



**VILLAGE OF WESTMONT
PLANNING AND ZONING COMMISSION**

MEETING DATE: February 10, 2016

AGENDA ITEM: P/Z 16-003

TITLE: Village of Westmont for the following:

(A) Amend Appendix A, Section 6.04 of the Westmont Zoning Code regarding permitted front yard setback encroachments in the R-3 Single Family Detached Residence District.

BACKGROUND OF ITEM

This text amendment was prompted by staff discussions regarding requiring a minimum 35' front yard setback in an established neighborhood with a precedent and context of reduced setbacks.

In 1998, Village Board amended the front yard setback in the R-1, R-2, R-3 and R-4 residentially zoned districts from 25' to 35', with the intent of promoting larger front yards. An exception was allowed for smaller corner lots to retain the 25' setback on the side yard that abutted a street, as code typically considers a corner yard to have two fronts. This exception prevented the text amendment from creating unbuildable corner lots.



Typical streetscape with established homes

Over time, and with the recent increase in homebuilding in the established older neighborhoods, staff has noted that the 35' setback does not take the context of the neighborhood or adjacent houses into consideration. Many homes in the older neighborhoods were built with the previous standard of 25', and historically less than 25' setbacks are also found. This construction primarily exists in the established R-3 districts between 55th Street to the south and Naperville Road to the north, although there are similar examples elsewhere in the Village.

With new home construction, the increased setback in front yards has begun to change the nature and character of the established subdivisions. New homes are constructed significantly further back from the street in comparison to the surrounding houses.



Established home next to newer construction

Other communities have addressed these contextual conditions through reduced overall setbacks, separate zoning classifications for historic neighborhoods, and consideration of adjacent home setbacks to determine an average. Additionally, many communities allow covered porches to encroach into setbacks to preserve what is considered a traditional neighborhood feeling.

Following a positive discussion at the Community Development Committee on January 21, 2016, staff recommends code revisions to provide builders and homeowners options when working in such neighborhoods. Proposed as a permitted encroachment and not an encompassing setback reduction, the existing context should be considered, permitting controlled setback encroachments without necessary variances.

When constructing or renovating a home in the R-3 zone, the lot on either side will be considered. If one of those adjacent lots is closer than the 35' required setback, then the new construction will be permitted to encroach up to 10' into the front yard setback. It would be limited to 10' or to match the adjacent houses, whichever is less.

As not all construction warrants to be closer to the streetscape, conditions will be placed on the construction. To maintain the traditional neighborhood feel, only living space and covered porches will be allowed to encroach the full 10'. Attached garages will be maintained at the 35' setback, or a minimum of 5' behind the facade of the house or porch.

As many homes are constructed being "garage forward", staff believes that having the garage stepped back will encourage the architectural detail of the home closer to the street.

Advantages to this approach include:

- Occupiable porches promote and encourage neighborhood relationships
- Bringing the house closer to the street creates a bigger back yard
- Lot coverage can be improved on lots that are typically built to the maximum
- Neighborhood character can be encouraged and maintained
- Current building standards are unchanged
- Encroachment is considered to be an incentive for more thoughtful design



Typical permitted encroachment design

Included attachments show typical examples of the 35' setback and new construction in the established neighborhoods, neighboring community data, setback illustrations and draft text amendment language.

Comprehensive Plan

The Comprehensive plan has specific language to address residential neighborhoods and references land use policies that will assist in decision-making including:

“Preserve the character of the single-family residential neighborhoods of the Village by encouraging the maintenance and proper upkeep of existing structures while accommodating appropriately designed and scaled new construction. “

Single-family detached residential areas have additional objectives which prefer:

“The design and construction of new homes should take into consideration the established character of surrounding single-family areas. “

