



Village of Hanover Park Administration

Municipal Building
2121 Lake Street
Hanover Park, IL 60133-4398

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www.hpil.org

PRESIDENT
RODNEY S. CRAIG

VILLAGE CLERK
EIRA CORRAL

TRUSTEES
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JAMES KEMPER
JENNI KONSTANZER
JON KUNKEL
RICK ROBERTS
EDWARD J. ZIMEL, JR.

VILLAGE MANAGER
JULIANA A. MALLER

VILLAGE OF HANOVER PARK DEVELOPMENT COMMISSION SPECIAL MEETING

**Municipal Building, Room 214
Hanover Park, IL**

**Thursday, August 14, 2014
7:00 p.m.**

AGENDA

1. **CALL TO ORDER: ROLL CALL**
2. **PLEDGE OF ALLEGIANCE:**
3. **ACCEPTANCE OF AGENDA:**
4. **PRESENTATIONS/REPORTS:** None.
5. **APPROVAL OF MINUTES:**
 - 5-a. Regular meeting Minutes of July 17, 2014.
6. **ACTION ITEMS:**
 - 6-a. **Public Hearing:** to consider major and comprehensive Text Amendments to the following Section of the Village of Hanover Park Zoning Ordinance:
 - i. Section 110-6.6 – Accessory Uses and Structures
 - ii. Section 110-6.7 – Temporary Uses and Structures
 - iii. Section 110-6.8 – New Lighting Regulations
7. **TOWNHALL SESSION:**

Persons wishing to address the public body must register prior to Call to Order. Please note that public comment is limited to 5 minutes per speaker.
8. **OLD BUSINESS (NON-ACTION ITEMS):** None.
9. **NEW BUSINESS (NON-ACTION ITEMS):**
 - 9-a. Community Development Update.
10. **ADJOURNMENT:**



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VILLAGE OF HANOVER PARK DEVELOPMENT COMMISSION SPECIAL MEETING

**Municipal Building, Room 214
Hanover Park, IL**

Tuesday, July 17, 2014

7:00 p.m.

MINUTES

1. CALL TO ORDER: ROLL CALL

Chairperson Wachsmuth called meeting to order at 7:07 p.m.

PRESENT: Commissioners: James Aird, Arthur Berthelot, Mark Mercier,
Gary Rasmussen, Patrick Watkins, Katie
Ruder, Chairperson Virginia Wachsmuth

ABSENT: Commissioners: Scot Neil

ALSO PRESENT: Village Planner Katie Bowman, Intern Robert
Delfin, Chief of Inspectional Services Ann
Marie Hess, Auxiliary Member Parthiv Patel

2. PLEDGE OF ALLEGIANCE:

3. ACCEPTANCE OF AGENDA:

Motion by Commissioner Berthelot, seconded by Commissioner Watkins.

Voice Vote:

All AYES.

Motion Carried: Agenda Accepted.

4. PRESENTATIONS/REPORTS: None.

5. APPROVAL OF MINUTES:

5-a. Regular meeting Minutes of June 17, 2014.

Motion by Commissioner Watkins to approve the Minutes of June 17, 2014, seconded by
Commissioner Berthelot.

Voice Vote:

All AYES.

Motion Carried: Approved the Minutes of June 17, 2014.

6. ACTION ITEMS:

6-a. Public Hearing: to consider major and comprehensive Text Amendments to the following Section of the Village of Hanover Park Zoning Ordinance:

- i. Section 110-6.3 Landscaping, Buffering, and Screening

Chairperson Wachsmuth: Entertains a motion to Open the Public Hearing. Motion by Commissioner Berthelot to open the Public Hearing, seconded by Commissioner Watkins.

Voice Vote:

All AYES.

Motion Carried: Public Hearing Opened.

Village Planner Katie Bowman presents to the Commission updates since the last meeting. Staff proposes to incorporate changes to individual sections of the Municipal Code rather than all together as a new Unified Development Ordinance at this time.

Updates to the Landscaping Regulations have been developed based upon additional research and consultation with the Village Attorney and include some consolidation of requirements, removal of redundant or unneeded language, clarification of definitions, and updates based upon legal considerations. Additionally, the numbering of such sections has been changed to correlate with the current Zoning Ordinance.

The Public Notice was published in the *Daily Herald* on July 2, 2014.

Village Planner Bowman then presents a summary of the text amendments before the Commission, with questions and comments throughout.

Commissioner Berthelot questioned the reference to site plan review in Section 6.3.2.c.

Chairperson Wachsmuth confirmed that electronic submission was included in Landscape Plan Requirements found in 6.3.4.

Chairperson Berthelot suggested the need in 6.3.4.a for the Title Block to contain both “date” and any “dates of revision.”

Commissioner Mercier clarified that the term “date” referred to the date of the original plan.

Chairperson Wachsmuth asked for further clarification of language in Sections 6.3.5.d. and 6.3.5.e. related to planting within the sight triangle and foundation plantings.

Commissioner Berthelot questioned if stone should be considered impervious material in Section 6.3.7.a and suggested updated language. Asked for further clarification of what is counted in the interior landscaping requirements found in 6.3.7.b.

Chairperson Wachsmuth questioned if Section 3.1.10.a. addresses concerns of maintenance of overgrowing vegetation to avoid obscuring signs.

Commissioner Mercier confirmed that regulations for an administrative variance for landscaping in Section 6.3.12 are the same as in those proposed in the variance section of the Code.

Chairperson Wachsmuth entertained a motion to close the Public Hearing. Motion by Commissioner Berthelot, seconded by Commissioner Rasmussen.

Voice Vote:

All AYES.

Motion Carried: Public Hearing Closed.

Village Planner Bowman presents the Draft Findings of Facts and recommendations to the Commission.

Chairperson Wachsmuth entertained a Motion to approve the Draft Findings of Facts. Motion by Commissioner Berthelot, seconded by Commissioner Rasmussen.

Roll Call Vote:

AYES:	Commissioners:	Aird, Berthelot, Mercier, Rasmussen, Ruder Watkins, Chairperson Wachsmuth
NAYS:	Commissioner:	None
ABSENT:	Commissioners:	Neil

Motion Carried: Approved the Draft Findings of Facts.

Chairperson Wachsmuth entertained a Motion to recommend approval of major and comprehensive Text Amendments to Chapter 110, Article VI, Section 110-6.3, Landscaping, Buffering and Screening, of the Village of Hanover Park Zoning Ordinance and forward to the Village Board for their consideration.

Motion by Commissioner Berthelot to approve major and comprehensive Text Amendments to Chapter 110, Article VI, Section 110-6.3, Landscaping, Buffering and

Screening, of the Village of Hanover Park Zoning Ordinance and forward to the Village Board for their consideration, seconded by Commissioner Watkins.

Roll Call Vote:

AYES:	Commissioners:	Aird, Berthelot, Mercier, Rasmussen, Ruder Watkins, Chairperson Wachsmuth
NAYS:	Commissioner:	None
ABSENT:	Commissioners:	Neil

Motion Carried: Approved.

7. **TOWNHALL SESSION:** None.

8. **OLD BUSINESS (NON-ACTION ITEMS):** None.

