



Village of Lemont  
*Planning and Zoning Commission*

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418 Main Street · Lemont, Illinois 60439  
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**PLANNING & ZONING COMMISSION**  
**Regular Meeting**  
**Wednesday, October 16, 2013**  
**6:30 p.m.**

**Planning and Zoning  
Commission**

Anthony Spinelli,  
Chairman

**Commission Members:**

Ryan Kwasneski  
David Maher  
Jerry McGleam  
Gregory Messer  
Jason Sanderson  
Phil Sullivan

**Planning & Economic  
Development Department  
Staff**

Charity Jones, Director  
Martha M. Glas, Planner

- I. CALL TO ORDER
  - A. Pledge of Allegiance
  - B. Verify Quorum
  - C. Approval of Minutes: September 18, 2013 meeting
- II. CHAIRMAN'S COMMENTS
- III. PUBLIC HEARINGS
  - A. Case 13-08 – 706 Hickory Street Fence Variation. A public hearing for a variation to allow an existing 4ft fence to remain in its current location.
- IV. ACTION ITEMS
  - A. Lemont 2030 – Civic Engagement and Governance element
  - B. Lemont 2030 – Built Environment element introduction
- V. GENERAL DISCUSSION
- VI. ADJOURNMENT

**Village of Lemont**  
**Planning and Zoning Commission**  
Regular Meeting of September 18, 2013

A meeting of the Planning and Zoning Commission of the Village of Lemont was held at 6:30 p.m. on Wednesday, September 18, 2013 in the second floor Board Room of the Village Hall, 418 Main Street, Lemont, Illinois.

**I. CALL TO ORDER**

**A. Pledge of Allegiance**

Chairman Spinelli called the meeting to order at 6:35 p.m. He then led the Pledge of Allegiance.

**B. Verify Quorum**

Upon roll call the following were:

Present: Kwasneski, McGleam, Messer, Sanderson, Spinelli

Absent: Maher and Sullivan

Planning and Economic Development Director Charity Jones, Planner Martha Glas, and Village Trustee Ron Stapleton were also present.

**C. Approval of Minutes: August 21, 2013 Meeting**

Commissioner Sanderson made a motion, seconded by Commissioner McGleam to approve the minutes from the August 21, 2013 meeting with no changes. A voice vote was taken:

*Ayes: All*

*Nays: None*

*Motion passed*

**II. CHAIRMAN'S COMMENTS**

Chairman Spinelli thanked Commissioner Sanderson for filling in for him at last month's meeting.

**III. PUBLIC HEARINGS**

None

**IV. ACTION ITEMS**

**A. Lemont 2030 – Transportation and Mobility Element**

Mrs. Jones said she will just touch on the highlights of the major recommendations, and then she will go over the individual action steps. She presented on the overhead a map from IDOT of the functional classifications of the roadways in and around Lemont.

Commissioner Spinelli asked if they were all of IDOT's roads.

Mrs. Jones stated they classify all the roads as principle, arterial, minor arterial, collector or local whether they are their jurisdiction or not.

Mrs. Jones said the Mobility Element starts with the vision and the guiding principles which remain unchanged from last month. Then there is an introduction that talks about some of the existing conditions. She stated it includes a description of the functional classification of the roadways and where our roads fall in that classification. She said then it talks about some of the characteristics of the transportation network here in town.

Mrs. Jones stated there are five (5) major recommendations with the first being the implementation of the Lemont Active Transportation Plan (ATP). She said there are specific action steps that talk about how they are going to go about implementing that plan. She stated the Element does not get into reiterating a lot of the content of the ATP but talks more about implementing the recommendations of that Plan.

Mrs. Jones said the second recommendation is provide a highly connected roadway network. She stated this relates to what they had talked about with the streets connecting and not having gated communities. Third, is ensuring context sensitive right of way design. She said they talked about functional classification of roadways, but there is nothing in there that tells you that the "feel" of McCarthy road is any different out by Bell Road than down by Illinois Street. Mrs. Jones stated looking at the context sensitive right of way design takes those things into consideration. She said it may be a minor arterial all the way from where it meets Illinois Street out past Bell Road, but the design of that right of way is going to be different based on context.

Mrs. Jones stated the next recommendation is support regional transportation projects with positive local impacts. She said there are two items in here. One is the I-55 managed lane which was talked about last month, which will provide an obvious benefit to Lemont. She stated it makes Lemont's access to the City of Chicago faster, better and more reliable. Mrs. Jones stated the second item is the south suburban airport. She said in the 2002 Comprehensive Plan there were policies in support of the airport saying it would be a benefit to Lemont. She stated she wanted to bring it up to the Commission tonight to see if the feeling of a south suburban airport is going to be a positive impact knowing that the location is going to be outside of Peotone and should it still be included in the Comprehensive Plan. Mrs. Jones said she can see the effects being either way but wanted to get the Commission's thoughts.

Chairman Spinelli said being located in Peotone you would get more impact using Lewis or Midway. He stated he does not feel it is necessary for Lemont's Comprehensive Plan.

All Commissioners agreed.

Mrs. Jones stated the next recommendation is maintain the local roadway network in good repair. She said as they are looking ahead and planning new growth, they should also be maintaining what they have. She said the last recommendation is to support the Sanitary and Ship Canal as an important regional transportation corridor. Mrs. Jones stated with the Asian Carp and blocking off the Sanitary and Ship Canal, the Village's position has been to support keeping the Canal open. She said with this they would just continue with this recommendation.

Mrs. Jones said the other item she wanted to discuss with the Commission was the talk about truck traffic and the conflict between truck traffic and pedestrian traffic. She stated it is not represented as recommendation here but she is still trying to separate it. She said she is having difficulty determining the official truck routes and classification through Lemont. She stated she is still researching this and will come back to them next month.

Chairman Spinelli stated they will define a truck route but if you are within a certain distance from an interstate you can't restrict trucks from certain roadways.

Mrs. Jones said you can't restrict if you get FHWA money. She stated she is struggling with the idea of wanting to minimize or separate truck traffic with all the limitations set on them. She said she is still researching the issue though.

Chairman Spinelli stated a way a Village gets around that is by making it an inconvenient for a truck to travel a certain way. He said you can do this by slowing down speed limits or adding traffic controls.

Commissioner Maher entered the meeting at 6:50 p.m.

Mrs. Jones said she will now hit some highlights in the implementation action area. She stated there is a five year capital plan of active transportation improvements and implementation of the policy recommendations of the ATP. She said the implementation of "create a connection to the Centennial Trail" is an important link to a major trail but also the ATP does not specify how to connect to this trail. She stated this implementation states they need to look sooner rather than later at the options listed in the ATP and start to pursue it.

Mrs. Jones stated implementation action area two (2) is to provide a highly connective roadway network. She said one of the bigger items she is suggesting is to require new developments to meet some kind of connectivity index. She stated she has not defined exactly what that is, but to put some sort of standard in the Comprehensive Plan that would be a measure of connectivity. Mrs. Jones said it would not be in the UDO so it is not regulatory. She stated she has calculated the way this could be done. She said you would take the total number of street segments divided by the number of intersections.

Or it could be a ratio of intersections divided by intersections plus dead-ends. She stated there are various ways to do this and she needs to examine and research this. Mrs. Jones said she wanted to get the Commission's opinion as to whether they liked this concept.

Commissioner Sanderson asked if she seen this elsewhere and if so where.

Mrs. Jones stated EPA had several suggestions, but she has seen it in other Comprehensive Plans.

Chairman Spinelli asked if they were looking at pedestrian or just street.

Mrs. Jones said this was geared toward street activity.

Commissioner Messer stated under Action Area 2 it says to make connections between existing streets. He asked can staff share with the Commission what happened at the last Village Board meeting regarding First Street.

Trustee Stapleton said they had about 13 to 15 people show up at the meeting that were against it. However, the Board had received petitions signed by more people than that that wanted it open. He stated they have started construction on the street already and should be done sometime in October.

Discussion continued in regard to connectivity of streets with First Street, Fourth Street, and 129<sup>th</sup> Street being discussed.

Mrs. Jones stated this is why she wants to make sure there are several recommendations regarding connectivity in existing and new developments so as they can they can make those connections.

Mrs. Jones said next is Action Area 3 – context sensitive right of way design. She said she talks about amending the UDO to create a variety of permitted street arrangements. She stated what that means is in the UDO right now we have one street cross section. She feels the UDO is lacking in design guidance for the design of streets. Mrs. Jones said she is not stating what types they should have, but the UDO should be amended to adopt a pallet of different road types. She stated in addition to functional classification, road types should be based on characteristics including adjacent land use, types of access, number of dwelling units, etc.

Chairman Spinelli stated in regards to the cross section comment it talks about the code requires 27 feet of pavement from back of curb to back of curb. He said if you include the curbing you are only getting 24 feet of asphalt, which is not sufficient for parking on the street.

Mrs. Jones said this section of pavement also conflicts with a another section of the Code. She stated it is not clear in the Code and it needs to be addressed.

Chairman Spinelli stated most municipalities have the pavement itself as 27 feet minimum then you add curb and gutter. He said that needs to be looked at either here or a separate issue with the Code.

Mrs. Jones said as they are doing these varieties of street arrangements they should come up with design guidelines for streets with on-street parking both sides and one side and streets with no on-street parking. She stated it should be delineate in the UDO where they expect those to occur.

Mrs. Jones stated some other things in Action Area 3; seek to reduce turning radii where appropriate. She said she does not feel it is appropriate everywhere, but it is appropriate in some cases. She stated it might not be appropriate where they have truck traffic, but it might be important in pedestrian areas. Mrs. Jones said in regards to allowing for alleys, there are alleys in the older parts of town. She stated if someone came in with a design where it had alleys, there are no guidelines in the UDO as to how those should be built or fit in. She said it should be addressed just in case someone wanted to address the possibility and have standards for them.

Mrs. Jones said another implementation is amending requirements on limited access on commercial streets. She stated again the UDO's language is vague. She said it talks about limits for major streets and other streets that are commercial but not a collector. Mrs. Jones stated it never defines what major streets are, so it makes it hard to apply.

Mrs. Jones stated the next one is turning Illinois Street into a one-way street. She said this was brought up by Trustee Sniegowski when talking about Illinois Street and the escalating costs of improving it due to ADA compliance issues. She stated she is not sure if it is a good idea, but it is a good enough suggestion that it warrants an investigation. She said that is what the recommendation is, but if the Commission felt strongly that it shouldn't be in the plan then lets discuss it. Mrs. Jones stated it may allow them to accomplish some of the things for an ADA standpoint, and still provide on-street parking. She said it also may provide benefits with truck routing if it is a one-way. She stated it would also force people to go down Main Street in the downtown. Mrs. Jones said she is not sure how all those will work out and weigh against the draw backs of reducing drive-by traffic for the businesses on Illinois Street.

Chairman Spinelli asked why it needs to be part of the Comprehensive Plan. He stated can't it just be a goal for staff to evaluate.

Mrs. Jones said it does not have to be if they felt it was too project specific. She stated the Comprehensive Plan serves two purposes. It sets the goals and aspirations, but it is also their work program.

Chairman Spinelli stated even if it was in the Comprehensive Plan they would still have to go for a public opinion. He said if existing conditions don't allow for ADA

accessibility, then they can't be forced to apply. He stated if you have a road that is too steep like State Street for ADA, then they can't make you put in a bunch of ramps.

