



VILLAGE OF WESTMONT
PLANNING AND ZONING COMMISSION
AGENDA ITEM

P/Z 12-025

MEETING DATE: July 11, 2012

TITLE: Village of Westmont regarding a Zoning Code text amendment as follows:

- (A) Amend Article IV, Appendix A, Section 4.05(E) to permit firewood enclosures in the rear yard under certain circumstances.

BACKGROUND OF ITEM

The Zoning Code does not address firewood storage in residential districts. Staff proposes a text amendment to allow firewood to be stored in the rear yard, with specific requirements. This recently became an issue when a resident was cited for firewood storage, and specific regulations would allow reasonable amounts of firewood to be stored for residents who heat their homes with wood burning stoves or fireplaces.

After noting this issue, staff researched neighboring community ordinances to find different examples of their firewood storage requirements, to help craft a text amendment to fit within the existing Westmont Zoning Code. The excerpts from other communities are included with the staff report as attachments.

The proposed text amendment before the Commission at this time is intended to address the majority of firewood storage issues, providing reasonably sized areas in which to store firewood, without creating undue hardship to adjacent neighbors. Staff suggests the amendment (see bolded, italicized text) be added to Note 13 in the table appearing in Appendix A, Article IV, Section 4.05(E), with the rest of the table being renumbered accordingly:

Permitted accessory structures and uses in yards. The following structures and uses are permitted and may be encroachments in required yards as follows:

F	Denotes front yards and side yards adjoining streets. (A side yard adjoining a street is the secondary street frontage of a corner lot.)
S	Denotes interior side yards.
R	Denotes rear yards.

(13)	Firewood storage regulations. A firewood pile shall not be located in any setback or drainage or utility easement. A firewood pile shall not exceed four feet in height, six feet in side length, and shall not exceed 30 square feet in total ground or base area. The firewood shall be neatly stacked in the firewood pile, and be comprised of raw lumber, and shall not include chemically treated, pressure treated, glued, laminated, or similar types of treated wood.	R
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As a side note, the Fire Department will be proposing a text amendment to the Village Board that would update the fire code with regard to outdoor grilling on open balconies, bonfires with approved permits, and recreational campfires such as chimineas and fire pits (in approved containers).

DOCUMENTS ATTACHED

1. Sample firewood storage ordinances from other communities.
2. Publication notice appearing in the June 27, 2012 Westmont Progress.

Sample Firewood Storage Ordinances from other communities

Des Plaines, IL

General definitions:

302.1.4 302.1.2 **Firewood.** In no instance is the above code section intended to prohibit the storage of firewood. Firewood is defined as logs or kindling materials, not exceeding twenty-four inches (24") in length and suitable for use in a fireplace or other wood-burning appliance. Firewood must be neatly stacked. Firewood shall not include pressure treated lumber of any type; wood-framing components of any size that exceeds twenty-four inches (24") in length, or glue laminated lumber components, such as plywood.

Elgin, IL

Land Use. In this PMFR zoning district, the use of land and structures shall be subject to the provisions of Chapter 19.10, Land Use, of the Elgin Municipal Code, 1976, as amended. The following enumerated "land uses" [SR] shall be the only land uses allowed as a "permitted use" [SR] in this PMFR District:

Residence Division.

4. "Residential outdoor storage of **firewood**" [SR] (UNCL).

Glencoe, IL

2. Storage. Outdoor storage shall not be allowed as an accessory use, except as otherwise expressly permitted by this Code and except for the outdoor storage of materials such as **firewood**, compost, and mulch. When so permitted, such outdoor storage shall be screened as required by in Section 5-106 of this Code.

5-106 BUFFERS AND LANDSCAPING

B. Refuse Containers; Outdoor Storage.

1. Screening. All refuse containers and all areas of permitted outdoor storage shall be fully enclosed by an opaque fence, wall, or densely planted evergreen hedge of a height sufficient to screen such containers or storage areas from view from adjoining properties and public or private streets.

2. Location. No refuse containers or storage areas shall be located in any required front or corner side yard.

3. Sanitation. All refuse containers and areas of permitted outdoor storage shall be kept in a clean and neat condition, and no containers or materials shall be maintained or stored in any manner that creates or emits noxious fumes, odors, or other emissions.

4. Exemptions. The requirements of the preceding Paragraph B1 shall not apply to standard refuse receptacles, **stacked firewood**, and composting piles permitted for use by single family dwellings nor to refuse receptacles accessory to schools or Village uses. None of the requirements of this Subsection B shall apply to refuse receptacles placed and maintained for use by the general public to avoid littering.