9. **NEW BUSINESS (NON-ACTION ITEMS):**

9-a. Village Planner Bowman

1. **New Auxiliary Member of Development Commission** – Parthiv Patel was introduced as the new Auxiliary Member of the Development Commission.
2. **September Development Commission Meeting** – Due to the rescheduling of the Village Board Meeting, the September Development Commission Meeting will be held on Wednesday, September 10th.
3. **French Market** – The French Market continues to be open, with a new craft vendor joining on Friday.
4. **Hanover Park Education & Work Center** – The Center will open officially on Thursday, August 21st, with a ribbon cutting ceremony taking place at 5:30PM. The Development Commission was invited to attend opening.
5. **CMAP Grant** – A CMAP Grant was granted to a conduct a housing study with Hanover Park and other nearby municipalities. The Development Commission was invited to get involved and take part in any public participation that takes place.
6. **Regulations on Alternative Financial Institutions** – Staff will be proposing a moratorium on additional alternative financial institutions in Hanover Park at the July 24th Village Board Meeting while they research and put together regulations for said institutions. The moratorium will be proposed to be up to nine months, with a public hearing held by the Development Commission regarding regulations to take place six months after the moratorium takes effect.

9-b. Commissioner Berthelot asked about who is responsible for parkway trees that may be obstructing view of public safety signage. Staff will provide additional information on parkway trees at an upcoming meeting.

10. ADJOURNMENT:

Motion by Commissioner Berthelot, seconded by Commissioner Rasmussen.

Voice Vote:

All AYES.

Motion Carried: Meeting adjourned at 8:09 p.m.

Recorded and Transcribed by:

Katie Bowman, Village Planner
this 17th day of July, 2014

Virginia Wachsmuth, Chairperson



Village of Hanover Park
Community Development Department

INTEROFFICE MEMORANDUM

TO: Chairman Wachsmuth and members of the Development Commission

FROM: Katie Bowman, Village Planner

SUBJECT: **Public Hearing for Accessory Uses & Structures, Temporary Uses & Structures, and Lighting Regulations**

ACTION REQUESTED: Approval Disapproval Information

MEETING DATE: **August 14, 2014**

Request Summary

Hold a public hearing to review final draft of updated Accessory Uses & Structures, Temporary Uses & Structures, and new Lighting Regulations and provide a recommendation to the Village Board regarding adoption.

Background

On December 12, 2013, the Development Commission reviewed recommended changes to Adverse Impact Performance Standards, Accessory Uses & Structures, Temporary Uses & Structures, and Lighting Regulations as a part of the finalization of recommended changes to the Zoning, Sign, and Subdivision Ordinances, and incorporation of such changes into a Unified Development Ordinance.

Prior to the creation of a new Unified Development Ordinance, Staff proposes to incorporate changes to individual development regulations into the existing Municipal Code (Zoning, Sign, and Subdivision). Such process will allow for regulations to become applicable as they are finalized and approved, rather than waiting until all sections are finalized for approval.

Discussion

Following Development Commission discussions, additional updates have been made to the Accessory Uses & Structures, Temporary Uses & Structures, and Lighting Regulations. These updates have been developed based upon additional research and consultation with the Village Attorney and include updates based upon legal consideration, further clarification of requirements, and removal of redundant or unnecessary language. The changes also incorporate feedback from staff at a Development Review Committee (DRC) meeting on practical considerations for implementation of the regulations with regards to local conditions and other sections of the Municipal Code.

As with previous sections, the numbering and organization of such sections has been changed to correlate with the current Zoning Ordinance. Major updates that include changes to content are outlined below and with full updates included in the attached ordinances.

Following consultation with the Village Attorney, Staff does not recommend that updates to the Adverse Impact Performance (Environmental) Standards be adopted at this time. The drafted regulations brought to the Development Commission with the other sections in December 2013 were substantially the same as those in the existing code, with most changes related to formatting. Staff is not aware of any major issues related to industrial nuisances or emissions that may not be adequately addressed through the current code. The ongoing operation of such businesses is also regulated by applicable Building, Fire, and Health Codes. If it is determined that additional updates to this section are needed, they may be brought forward at a later date.

Accessory Uses & Structures – Section 110-6.6

- While accessory uses, accessory structures, driveways, and fences were originally proposed to be located within separated sections, they are now two parts of one section to correlate with the current code.
- 6.6.1.b – Accessory Uses in Residential Districts – Regulations for horse stables and hobby kennels moved from the accessory structures section and regulations for rabbitry, which is a permitted business permit, also added.
- 6.6.1.c – Accessory Uses in Nonresidential Districts – Clarification provided as to which uses are permitted in industrial and business districts. Parameters added to clarify when outdoor restaurant seating is permitted.
- 6.6.1.d – Home Occupations – Restriction on auto repair shops at residences added, based upon Police and Code Enforcement recommendation.
- 6.6.2.a.1.a – Reference to table of permitted accessory buildings, structures, and uses in required yards in the Bulk Regulations section, which provides specific parameters for a number of structures, including size, height, and which yard they are permitted in.
- 6.6.2.a.2 – Clarification that accessory structures are permitted in all industrial districts.
- 6.6.2.b – Accessory Structures in Residential Districts – Regulations for structures related to telecommunications moved to separate sub-section for clarity.
- 6.6.2.c – Driveways – Updates to wording added for clarity. Provision for 10 feet of drive for each additional garage space and for ‘swing outs’ updated to correlate with current code, with such expansions permitted only if property is within coverage limitations.
- 6.6.2.d.6 – Required Fences for Swimming Pools – Based upon discussions with Building Official and review of comparable codes, specific regulations for fences around swimming pools removed and a reference to Building Code requirements added. Current Building Code has different requirements than the existing Zoning Code and such requirements may change over time. Such a reference will allow for requirements to update with the Building Code.
- 6.6.2.d.7.b – Decorative Fences – Definition updated to include a means of measurement of semi-open fences in keeping with current code description.
- 6.6.2.e – Telecommunications Structures – Current regulations for amateur radio antennas, meteorological towers, radio and television antennas, and satellite dishes consolidated. Satellite dish requirements updated to permit one dish per user, whereas previously only one dish was permitted per zoning lot.

Temporary Uses & Structures – Section 110-6.7

- Regulations relocated and placed within the existing code section, no changes to content.

Lighting Regulations – Section 110-6.8

- New code section created at the end of existing sections within Article VI – Development Standards of General Applicability.
- 6.8.1 – Reference to locally adopted Energy Code added per Building Official recommendation.
- 6.8.5 – Lighting Level Table – Clarification added that maximum heights are for overall fixture, including pole, arm and light, rather than pole alone. This correlates with current Engineering and Public Works standards.
- 6.8.6 – Additional Requirements – Restriction of incandescent lights removed per Development Commission recommendation. Requirements for holiday lighting updated to match that of Property Maintenance Code that is enforced the by Code Enforcement Division. Requirement for abandoned lighting removed, as this is addressed later in the section and through property maintenance regulations.
- 6.8.7 – Parking Lot Lighting – Reference to regulations within Lighting Level Table added with regards to glare onto other properties.
- 6.8.8. – Lighting Plan – Note added that the requirement of a lighting plan is made through the Site Plan Review process.
- 6.8.10 – Continuation of Legal Nonconforming Fixtures – Removal of several requirements related to continuation of nonconforming fixtures which are redundant or otherwise addressed through the building and property maintenance regulations.