Mrs. Jones said their problem is Illinois Street isn't sloped.

Chairman Spinelli stated the existing terrain and right-of-way does not allow you to change that to make it ADA compliant.

Mrs. Jones said if he doesn't think it is appropriate for the Comprehensive Plan then it can be deleted.

Chairman Spinelli stated his initial reaction is why is that project part of the Comprehensive Plan. He said maybe it should be more of a wider picture of evaluating the downtown roadway pattern rather than Illinois Street specifically. He stated you might only need one or two sections of Illinois Street to be one-way instead of all the way from State Street to Main heading west.

Mrs. Jones said she agrees and they can revise it and make it broader. She stated the last implementation area to talk about is maintaining the local roadway network in good repair. She said they had talked about annexing in existing subdivisions. Also, requiring special service areas or other mechanisms in place to ensure roads are contained and the burden is not shifted to existing taxpayers. Mrs. Jones stated the next two are just continuing existing policies of requiring developers to mitigate their off-site impacts and bring roads up to Village current standards.

Mrs. Jones stated the last is to establish and maintain a desired level of maintenance for all local roads. She said they have adopted their first three year strategic plan for the Village. She stated as part of that there were some goals for road maintenance, so that would provide the basis for long term desired levels of maintenance. Mrs. Jones said ideally she would love to have those levels of maintenance in the Comprehensive Plan, but she feels that is not going to happen.

Chairman Spinelli stated in the minutes last month there was talk about an intersection "B" level of service. He said when traffic engineers design subdivisions and the signal coordination, the level of service is the amount of time a vehicle waits at a traffic signal. He stated if we were to require a level "B" at all intersections it would cost a ton of money. He said you would have to expand turning lanes. Chairman Spinelli stated sometimes the difference between a "B" and a "C" is 20 seconds.

Mrs. Jones said she did not bring over that recommendation.

Discussion continued on intersection level of service.

Mrs. Jones said one thing that she talks about in the Connected Street Network is a possibility to include a Conceptual Generalized Future Roadway Map. She showed the Commission on the overhead an example of what it would look like. She stated it

would include our existing roads and their functional classifications. Then it would show generalized locations of new collector and arterial roads. Mrs. Jones said the benefit to it would be to show a developer coming into the area what they are thinking. She stated by calling it generalized or conceptual does not lock them into those roads.

Chairman Spinelli stated he liked it because it shows the developer what we are already planning.

All Commissioners agreed.

Commissioner McGleam asked if the Village Engineer had a chance to look at this.

Mrs. Jones said he had an opportunity to have an input.

Trustee Stapleton asked if streetscape lighting fell under that. He said is there anything in there about where they can plant trees. He stated now that the trees are 20 years old the lights are buried in trees.

Mrs. Jones said there was something put in about pedestrian scale lighting. She stated she feels there should be some standards for that and it should be encouraged. She said they should then be retroactively put into places that the ATP designates as a pedestrian corridor. She said this would be around schools, parks or down 127<sup>th</sup>. Mrs. Jones stated there are standards in the UDO for the trees and stop signs.

Mrs. Jones stated that would conclude the section on transportation. She said she appreciates the Commission's feedback.

#### **B. Lemont 2030 – Natural Resources and Recreation preliminary recommendations**

Mrs. Glas stated she will cover the next section. She said at the last meeting she had stated the previous Comprehensive Plan was very limited in scope when it came to the Natural Resource Section. She stated it just described some of the natural features in Lemont like the bluffs and the waterways. Mrs. Glas said also it did not have a section on recreation and with this new Plan they would like to have a section that specifically focuses on recreation opportunities in the Village. She stated what was put together is preliminary and it is based on what is existing out there in terms of the Comprehensive Plan. Mrs. Glas said there was the Green Plan that was adopted so there are some features that are being transferred to this Plan. She stated there was not a lot of analysis done as of yet for this element.

Mrs. Glas said at last months meeting there was discussion in regard as to whether or not the Village wanted to become a Tree City. She stated the Commission didn't really agree with that however, they are looking into options for Urban Forestry Principles for our Village trees. She stated it would have a some sort of policy or guide for the maintenance and taking care of the Village stock of trees.



Mrs. Glas stated the element starts out with the vision and guiding principles. She said these were taken from the earlier public input sessions. She stated it was a draft form so if the Commission felt that there was anything missing from either section this would be a good opportunity to talk through those. Or as staff is working on the element if they think of anything to please let them know.

Ms. Glas said generally for natural resources some of the key issues were just making sure that development respects Lemont's natural key features, whether that is topography, stream courses or critical habitats. She said another comment that came from the visioning sessions were ensuring that we have safe and clean drinking water and where is our supply going to be even beyond 2030. Mrs. Glas stated another is a conservation ethic which is looking at more brownfields and air quality. She said there is an odor network in Lemont that tackles any kind of issues with air quality.

Mrs. Glas stated in the recreation section, the Village does have the Heritage Quarries Recreation Area. She said that is something that still needs a lot of development; however there is a Master Plan that has been developed by the Heritage Commission. She stated working with them and ensuring that what is being developed meets a multitude of uses is important. She said that is actually one of the guiding principles because there is a lot of potential there as a recreational area.

Mrs. Glas said there are guiding principles around recreational facilities that are water based and that private recreational facilities be encouraged. She stated also partnering with other agencies such as the Park District. This helps make sure that we are all on the same page with our development goals in regards to open space. Mrs. Glas said there is a principle about having development be within easy access of recreational amenities and facilities. She said this creates a nice nexus with some of the things Mrs. Jones talked about with connectivity. Mrs. Glas stated you would want bike trails to connect to green spaces. She said this will help when a developer comes in and we can connect to an existing trail.

Mrs. Glas stated another guiding principle is to maintain the current levels of open space and again look at the linkages of what they currently have. She said based on those guiding principles there are some recommendations and implementations. She asked the Commission if they had any questions or comments. Mrs. Glas stated this is just a preliminary and it still needs more analysis.

Mrs. Glas said in regards to the recreation piece there is going to be a lot of need for collaborating with other agencies like the Park District. She stated making sure that the public is involved in that process is important because you want to make sure that the public is using it.

Commissioner Messer asked if there was a liaison officer for Village of Lemont with MWRD.

Mrs. Jones stated it most likely would be the Village Administrator and the Mayor. She said in regards to the Park District, her and Mrs. Glas met with Dawn Banks from the Park District a couple of weeks ago. She stated the Park District did a public survey in regards to recreation. She said their take away from that is the community wants trail connections. Mrs. Jones stated they are going to continue to work with them to find out their long term goals. She said they are starting to work on a Master Plan.

Commissioner McGleam asked if there was an existing trail map.

Mrs. Jones said there is not, but there is a map of the I&M trail. She said the Township has a map of their walking trail.

Mrs. Glas stated again if there is anything that they missed that the Commission feels should be in here to please let her know.

Commissioner Maher asked when Mrs. Jones had mentioned having more parks in the downtown area was she referring to the area where the sports fields were going to go.

Mrs. Jones stated no. She said their discussion with the Park District was a recreation like a playground geared toward kids. She stated the families that live in the downtown are most in need of a park and least served by a park.

Commissioner Maher asked if the Park District owned any land in the downtown area.

Mrs. Jones said no and that is why they were talking about it as a goal to find a site.

Commissioner Maher asked about the water based recreation.

Mrs. Glas stated that had come from the visioning sessions that were early on in the process.

Mrs. Jones said that might have to be re-evaluated.

Commissioner Maher stated the reason why that one interested him was because it hasn't really been encouraged.

Mrs. Glas said that can be reworded and they can come back to that area.

### **C. Lemont 2030 – Civic Engagement and Governance element introduction**

Mrs. Glas stated the last Comprehensive Plan did not have a section on civic engagement. It did have a section on community facilities in which they described existing school, park, fire, water and sewer. She said it was a catch all of what types of services the Village has to offer.

Mrs. Glas said with this element their approach is a little different. She stated they would like to focus on civic engagement as to what the Village's role is in getting people involved. She said the idea is the more the community residents are involved, the more invested they are in the community.

Mrs. Glas stated there is a vision statement and guiding principles. She said both are still a work in progress, so if there are any questions or comments please let them know. She stated from the last Comprehensive Plan the community facilities piece and the intergovernmental coordination were all over the place. Mrs. Glas said there are a couple of different sections that this is drawing from. She stated the first section will be Intergovernmental Coordination. She stated there is one recommendation which is to build a consensus vision of future public improvements, land use and development in Lemont Township between Cook County, and Village and Township governments. Mrs. Glas said this makes it sound like they will all get together and come up with a consensus vision, which will not happen. She stated this might be a goal but definitely not a recommendation. She said she is not sure if the Village would even want to do that. She had asked for feedback from the Commissioners.

Chairman Spinelli said it would be very tough to get all those agencies together.

Mrs. Glas stated there are other recommendations that speak about other intergovernmental coordination.

Commissioner Maher said he agrees it would be hard with the Township or County, but having it with the Fire District, Park District, and maybe Library are important.

Mrs. Glas stated there is a section that says solicits intergovernmental endorsement of the Comprehensive Plan and its future amendments. She said that might cover the Park District.

Commissioner Maher said he thinks it should have stated Park District because there is a lot of talk about open space, parks, trails, and active transportation. He stated the Park District would be an active participant. He said he feels it is relevant but just has the wrong municipalities or government bodies.

Mrs. Jones stated there might be some language that they can use from the Village's strategic plan that relates to intergovernmental coordination specifically with the entities that they are talking about. She said they do want to ensure that they talk about a working partnership with those other agencies, but don't advocate our role as the Village to do future induced planning. Mrs. Jones stated it would be using the correct verbiage.

Mrs. Glas said the second one is obtain official recognition of the Lemont Comprehensive Plan by County government in the form of a resolution or memorandum of agreement, or other mechanism, which effectively amends the Cook County Comprehensive Plan for Lemont Township. She stated she could not find the Cook

County Comprehensive Plan for Lemont Township and is not sure that it is even possible to ask them to amend their Plan. She said again the language can be changed.

Discussion continued in regards to what role Lemont has in the CMAP Go To 2040.

Mrs. Glas stated the third would be to file written protest to any Cook County subdivisions planned unit developments, and proposed zoning amendments found to be inconsistent with the recommendations of this plan. She said she could see this one in some form being a benefit, because there was something similar when the billboard proposal was submitted. Mrs. Glas stated it might not be only Cook County. She said it could also be Will and DuPage County or municipalities.

All Commissioners agreed.

Mrs. Glas said fourth is identify and create common goals, objectives and policies for the Village and other taxing districts on all issues of mutual concern. She stated this is generally the practice and they will keep it in the Plan. She said the fifth is to amend the Land and Cash Donation Ordinance to satisfy legal requirements and to comply. Mrs. Glas stated this was already addressed in the UDO.

Mrs. Jones stated she is not sure what the legal requirements were in this circumstance, but there is a Land and Cash Ordinance. She said she does not see it as an issue.

Mrs. Glas said the next is soliciting inter-governmental endorsement of the Comprehensive Plan and its future amendments. She stated this touches on a few of the previous comments, but this would be more of an active step that they would take. She said they would seek an endorsement rather than finding out whatever everyone is doing. Mrs. Glas asked if the Commissioners agreed with this one.

Commissioner McGleam asked what other bodies of government they would be seeking endorsement from.

