

PLAN COMMISSION

INTER-DEPARTMENTAL REVIEW COMMITTEE REPORT

Text Amendments – Accessory Structures and Garages

September 20, 2021

Title

PC 21-22

Petitioner

Village of Lombard

Property Location

Village-wide

Approval Sought

The Village requests text amendments to Village Code Section 155.802 to amend the definitions for the terms “Building, detached”, “Garage, private”, and “Shed”; to Section 155.210 relating to bulk requirements and design standards for sheds, detached garages, and other accessory structures; and to Section 155.222 relating to requirements for attached garages projecting in front of detached single-family dwellings.

Prepared By

Anna Papke, AICP
Senior Planner

DESCRIPTION

Staff is in the process of undertaking a series of code amendments for residential accessory structures and garages based upon past observations and changes in the use of such structures on residential properties. These code amendments have components that pertain to the Zoning Ordinance (those pertaining to bulk requirements) and those that pertain to the Building Code (construction elements).

At the August 16, 2021, Plan Commission meeting, the Plan Commission conducted a workshop on the proposed changes that will occur in the Zoning Ordinance. Based on feedback provided by the Plan Commission, staff proposes a series of text amendments to the Zoning Ordinance, presented below.

On August 4, 2021, the Board of Building Appeals considered and recommended approval of the proposed text amendments that will occur in the Building Code. Should the Plan Commission recommend approval of the proposed Zoning Ordinance amendments, both sets of amendments (Zoning and Building) will be forwarded to the Village Board for final consideration on October 21, 2021.

APPROVAL(S) REQUIRED

The petitioner, the Village of Lombard, is requesting the following text amendments to the Lombard Code of Ordinances, Chapter 155 – Zoning Code:

1. Amend Section 155.802 – Rules and definitions, as it relates to definitions for the terms “Building, detached”, “Garage, private”, and “Shed”;
2. Amend Section 155.210 – Accessory uses, activities, buildings, and structures, as it relates to bulk requirements and design standards for sheds, detached garages, and other accessory structures; and
3. Amend Section 155.222 – Attached garage requirements, as it relates to requirements for attached garages projecting in front of detached single-family dwellings.

INTER-DEPARTMENTAL REVIEW

Building Division:

The Building Division has no comments regarding the proposed text amendments to the Village Code.

Fire Department:

The Fire Department has no comments regarding the proposed text amendments to the Village Code.

Private Engineering Services:

Private Engineering Services has the following comment regarding the proposed text amendments to the Village Code:

Private Engineering Services (PES) previously recommended a 10-foot rear yard setback for accessory structures as that would leave enough room in developed areas to place some sort of drainage improvement. If the potential drainage improvement utilized the properties on either side of the rear property line, PES believes that the 6-foot setback as proposed would be sufficient. However, PES notes that the majority of developed areas have fences and overhead utilities located along the rear property line, which makes any rear yard storm sewer difficult. Otherwise, PES notes the proposed six-foot rear yard setback is an improvement over the existing three-foot rear yard setback.

Public Works:

The Department of Public Works has no comments regarding the proposed text amendments to the Village Code.

Planning Services Division:

1. Section 155.802 – Definitions

During review of the Village Code, staff identified several terms that require a new or amended definition within the Zoning Ordinance.

- Staff proposes amending the existing definition of “Garage, private” as follows:

Garage, private: is a detached accessory building or portion of a main building housing the motor vehicles of the occupants of the premises, and accessory storage related to the use of the principal dwelling, and without living space.

The intent of this amendment is to clarify that garages cannot be used for living space, such as an accessory dwelling unit.

- Staff proposes adding new definition for “Shed” as follows:

Shed: A Detached Accessory Structure intended solely for the storage of yard tools and supplies, motorized yard equipment, household items, etc. but not for storing motor vehicles, nor for human occupancy.

The proposed definition differentiates sheds from other types of accessory buildings, thereby allowing the Village to create development regulations specific to sheds (size limitations, design/construction standards). Similar to the proposed amended definition for “Garage, private”, this definition will clarify that sheds cannot be used for living space or vehicle storage.

Staff notes that the proposed definitions will also be referenced in the Building Code for purposes of consistency. Of particular note, construction standards in the Building Code can vary depending on whether or not a building includes occupiable space. The amended definitions will thus clarify the application of development standards within the Zoning Ordinance as well as the application of construction standards within the Building Code.