Public Comment

To date, no public comments have been received on the proposed regulation changes. On February 25, 2014, the Environmental Committee reviewed the proposed regulations and found them to be acceptable. They commented that they supported updates which encourage responsible utilization of lighting that is energy efficient and reduces glare and light pollution onto nearby properties and within the Village at large.

Recommendation

Move to adopt the Findings of Fact recommending approval of the request for text amendment to include major and comprehensive Text Amendments to Section 110-6.6, Accessory Uses and Structures, and Section 110-6.7, Temporary Uses and Structures, of the Village of Hanover Park Zoning Ordinance; and the adoption of new ordinance provisions relating to lighting standards.

Attachments

- Exhibit 1 - August 7, 2014 Draft - Accessory Uses & Structures, Temporary Uses & Structures, and Lighting Regulations
- Exhibit 2 - Draft Findings of Fact

ARTICLE VI: DEVELOPMENT STANDARDS OF GENERAL APPLICABILITY

- Sec. 110-6.1 – Bulk Regulations
- Sec. 110-6.2 – Off-street parking and loading
- Sec. 110-6.3 – Landscaping, buffering and screening
- Sec. 110-6.4 – Adverse Impact Performance Standards
- Sec. 110-6.5 – Floodplain Regulations
- Sec. 110-6.6 – Accessory Uses and structures
- Sec. 110-6.7 – Temporary Uses and Structures
- Sec. 110-6.8 – Lighting Regulations

Section 110-6.6. Accessory Uses and Structures

6.6.1. Accessory Uses

a. Accessory Use Regulations

- (1) Accessory uses shall be compatible with the principal use and shall not be established prior to the establishment of the principal use.
- (2) An accessory use must be conducted within a principal building, unless otherwise allowed in this ordinance.
- ~~(1)~~(3) An accessory use shall not include the keeping, propagation, or culture of pigeons, poultry, or livestock, whether or not for profit.

b. Allowable Accessory Uses in Residential Districts

The following accessory uses are allowed in residential districts.

- (1) Day care homes, as licensed by the state of Illinois and in compliance with Illinois State and other applicable regulations.
- (2) Home Occupations in accordance with Section 6.6.1.d “Home Occupation Regulations.”
- (3) Hobby kennels, as permitted accessory special uses in districts where allowed and conforming with the ordinances of the Village, including but not limited to Chapter 58 of the Municipal Code requiring a license to maintain a hobby kennel.
- (4) Horse stables, as permitted accessory special uses, in districts where permitted and conforming with the ordinances of the Village, including, but not limited to Chapter 58 of the Municipal Code requiring a permit to maintain a stable.
- (5) Rabbitry, as permitted accessory use in the R-1, R-2, and R-3 residential districts and conforming with the ordinances of the Village, including but not limited to Chapter 58 of the Municipal Code requiring a permit to maintain a rabbitry use.

Comment [KT1]: Accessory Uses and Structures have been separated within the same section of the existing code.

Comment [KT2]: Per Sec 14-9.12 – Animals & Fowl

Comment [BK3]: Regulations moved from accessory structure section.

Comment [BK4]: Reference existing permit type in the business code.

c. Allowable Accessory Uses in Non-Residential Districts

The following accessory uses are allowed in non-residential districts.

(1) ~~The following uses are permitted in the B-1 and B-2 districts only:~~

Comment [BK5]: Further clarification of district provided.

- (a) Outdoor restaurant tables and seating, ~~provided that such seating area complies with applicable parking, lot coverage, building and other applicable regulations.~~
- (b) Storage of merchandise normally carried in stock on the same lot with any retail service or business use as regulated by the Zoning Ordinance and the Municipal Code.

Comment [KT6]: Time period to limit storage? Size limitation?

~~(2) Storage of building materials and equipment and temporary buildings for the duration of on-site construction for which a building permit has been issued.~~

Comment [BK7]: See temporary uses section.

~~(2)~~ The following accessory uses are allowed in the BP, HC and L-I districts only:

- (a) Retail business service and personal service uses, including showroom and sales areas, shall be permitted only as accessory uses, to consist of not more than 15 percent of the total building area, or as otherwise limited for a specific use. The retail business and personal service uses shall be ones that primarily service the principal use.
- (b) Recreational facilities, including but not limited to, tennis courts, golf courses, and jogging, walking, and biking trails and paths.

Comment [BK8]: Allows for reference to medical marijuana regulations.

d. Home Occupation Regulations

A home occupation operated for profit shall be permitted in all residence districts provided:

- (1) It is operated in its entirety within a building (not a temporary building) and only by the person or persons whose dwelling is on the same lot;
- (2) The use does not impact the existing character of the neighborhood, including traffic, light, and noise;
- (3) It does not have a separate entrance from the outside of the building;
- (4) It does not display or create outside the building any external evidence of the operation of a home occupation;
- (5) No more than three (3) pupils, clients, or customers can be present at the same time;
- (6) It does not utilize mechanical or electrical equipment other than the type normally found in a dwelling unit;

Comment [KT9]: Restriction of commercial vehicle parking previously considered, but no longer recommended, see reference to commercial vehicle parking regulations below.

- (7) It does not include the conducting of a retail business other than by mail or delivery; manufacturing business; or auto repair shop of any kind ~~There is no on-site keeping, sorting or maintaining of an inventory, equipment or machinery;~~
- (8) No more than one person is employed, other than a member of the ~~immediate~~ family residing on the ~~premises;~~
- (9) It does not utilize more than 20 percent of the gross floor area of the dwelling unit, ~~not to exceed or~~ 500 square feet in area, ~~whichever is less;~~
- (10) It does not involve the sale of commodities upon the premises;
- (11) It will not require more vehicle parking space than is required for ~~residential uses servicing~~ the dwelling unit;
- ~~(12) There shall be no~~ Any parking of commercial vehicles, ~~except as permitted per shall be subject to regulations for the parking of commercial vehicles in residential districts,~~ Section 110-6.2.4.a. "General Parking Provisions".
- ~~(13)~~ It will not interfere with normal television and/or radio reception in the surrounding area;
- ~~(14)~~ No hazard shall be created that would or could endanger the dwelling unit or its occupants or other structure or their occupants by reasons of fire, health, safety or environmental hazards, not normal and usual to residential use of the premises; and
- ~~(15)~~ The use does not change the exterior character of the building and does not create noise, odor, dust, vibration, fumes or smoke readily discernible at the exterior boundaries of the parcel on which they are situated.

Comment [KT10]: Per Code Enforcement recommendation.

Comment [KT11]: Previously only persons in home able to work. Family is a defined term in code, no need to specify immediate.

6.6.2. Accessory Structures

a. General Regulations for Accessory Structures

(1) Location

Except as otherwise regulated herein, an accessory structure, excluding driveways and fences, shall conform to the following:

~~(a) Permitted accessory buildings, structures and uses in required front, corner side, interior side, and rear yards shall be subject to the limitations of Section 110-6.1.2.g. "Bulk Regulations."~~

~~(a)~~(b) Shall not be located in any easement.