Mrs. Glas stated the Township and County. She said the impact fees are generally covered in the UDO or development ordinance. She stated we would be asking them to sign off on how the Village wants Lemont to develop.

Commissioner Sanderson asked if we are wanting them to sign off or get together with them.

Mrs. Jones stated we are asking them to endorse it. She said she is all for inter-governmental cooperation, but feels this is a bit too much. She stated what do you do if they don't endorse it or want to change something.

Commissioner Sanderson asked about having them sit down and go over it.

Mrs. Glas said they are invited to the public meeting and we can make it a point to invite them. She stated she feels it would be better just discussing with them where they are going or their plan rather than asking them to endorse or sign off.

Mrs. Jones stated if the Commission felt that it was of value and it's important for staff to reach to each of the local taxing bodies, then she would rather do it during the development of the Plan then after. She said if they did have input, then staff has the opportunity to address that and incorporate it or not.

All Commissioners agreed.

Mrs. Glas said one of the guiding principles is the Village will work with other governmental entities across political jurisdiction to address issues affecting multiple jurisdictions and to achieve the vision of this plan. The Village will seek cooperation with other government bodies to address common issues and to achieve the vision of this plan. She stated the principle is there so it will just be a matter of doing the implementation of the steps.

Commissioner McGleam suggested instead of using "endorsement" to put "input".

Mrs. Glas stated the next one is to encourage all taxing districts to participate in the review of new development. She said this generally is the practice and they have a technical review committee. She stated it is also in the UDO.

Mrs. Glas said number eight is use annexation agreements to obtain negotiated fees from developers to pay for needed capital improvements. She stated they already do annexation agreements.

Mrs. Glas stated the next section draws from a section in the 2002 Comprehensive Plan that was under the title of Public Involvement. She said the first is when zoning public hearings are required, make public notice statements that are written in everyday language, not zoning jargon, explaining the actions requested and the reason public testimony is invited. She stated this is generally the practice. Mrs. Glas said they will keep it and revise it within the current framework.

Mrs. Glas said the next would be before plan approval of major public works projects, hold public information meetings for residents, property owners and business owners in the geographic areas affected. She stated she feels this is important and something they should do by utilizing the web more.

Mrs. Glas stated the third recommendation for this area is refer major project proposals to the appropriate Village commission whenever a project is within that commission's area of interest. She said she feels this should be kept and just expanded. She stated it should list the different Commissions and what their roles are.

Mrs. Glas said next would be to seek public input in the form of surveys, public information meetings, focus group meetings, and comment cards whenever specialized plans are proposed. She stated it is always important to keep the public engaged and should be kept in the Plan.

Mrs. Glas stated it moves on to another section of the old Comprehensive Plan that was labeled; Village grounds, water and sewer, School, Park, Library, Township, and Fire Protection. She said it was a catch all for all the services. Mrs. Glas stated on some of these she referred to Public Works staff to find out more details on them. She said the first three recommendations have already been done.

Mrs. Glas stated the fourth recommendation is help maintain a uniformly high level of fire protection service for residents and property owners in the planning area. She said this staff recommends to keep and they do inform the Fire Marshall every time there is a new development. She stated fifth is to expand fire protection district facilities. Mrs. Glas said this was done in 2006 with their expansion of Station 4 on Walker Road. She stated they can keep this if the Commission wanted to.

Mrs. Glas said the next one states to assist the fire protection district to respond to both long-term needs for fire prevention and protection capacity. She stated they can keep this one and eliminate the other one which would address any space issues all in one recommendation.

All Commissioners agreed.

Mrs. Glas stated the next is assisting the library in expansion to meet the needs of a growing population. She said this facility was remodeled in 2008 and they do have an east section of the property that is reserved for future expansion.

Commissioner Maher asked if they were proposing to take that one out.

Mrs. Glas said she was considering that as done. She stated they have the space for expansion so it is just a matter of whether they have the funds, which the Village does not have control over.

Commissioner Maher stated he feels it should be stated that the Village does support the growth of the Library.

Mrs. Jones said they can draft something in general that addresses all the taxing bodies that provide services stating they support their continued growth and expansion.

Mrs. Glas stated the next one is expand the Village water supply service area to include all of Lemont Township except areas already served by Illinois American. She said she reached out to public works and they suggested removing this. She stated there isn't a comprehensive water supply study to indicate that would even be supported.

Commissioner Maher said isn't the Village of Lemont part of the eminent domain of the Illinois Waterways so shouldn't there be something in there stating the Village supports that.

Mrs. Jones stated that is a good point and she will look into that.

Mrs. Glas said next is revising the 1994 report on Water Utility to make an up-to-date plan for future water supply system improvements. She stated Public Works did reply that an updated water supply study is needed. She said another is requiring public water supply to all new developments, which they will keep in there.

Chairman Spinelli stated this is a design requirement for all subdivisions. He said he is not sure if it is necessary in the Comprehensive Plan.

Mrs. Glas said the UDO was done in 2008 so it might not have been in there.

Commissioner Maher asked why it would not be available.

Chairman Spinelli said if they want to build houses on 2 acres lots and have private wells because the public water supply is 2 miles away, he does not understand why they would not let that happen. He stated the Comprehensive Plan is saying we are requiring water supply on all new developments.

Mrs. Jones stated it is a policy decision. She said do we want to allow leap frog development from the Village perimeter.

Chairman Spinelli said stating that it is required on all new developments might be too much. He stated a two lot subdivision is a new development. He said if the Health Department Regulations allow a well and the public water supply is not accessible, then he feels it should not be required.

Discussion continued on whether to require water supply to all new developments. Commissioners agreed that the element needs to be reworded.

Mrs. Glas stated next is requiring disconnection of individual wells when a connection to public water supply is made. She said Public Works stated that should be kept.

Chairman Spinelli said he does not see the purpose in this. He stated the yearly inspection fee that is required for having both would make people think twice on having it.

Mrs. Jones stated that is an interesting approach.

Chairman Spinelli stated when he was in Downers Grove he had connected to public water. He said he was going to keep his well until he saw how much of an annual fee he

would have to pay to have it inspected. He stated it is the same with the water sprinklers.

Trustee Stapleton asked if the well went bad or dried up would you then lose it.

Chairman Spinelli said yes you would and you could not drill for a new well.

Mrs. Glas stated she has seen it done more for a water conservation aspect.

Discussion continued as to whether this should be included in the Comprehensive Plan.

Mrs. Jones stated they will do some research.

Commissioner Maher stated he feels it should be left in.

Mrs. Glas said the next two elements are about the sanitary sewer service area and bringing it to all of Lemont Township. She stated there needs to be an updated sewer study done before that kind of goal is made.

Chairman Spinelli asked if the area north of the canal was part of Lemont Township.

Mrs. Jones stated no.

Chairman Spinelli said there are some areas that are not serviceable so to say all is too broad of a statement.

Mrs. Glas stated next is requiring developers to install improvements recommended by the Sanitary Sewer Plan for the geographic area of their projects. She said Public Works suggested keeping this.

Mrs. Glas continued with avoid granting “recapture” ordinances that reimburse subdividers and developers for their excess costs unless the recapture can be related to an economic development goal or objective of this plan, or to an environmental goal or objective. She said with this one she was directed to speak to the Village Administrator which she has not had time to do just yet.

Trustee Stapleton stated they have run into headaches over those.

Mrs. Jones said she has strong thoughts on recapture agreements. She stated enforcement is difficult. She said it is also a deterrent for future growth and development.

Commissioner Maher asked if she felt this statement was good or bad.

Commissioner Messer stated there is a contradiction. He said you can't have a requirement in the Sewer Plan and then say we are not going to help you. He stated so



you might have to remove that requirement. He stated it should be either the developer does it on their own dime or they don't develop the property. Commissioner Messer stated the problem is with administration of the recapture fees. He said if there is not a good mechanism to recapture the fees then there shouldn't be any.

Trustee Stapleton said he feels the Village should not be the one to administer it.

Commissioner Messer stated than a trust should handle it.

Mrs. Jones stated either way it still discourages development down the line.

Chairman Spinelli said that is why sometimes there is a cap on the recapture.

Mrs. Jones stated if they were going to allow them, then it should be only to recoup cost and not interest.

Chairman Spinelli said it should only be the upsize, no interest and have a cap on it. He stated if someone does not tie on in 10 years or whatever is determined then they are done. He stated a way you can avoid recaptures is by offering developers incentives for building permit fees to offset the upcharge.

Mrs. Jones stated she would like to see the Village get involved to help fund that improvement that will help with future development.

Discussion continued in regards to recapture fees.

Mrs. Jones said they will have to reword this.

Mrs. Glas stated continuing, avoiding lift stations, except in those areas where a comprehensive sanitary sewer report recommends their installation. She said this one they will keep.

Mrs. Glas said the next couple of them pertain to flooding, storm water, and rain fall events. She stated the way they are structuring the natural resources element and the water piece these recommendations would probably be in those sections of the Plan. However, they were not presented at the last meeting because they were under Community Facilities. She said they will go through them, but they might end up in the Natural Resource section.

Mrs. Glas stated first is eliminating all significant risk of property damage and personal injury due to flooding. She said this is more of a guiding principle and it is under the stormwater management framework. She stated there are things in the UDO that limit construction in a flood plain. Mrs. Glas said so the next three recommendations would stay but will be worked into the stormwater management recommendations.

Chairman Spinelli asked in general with the Comprehensive Plan and this comment of eliminate all significant risk of property damage due to flooding, are they opening themselves up for a potential lawsuit. He suggested not using the word “eliminate” and maybe have our Village Attorney look at the wording to make sure the Village can’t be held responsible.

Mrs. Glas said next is the Village shall accept ownership and maintenance of detention basins in single-family residential subdivisions, subject to compliance with the Standard Specifications. She stated Public Works had commented only where homeowner’s associations do not exist. She said in developments that have HOA’s it would be their responsibility to maintain.

Chairman Spinelli asked if they can require them to make an HOA. He said if a development comes in that does not have a HOA and they convince whoever to have a wet detention basin, he feels the Village should not take ownership on that and instead require a HOA.

Mrs. Jones asked naturalized detention or wet.

Chairman Spinelli stated a pond, which the Village discourages. He said the Village should not take responsibility of a wet basin only because the developer does not want a HOA. He stated it would encourage the developer to find a way to put in a dry detention basin.

Mrs. Jones said that is fine and feels Public Works would agree with it. She stated staff will talk with Public Works more on this issue. She said they would have to differentiate between the ponds and naturalized detention basin.

Discussion continued on homeowner associations.

Mrs. Glas stated continuing on, where detention basins are planned in commercial, industrial, multiple-family residential or institutional developments, the basins shall be owned and maintained by the property owners, subject to compliance with the Standard Specifications. She said this will be kept but under the stormwater management framework.

Mrs. Glas said there is a section in 2002 Plan under Telecommunications and Energy. She stated the first recommendation is do all things possible to facilitate efficient, cost effective and timely service delivery to residents. She said this seems like a general goal.

Mrs. Glas stated next is creating and maintain franchise agreements favorable to the Village.

Commissioner Maher said it should say favorable to residents.

Mrs. Jones said the three were it states they already do, they weren't necessarily going to keep them in the Plan because it is already part of their practice.

Commissioner Maher stated he feels that one should be in there.