2. Section 155.210—Bulk requirements and design standards for sheds, detached garages, and other accessory structures

A. Rear Setbacks for Accessory Structures on Residential Lots

Currently, the Zoning Ordinance allows for accessory structures to be three feet off of the rear property line (except in cases where a utility easement is present, as structures with permanent foundations cannot encroach into easements). Staff has observed that the close proximity of larger accessory structures such as garages to rear property lines has created several issues:

- *Proximity to power lines.* Power lines are commonly located along rear property lines, even where formal utility easements are not present. In some cases, property owners might be able to construct a garage or other accessory structure that meets the Village’s height and bulk requirements, only to find that the structure does not meet ComEd’s radial distance requirements from certain types of power lines. An increased rear setback will reduce the likelihood of conflicts between power lines and accessory structures.
- *Drainage.* Under current regulations, accessory structures on adjoining properties can be six feet apart (three-foot setback from either side of the property line). Eaves and gutters are permitted to encroach into the setback, which can result in a separation of three feet or less between the gutters of buildings on adjoining properties. Such proximity has the potential to create drainage concerns, as there is not always adequate space to construct a swale or otherwise direct water from the roof of the building away from the shared property line.

Staff recommends increasing the rear setback requirement for accessory structures in order to limit potential power line conflicts and drainage concerns. Staff initially proposed a 10-foot rear setback to the Plan Commission at the August workshop. Staff noted that a 10-foot rear yard setback would be consistent with the requirement in the Subdivisions and Development Ordinance (Village Code Chapter 154) to dedicate a 10-foot utility easement along the rear of all newly subdivided lots.

During the workshop, the Plan Commission expressed concern that a 10-foot rear setback for accessory structures may unfairly limit the use and enjoyment of the rear yard of a residential property, and could also reduce maneuvering area between houses and detached garages.

In consideration of the feedback from the Plan Commission, staff now proposes a six-foot rear yard setback for accessory structures, as shown in Figure 1. Staff believes this will allow for adequate separation between structures on adjacent property to address drainage concerns, as shown in Figure 2, while also limiting potential conflicts with overhead power lines. Staff notes that on lots with platted 10-foot utility easements along the rear property line, all accessory structures on permanent foundations will still need to remain outside the easement.