Hanover Park, IL

Stacked **firewood** is allowed in corner side and side yards.

Location regulation of refuse. No garbage, refuse, landscape waste except **stacked firewood**, rubbish or building materials except those necessary for the construction of improvements pursuant to a currently issued building permit shall be located or stored in the front, corner-side or side yard of any residentially zoned property including that area between the building and that yard. Stacked firewood shall not be located or stored in the front yard including that area between the building and the front yard of any residentially zoned property.

Hinsdale, IL

APPROVED CONTAINER: A commercially manufactured device specifically designed, intended, advertised, and utilized for the purpose of campfires, such as chimeneas and outdoor fireplaces. Such container must be located aboveground and in no event shall be built into the ground or located below grade.

APPROVED WOOD: Seasoned dry firewood of dimensions appropriate to safely fit within the container. In particular, but without limitation, approved wood shall not include any green or fresh materials; nor shall it include any leaves, grass, bushes, roots or other similar materials, nor shall it include any construction materials, such as treated woods, plywood or pressure treated wood, or any other materials which produce excessive smoke, cinders or other emissions characteristics of nonseasoned wood.

Romeoville, IL

Section 159.015 ACCESSORY STRUCTURE TABLE

STRUCTURE OR USE					STRUCTURE OR USE				
	FRONT YARD	CORNER SIDE YARD	REAR YARD	SIDE YARD		FRONT YARD	CORNER SIDE YARD	REAR YARD	SIDE YARD
Air conditioner condenser unit, window units	P	P	P	P	Gazebos			P	
Animal houses, for domestic animals, not to exceed sixteen (16) square feet in area and four (4) feet in height			P		Greenhouse, private in accordance with Section 159.020			P	
Antenna, freestanding, for non-commercial purposes			P		Lamp posts	P	P	P	P
Arbors, trellises and pergolas	P	P	P	P	Landscaping	P	P	P	P
Architectural ornamentation, e.g. sills, belt courses, cornices	P	P	P	P	Laundry drying (clotheslines)			P	
Awnings and canopies, projecting no more than forty-eight (48) inches from the structure	P	P	P	P	Lawn and garden ornaments, sculpture and statuary, and garden furniture	P	P	P	P
Basketball backboards, located no less than six (6) feet from any public sidewalk and five (5) feet from any lot line	P	P	P	P	Outdoor storage of firewood			P	P
Balconies, projecting no more than sixty (60) inches from the structure but not less than five (5) feet from any property line	P	P	P		Outdoor storage, in Industrial Districts in accordance with Section 159.080(F)			P	P
Barbeque grills, in-ground			P		Parking or storing of trucks in accordance with Section 159.010 & 159.105 - 159.116			P	P

Original Adoption:
Ord. No.780, 04-01-81

Printing Date: November 23, 2011

Latest Amendment:
Ord. No. 11-0926 October 5, 2011

Green Bay, Wisconsin:

Firewood

Wood shall not be considered rubbish where it is stored for residential use under these terms and conditions:

Front Yard Storage. No firewood shall be permitted in a front yard as defined at 13.23(4), Green Bay

Municipal Code.

Rear and Side Yard Storage. Firewood may be stored in a side or rear yard only in the following manner:

1. Stacking: All firewood shall be ranked and well stowed, with due regard to stability.
2. Height: Firewood stacks shall not be in excess of 4' in height unless such stack is adjacent to and amply supported by a fence or structure. Where the firewood is so supported, the stack shall not be in excess of 6'.
3. Setback: No firewood shall be permitted within 4' of an adjoining property line, unless the firewood is stored in a box or building.

http://www.ci.green-bay.wi.us/bldg_insp/zoning.html

Oakdale, Minnesota:

The storage of **firewood** is regulated by City Code Section 25-23(B) and states the following:

- All firewood shall be neatly stacked.
- Stacks of wood shall be elevated at least 4 inches above the ground.
- All firewood shall be stored in the side and rear yards only. No storage allowed in front yard.
- Stacked firewood shall not encroach on any easement.
- The rules do not apply for wood stored inside a building, nor do they apply to the temporary storage of logs, for up to 30 days, for the purpose of splitting, cutting or stacking.
- It is recommended that woodpiles be at least 10 feet from any building.

http://www.ci.oakdale.mn.us/index.asp?Type=B_BASIC&SEC=%7B2CC403BD-E112-4309-895A-C75F6B2D72B0%7D

