

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.

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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

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- (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

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- 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.

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.

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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.

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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:

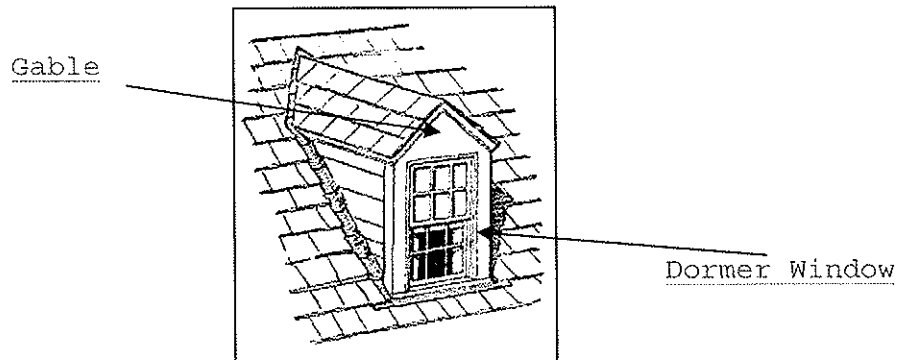
CLEAR SIGHT AREA. An area, as provided in Chapter 1545 of the La Grange Municipal Code of Ordinances, in which the height of structures and vegetation is limited in order to promote visibility at street and driveway intersections.

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."

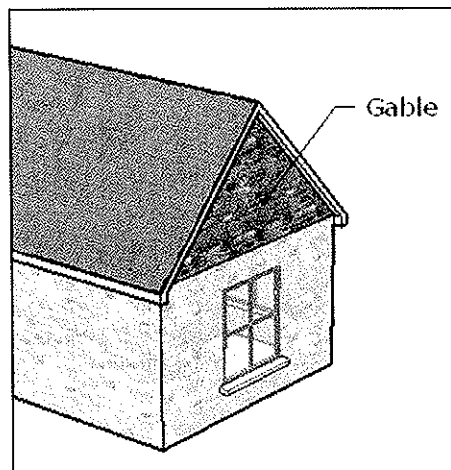
FRONT YARD. See Subsection 16-102Y of this Section for "Yard, Front."

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:

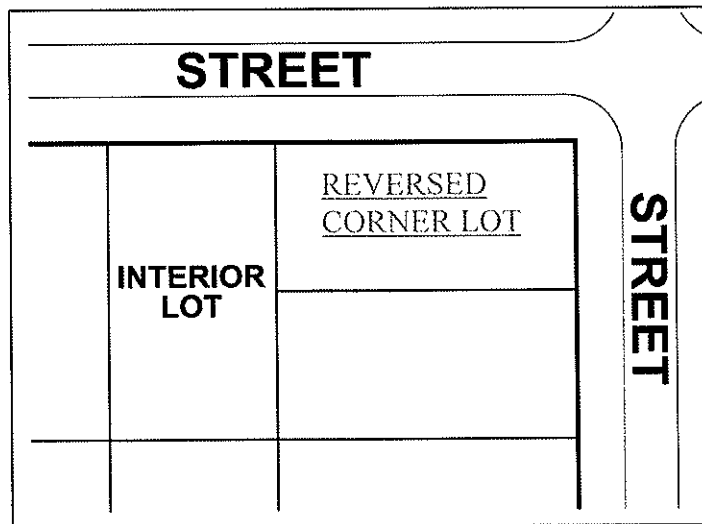
LA GRANGE CODE OF ORDINANCES. The La Grange Code of Ordinances, as amended from time to time. See Subsection 16-102-M for "Municipal Code".

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:

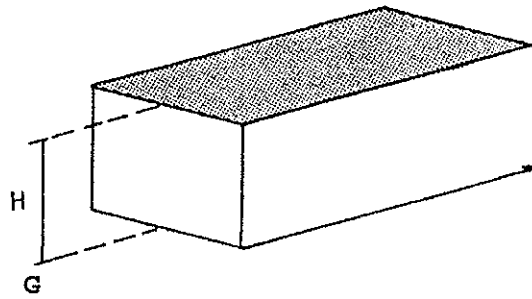
WIDTH OF LOT. See Subsection 16-102L of ~~this Section~~ for "Lot Width."

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

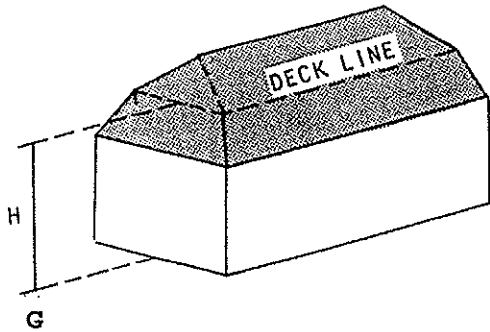
ZONING CLASSIFICATION. See Subsection 16-102C of ~~this Section~~ for "Classification."