Mrs. Glas stated next is requiring utility companies to follow aesthetic standards for design above ground structures, no less stringent than standards for non-utility structures. She said this one they already do, but can be kept in there. Another, encourage co-location of communications antennas to centralize their locations and to avoid multiplying the number of towers located in the Village.

Mrs. Glas said next is insuring that pipelines are compatible with the community. She stated she is not sure what this meant and Public Works didn't seem to know either.

Mrs. Jones stated the pipeline reviews any proposed development to make sure it is compatible. She said aside from that she is not sure what it is recommending.

Chairman Spinelli said further south pipelines vary so maybe it was suppose to be in there to make sure they stay underground. He said on Bell Road by the Fire Department it does come out of the ground, so they might want to leave it say compatible. He stated there might be circumstances where it might have to come above ground.

Mrs. Glas said another is creating and maintain up-to-date records of pipelines, pipeline easements, and pipeline company contacts etc. She said according to Public Works it has been competed so it can be removed. She stated in their system there is also a flag letting them know if there is a pipeline.

Mrs. Glas stated lastly, requiring written comments from the applicable pipeline company for a construction project proposed over or adjacent to a pipeline easement. She said again they have the properties flagged in their system.

Chairman Spinelli said can we change it from "require" to "request". He stated there is not guarantee that the pipeline will respond.

## **V. GENERAL DISCUSSION**

Commissioner Maher asked who was responsible for cutting down the Ash Trees.

Mrs. Jones stated it is Public Works, but they are hiring a tree service to do it.

Commissioner Maher asked if the Village had anything in writing to fund the replacement of trees.

Mrs. Jones said there is not enough money to replace all of them. She stated if the homeowner wanted to replace the tree, Public Works would come out and help mark an appropriate spot to put in the tree.

Commissioner Messer stated there should be information on the website informing residents as to what they should expect or do.

Commissioner Maher said the Village should look into getting a fund for the tree replacement due to the number of ash trees they have to take down. He stated whether it is a 50/50 or 75/25 program to encourage replacement of those trees. He said there are going to streets that are completely empty. Commissioner Maher stated they need to inform residents that there are programs to help save these trees. He said there might be people out there don't know even why their tree is dying. He asked can't there be something in the next bulletin.

Mrs. Jones stated according to Public Works it was not cost effective to treat the trees.

Commissioner Kwasneski said they need to educate the community.

Chairman Spinelli asked if they have done anything more on increasing fees for public notice signs. He said the sign on 131<sup>st</sup> and Parker is still there. He asked if we can take down our own sign. He stated they need to revisit increasing these fees where it is refundable if they take their sign down, but after 30 days of the meeting if the sign is not down then the Village keeps their deposit.

Mrs. Jones stated they can change their requirement and just charge a fee.

## **VI. ADJOURNMENT**

Commissioner Maher made a motion, seconded by Commissioner McGleam to adjourn the meeting. A voice vote was taken:

*Ayes: All*

*Nays: None*

*Motion passed*

*Minutes prepared by Peggy Halper*





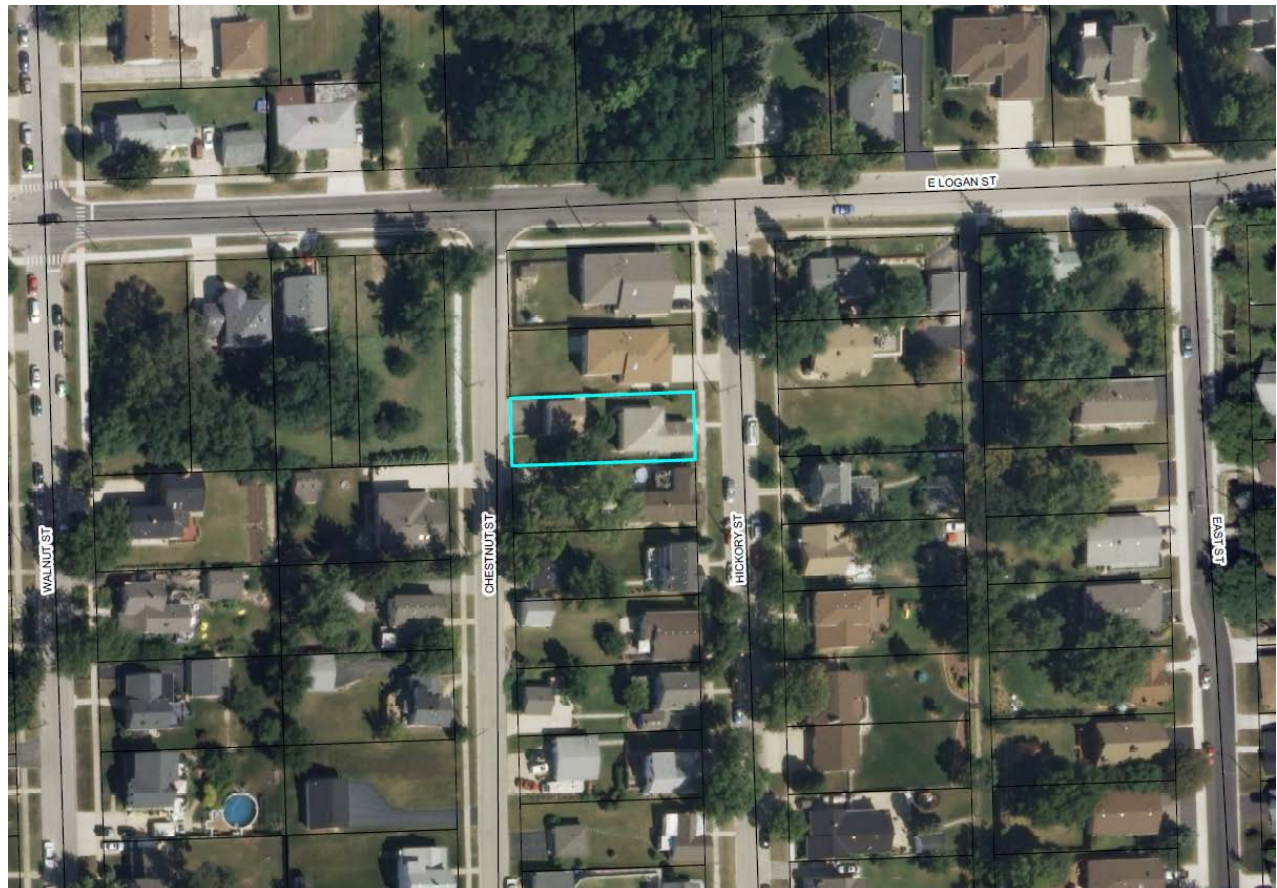
Village of Lemont  
*Planning & Economic Development Department*

418 Main Street · Lemont, Illinois 60439  
phone 630-257-1595 · fax 630-257-1598

TO: Planning & Zoning Commission  
FROM: Martha M. Glas, Village Planner  
THRU: Charity Jones, Planning & Economic Development Director  
SUBJECT: Case 13-08 706 Hickory Street  
DATE: October 9, 2013

**SUMMARY**

Jeff Luoma and Anne Knight, owners of the subject property, have requested a variation from UDO §17.12.030.A to allow an existing 4ft fence to remain in its current location. Staff is recommending denial.



**PROPOSAL INFORMATION**

Case No. 13-08  
 Project Name 706 Hickory Street Variation

General Information	
Applicant	Jeff Luoma and Anne Knight
Status of Applicant	Property Owners
Requested Actions:	Variation to allow an existing 4 ft fence to remain in its current location.
Site Location	706 Hickory Street (PIN 22-29-217-003-0000)
Existing Zoning	Lemont R-4A Single-Family Preservation and Infill District
Size	48ft x 130 ft
Existing Land Use	Residential
Surrounding Land Use/Zoning	R-4A Single-Family Preservation and Infill Residential use and zoning on all sides
Comprehensive Plan 2002	The Comprehensive Plan calls for this site to be residential.
Zoning History	N/A
Special Information	
Public Utilities	The site is serviced by Village water and sewer.
Transportation	N/A
Physical Characteristics	The property slopes considerably downward to the north and west.

**BACKGROUND**

Section 17.030.A of the UDO states that the fences are permitted only in conformance with Figures 17-12-02 and 17-12-03, as shown below. Additionally, the UDO allows fences in front yards, if they meet the requirements of a decorative fence as detailed in UDO §17.12.030.B. Decorative fences must be open in design, not exceed three feet in height, and be placed at least 20 ft from the edge of any public street.

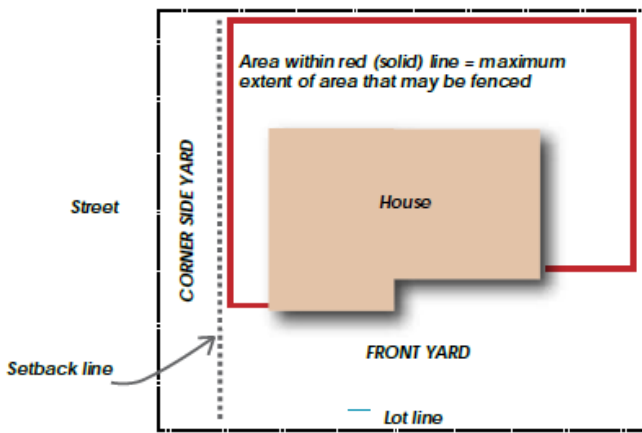
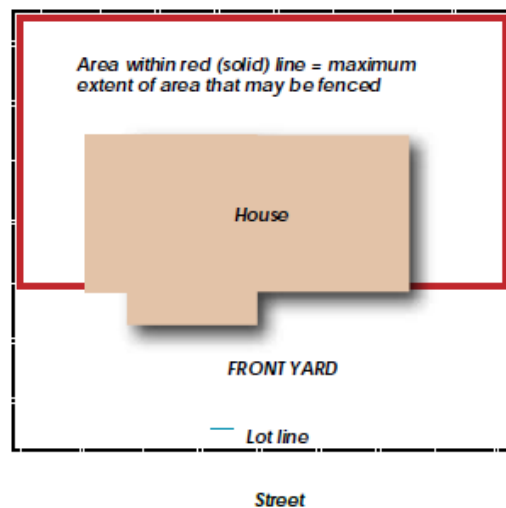


FIGURE 17-12-02 Fences on Corner Lots (above)

FIGURE 17-12-03 Fences on Interior Lots (below)



The UDO defines front yard as “a yard extending across the full length of the front lot line and between (1) the front lot line and the façade of the primary structure on the lot, and (2) the side lot lines.” UDO Figure 17-02-06 illustrates the front yard definition. The UDO defines façade as “that exterior side of a building that faces and is most closely parallel to a public or private street; the exterior side of a building that is primarily oriented toward the public street by means of the main entrance, fenestration, and architectural features. The façade includes the entire building walls, wall faces, parapets dormers, fascia, windows, doors, and canopies of one complete elevation. In instances where there is no clear indication of street orientation, the side to which the building is addressed shall determine the façade.”

The applicant constructed a fence prior to receiving permit approval and was subsequently denied a permit because based on the illustration (17-12-02) provided in the UDO, the fence was deemed to be constructed in the front yard at a height greater than what is allowed.

The applicant was advised of their options which included: 1) relocation of the fence to the area beginning at the corner of the home addition 2) reducing the 4ft fence to 3ft fence in the front yard portion, 3) seeking a variation to allow the fence to remain.