~~(b)~~(c) Detached accessory structures shall not be located closer than ten (10) feet to the rear lot line, five (5) feet to the side lot line, ~~60 feet from the front property line,~~ or 10 feet from the principal building as measured from the overhanging eaves, ~~and shall be located behind the rear of the house.~~ Sheds may be

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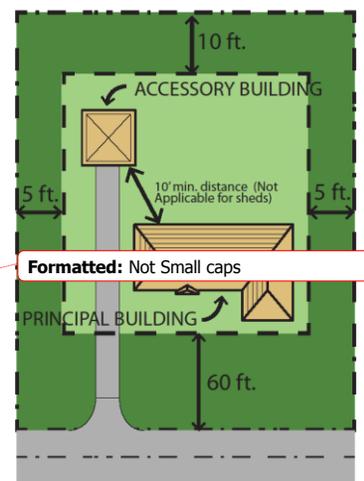


Figure 1.3 a(1)(b): Dimensions of an Accessory Structure

Comment [BK12]: Reference to bulk uses table, which has additional parameters for the location, size, etc. of specific accessory structure types.

Comment [BK13]: Reworked per DC comments

located within 10 feet of a principal structure in the rear yard and must be in compliance with Building Code regulations.

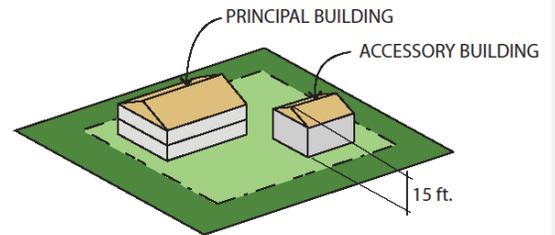
(e) On lots 30 feet or less in width in multifamily residential districts, at-grade decks and patios may be constructed, reconstructed, or repaired on interior multifamily units to the full width of the lot. Decks and patios on end multifamily units may be constructed to the interior side lot line and may not be closer than five (5) feet to the exterior side lot line, or if located on a corner, must maintain the required corner-side yard setback. No deck or patio in a multifamily district may be constructed on any easement or closer than five (5) feet of the rear lot line.

Comment [KT14]: Increased this minimum width to 30 feet based upon survey of multifamily developments

(d) Above grade decks and patios in multifamily residential districts must maintain a minimum of five (5) feet from the side lot line and ten (10) feet from the rear lot line. As used in this subsection, the term "at-grade" shall mean no greater than 12 inches above the ground level at the point closest to the residence.

(2) Business Park (BP), High Cube (HC) and Limited Industrial (L-I) Districts

The total square footage of any or all such accessory structures in the BP, HC and L-I districts shall not exceed three (3) percent of the total square footage of the principal building.



(3) Time of construction.

No accessory structure shall be constructed on any lot prior to the start of construction of the principal building to which it is accessory.

(4) Percentage of front and rear yard occupied

No more than 40 percent of a required front yard, nor more than 40 percent of a required rear yard, may be occupied by accessory structures.

Comment [BK15]: Limitation of front yard lot coverage added to limit impact of driveways on front yard, in keeping with surrounding communities.

(5) Height of accessory structure

No detached accessory structure shall exceed 15 feet in height as measured to the highest point of the roofline from the average grade.

(6) On reversed corner lots

On a reversed corner lot in a residential district, no accessory structure or portion thereof located in a required rear yard shall be closer to the side lot line abutting the street than the required front yard on the abutting lot to the rear. Further, in the above instance, no such accessory structure shall be located within five (5) feet of any part of a rear lot line that coincides with a side lot line or portion thereof of property in a residential district.

b. Allowable Accessory Structures in Residential Districts

Comment [KT16]: Section alphabetized

The following accessory structures are allowed in residential districts:

~~(1) Amateur radio antennas, subject to section 110-6.6.2.e.~~

Comment [BK17]: Regulation in current code.

~~(1)(2)~~ Detached garages not exceeding 720 square feet in size, one per lot.

~~(2)(3)~~ Driveway, subject to section 110-6.6.2.c.

~~(3)(4)~~ Fences, subject to section 110-6.6.2.d.

~~(4)(5)~~ Flagpoles, with a maximum height of 15 feet.

~~(5) Hobby kennels, as permitted accessory special uses in districts where allowed and conforming with the ordinances of the Village, including but not limited to Chapter 58 of the Municipal Code requiring a license to maintain a hobby kennel.~~

~~Horse stables, as permitted accessory special uses, in districts where permitted and conforming with the ordinances of the Village, including, but not limited to Chapter 58 of the Municipal Code requiring a permit to maintain a stable.~~

(6) Laundry drying equipment, such as a clothes line.

(7) Playground equipment, playhouses, and gazebos.

(8) Private tennis, racquet, and paddle ball courts, unlit.

(9) Radio and television antennas, subject to section 110-6.6.2.e. ground mounted, not exceeding 60 feet in height, or roof mounted, not exceeding eight (8) feet above the highest point of the roof, in accordance with Article 3, Division 2 (Telecommunications).

Comment [BK18]: All telecommunications-related accessory structures gathered into one section.

(10) Satellite dishes, subject to section 110-6.6.2.e. in accordance with Article 3, Division 2 (Telecommunications).

(11) Sheds and/or storage buildings for garden equipment and household items, not exceeding 200 square feet in area, one per lot. However, one shed and/or storage building not exceeding 400 square feet in area may be permitted per lot in the R single-family detached residence district.

Comment [KT19]: Increased area from 150 to 200 based upon resident requests and standards in surrounding communities.

(12) Spas and hot tubs.

(13) Swimming pools, private, when conforming also to other codes or ordinances of the village.

(14) Terraces, patios, decks, and outdoor fireplaces.

(15) On properties owned by governmental bodies, accessory structures of governmental bodies may be constructed that meet the zoning requirements for principal structures in that zoning district. Accessory structures containing not-for-profit amateur athletic

uses shall also be allowed on properties owned by governmental bodies and leased to that not-for-profit amateur athletic organization.

(16) Meteorological tower subject to section 110-6.6.2.e the following regulations:

c. Driveways

Driveways are subject to the following regulations:

(1) Driveways shall not be less than nine (9) feet nor greater than twenty (20) feet in width, except as noted below. The area of a driveway up to 20 feet in width shall not be subject to the maximum front yard coverage and lot coverage limitations, but the area of the expanded driveway shall be included for all other determinations of lot coverage.

(a) Driveway widths up to 28 feet may be permitted, provided the maximum front yard coverage and lot coverage for the property are not exceeded.

(b) However, driveway widths in excess of 28 feet up to 30 feet may be permitted for three or more car garages at a width of ten (10) feet per parking stall, provided the maximum front yard coverage and lot coverage for the property are not exceeded. This provision does not include tandem garage parking spaces.

~~(a) Driveway widths up to 28 feet may be permitted, provided the maximum front yard coverage and lot coverage for the property are not exceeded.~~

~~(1)(2)~~ In all cases, the maximum width of a driveway at the property line shall be 20 feet, with further driveway widening occurring between the front property line and the building or garage.