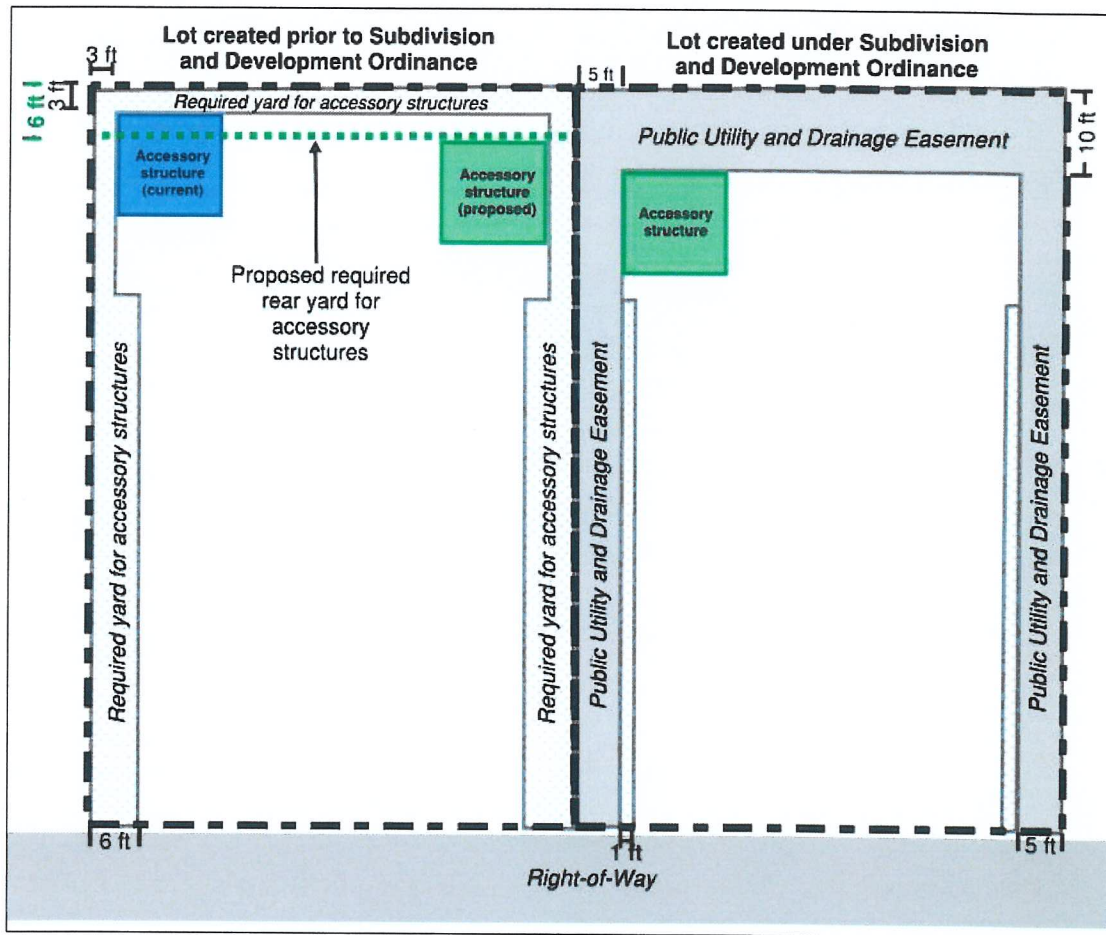


Figure 1. Current and proposed setbacks for accessory structures.

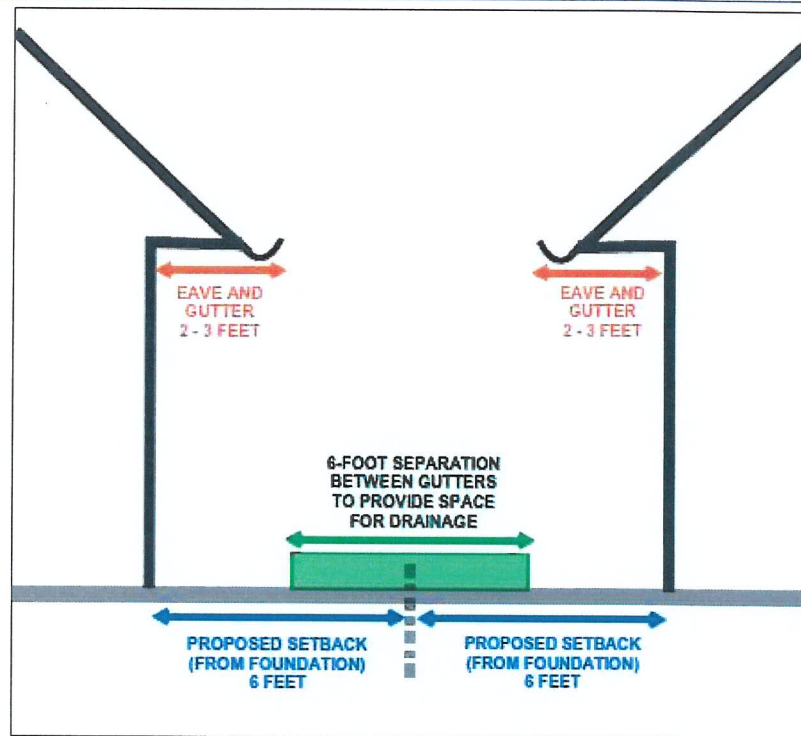


Figure 2. Separation between accessory structures on adjacent lots, as proposed.

B. Bulk Requirements for Sheds

Currently, shed are subject to the general accessory structure regulations within Chapter 155. Existing regulations include parameters limiting the height of accessory structures and limiting the overall footprint of accessory structures relative to the footprint of the principal structure on the property.

Staff recognizes that sheds are a unique structure in that they are intended to be small buildings serving as ancillary storage for tools, lawn equipment, and household items. Accordingly, staff proposes the Village adopt bulk regulations that address sheds specifically (below). The general intent of the regulations is to ensure that sheds remain an ancillary use, with limits on the size and number of sheds permitted. The Plan Commission reviewed these standards at the August 2021 workshop and signaled conceptual support for them.

Sheds shall be subject to the following provisions:

- a. The gross floor area of a shed shall not exceed 200 square feet
- b. Door openings for a shed shall not exceed six (6) feet in width, as measured from the interior of the door frame (otherwise it is deemed to be a garage)
- c. No more than two unattached sheds shall be allowed on a lot
- d. If the structure does not meet the provisions set forth within this subsection, it shall be deemed to be a detached building or a garage, and shall be subject to the conditions set forth within this section as well as Chapter 150.

C. Design Standards for Accessory Structures on Residential Lots

The Village Code currently does not contain any design standards for accessory structures. However, staff is aware that some materials or design techniques commonly applied in construction of accessory structures, such as pre-fabricated metal-sided buildings or Quonset huts, may present aesthetic incompatibilities in residential neighborhoods. During the August Plan Commission workshop, staff sought feedback from the Plan Commission regarding the desirability of adopting design standards for these buildings. The Plan Commissioners indicated support for basic design standards to ensure compatibility of accessory structures with single-family residential neighborhoods.