## STANDARDS FOR VARIATIONS

UDO Section 17.04.150.D states that variation requests must be consistent with the following three standards to be approved:

1. The variation is in harmony with the general purpose and intent of the Unified Development Ordinance;

**Analysis.** The general purpose of the UDO is specified in UDO Section 17.01.050. Of the eight components listed, four are not applicable to this variation request. The variation request is consistent with the remaining four components.

- **Promoting and protecting the general health, safety and welfare.** The variation request will not injure the health, safety and general welfare of the public.
- **Ensuring adequate natural light, air, privacy, and access to property.** The variation will have no impact on light, air, and access to property. That applicant states that allowing the fence to remain would increase their ability to utilize the limited yard space in a more private fashion. However, a 3ft fence, which is allowed in the front yard, would also provide privacy for the applicant.
- **Protecting the character of established residential neighborhoods.** The subject site is in an established residential area. It is located within the R-4A zoning district, which encompasses the majority of the older and historic homes in the village. The lots in the R-4A district are typically narrow and deep. This particular lot is a through lot and has a garage along Chestnut Street. Of the 12 through lots along Hickory Street, 9 homes, including the home on the subject lot, are in close proximity to their front lot lines. The



two homes to the north of the subject property are of new construction and were built with deeper setbacks. The owner states that the original home was constructed in 1893. An addition was added in 2002, which extended the width of the home in the rear by 9.5 feet. This extension is set back 22 feet from the original house. According to UDO §12.030.A, the fence should be located at the corner of the addition. A fence in this location may take away from the residential character of the neighborhood, however reducing the current fence down to the allowable 3ft fence would not.

The existing fence lines up with the fence of the neighbor to the south as shown in Figure 1. The home to the north, however, is set back further; therefore, the fence is adjacent to this neighbor's front yard as shown in Figure 2.

**Figure 1 Home to the south of subject property**



**Figure 2 Home to the north of subject property**



- **Conserving the value of land and buildings throughout the Village.** The addition of a fence is generally seen as an improvement to a property and when kept in good repair, has potential of increasing the value of the land and buildings in the surrounding area.
2. The plight of the owner is due to unique circumstances, and thus strict enforcement of the Unified Development Ordinance would result in practical difficulties or impose exceptional hardships due to the special and unique conditions that are not generally found on other properties in the same zoning district;

**Analysis.** The UDO states that in making a determination whether there are unique circumstances, practical difficulties, or particular hardships in a variation petition, the Planning and Zoning Commission shall take into consideration the factors listed in UDO §17.04.150.D.2.

- a. *Particular physical surroundings, shape or topographical conditions results in a particular hardship upon the owner as distinguished from a mere inconvenience.* The subject property is built on a long narrow lot (48ft x 130ft) and is on a hill that slopes to the north and west. The home and detached garage occupy the lot lengthwise and leave minimal room in the rear of the property. The slope, existing mature trees, and existing retaining walls also limit the remaining yard space. The applicant claims that these and other conditions significantly limit the amount of usable outdoor space on their property. They further claim that the UDO's fence placement restrictions create a hardship for their enjoyment of this limited outdoor area. However, a permissible 3ft fence in the front yard would provide the same amount of enclosed yard space as the existing fence. Therefore, staff finds that topography, physical characteristics, etc. do not create a practical hardship in this particular variance request.
- b. *The conditions upon which the petition for variation is based would not be applicable generally to other property within the same zoning district.* The conditions upon which this petition is based would be applicable to other properties in residential zoning districts if the home had a footprint similar to that of the home on the subject site.
- c. *The alleged difficulty or hardship has not been created by any person presently having an interest in the property.* The addition, which was not constructed by the present owners, changed the building footprint and subsequently changed the permitted location of the fence. Had the addition not been constructed by the previous owners, the fence that was constructed by the current owners would have been a permitted fence and the yard space would be considered a side yard. A side yard designation would allow the owner to have such things as a patio or deck. A fence located in front of the addition is a front yard and hence the requirement for a 3ft maximum fence. The UDO limits the obstructions allowed in the front yard. For example a patio or deck is not allowed in the front yard.
- d. *The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the subject project is located.* The variation would not be detrimental to the public welfare or injurious to other property. The applicants assert that allowing the 4ft fence to remain in the front yard will improve perceptions of public safety by more adequately safeguarding their dogs when they are outside.
- e. *The variation will not impair an adequate supply of light and air to adjacent properties or substantially increase congestion in the public street or increase the danger of fire or endanger the public safety or substantially diminish or impair property values within the neighborhood.* The variation would not

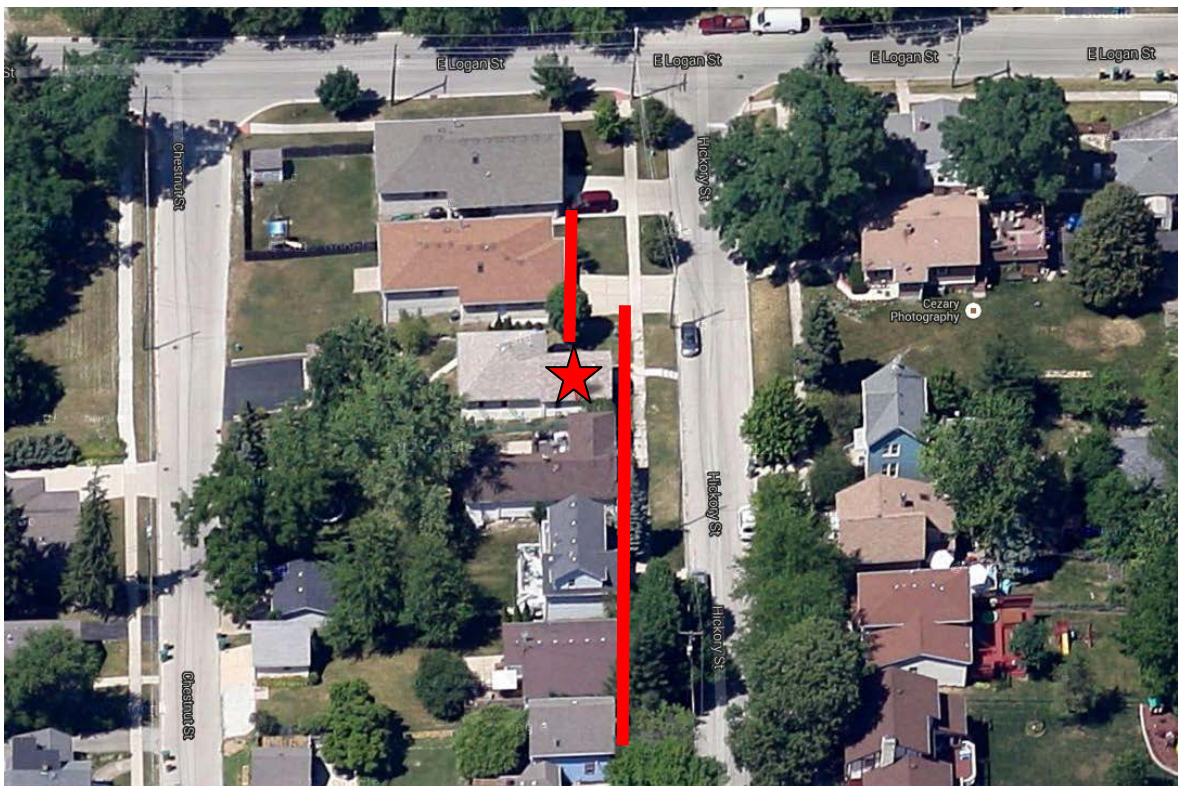
endanger public safety, impair property values, adequate supply of light or air or increase the danger of fire or congestion.

3. The variation will not alter the essential character of the locality and will not be a substantial detriment to adjacent property.

**Analysis.** The existing 4ft fence does not alter the essential character of the neighborhood. In fact, a fence pushed back to meet the corner of the addition, as is required based on Figure 17-12-02, may actually take away from the character of the neighborhood, but nonetheless be in compliance. A fence in the current location, reduced to the permitted height of 3ft would not alter the character of the neighborhood and be in compliance.

As stated previously, the adjacent property to the north is of new construction and built with deeper setbacks making the existing fence also located in the front yard of the adjacent neighbor. If the north neighbor had setbacks similar to the subject property, the existing fence would be along a side yard and more palatable, similar to the neighbor to the south. The degree of detriment, however, is difficult to establish as the grade change (downward slope to the north) already creates a fence height in excess of what would be allowed. (see Figure 4 in Site Photos)

**Figure 3 Setbacks along Hickory Street**



**Engineering Comments.** The Village Engineer stated he has no objections to the variation application.

## RECOMMENDATIONS

Staff recommends denial of the variation request. The UDO requires that the applicant demonstrate consistency with all three of the variation standards contained within §17.04.150.D. and staff finds that not all three were substantially met. Recognizing that the addition (constructed by previous owners) changed the building footprint in a manner that affects not only allowable fence height but also permitted obstructions, the fact remains that this variation request would be applicable to other properties with a similar footprint in all zoning districts. Additionally, allowing a 4ft fence in the front yard has impact on the adjacent neighbor. The applicant did submit a petition of supporting neighbors; however the property in question was not a participant in the petition.

## **ATTACHMENTS**

1. Site Photos
2. Applicant Submissions

## SITE PHOTOS

Figure 1. Subject property, looking west



Figure 2. Rear of subject property, looking east



Figure 3. Side of subject property, looking southeast from the rear of the property



Figure 4. Side of subject property, looking southwest from the front of the property



Village of Lemont

Planning & Economic Development Department  
418 Main Street Lemont, Illinois 60439  
phone (630) 257-1595  
fax (630) 257-1598

Variation Application Form

APPLICANT INFORMATION

Jeff Luoma & Anne Knight  
Applicant Name  
None  
Company/Organization  
706 Hickory Street, Lemont, IL 60439  
Applicant Address  
Phone: 630-710-8580; Fax: None  
Telephone & Fax  
annieknight85@gmail.com  
E-mail



CHECK ONE OF THE FOLLOWING:

- Applicant is the owner of the subject property and is the signer of this application.
- Applicant is the contract purchaser of the subject property.
- Applicant is acting on behalf of the beneficiary of a trust.
- Applicant is acting on behalf of the owner.

PROPERTY INFORMATION

706 Hickory Street Lemont, IL 60439  
Address of Subject Property/Properties  
22-29-217-003-0000  
Parcel Identification Number of Subject Property/Properties  
Lot size: 6,240 square feet; Bulding size: 1,161 square feet  
Size of Subject Property/Properties

DESCRIPTION OF REQUEST

Applicant is requesting permission to have a 4 foot picket fence in front of a small portion of the front  
Brief description of the proposed variation  
face of the house that is set back 22 feet from the rest of the house, juts out less than 9 1/2 feet from the  
rest of the house, and only contains a small window approximately 9 1/2 feet from the ground.

REQUIRED DOCUMENTS

See Form 500-A, Variation Application Checklist of Required Materials, for items that must accompany this application.