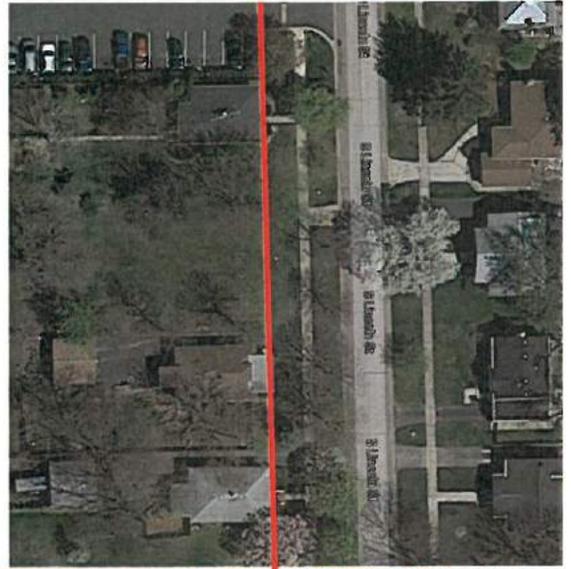
SUMMARY

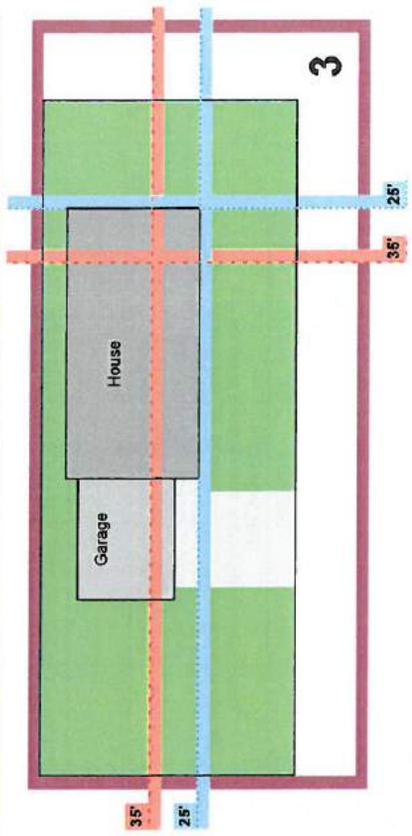
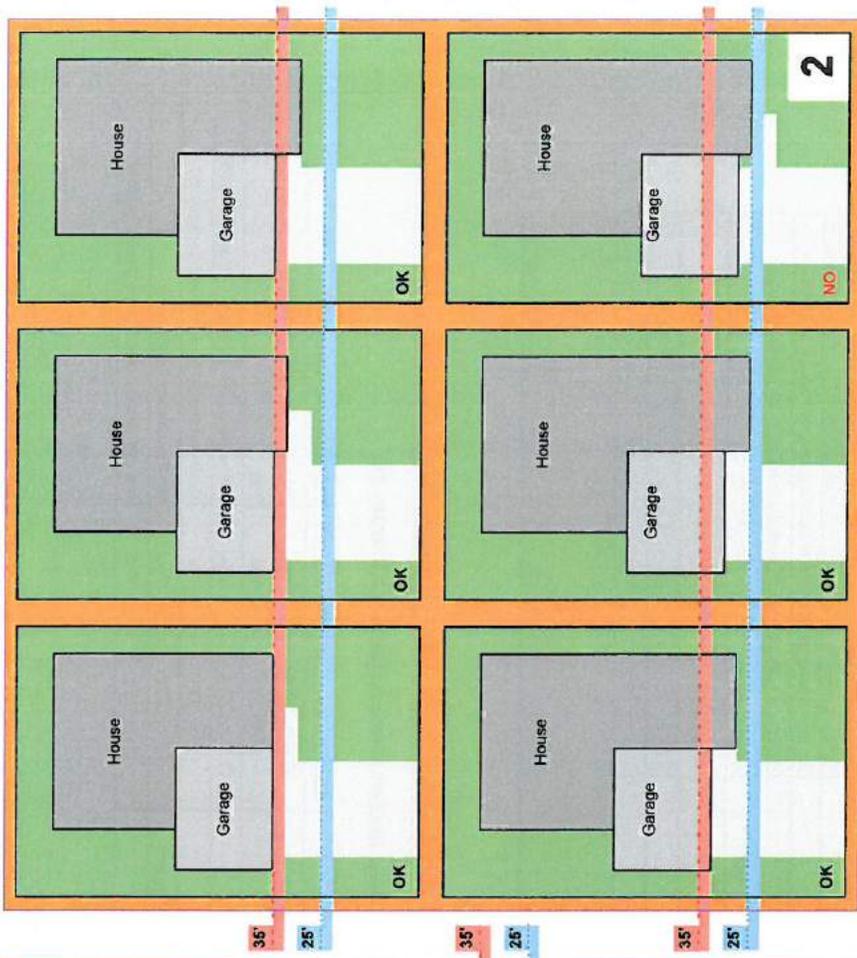
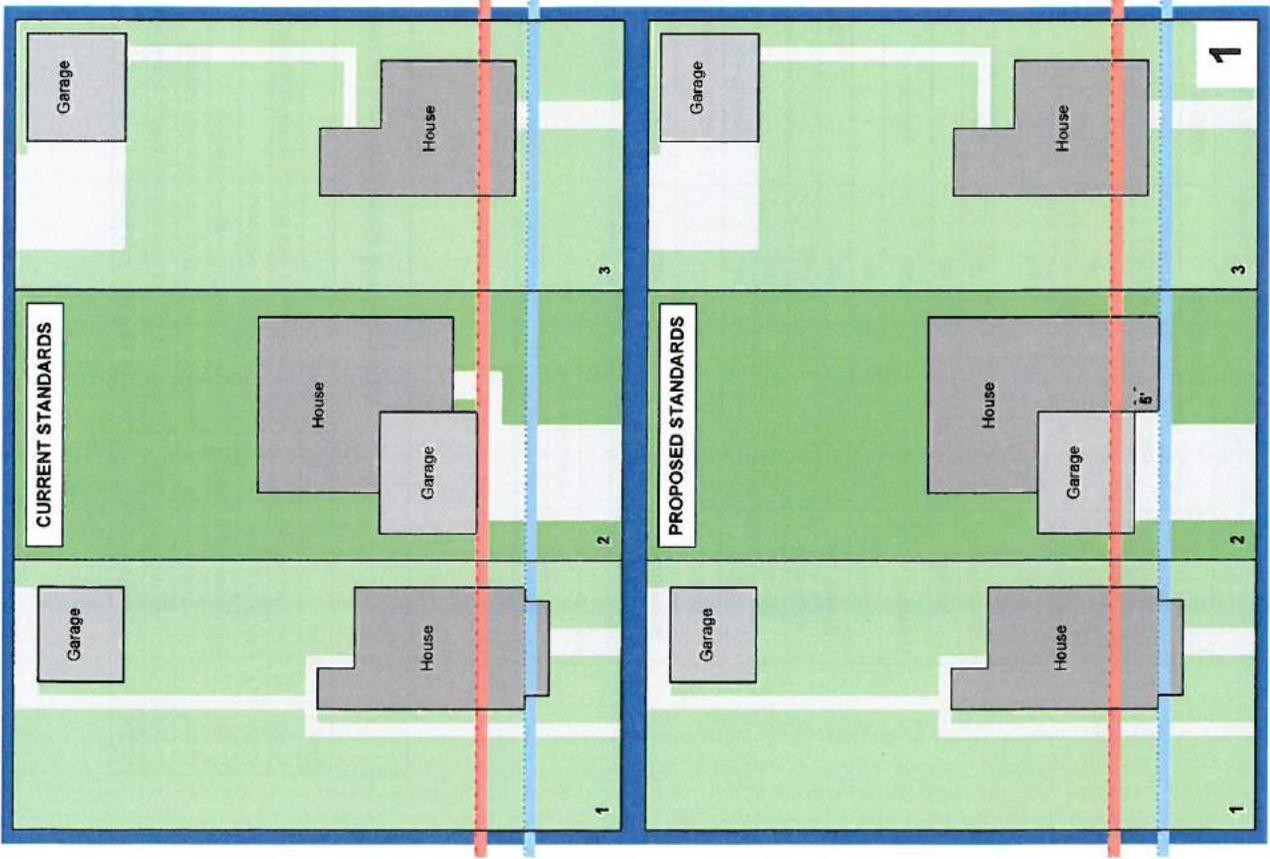
Staff recommends the above text amendment to the Westmont Code of Ordinances to allow for permitted R-3 front yard setback encroachments to allow for flexibility for construction in established neighborhoods.