Accordingly, staff proposes design guidelines that prohibit construction of Quonset huts and pre-fabricated metal-sided buildings as detached garages and detached accessory buildings in residential districts. These design standards would not apply to sheds, as defined and regulated per the proposed text amendments. Given the proposed limits to the size and number of sheds on a single property, staff believes it is not necessary to regulate their design. Staff further recognizes that property owners may appreciate flexibility in material and design choices for sheds, which are commonly constructed by homeowners using pre-fabricated building kits purchased from home improvement stores.

3. Section 155.222 – Attached garage requirements (detached single-family dwellings)

A 2008 Code amendment created design standards for attached garages to limit the aesthetic impact of “snout-nosed” garages. Currently, Chapter 155 states that no more than 500 square feet of floor area devoted to an attached garage may project in front of the remainder of the street-facing façade of a house. This regulation allows for a two-car garage (approximately 440 square feet) to project in front of the house, but prohibits three-car garages (approximately 660 square feet) from projecting in front of the house (Figure 3). In an effort to build three-car attached garages, some property owners have constructed houses with second-story living space over the garage. This tactic effectively brings the front façade of the house forward for purposes of measuring the garage projection. See Figure 4.

Staff has received feedback from local property owners and home builders indicating that the market demand for three-car garages is strong. This consumer preference has resulted in the construction of unneeded living space and visual bulk above the garage in order to comply with the current regulation. In response to this feedback, staff introduced the possibility of amending the attached garage regulations to allow for larger attached garages to project in front of the house. The Plan Commission signaled support for this amendment at the August 2021 workshop.



Figure 3. Currently prohibited; proposed amendment would permit.



Figure 4. Currently permitted.

Staff notes the proposed amendment will allow for the construction of three-car side-loaded attached garages on the front of a house. Under most circumstances, the amended regulation will not allow for a three-car front-loaded garage, as a current code provision that limits the width of front-facing garage doors to no more than 16 feet or 42% of the front façade will remain in place. Finally, at the suggestion of the Plan Commission, the amended regulations will call for the garage to be architecturally integrated into the overall façade of the house through the use of dormers, windows and accent materials on the street-facing garage elevation.

EXISTING & PROPOSED REGULATIONS

Staff proposes the following text amendments. Additions are denoted by **bold and underline**. Deletions are denoted by a ~~striketrough~~.

§ 155.802 – Rules and definitions.

Garage, private: is a detached accessory building or portion of a main building housing the **motor vehicles** of the occupants of the premises, and accessory storage related to the use of the principal dwelling, **and without living space.**

Shed: A Detached Accessory Structure intended solely for the storage of yard tools and supplies, motorized yard equipment, household items, etc. but not for storing motor vehicles, nor for human occupancy.

§ 155.210 - Accessory uses, activities, buildings, and structures.

(B) *Restrictions in residential districts.* The controls over accessory structures and uses described below shall apply only to residential districts.

(1) *Maximum area.*

- (a) *General requirements.* A single accessory building in a residential district shall not occupy more than ten percent of the zoning lot. The combined area of all accessory buildings shall not exceed the total ground floor area of the principal residence.
- (b) *Detached garages.* In addition to the provisions expressed in subsection 155.210(B)(1)(a) above, no building footprint of a detached garage shall exceed 1,000 square feet in area on a lot within a R0, R1 or R2 Single-Family Residential District.

(2) *Yard requirements.*

- (a) *General requirements.* In all residential districts (R0 through R6), accessory structures shall be set back a minimum of ~~three~~ **six** feet from the rear property line and, if the entire structure is located in the rear 25 percent of the lot, accessory structures shall be set back a minimum of three feet from an interior side property line. If any portion of the accessory structure is not located within the rear 25 percent, then a minimum of six-foot setback from the interior side property line must be maintained.

- (b) *Detached garages.* In all residential districts (R0 through R6), detached garages shall be set back a minimum of ~~three~~ **six** feet from the rear property line. Detached garages shall be set back a minimum of three feet from the interior side property line and a minimum of 12 feet from the principal structure on any adjoining lot.

(3) *Restrictions on reversed corner lots.*

- (a) On a reversed corner lot, within 15 feet of the rear lot line of said reverse corner lot, no accessory building, or portion thereof, shall be located closer to the side lot line abutting the street than the required front yard of the lot abutting the rear lot line of said reverse corner lot.
- (b) In the above instance, no accessory buildings shall be located within six feet of any part of a rear lot line.

(4) *Design standards for detached garages and detached accessory buildings.*

(a) Quonset huts shall be prohibited as detached garages and detached accessory buildings.

(b) Pre-fabricated metal-sided buildings shall be prohibited as detached garages and detached accessory buildings.