FOR OFFICE USE ONLY

Application received on: 8/26/13 By: \_\_\_\_\_  
Application deemed complete on: 8/27/13 By: mmj  
Current Zoning: R-4A  
Fee Amount Enclosed: 250<sup>00</sup> Escrow Amount Enclosed: 500<sup>00</sup>

# Variation Application Form

Village of Lemont

## APPLICATION FEE & ESCROW

### Application Fee = \$250 (per zoning lot)

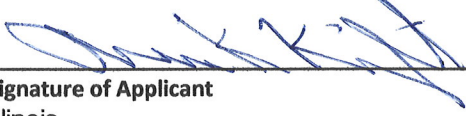
Fee is non-refundable. A zoning lot is defined as "a single tract of land located within a single block that (at the time of filing for a building permit) is designated by its owner or developer as a tract to be used, developed, or built upon, under single ownership or control" (Unified Development Ordinance Chapter 17.02).

### Required Escrow = \$500

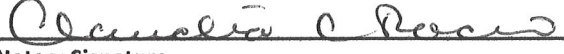
At the time of application, the applicant shall submit a check for the establishment of an escrow account. The escrow money shall be used to defray costs of public notice, consultants, or other direct costs incurred by the Village in association with the variation application. Additionally, should the applicant fail to remove the required public notice sign in a timely manner, the escrow account may be used to defray the costs of the sign's removal. After completion of the variation review process, any unused portion of the escrow account will be refunded upon request.

## AFFIRMATION

I hereby affirm that I have full legal capacity to authorize the filing of this application and that all information and exhibits herewith submitted are true and correct to the best of my knowledge. I permit Village representatives to make all reasonable inspections and investigations of the subject property during the period of processing of this application. I understand that as part of this application I am required to establish an escrow account to pay for direct costs associated with the approval of this application, such as the fulfillment of public notice requirements, removal of the public notice sign, taking of minutes at the public hearing and fees for consultants hired by the Village to evaluate this application. I understand that the submitted fee is non-refundable and that any escrow amount leftover upon project completion will be refunded upon request. I understand that I am responsible for the posting of a public hearing sign and for the mailing of legal notice to all surrounding property owners as required by Village ordinances and state law.

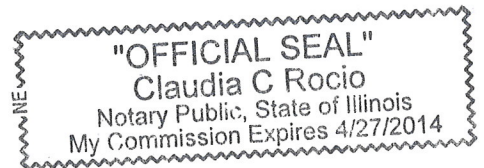
	<u>8/26/13</u>
Signature of Applicant	Date
Illinois	Cook
State	County

I, the undersigned, a Notary Public in and for the aforesaid County and State, do hereby certify that ANNE KNIGHT is personally known to me to be the same person whose name is subscribed to the foregoing instrument, and that said person signed, sealed and delivered the above petition as a free and voluntary act for the uses and purposes set forth.

  
Notary Signature

Given under my hand and notary seal this 26th day of August A.D. 20 13.

My commission expires this 27th day of April A.D. 20 14.



# Variation Criteria Worksheet

Unified Development Ordinance (UDO) Section 17.04.150.D.1 establishes the criteria that all applications for variations must meet. In addition, Section 17.04.150.D.2 of the Unified Development Ordinance requires that the Planning & Zoning Commission or Zoning Hearing Officer take the following conditions into consideration when determining whether a request qualifies for a variation. You may want to consider the following in your variation request:

- The particular physical surroundings, shape, or topographical condition of the specific property involved results in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations of the Unified Development Ordinance were fulfilled;
- The conditions upon which the petition for variation is based would not be applicable, generally, to other property within the same zoning classification;
- The alleged difficulty or hardship has not been created by any person presently having an interest in the property;
- The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the subject property is located; and
- The variation will not impair an adequate supply of light and air to adjacent properties, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

Please describe below how your variation request meets the criteria of UDO Section 17.04.150.D.1. Attach additional sheets if necessary.

**UDO Section 17.04.150.D.1.a**

The variation is in harmony with the general purpose and intent of the Unified Development Ordinance;

See attached Addendum, Section 1

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**UDO Section 17.04.150.D.1.b**

The plight of the owner is due to unique circumstances and thus strict enforcement of the Unified Development Ordinance would result in practical difficulties or impose exceptional hardships due to the special and unusual conditions that are not generally found on other properties in the same zoning district; and

See attached Addendum, Section 2

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**UDO Section 17.04.150.D.1.c**

The variation will not alter the essential character of the locality and will not be a substantial detriment to adjacent property.

See attached Addendum, Section 3

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**706 HICKORY STREET  
VARIATION APPLICATION ADDENDUM**

**Introduction:**

First and foremost, we would like to apologize for the fact that our fence was built before the permit was secured. When we signed the contract for the fence, we gave the fence company a \$75 check made out to the Village of Lemont for the purpose of securing a permit. When scheduling the date for the fence to be installed, approximately two weeks after signing the contract, the scheduling personnel confirmed the salesman, Craig Davis, would secure the permit. As it turned out, Craig had taken steps to secure the permit and the installation date was set for the following week.

In our naiveté, we did not check to confirm the company had obtained the permit before they began installing the fence. In the evening, on the day the fence was installed and paid for, we received a message from Craig informing us there was a problem with the permit. It was clear from his message that he was unaware the fence had already been installed. The fence company has accepted full responsibility for this error, and we are grateful for that. We still, however, feel strongly about the location of the fence, and we would have sought the variance had the fence not previously been installed. We hope you will not hold this mistake against us.

Unified Development Ordinance:

**Section 1: 17.04.150(D)(1)(a) The variation is in harmony with the general purpose and intent of the Unified Development Ordinance.**

This variance is in harmony with the apparent intent of the fence provision and the identified purpose of the UDO.

**A. Fence Provision: 17.12.030**

Section 17.12.030 of the UDO specifies that only decorative fences not exceeding three feet in height are permitted in the front yard of an R-district home. The code does not identify an intended purpose for this limitation, however, the perceived purpose is to prevent homeowners from placing an unattractive and obtrusive fence in front of a portion of the front face of their home. Specifically, it would prevent people from fencing in front doors, front porches, attached garages, and decorative front faces with windows, shutters, etc. The diagram below shows the limitation next to the layout of our home with a blue line approximating our fence line:

UDO Fence Diagram

706 Hickory layout<sup>1</sup>

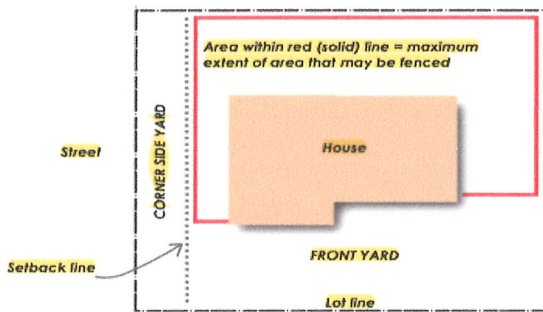
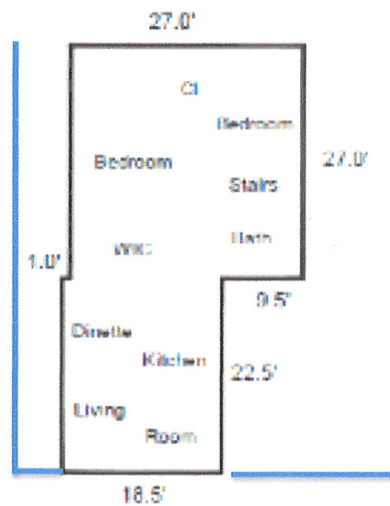
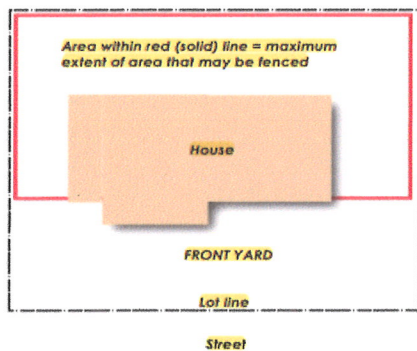


FIGURE 17-12-02. Fences on Corner Lots (above)

FIGURE 17-12-03. Fences on Interior Lots (below)



<sup>1</sup> To conserve space, I am only including the home and the immediately surrounding area, I have not included the entire lot. For the remainder of the lot, review Exhibit A attached.

Many homes, particularly in our area, have a small area like a garage, three-season room, or front room that juts out past the front face of their house. Here are some examples of homes in our neighborhood that fit that description:



As you can see, a fence build off the front section of these homes would block off a front-facing door or a main first-floor window, all of which are less than 10 feet from the front line of the house, whereas ours' is over 22 feet. Here are photos of the front of our house, and the 9 foot 5 inch wide portion that is fenced in:



Note the entire front face of the house, including the front door, and two large, 26" x 52", windows, is not fenced in. The portion that is behind the house is only 9 feet 5 inches long, is set back 22 feet from the front line of the house, and has a small 18" x 21" bathroom window, approximately 9 feet and 4 inches above the ground. Moreover, the entire back section of the house, which includes the 9 foot, 5 inch jut-out, was added onto the house in 2002. The original house was built in 1893. The front part of the house was the entire house for nearly 110 years. Had this fence been added to the house prior to 2002, the placement would have complied with the code. Additionally, this nearly 9 1/2 foot section is not particularly aesthetically appealing. Placing it behind a fence is an aesthetic improvement on the property.

This proposed variance would comply with the intent of preventing homeowners from placing a large fence in front of the decorative front face of their home.

**B. Over-Archiving purpose of UDO: 17.01.050**

This variation is in harmony with the general purpose and intent of the Unified Development Ordinance as a whole. Section 17.01.050 identified the following overarching purposes of the UDO:

- A. Promoting and protecting the public health, safety, and general welfare;
- B. Ensuring adequate natural light, air, privacy, and access to property;
- C. Avoiding or mitigating the hazards to persons or property resulting from accumulation of runoff or flood water;
- D. Protecting the character of established residential neighborhoods;
- E. Maintaining and promoting economically vibrant and attractive commercial areas;
- F. Establishing clear and efficient development review and approval procedures; and
- G. Conserving the value of land and buildings throughout the village;

H. Accommodating development and growth that is consistent with the preceding stated purposes.

The purposes relevant to this matter are A, B, D, and G.

First, the purpose of this 4-foot picket fence is to keep our two, tall, eighty-pound dogs, the children of our friends and family, and our future children safe and protected in our yard. A decorative fence, permitted under 17.12.030B, would be insufficient to secure and protect dogs and children. We have heard two stories in the neighborhood of dogs jumping 3-foot fences and attacking other dogs. While our dogs would never hurt anyone, strangers walking past would no doubt feel safer seeing a 4-foot fence between them and two, tall, eighty-pound dogs. Further, there is a 3-foot retaining wall directly to the north of our fence, butting up against our neighbor's concrete driveway. Neighborhood children have used that wall as a "jump" for sleds and bikes. This fence prevents them from using the retaining wall as such, and potentially injuring themselves. The fence is a positive safety measure protecting the public.

Second, because the fence is only a 4-foot picket, it has minimal, if any, impact on the natural light and air for the surrounding properties. Additionally, it increases our privacy and the privacy of our neighbors and it does not impact anyone's access to their own property.

Third, this variance would be consistent with the character of this neighborhood. The vast majority of the houses on our block were built over 100 years ago. As such, they are all set forward on the lot, with unattached garages facing the street behind the house. By placing the fence where we did, we have framed out the original face of the house and relegated the out-of-character addition to the backyard. The other fences on the block are

similarly forward on the lot line. As seen in the picture below, our fence is directly in line with our neighbor's 5-foot picket fence.