APPENDIX A

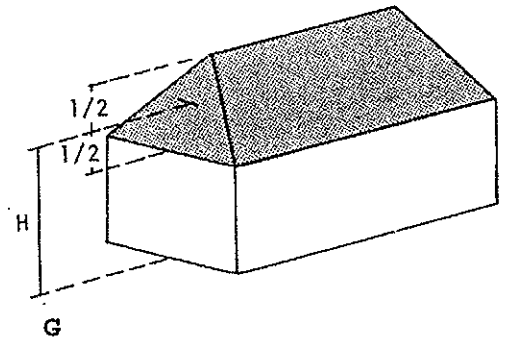
BUILDING HEIGHT



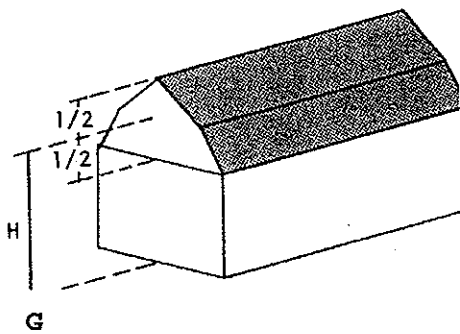
FLAT ROOF



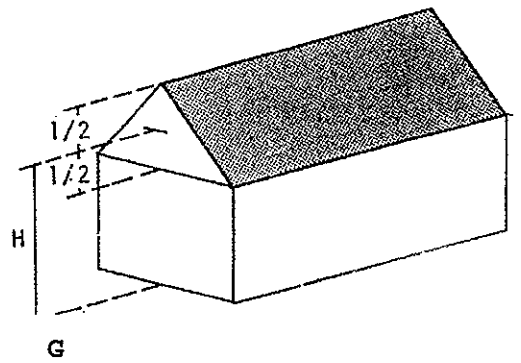
Mansard Roof



Hip Roof



Gambrel Roof

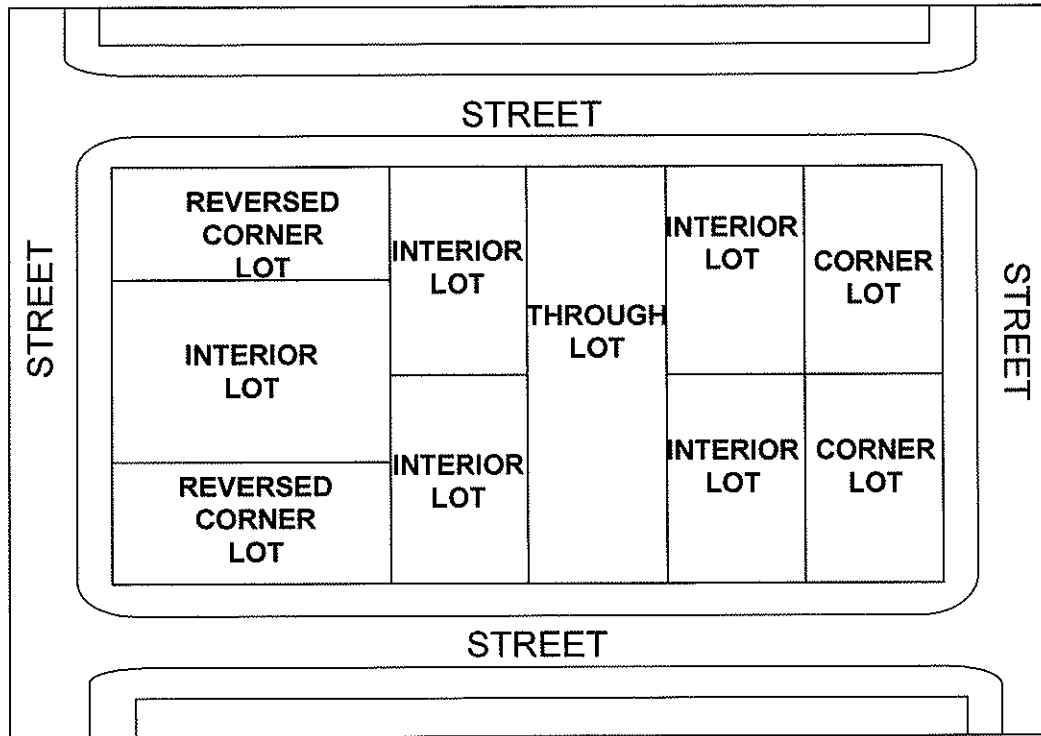


Gable Roof

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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