

# REQUEST FOR BOARD ACTION

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**ORIGINATOR:** COMMITTEE OF THE WHOLE MEETING: August 2, 2012

Comm Dev REGULAR BOARD MEETING: August 6, 2012

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**TITLE/DESCRIPTION:** **ZONING CODE TEXT AMENDMENT:** Board to consider an ordinance approving a text amendment to the zoning code to allow firewood enclosures in the side and rear yard under certain circumstances.

**BACKGROUND OF SUBJECT MATTER:**

This text amendment was prompted by recent complaints and citations about firewood storage in residential districts. Currently, firewood storage structures are not addressed in the zoning code, and therefore not allowed. The Village's Prosecuting Attorney recommended that staff address the issue. A text amendment to the zoning code that will allow appropriately sized firewood storage areas has been written. The attorney noted that this language was common in other communities, and with the adoption, residents could then store wood legally on their lots.

Staff raised the issue to allow reasonable amounts of firewood to be stored to the Planning and Zoning Commission at their July 11, 2012 meeting. After significant discussion, the Commission voted not to support the text amendment, in part because many residents already store firewood on their lots, and it was mentioned that the regulation was not necessary. Although the Plan Commission did not favorably endorse a text amendment, Staff is recommending that language be adopted so that reasonable wood storage can be permitted and to provide code enforcement officers with supportive language when a firewood storage situation appears unmanageable or unruly, or starts to negatively impact adjacent neighbors. Based on the Plan Commission discussion, staff has reduced the specificity of the text amendment and made the language less restrictive. A standard firewood rack, as shown in the attached Home Depot specification sheet, would be allowed with the proposed text amendment, and would fit up to ½ cord of wood (a full cord of wood is typically 4' deep by 4' wide by 8' long, and the firewood rack is approximately 4' deep by 1.3' wide by 8' long).

- ***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, shall be neatly stacked, and shall be comprised of raw, untreated lumber.***

Please see the attached Planning & Zoning report for additional background, and the attached table which lists regulations from other communities.

**DOCUMENTS ATTACHED:**

1. Staff report from the July 11, 2012 Planning and Zoning Commission meeting
2. Background memo to Plan Commission re: Firewood storage text amendment
3. Table of regulations from other communities
4. Firewood rack specification sheet and Cord information sheet from Woodburning.org
5. Draft minutes excerpt from the July 11, 2012 Planning and Zoning Commission meeting *will be provided upon receipt*

**RECOMMENDATION:** The Planning and Zoning Commission recommended ***unanimously NOT to approve*** the Zoning Code text amendment. Staff has summarized the discussion items that had general consensus and those are reflected in the revised language. The Commission discussed making the text amendment less restrictive, but ultimately decided not to send a positive recommendation to the Village Board.

**AGENDA ITEM NO.** \_\_\_\_\_