(c) These design standards shall not apply to sheds as defined in subsection 155.802 and regulated in subsection 155.210(D)(10).

(D) *Regulation of specific accessory uses.* The regulations which control the location and operation of specific accessory uses are set forth below. Where these regulations conflict with other provisions of this subsection, these regulations shall apply.

(10) *Sheds.* Sheds shall be subject to the following provisions:

(a) The gross floor area of a shed shall not exceed 200 square feet.

(b) The vertical distance measured from the average grade to the highest point on the roof or parapet for any shed shall not exceed 12 feet.

(c) Door openings for a shed shall not exceed six (6) feet in width, as measured from the interior of the door frame (otherwise it is deemed to be a garage).

(d) No more than two unattached sheds shall be allowed on a lot.

(e) If the structure does not meet the provisions set forth within this subsection, it shall be deemed to be a detached building or a garage, and shall be subject to the conditions set forth within this section as well as Chapter 150.

§ 155.222 - Attached garage requirements.

The following regulations shall apply to all detached single-family dwellings:

(A) *Front entry garages allowed provided.*

(1) No garage door or doors in combination shall exceed the greater of 16 feet or 42 percent of the street-facing façade.

~~(2) For the interior garage portion of the street-facing façade, no more than 500 square feet shall be permitted to extend beyond the remainder of the street-facing façade.~~

(2) The total length of the street-facing façade, including the garage-portion must be architecturally integrated through the use of dormers, windows, continuing rooflines, eaves and/or accent materials.

(B) *Side/rear entry garages.* When the garage doors do not directly face a right-of-way, the following standards shall be met.

~~(1) For the interior garage portion of the street-facing façade, no more than 500 square feet shall be permitted to extend beyond the remainder of the street-facing façade.~~

~~(2)~~ (1) The total length of the street-facing façade, including the garage-portion must be architecturally integrated through the use of dormers, windows, continuing rooflines, eaves and/or accent materials.

(C) *Corner lots.*

(1) If the garage doors are located on the street-facing façade that faces the front property line (as defined in § 155.802 as lot line, front), front entry garage requirements shall be met.

(2) If the garage doors are located on the street-facing façade that faces the corner side lot line, side/rear entry garage requirements shall be met.

STANDARDS FOR TEXT AMENDMENTS

For any change to the Village Code, the standards for text amendments must be affirmed. The standards are noted below:

1. *The degree to which the proposed amendment has general applicability within the Village at large and not intended to benefit specific property;*

The text amendments to Section 155.802 and Section 155.210 will be applicable to all properties within the Village.

The text amendment to Section 155.222 will be applicable to all detached single-family dwellings within the Village.

2. *The consistency of the proposed amendment with the objectives of this ordinance and the intent of the applicable zoning district regulations;*

The proposed text amendments are consistent with the objectives of the Village Code.

3. *The degree to which the proposed amendment would create nonconformity;*

Staff anticipates that the text amendments to Section 155.210 will result in some existing accessory structures becoming nonconforming. Nonconforming development is subject to the provisions of Chapter 155, Article IV of Village Code.

The text amendments to Sections 155.802 and 155.222 are not expected to create nonconformities.

4. *The degree to which the proposed amendment would make this ordinance more permissive;*

The proposed amendments to Section 155.210 will create additional development regulations for accessory structures, particularly for sheds.

The proposed amendment to Section 155.222 will be more permissive than the current Code with respect to attached garages.

5. *The consistency of the proposed amendment with the Comprehensive Plan; and*

Staff finds that the proposed amendments would be consistent with the Comprehensive Plan.

6. *The degree to which the proposed amendment is consistent with village policy as established in previous rulings on petitions involving similar circumstances.*

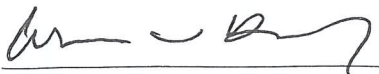
The Village has a history of amending the Village Code to address changing circumstances or policy priorities. The proposed amendments are consistent with established Village policy in this regard.

FINDING & RECOMMENDATIONS

Based on the above findings, the Inter-Departmental Review Committee has reviewed the petition and finds that it meets the standards required by the Village Code. As such, the Inter-Departmental Review Committee recommends that the Plan Commission make the following motion recommending approval of this petition:

Based on the submitted petition and the testimony presented, the requested text amendments **comply** with the standards required by the Village of Lombard Zoning Ordinance; and, therefore, I move that the Plan Commission accept the findings and recommendations of the Inter-Departmental Report as the findings of the Plan Commission and I recommend to the Corporate Authorities **approval** of PC 21-22.

Inter-Departmental Review Committee Report approved by:



William J. Heniff, AICP
Director of Community Development