ATTACHMENTS

- Public hearing notice appearing in the January 27, 2016 edition of Westmont Suburban Life
- Neighborhood Examples
- Front Yard Setback Comparisons
- Setback Illustrations
- Proposed Ordinance with Text Revisions and Additions







ORDINANCE NO. 2016-_____
AN ORDINANCE AMENDING THE ZONING CODE FOR THE R-3 SINGLE FAMILY DETACHED RESIDENCE DISTRICT

WHEREAS, the Village of Westmont is a municipal corporation duly organized and operating pursuant to the laws of the State of Illinois; and

WHEREAS, the existing front yard setback regulation of 35' for the R-3 Single Family Detached Residential District had been amended in 1998 from a less restrictive 25'; and

WHEREAS, many of the R-3 Single Family Residential Districts have been legally built with front yard setbacks at 25' or less and maintain a recognized and beneficial traditional neighborhood character ; and

WHEREAS , the Village of Westmont recognizes that a reduced setback or encroachment of living space, porches and architectural detail will enhance this character ; and

WHEREAS , the Village of Westmont has a vested interest in maintaining consistency within these established neighborhoods by allowing encroachments into the established 35' setback when precedent is shown ; and

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Westmont, DuPage County, Illinois, as follows (additions/changes are indicated by underlining and shading; ~~deletions are indicated by strikeouts~~):

Section 1: The Village of Westmont Municipal Code, Appendix A - Zoning, Article VI - Residence Districts, Section 6.04 - Bulk and development standards in residence districts, is hereby amended:

		R-1 district	R-1(A) district	R-2 district	R-3 district	R-4 district	R-5 district
(F)	Minimum yards:						
(1)	Single-family and two-family detached dwellings:						
(a)	Front and side yard adjoining a street ^{5, 9, 10}	35 feet	50 feet	35 feet	35 feet ¹²	35 feet	25 feet

Notes:

12 In the R-3 district, where the setback of the principal structure on at least one of the adjacent lots on either side of the subject lot is less than 35', the dwelling may encroach into the setback a maximum of 10', or to match the adjacent property, whichever is less. Attached garages may not encroach unless stepped 5' behind the principal structure or covered porch. The provisions in section 4.05 (E) shall be permitted from encroached structure.