~~(2)(3)~~ Driveway widening shall not be within two (2) feet of a side lot line for detached single family dwellings, unless the following are met ~~except as noted below~~:

(a) There is sufficient area to expand the driveway eight (8) feet in width; and

(b) No storm water run-off caused by a driveway expansion shall flow onto adjoining properties is completely retained on the lot or parcel where the driveway expansion occurs; and and in compliance with Section 110-6.8.5. "Lighting Level Table".

~~(a)(c)~~ The maximum front yard coverage and lot coverage ~~limitations~~ are both not exceeded.

~~(3)(4)~~ Driveway widening shall be at the same grade and utilize the same material as the existing adjacent driveway. However, up to eighteen inches (18") ~~width of concrete~~, brick or other semi-permanent pavers may be permitted along each side of a driveway, which shall not count towards overall width calculations.

~~(4)(5)~~ Driveway widening shall only be allowed towards the nearest lot line for detached

Comment [BK20]: Driveway diagram to be updated

Comment [BK21]: A 20' driveway is permitted by right, even if over maximum lot coverage.

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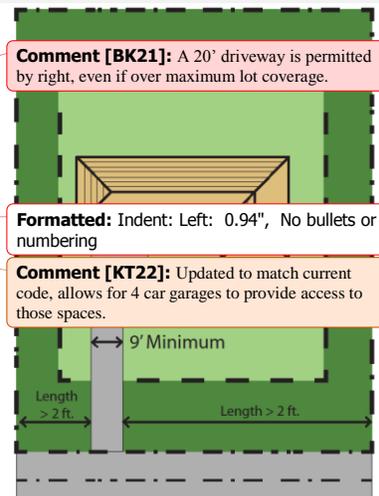
Comment [KT22]: Updated to match current code, allows for 4 car garages to provide access to those spaces.

Comment [BK23]: Limit the curb cut at the property line to maintain parkway. Will allow for widening from the curb cut to garage.

Comment [BK24]: REWORK SECTION?

Comment [KT25]: Do we want to keep this one? Maybe only permit if required to expand from 1 -2 car widths and towards furthest lot line. Or remove.

Comment [KT26]: We have been permitting this in practice. Allows for ped path. Language is from Streamwood regs.



single-family dwellings to the extent feasible, or as otherwise approved by the zoning administrator.

Comment [KT27]: In many instances, the driveway may be widened by several feet on each side, causing minimal impact and permitting an additional car width without going all the way to property line and remaining at 2' from property line.

~~(5)~~(6) Driveways may exceed width requirements above to provide access to a "swing out" that connects the existing driveway to a parking pad located in the side yard, provided the maximum front yard coverage and lot coverage are not exceeded.

~~(6)~~(7) Driveway expansions shall not be located within six (6) vertical feet of a door facing the front yard, as measured perpendicularly from the building frontage.

Comment [BK28]: Clarified for interpretation purposes

d. FENCES AND NATURAL SCREENING

Comment [BK29]: Regulations related to fence location moved to separate section.

(1) Purpose

The purpose of a fence, shrub or hedge is to provide privacy, security and boundary definitions for residential, business, office, and industrial districts within the corporate limits of the Village. This section encourages the use of natural screening instead of fencing wherever possible.

(2) Prohibited Fences

The following fences are hereby prohibited:

- (a) Barbed wire, chicken wire, hog wire, rope, cable, and electrically charged wire, except that barbed wire may be used on top of permitted fences in nonresidential districts and on fences enclosing public service and government uses;
- (b) Snow fences, except for exclusive control of snow between November 1 and March 31 and as authorized by the zoning administrator for special events or construction sites;
- (c) Chain link fences with barbed wire ends up, except as permitted fences in nonresidential districts and fences enclosing public service and government uses;
- (d) Chain link fencing with slats of any kind, except for fences of public service and government uses;
- (e) Fences constructed of wire, except chain link and 16-gauge or larger gauge wire may be attached to the interior of a split rail, or other wooden fence, provided the only supports used for the wire are the wood horizontal and vertical members of the primary fence. Wire shall not be permitted as a fence material in the required front yard and on corner lots wire shall not be permitted as fence material beyond any front yard line of the adjoining property; and
- (f) Fences constructed with wood shealtingsheet or plywood.

(3) Fence Requirements for Residential Uses

- (a) Fences shall not exceed more than six feet (6') in height except decorative fences located in the front or corner side yards, which shall not exceed three feet (36") in height.
- (b) See Section 110-6.6.2.d.9 "Nonconforming Fences" for exceptions to standard residential fence requirements.

Comment [BK30]: Regulations related to exceptions to this rule moved to nonconforming fences section.

(4) Fence Requirements for Non-Residential Uses

No fence shall exceed eight feet (8') above grade. Fences in the L-O Limited Office District shall not exceed six feet (6') in height without a special use permit.

(5) Fence Requirements for Landscape Buffers

- (a) Any fence used as part of a landscape buffer shall be ornamental metal or solid fence constructed of wood (excluding boards less than three inches in width), brick, stone, or masonry, with metal or wooden posts with a minimum three-inch diameter.
- (b) The fence shall meet all fence height requirements specified in this section, except that such fence shall be a minimum six feet in height when abutting a residential use.

Comment [BK31]: Landscape buffer requirements are generally required as a part of overall site plan approval.

(6) Required Fences for Swimming Pools

The construction and placement of fences around swimming pools with a depth in excess of twenty-four inches (24") shall meet all requirements of the applicable Building Code, with local amendments, Chapter 18 of the Municipal Code.

~~Fences shall be required around every outdoor swimming pool, including family pools, by a fence between four feet (4') to six feet (6') in height, not including the height of the pool walls. A building or existing wall may be used as part of such fence.~~

Comment [BK32]: Following review with Building Official and comparison with neighboring communities, specific fence requirements removed and reference to building code added. Code has recently changed, and will continue to do so over time.

~~No person in possession of land within the Village, either as owner, purchaser, or lessee, tenant or licensee, upon which is situated a swimming pool that is so constructed as to be capable of containing water at a depth of 24 or more inches, shall fail to provide and maintain such fence or wall as herein provided.~~

- ~~(a) The fence shall be so constructed as not to have any openings, holes, or gaps larger than four inches in any dimension, except for doors and gates. All gates or doors opening through such enclosures shall be equipped with self-closing and self-latching devices for keeping the gate or door securely closed at all times when not in actual use, except the door of any dwelling that forms a part of the enclosure need not be so equipped. This requirement shall be applicable to all new and existing outdoor swimming pools.~~

(7) Fence Location

Comment [BK33]: New section added and regulations reorganized for clarity

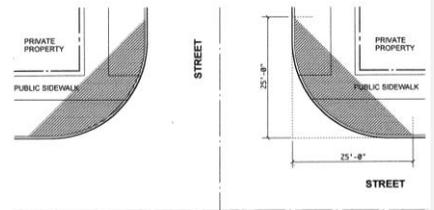
(a) Rear Yard and Side Yard Fences – Fences in the rear and side yards are to be located on or within 6 inches of the property line and are not to extend beyond the front yard line of the property or adjoining properties, except in the following instances:

1. Patio privacy fences and trellises not exceeding six feet in height shall be permitted within the buildable area, except that if a dwelling unit has a legal nonconforming side, corner-side or rear building line, patio privacy fences and trellises may be extended in a horizontal manner, along only one legal, nonconforming side.
2. A dog enclosure or run shall be permitted, not to exceed six feet in height or enclose an area greater than 20 percent of the rear yard, provided it is set back a minimum of ten feet from all property lines.
3. Fences, where the lot line is located in a watercourse, drainage easement, or adjacent to the Village's Sewer Treatment Plant may be located set back from the property line.
4. Fences adjacent to telephone, electrical, cable, gas or other utility pedestals, or above storm manholes, catch basins, or pipes, may be located set back from the property line, provided that access to such areas is provided through a gate or other means.
5. The location of fences off of rear and side property lines shall be approved by the zoning administrator based on the locations of other similarly situated existing non-conforming fences to establish a reasonably consistent setback from the lot line.
6. When a fence is located off of a property line, the property owner is responsible for maintaining all areas within their property.

