square feet	6 feet
Evanston	6 square feet	not located in the public R.O.W.
Glenview	12 square feet	only upon property offered for sale or rent
Glen Ellyn***	6 square feet	entirely upon the property to which the sign applies
Hillside	6 square feet	-
Hinsdale	6 square feet	6 feet
La Grange Park DRAFT***	4 square ft.	10' from side lot line
Lombard	6 square feet	-
North Riverside	3 ft. by 4 ft.	Private property
Oak Park	16 square feet	N/A
River Grove	8 square feet	Not on Village property
Schiller Park	6 square feet	None stated
Western Springs	6 square feet	not closer than 15 feet to any other lot, parcel or tract

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