Fourth, and finally, if this fence has any impact on the value of the property and the surrounding property it is positive. It is an attractive fence, promoting safety, creating privacy while still encouraging interactions with neighbors, and highlighting the attractive face of the house while down-playing the less attractive addition and visible utility boxes. To demonstrate this point, here is a photograph of the house before we purchased it in 2009 and a photo of the house today.



As you can see, this requested variation is in harmony with the intent and purpose of the specific fence provision as well as the intent and purpose of the UDO.

**Section 2: UDO Section 17.04.150(D)(1)(b)**

**The plight of the owner is due to unique circumstances and thus strict enforcement of the Unified Development Ordinance would result in practical difficulties or impose exceptional hardships due to the special and unusual conditions that are not generally found on other properties in the same zoning district; and**

In determining whether this element is satisfied, the Board should consider the following factors outlined in 17.04.150(D)(2)(a-e). While the UDO specifies that these factors should be considered, it does not identify any factor as dispositive of the analysis. Rather, the board should base its decision on the totality of the circumstance after considering these factors. The factors are as follows:

- a. The particular physical surroundings, shape, or topographical condition of the specific property involved results in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations of this unified development ordinance were fulfilled, and
- b. The conditions upon which the petition for variation is based would not be applicable, generally, to other property within the same zoning classification; and
- c. The alleged difficulty or hardship has not been created by any person presently having an interest in the property; and
- d. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the subject property is located; and
- e. The variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property value within the neighborhood.

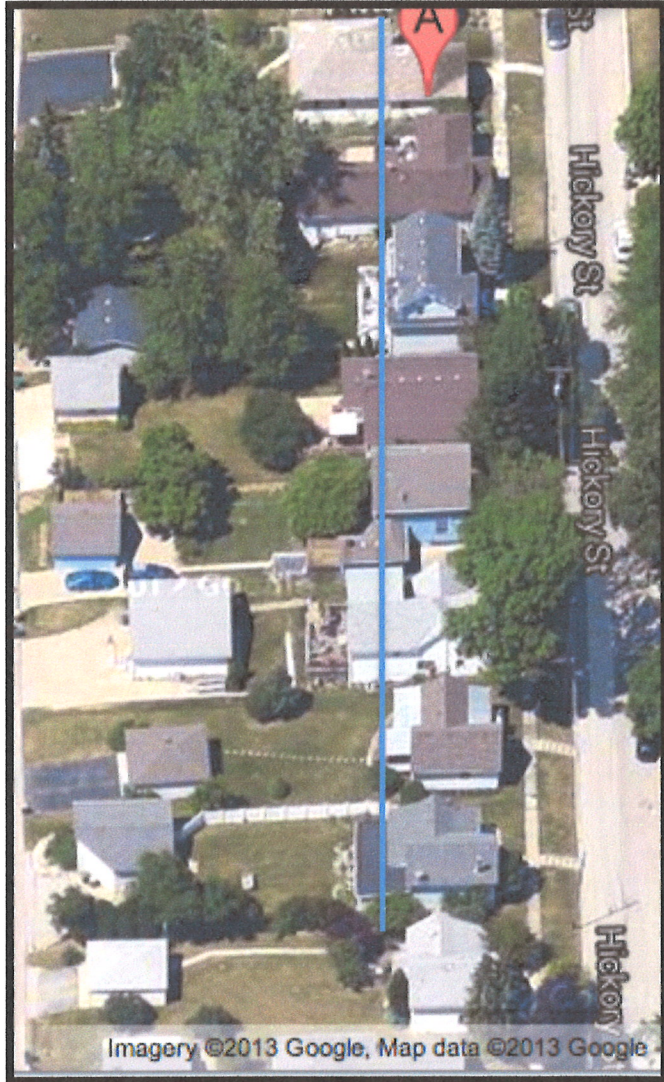
First, this home is built on a long, narrow lot, on a hill sloping to the north and the west.

In fact, the width of the lot is less than 50 feet, therefore, it is not a "buildable" lot. The



structure on the property is the structure that will remain. Due to the narrowness of the property, and the fact that the house and garage are built lengthwise within the lot, we are forced to make use of the land to the sides of the structures. Further, when you take into account the mature trees, steep slopes, and retaining walls, there are limited locations for a patio table and chairs in our yard. Additionally, our neighbors immediately to the south of us are up hill from our home, with a second-floor deck providing use with minimal, if any, privacy in our backyard. We actually have far more privacy in our side yard. Finally, we like our neighbors to the south very much, and we get along very well with them, but they have two small dogs that bark at us constantly when we are in our backyard. Our neighbors are then forced to stop what they are doing and come outside to get them. We have put up reed fencing and tried various things to prevent the dogs from seeing us, but we have not been successful. When we are on the north side of our house, the area we wish to keep fenced in, they do not bark. This is of a great benefit of us and our neighbors, as they find the barking frustrating as well.

Second, we have walked all over the community looking for a home with a physical layout analogous to ours and we have not found anything comparable. Our property is uniquely situated for the following combined reasons: (1) the lot shape is unusually long, narrow, and sloped, minimizing the available surface area for outdoor living space and requiring us to make use of our side yard. (2) The 2002 addition is setback the entire length of the original home (22 feet 5 inches). If one were to draw a line from the back of the original house, through the houses south of the property, that line would run near or along the back edge of most of those homes. See the diagram below.



This diagram shows the addition is in the backyard of nearly all of our neighbors to the South.<sup>2</sup> (3) The 9 foot 5 inch section of the addition that extends past the original home contains no front-facing doors or ground level windows. This section is clearly not intended to be a decorative part of the front façade; it is plain at best, and borders on unattractive (see the photograph at the end of Section 1). These circumstances are unique to this property and will not arise elsewhere in the neighborhood.

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<sup>2</sup> The two homes to the north of ours were built in 2005 and are therefore set back further. Both sets of neighbors in those homes, however, have expressed their support for the fence in its current location.

Third, the condition causing the hardship was not created by ourselves or anyone with a current interest in the property. The addition was built by the family that owned the property in 2002. If the fence had been put in place anytime between the time the house was built in 1894 and 2002, the current placement would be permitted under the ordinance. Further, if that family had chosen to take the addition straight back rather than making it slightly wider, the current placement would be permitted under the ordinance. The shape of the home was not our decision. Likewise, we cannot be held responsible for the narrowness of the lot, the slope of the property, the placement of the garage, the mature trees, or the retaining walls, all of which contribute to the need to retain and secure this side portion of the yard for ourselves, our pets and our future children.

Fourth, and simply put, granting this variation request would not be “detrimental to the public welfare or injurious to other property or improvements in the neighborhood.” The petition attached as exhibit B, demonstrates the neighborhood’s support for our fence. And, as discussed in Section 1, the fence is a positive safety measure.

Finally, regarding the last factor: (1) the fence is a 4-foot picket fence and it allows air and light to travel freely to neighboring properties; (2) the fence will have no impact whatsoever on street congestion or fire hazards; (3) the fence has the potential to improve public safety by blocking the 3-foot retaining wall and securing large dogs and children on the inside of the fence; and (4) it is a well-made wood fence that will likely improve the value of the properties in the neighborhood due to it’s positive aesthetic impact.

**Section 3: UDO 17.04.150(D)(1)(c).**

**The variation will not alter the essential character of the locality and will not be a substantial detriment to the adjacent property.**

Section 1, subpart B explains that this variation would be consistent with the

“character of the locality” because the majority of the houses on the block were built over 100 years ago and are similarly set forward on the lot. Many of the houses on our street also have fences that come off the front of their home. Further, as shown in the photograph in Section 1 subpart B, our fence is directly in line with our neighbor’s 5-foot picket fence. Our 4-foot picket fence preserves the historical character of the home by framing the original façade and hiding the addition. Additionally, 4-foot fences in front yards are not completely unheard of in our neighborhood. Here are the homes within approximately 5 blocks of our home that have 4-foot fences in their front yards:



Finally, all of our adjacent neighbors have expressed positive opinions about our fence. The fence does come out past the front of the homes of our neighbors to the north; however, it is an improvement to the previous view they had of our yard. Further, the elderly couple immediately north of us will no longer have to worry about the children using the retaining wall between our yards as a “jump” for bikes and sleds.

**Conclusion:**

Thank you so much for taking the time to read through our explanations and consider our request for a variation. We hope, after reviewing this material you are comfortable in deciding that this variation is in the best interest of the property and the community. We would be happy to provide you with any additional information you may need.

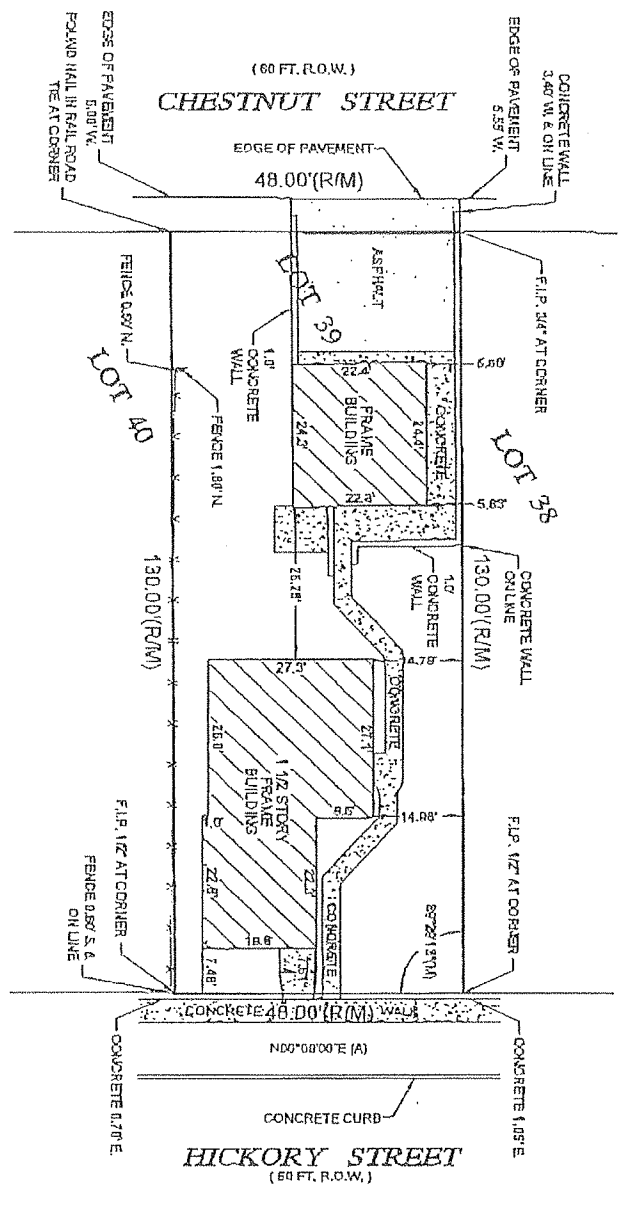
Legend	Notes
1. ASSESSOR'S BOUNDARY SURVEY LINE	2. PROPERTY
3. CALCULATED	4. PUBLIC UTILITY EASEMENT
5. CITY EASEMENT	6. EASEMENT
7. CONVEYANCE	8. EASEMENT
9. EASEMENT	10. EASEMENT
11. EASEMENT	12. EASEMENT
13. EASEMENT	14. EASEMENT
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93. EASEMENT	94. EASEMENT
95. EASEMENT	96. EASEMENT
97. EASEMENT	98. EASEMENT
99. EASEMENT	100. EASEMENT

LOT 39 IN BLOCK 8 IN DORSEY'S ADDITION TO LENOX, A SUBDIVISION OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 29, TOWNSHIP 37 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID RESUBDIVISION, RECORDED NOVEMBER 14, 1985 IN BLOCK 21 OF PLATS, PAGE 4 AS DOCUMENT 889825 IN BOOK COUNTY, ILLINOIS.

