

Memo

To: Plan Commission, Village Board

Fr: Trevor Fuller, Planning and Zoning Administrator

Re: SCHEDULE PUBLIC HEARING FOR AMENDMENT TO ARTICLE III, DISTRICT REGULATIONS, OF CHAPTER 475 OF THE VILLAGE ORDINANCES (§ 475-14C(2)(a) – Side yards in “A” Residence Districts)

Date: 12 December 2019

An amendment to section 475-14C(2)(a) of the village zoning ordinance relating to side yard setbacks in the “A” Residence District is being requested. The amendment is a change being proposed by the zoning consultants in the initial public draft of the zoning code rewrite. The amendment is asked to be adopted prior to the rest of the proposed zoning code changes to allow for all new homes planned for 2020 to have similar side yard setbacks.

The original intent of the language was likely to promote the sense of open space between homes in the village. However, the village Comprehensive Plan (amended in 2015) calls for Traditional Neighborhood Development concepts, which promotes smaller front and side yard setbacks.

The proposed amendment strikes the language which requires larger setbacks for larger homes, as highlighted below.

Section 475-14C(2) Side yards.

- (a) Every lot in an "A" Residence District shall have two side yards, one on each side of the principal structure. Neither of such side yards shall be less than six feet in width and the total width of such two side yards shall not be less than 14 feet; provided further, however, that for any principal structure which exceeds 35 feet or two stories in height, or 60 feet in length or width, neither of such side yards shall be less than 10 feet in width.*
- (b) Detached accessory buildings shall not project to within four feet of any side lot line.*
- (c) For any lot having a width of less than 50 feet and which is of public record at the time of the adoption of this chapter, the required total width of the two side yards shall be that heretofore prescribed less two feet for each foot said lot is less than 50 feet in width, and provided further that no side yard shall be less than four feet in width.*
- (d) The side yard regulations in Subsection C(2)(a) and (b) of this section shall apply to all lots except corner lots. The side yard on the street side of a corner lot shall have a width not less than 50% of the front yard depth required on the lots in the rear of such corner lot. No accessory building on a corner lot shall project beyond the front building line of the lots to the rear.*

The Building Inspector and other applicable staff have reviewed the proposed changes. Staff recommends adopting the proposed amendment.

Plan Commission reviewed the proposed amendment to section 475-14C(2)(a) at the December 16, 2019 meeting. **The Village Board is asked whether or not to schedule a public hearing and take future action.** If the recommendation is to adopt as presented or adopt with changes, a public hearing will be scheduled and the amendment will be presented in ordinance form at that time. The earliest date for a public hearing would be January 7, 2020.