Comment [BK34]: Is a 10 foot setback necessary? Many communities do not require.

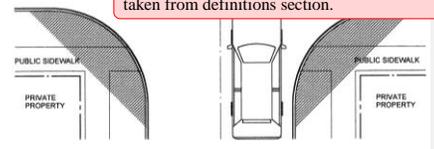
Comment [BK35]: Added based upon practical implication of code and utilizing example from Roselle.

(b) Decorative Fences – Shall be no more than 3 feet (36 inches) in height, shall be semi-open, with 50 percent of the surface open and unobstructed to both light and air, when viewed perpendicular to the plane of the fence, have an opacity of 50% or less, shall not include chain link, and may be located off of property lines.



Comment [BK36]: 50% open requirement previously utilized in practice, language to describe taken from definitions section.

- (c) Front Yard Fences - Decorative fences shall be permitted in the front yard.
- (d) Corner Side Yard Fences - On corner lots, corner side yard fences and rear yard fences other than decorative fences shall not be constructed beyond any front yard line of the adjoining property.



Site line at intersection of streets

(e) Line of Sight Obstruction - Fences shall not be permitted within the sight triangle, being at or near the street intersection in an area enclosed by a triangle, each leg of which is a distance of 25 feet, measured along each curb of the intersection streets, from the point where the extension of the curb lines

Comment [BK37]: Language matches sight triangle description in other sections of code.

intersect. Fences shall not be permitted so as to obstruct a clear view of private driveways, sidewalks, or pedestrian walks.

~~(e)~~(f) Drainage Obstruction - Fences shall not be permitted so as to prevent natural water drainage and/or water runoff.

~~(f)~~(g) Back to Back Fences -- Fence ~~s shall not be permitted~~ that abut existing fences shall not be permitted, except that abutting fences shall be permitted along side and rear property lines where single-family detached and duplex residential uses abut rental residential dwellings containing four or more units. When abutting fences do exist, the appropriate owner of the property is responsible for maintenance between the fences.

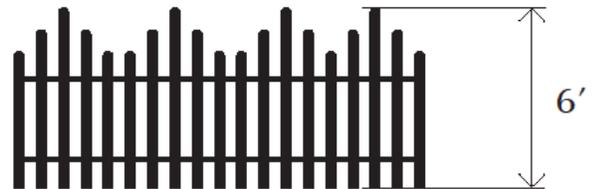
~~(g)~~(h) Public Right-of-way - Fences shall not be permitted on any portion of any public right-of-way, except fences erected by a government body.

(8) General Fence Regulations

(a) Fences and related supporting structures shall be erected so that the finished side or sides of the fence shall be facing the neighboring properties or public right-of-way. Fence posts and rails shall be on the inside of the fence, facing the owner's property.

~~(b)~~ Fence posts, including crowns, are permitted to extend five inches above the height of the permitted adjoining fence panel.

~~(e)~~ No existing survey monuments or lot pins shall be disturbed by any removal, replacement, or installation of fencing. Any disturbed survey monument or lot pin shall be reestablished by a registered Illinois Land Surveyor.



~~(b)~~(d) All provisions of the building code of the Village shall be followed as they pertain to fences.

~~(e)~~(e) Public service and government uses and all regulation size tennis courts shall be exempt from the height limitations.

(9) Non-Conforming Fences

When a nonconforming fence is rebuilt, it must be brought into ~~a~~-conformance with this Chapter except in the following situations:

(a) Fences in the Fremont Junction Subdivision, Units 1 through 5 of Liberty Square Subdivision, Units 1 through 4 of Olde Salem Subdivision, and Units 1 through 5 of Tanglewood Subdivision shall be permitted to construct, reconstruct, replace or add to existing six-foot fences,

~~(b)~~ The end building units of Units 1 through 5 of Tanglewood Subdivision shall be

permitted to construct, reconstruct, replace or add fences not on property lines, provided the fence extends from the corner of the building and connects to the rear property line in a perpendicular manner,

~~(b)(c)~~ Units 1 through 5 of Tanglewood Subdivision shall be permitted to replace or repair existing fences not on property lines in the same location as the existing fence.

(d) In the Hanover Terrace and Hanover Park Terrace subdivisions (Glendale Terrace), open fencing with a maximum height of four feet shall be permitted in front yards and off property lines. In no case shall fencing block vehicular access. Chain link fencing shall consist of a minimum no. 9 gauge.

(10) Variations

Variations to fence regulations may be granted in accordance with the variation process and standards of Section 110-4.7. "Variations".

e. TELECOMMUNICATIONS STRUCTURES

The following telecommunications structures shall be permitted upon compliance with the following requirements:

(1) Amateur Radio Antennas

- (a) Located in any zoning district.
- (b) All antennas must be either roof mounted or located in the rear yard.
- (c) Antennas must be set back at least five feet from any side lot line, ten feet from any rear lot line and may not be located on any easements;
- (d) A building permit must be acquired prior to installation of the antenna; and
- (e) Ground-mounted antennas may not exceed 60 feet in height from the ground to the top of the antenna, or if roof mounted, not exceeding eight feet above the highest point of the roof.

(2) Meteorological Towers

- (a) Located in the R-2 single-family detached zoning district.
- (b) A maximum tower height of 150 feet.
- (c) A tower may be erected for a maximum period of 16 months and located on a minimum parcel size of 15 acres.
- (d) A clear zone surrounding the tower of 1.3 times the height of the structure, measured from the outermost point on the base.

Comment [BK38]: All regulations related to telecommunications structures consolidated into one area. Regulations did not change.

Comment [BK39]: Requirements included from current code.

Comment [BK40]: Requirements moved from residential accessory structure section.

Comment [BK41]: There are no current properties in the R-2 district that are over 15 acres. Do we have an interest in expanding requirements for other districts, or ending them?

- (e) No habitable structures or off-street parking facilities shall be within the clear zone.
- (f) The clear zone must be entirely within the subject property.
- (g) No signs may be placed on the tower.
- (h) No antennas may be placed on the tower.
- (i) The base of the tower must be enclosed with eight-foot fencing not less than 20 feet in diameter around the base and each guy wire must also be enclosed with fencing or other suitable safety measures to preclude unauthorized climbing.
- (j) The tower shall be constructed and operated so that it does not interfere with television, radio, cellular telephone, or microwave reception in neighboring areas.