Olathe, Kansas:

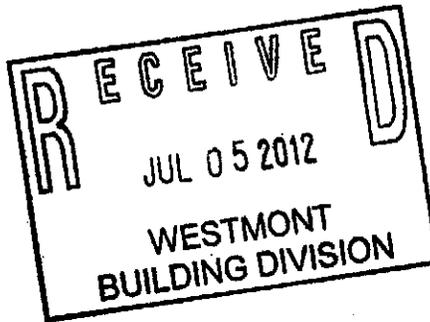
15.38.220 Outdoor Storage - One and Two-Family Dwellings. No property owner or resident shall allow the placement, storage, installation or construction of any item, object or structure on any property zoned or used for a single-family or two-family residence except as specifically and explicitly permitted by this section. The following items, objects or structures are permitted:

- (a) Any item, object or structure permitted under the applicable provisions of the Unified Development Ordinance and Municipal Code, in full compliance with the authorizing provision. The intent of this subsection is to permit only those items specifically permitted under the applicable zoning district regulations or the applicable accessory use regulations.
- (b) Authorized trash containers stored and maintained in compliance with the requirements of Chapter 6.04 of the Olathe Municipal Code.
- (c) Firewood, neatly stacked, provided that such storage shall not occur at any location on the property that is closer to a street than the nearest primary wall surface of the residence. For the purposes of this section, 'primary wall surface' shall mean any exterior wall surface of the residence that is visible from the street and not perpendicular to the street, but excluding porches, carports and minor building projections such as fireplaces or bay windows.

All other items. Any item, object or structure not specifically authorized in subsections (a), (b) or (c) must be located within a fully enclosed structure, or within the back yard and substantially screened from view from any adjacent property.

AFFIDAVIT

Customer 21872
Reference 9554 Zonina code



VILLAGE OF WESTMONT
ACCOUNTS PAYABLE
31 W QUINCY ST
WESTMONT, IL 60559

Linda M. Siebolds, agent of Mark Colosimo, Publisher of the **Westmont Progress** hereby certifies that s/he is Legal Advertising Manager of **Westmont Progress**, that said **Westmont Progress** is a secular newspaper and has been published weekly in the Village of Westmont, in the county of DuPage in the state of Illinois, continuously for more than 50 weeks prior to, on and since the date of the first publication of the notice hereinafter referred to and is of general circulation throughout the county and the state.

That said agent hereby certifies that **Westmont Progress** is a newspaper as defined in Chapter 715 et seq. of the Illinois Revised Statutes.

That a notice, of which the annexed printed slip is a true copy, was published 1 (one) time in said **Westmont Progress** namely, once each week for one successive week(s). The first publication of said notice as aforesaid was made in said newspaper dated and published on the 27th day of June A.D. 2012 and the last publication thereof was made in said newspaper dated and published on 27th day of June A.D. 2012.

IN WITNESS WHEREOF, the undersigned has caused this certification to be signed this 27th day of June A.D. 2012.


Linda M. Siebolds
Legal Advertising Manager
Authorized Agent

**LEGAL NOTICE / PUBLIC NOTICE
VILLAGE OF WESTMONT
PLANNING AND ZONING COMMISSION
NOTICE OF PUBLICATION**

NOTICE IS HEREBY GIVEN that a public hearing has been scheduled before the Westmont Planning and Zoning Commission to be held on Wednesday, July 11, 2012 at 7:00 P.M. in the Westmont Village Hall, 31 W. Quincy St., Westmont, Illinois 60559.

The purpose of the hearing is to consider a Village Wide Westmont Zoning Code text amendment as follows:

(A) Amend Article IV, Appendix A, Section 4.05(E) to permit firewood enclosures in the rear yard under certain circumstances.

Village Code(s) Applicable: Appendix "A", Section 4.05(E)
Appendix "A", Section 13.11

Note: Any person who has a disability requiring a reasonable accommodation to participate in the meeting should contact Mr. R. R. Searl, ADA Compliance Officer, 9:00 A.M. to 5:00 P.M. Monday through Friday, Village of Westmont, Illinois, 60559, or telephone (630) 981-6200 voice, or (630) 981-6300 TDD, within a reasonable time before the meeting.

All interested persons in attendance will be allowed to express their views.

WESTMONT PLANNING AND ZONING COMMISSION
Ed Richard Chairperson

June 27, 2012
Suburban Life Publications 9554 WSM