(2) Radio and Television Antennas

- (a) Located in any zoning district.
- (b) If ground mounted, not exceeding 60 feet in height.
- (c) If roof mounted, not exceeding eight feet above the highest point of the roof.

Comment [BK42]: Requirements included from current code

(3) Satellite Dishes

- (a) Located in any zoning district.
- (b) No satellite dish shall be permitted in required front or side yards. On corner side lots, no dish shall be erected outside of the established building line of both street frontages, and where no building line is established, satellite dishes shall have a minimum setback of 25 feet from property lines fronting on any street or highway.
- (c) No freestanding satellite dish in any residential district shall exceed ten feet in diameter or eight feet above the highest point of the roof of the residence. No freestanding satellite dish in any commercial district shall exceed 14 feet in diameter or 15 feet in height.
- (d) No roof-mounted satellite dish shall exceed eight feet in height, as measured vertically from the highest point of the roof to the top of the antenna or satellite dish when positioned for operation.
- (e) No more than one satellite dish shall be permitted per dwelling unit, business, or principal use on a zoning lot.
- (f) No advertising, logos, or symbols shall be permitted on any satellite dish surface and all satellite dishes shall be neutral in color.
- (g) All satellite dishes shall be installed, constructed, and maintained in compliance with manufacturer's specifications and the applicable regulations of the village.

Comment [BK43]: Requirements included from current code

Comment [BK44]: Updated requirement to permit apartment tenants to have individual dishes.

(h) No person or entity shall construct, install, or erect, or cause a satellite dish to be installed, constructed or erected without obtaining a building permit. No permit shall be issued without plans for roof- or pole-mounted satellite dishes (excluding ground mounted units less than ten feet in height or satellite dishes with a diameter less than 24 inches) sealed by a State of Illinois registered structural engineer.

Section 110-6.7. Temporary Uses and Structures

The following accessory uses and structures are allowed in residential and commercial districts:

6.7.1. Temporary Real Estate Office

A temporary real estate office may be allowed in conjunction with development of a lot, contiguous lots, or a planned unit development limited to the selling or renting of new dwelling units in such development, but in no case to be in operation for more than one year or following the issuance of the certificate of occupancy for the last dwelling unit or structure in such development, unless otherwise approved by the Zoning Administrator.

6.7.2 Temporary Construction Buildings or Trailers

Temporary buildings or trailers for construction purposes may be allowed in any district, but shall be removed prior to issuance of a certificate of occupancy for the principal building on the lot on which such temporary building is located.

6.7.3 Building Materials and Equipment

Storage of building materials and equipment for the duration of on-site construction for which a building permit has been issued.

Section 110-6.8. Lighting Regulations

All outdoor lighting, except for governmental entities, shall be subject to the following requirements:

6.8.1. All lighting shall be compliant with the current locally adopted Energy Code.

6.8.2. Glare Onto Adjacent Properties:

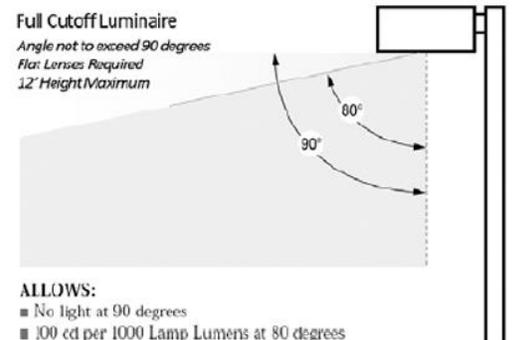
Lighting used to illuminate outdoor areas, including security lighting, shall be directed in such a way as to prevent light trespass or direct glare onto adjacent properties and rights of way in compliance with Section 110-6.8.5, "Lighting Level Table".

Comment [BK45]: Regulations moved to separate section to correlate with sections in current code.

Comment [BK46]: Zoning approval added to allow for extension of time as appropriate for major construction projects.

Comment [KT47]: Moved from accessory use section.

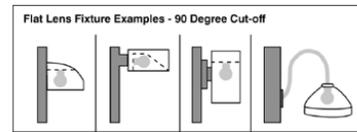
Comment [BK48]: New section, based upon best practices and guidance of environmental goals in Comprehensive Plan.



6.8.3. Fixture Design:

Outdoor lighting fixtures in nonresidential districts must comply with the following limitations:

- (a) Full cutoff luminaries with a total cutoff angle of not more than ninety degrees (90°) shall be used.
- (b) All lighting mounted under a canopy, including, but not limited to, luminaries mounted on or recessed into the lower surface of a canopy, shall be full cutoff.
- (c) Flat lenses are required for all lighting fixtures.
- (d) Wall lights, where used, shall be full cutoff and fully shielded.
- (e) Task focused lighting is permitted at gas stations, ATM drive-throughs, and similar uses as approved by the Zoning Administrator, and must include an internal louver so the light focuses directly on the task area and does not spill onto the pavement.

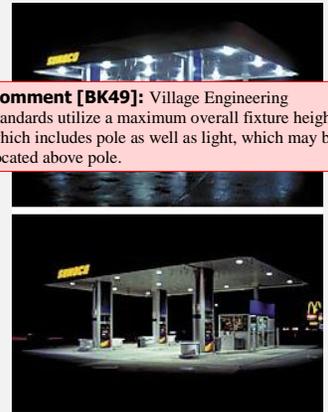


6.8.4. Light Intensity Levels At Property Lines:

All illumination level readings shall be taken at ground level.

6.8.5. Lighting Level Table: The following table summarizes the maximum average illumination levels for a variety of uses:

Type of Use	Maximum Foot Candle at Property Line	Average Foot Candles	Foot-Candle Average / Min. Uniform Ratio	Minimum Foot Candle for Walkway	Maximum Fixture Light Pole Height from Grade
Single Family Residential	0.2	NA	NA	NA	NA
Multi-Family	0.5 0.2 (Adjacent to Single-family)	NA	4:1	0.4	16'
Commercial, Industrial, Institutional	0.5	I.E.S Standard* Shall Apply for each specific use	I.E.S Standard* Shall Apply for each specific use	0.4	25'
Gas Station	1	15	4:1	0.4	25'
Motor Vehicle Sales	1	30	Max to Min: 10:1	0.4	25'
Parking Lots	0.5	Not to Exceed	4:1	0.4	25' for commercial,



Comment [BK49]: Village Engineering standards utilize a maximum overall fixture height, which includes pole as well as light, which may be located above pole.

Figure 1.7(a): A good and bad example of glare from an adjacent property.

Comment [BK50]: Requirements generally correlate with those in Schaumburg

(stand alone and those on same lot as use)		1.5			industrial, institutional, gas station, and motor vehicle sales. 16' for all else.
Outdoor Recreational use (including those associated with park and institutional use)	0.5 0.2 (Adjacent to Single-family)	I.E.S Standard* Shall Apply for each specific use	I.E.S Standard* Shall Apply for each specific use	0.4	16'
Lighting for any other use not listed will be reviewed as part of Site Plan review to ensure the proposed illumination levels are appropriate for the property and surrounding area. Compliance will be reviewed during Site Plan Review Process as outlined in Section 110-4.3.					
* I.E.S. Standards: Illuminating Engineering Society Lighting Handbook, current edition					

6.8.6. Additional Requirements in all Zoning Districts.

The following requirements and provisions shall be applicable in all zoning districts, except that they shall not apply to streetlights or to any lighting located within a public right-of-way:

- a. Use or installation of high and low pressure sodium lights, and mercury vapor, ~~and incandescent~~ lights is prohibited.
- b. Exterior lights that blink or shine with an intermittent phase are prohibited; ~~except provided~~, however, outdoor holiday decorations are exempt from these requirements for a period of ninety (90) days following the holiday ~~forty five (45) days before and fifteen (15) days after the holiday~~ for which such outdoor holiday decorations are installed.
- c. Light levels shall be measured in the horizontal plane, at ground level unless I.E.S. standards dictate otherwise.

Comment [BK51]: Per DC comments.

Comment [BK52]: Per Code Enforcement, Sec 70-174/305-3[b] of Property Maintenance Code

Comment [BK53]: Check against our regs.

~~Any abandoned, non-functional exterior light or fixture, as well as all associated hardware including, without limitation, poles, bases, and wiring shall be immediately removed~~

Comment [BK54]: Already covered through residential property maintenance code.

6.8.7. Additional Requirements for Parking Lot Lighting:

All parking lots with more than four (4) spaces shall provide lighting and shall comply with the regulations as set forth in this Section:

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- a. Pole Height And Material:
 - (1)The total height of light fixtures includes pole, pole support, fixture and related equipment.
 - (2)Light poles shall be constructed of metal or other material acceptable to the Village Engineer. Wood poles are prohibited.

- b. ~~Glare onto adjacent properties is prohibited.~~ Lighting level and specifications shall comply with Section 110.6.8.5. "Lighting Level Table".
- c. Electric lighting used to illuminate off-street parking areas or driveways shall be directed away from adjacent properties and public rights of way in such a way as to not create a nuisance.
- d. Protection of Lighting Fixtures: Light poles in a parking lot shall be protected from vehicles by curbed landscape islands or other approved means.

6.8.8. Lighting Plan Required:

~~When required as a part of A lighting plan is required for~~ site plan review a lighting plan shall be provided and shall be signed and sealed by a professional engineer and including, at a minimum, the following:

- a. All property lines, building locations, dimensions of paved areas, and location of all curbs;
- b. Fixture locations;
- c. Fixture details and height;
- d. Photometric data for all paved areas at a spacing of not greater than twenty feet (20') and not greater than six inches (6") above the pavement surface;
- e. Photometric data at all property lines at a spacing of not greater than fifty feet (50') and not greater than six inches (6") above grade;
- f. Scale of not less than one inch (1") to fifty feet (50');
- g. Details of the proposed light poles and foundations;
- h. Existing and proposed utilities on the subject property and in rights of way adjacent to the subject property;
- i. Other information, as required.

6.8.9. Hours of Operation:

All lighting shall be reduced to security levels, as recommended in the "Illuminating Engineering Society of North America's Lighting Handbook", during hours of non-operation of the principal use on a property.

6.8.10. Continuation of Legal Nonconforming Exterior Lights and Fixtures

- a. Authority to Continue. Any nonconforming exterior light or fixture may be continued so long as it otherwise remains lawful, and shall be maintained in good condition, subject to the regulations contained in this subsection.

b. Ordinary Repair and Maintenance. Normal maintenance and incidental repair or replacement may be performed on any nonconforming exterior light or fixture; provided, however, that any repair or replacement shall, whenever possible, eliminate or reduce any nonconformity in the element being repaired or replaced.

(1) Maintenance shall include the replacing, repairing, or repainting of any portion of an exterior light or fixture, including, without limitation, the renewing of any part that has been made unusable by ordinary wear and tear, weather, or accident.

(2) The replacing or repairing of an exterior light or fixture that has been damaged to an extent exceeding 50 percent of the appraised replacement cost shall be considered maintenance only when the exterior light or fixture conforms to all of the applicable provisions of this Article and when the damage has been caused by an act of God or violent accident.

c. Alteration; Enlargement; Moving. No nonconforming exterior light or fixture shall be:

- (1) changed or altered in any manner that would increase the degree of its nonconformity;
- (2) enlarged or expanded;
- (3) structurally altered to prolong its useful life;
- (4) moved in whole or in part to any other location where it would remain nonconforming; or
- (5) changed to another nonconforming exterior light or fixture.

~~d. Change of Exterior Light or Fixture. A nonconforming exterior light or fixture that has been changed to eliminate its nonconformity, or any element of its nonconformity, shall not thereafter be changed to restore such nonconformity or nonconforming element.~~

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Comment [BK55]: Redundant, see (5) above.

~~e. Damage or Destruction. Any nonconforming exterior light or fixture damaged or destroyed, by any means other than an act of God or violent accident, to an extent of 50 percent or more of its replacement cost new shall not be restored, but shall be removed or brought into conformity with the provisions of this Section.~~

~~(3) Termination by Abandonment. Any nonconforming exterior light or fixture, the use of which is discontinued for a period of 90 days, regardless of any intent to resume or not to abandon such use, shall be deemed to be abandoned and shall not be reestablished or resumed. Every such nonconforming fixture shall be immediately removed or brought into conformity with the provisions of this Section.~~

Comment [BK56]: The following two are addressed through the Building and property maintenance codes.

~~(1) Compliance or Removal~~

~~Any nonconforming exterior light or fixture that loses its status as a legal nonconforming exterior light or fixture pursuant to this Section shall be brought immediately into compliance with the provisions of this Section, or shall be immediately removed~~

DEVELOPMENT COMMISSION
DRAFT FINDINGS OF FACT
TEXT AMENDMENTS TO
ACCESSORY USES AND STRUCTURES AND
TEMPORARY USES & STRUCTURES REGULATIONS
AND FOR NEW LIGHTING REGULATIONS

I. Subject

Consideration of a request by the Village of Hanover Park for a text amendment to include major and comprehensive Text Amendments to Section 110-6.6, Accessory Uses and Structures, and Section 110-6.7, Temporary Uses and Structures, of the Village of Hanover Park Zoning Ordinance; and the adoption of new ordinance provisions relating to lighting standards.

II. Findings

On August 14, 2014, after due notice as required by law, the Hanover Park Development Commission held a public hearing on the subject request concerning the text amendment. ___ objectors appeared and ___ written objections were filed.

The Development Commission has made the following findings regarding the text amendment request:

Conformance with Comprehensive Plan

Approval of the text amendment is in conformance with the Comprehensive Plan. Such regulations will work towards key visions and goals of the Comprehensive Plan, including Vision 3: to “foster a positive community image through the promotion of quality community aesthetics” and Vision 4: to “promote sustainability in land-use patterns and development.”

Public Interest

The text amendment is in the public interest and is not solely for the interest of the applicant, providing regulations that promote improved physical and community development and provide guidelines for property owners, businesses, and developers to make such improvements.

Necessity of Amendment

The amendment is necessary due to changed conditions upon which the current Zoning Ordinance is based. Over time, general conditions within the Village, the needs and desires of its residents and leaders, and standard development practices change. The amendment makes updates to address such changes.

III. Recommendations

Accordingly, by a vote of ___ to ___, the Development Commission recommends approval of the request.