**MORRIS ENGINEERING, INC.**  
 5100 S. LINCOLN LANE, ILLINOIS 60532  
 PHONE: (630) 271-0700 FAX: (630) 271-0701  
 WEBSITE: WWW.MORRIS-ENG.COM

**PLAT OF SURVEY**

SCALE: 1" = 10' (AS SHOWN)  
 HORIZONTAL AND VERTICAL CURVES  
 HORIZONTAL CURVE  
 VERTICAL CURVE



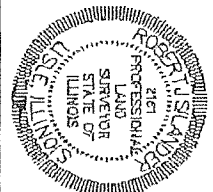
NOV. 4, 2009 4:35 PM MORRIS ENGINEERING NO. 182 777

STATE OF ILLINOIS  
 COUNTY OF DEKALB

I, THE UNDERSIGNED, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS PROFESSIONAL SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A MEMBER IN GOOD STANDING WITH THE ILLINOIS SURVEYING BOARD. THIS SURVEY WAS MADE IN ACCORDANCE WITH THE ILLINOIS SURVEYING ACT AND THAT THE PLAT HEREIN DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY.

DATED THIS 4TH DAY OF NOVEMBER, A.D., 2009, AT  
 CITY OF ILLINOIS

*[Signature]*  
 ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-2181  
 LICENSE EXPIRES DATE NOVEMBER 30, 2016  
 ILLINOIS BUSINESS REGISTRATION NO. 104-087224



NOTE: ALL THE ABOVE BY THIS SURVEY ARE REFERRED TO THE BUILDING'S BUILDING PERMITS, PERMITS, STOSOL, AERIAL, ETC., AND NOT TO BE FORWARDED, UNLESS NOTED OTHERWISE.

ADDRESS CORRECTLY SHOWN AS \_\_\_\_\_  
 CLIENT \_\_\_\_\_ VITONIS LLC  
 JOB NO. \_\_\_\_\_  
 FIELDBOOK DATE/BOOK DATE \_\_\_\_\_  
 DRAWN BY: JB PROVISION \_\_\_\_\_

Exhibit A

Warranty Deed

Prepared by:  
Vytenis Lietuvninkas  
Attorney at Law  
4536 West 63rd Street  
Chicago, Illinois 60629

When recorded return to:  
Michael A. Angileri  
Attorney at Law  
6900 Main Street, Ste # 210  
Downers Grove, IL 60516

Mail tax bills to:  
Jeffrey W. Luoma  
706 Hickory  
Lemont, IL 60439

*Above Space For Recorder's Use Only*

VL3980137 / 29052137

**This Indenture Witnesseth**, that Grantor, **Gitas S. Jameikis, a single person**, of the Village of Lemont, County of Cook, State of Illinois, for and in consideration of TEN (\$10.00) DOLLARS and other valuable consideration in hand paid, CONVEYS and WARRANTS to

**Jeffrey W. Luoma and Anne K. Knight**

as Joint Tenants, with Right of Survivorship, and not as Tenants in Common  
 ~~Husband and Wife, not as Tenants in Common and not as Joint Tenants, but as Tenants by the Entirety~~  
*Strike Inapplicable Provisions*

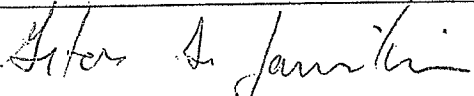
the following described real estate situated in the County of Cook in the State of Illinois, to wit:

LOT 39 IN KEOUGH & SPALDING RESUBDIVISION OF BLOCK 8 IN DOWSE'S ADDITION TO LEMONT, A SUBDIVISION OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 29, TOWNSHIP 37 NORTH RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT OF SAID RESUBDIVISION, RECORDED NOVEMBER 14, 1885 IN BOOK 21 OF PLATS, PAGE 4 AS DOCUMENT 669325 IN COOK COUNTY, ILLINOIS.

hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois. Subject to general real estate taxes for the year 2009 and thereafter .

Permanent Index Number(s): 22-29-217-003-0000  
Address of Real Estate: 706 Hickory, Lemont, IL 60439

Dated this 5<sup>th</sup> day of November, 2009

 Gitas S. Jameikis	
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# **CIVIC - V8° 8-U -Vu° V) '8\ †-kV° V#- 'ELEMENT**

## **VISION**

In 2030, Lemont residents will be actively involved in their community, with a strong sense of civic pride rooted in Lemont's unique community character. Village government will be characterized by professional public service provided in a cooperative, friendly, consistent and fiscally responsible manner.

## **GUIDING PRINCIPLES**

1. Volunteers will supplement public efforts to achieve the vision of this plan.
2. Residents will have ample opportunities to be engaged with other residents at the community-wide and neighborhood level.
3. Institutions that foster a sense of community, like houses of worship and civic organizations, will be encouraged to grow and be provided a place to grow.
4. All residents will have convenient opportunities to participate in Village planning efforts through a wide range of media, regardless of age, disability status, race, income, or ethnicity.
5. The Village will ensure high quality services so that Lemont keeps pace with changing needs and remains a viable community.
6. The Village will work with other governmental entities across political jurisdiction to address issues affecting multiple jurisdictions and to achieve the vision of this plan.
7. The Village will practice good governance and increased transparency.

## **INTRODUCTION**

The civic engagement and governance element of the comprehensive plan will include recommendations related to opportunities for civic involvement in the community and the Village's approach to community engagement. A community with high civic engagement fosters civic pride and innovation and promotes community dialog. It increases the awareness of the Village's role in the community and builds a sense of stewardship for public resources. It also recognizes and supports community organizations and entities that are focused on the economic and social vitality of the Village.

In addition to providing recommendations for supporting and creating opportunities for civic involvement, the element will also provide recommendations to ensure the Village is responsive to community needs, cooperative and supportive of other entities that provide services to the community and is engaging in their approach to any potential



changes in the Village. There is a spectrum of public participation that includes a function of informing the public on one end to empowering the public on the other end. Appropriate methods of public participation will be employed to allow residents the opportunity to perform their civic duties and enhance civic pride in the community.

## **EXISTING CONDITIONS**

Lemont has numerous opportunities throughout the year to celebrate the community's rich history. Sponsorship of events and festivals is diverse and includes the Park District, the Chamber of Commerce, independent organizations, communities of faith and the Village. Festivals and events are often times free and offer excellent opportunities for community engagement.

Programming is another important resource in the community and there are many agencies and organizations that offer programs that enrich community living. The Lemont Public Library, Lemont Township, Park District are key providers of programs for youth and seniors alike.

In addition to quality festivals, events, and programs, Lemont also has several commissions that are representative of key aspects in the community. The Planning and Zoning Commission, the Historic Preservation Commission, the Lemont Environmental Advisory Commission, the Police Commission, the Ethics Commission and the Arts and Culture Commission are all groups composed of appointed members that meet regularly. Agenda and meeting minutes are posted on the Village website for community use. The Village Heritage Committee and the Festivals and Special Events Committee are also Village recognized groups that assist with the planning of culturally enriching activities for the community.

While there are many avenues for community involvement and civic engagement within the Village, more strategies are needed to ensure that efforts are coordinated in a manner that is most efficient for providers and most beneficial to users. Village-led efforts should be evaluated using a participation spectrum that defines the degree of public participation recommended. Currently there is no guide for such efforts and without guidance, some planning and decision making goes without any valuable input from the very people the improvements are meant to serve. One model for participation that is effective at gauging the degree of public participation is the Spectrum of Public Participation developed by the International Association for Public Participation. Generally, the spectrum identifies 5 public participation goals ranging from "inform" being the lowest level to "empower" being the highest level. A project with the public participation goal of "inform" would include strategies such as websites, fact sheets on open houses. Conversely, a project with the public participation goal of "empower" would include strategies such as ballots and juries.

## RECOMMENDATIONS

To achieve the Village's vision for civic engagement, the Village should focus its efforts on the following goals:

**Employ Early Involvement, Transparency and Good Process Design.** Early involvement in project planning enables participants to feel they are part of the process, develops a spirit of cooperation and encourages the flow of accurate and unbiased information. It also helps the Village be more transparent in their efforts and relies on the existence of a civic engagement plan that values the process and not just the end result. While the Village has for many years stated that public involvement is important, no process or guidance has been established to ensure that civic engagement is a key component to what is done at the Village level.

**Provide Inclusivity and Accessibility of Participation.** Often times projects come about quickly and little attention is paid to what information was made available to the public and what the process for future engagement will be. Providing equal access to information and participation opportunities is important if the community as a whole is to be served. Encouraging the use of a wide variety of public participation methods is preferred over single source methods that may unintentionally exclude certain populations from participating.

Equally as important as providing a venue is providing opportunities for traditionally underrepresented group such as youth and seniors. Creating opportunities for youth civic engagement promotes healthy development of youth and encourages participation that ultimately contributes to fashioning responsible and community connected adults. Civic engagement provides young people with opportunities to gain work experience, gain new skills and contribute to the good of their community.<sup>1</sup>

**Encourage Partnerships and Define Roles.** Partnerships are increasingly important as resources continue to dwindle. There are many sources providing services, programs and community events for residents of Lemont. These include other agencies such as the Park District, Township, Fire District, School District and Library in addition to Village Commissions, local organizations and communities of faith. Some services, programs and events overlap and others serve a particular niche. Of more importance is that the providers of these services, including the Village, place value on the overall good for the community as opposed to allowing jurisdictional boundaries and organizational missions deflect from the core of their intentions.

**Promote Education, Capacity Building and Stewardship.** An effective way of increasing volunteerism and civic engagement is to raise awareness of key issues going on in a community. Education enables residents to more fully understand the issues and subsequently allows for more active and engaged participation.

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<sup>1</sup> Promoting Youth Participation, National League of Cities, Issue #3

Capacity building refers to growing the infrastructure of individual skills and knowledge networks, organizations, businesses that are present in a community. This involves knowing who does what in a community and harnessing those skills when they are needed.

**Practice Good Governance and Accountability.** Good governance refers to the idea that governments have a responsibility to meet the needs of the masses as opposed to select groups in a society. Development in the community should be representative of the visions identified in the comprehensive plan. Open communication with the public and an active ethics commission are key components of good governance.

## IMPLEMENTATION ACTION AREAS

### Implementation Action Area 1: Employ Early Involvement, Transparency and Good Process Design

<p><b>Develop a civic engagement guide to be utilized for all projects and planning efforts.</b></p> <p>Lead Implementer(s): Planning &amp; Economic Development Dept.</p>	<p>Encouraging public participation has been a goal of the Village for years; however no guidance is available to assist with determining the appropriate levels of participation or methods for civic engagement. The Village should develop a civic engagement guide to ensure all projects and planning efforts are included as opportunities for increasing civic engagement. The guide should identify levels of public participation, methods of participation for each level, and include an inventory of potential stakeholders. Additionally it should identify key indicators of success.</p>
<p><b>Increase communications with the public.</b></p> <p>Lead Implementer(s): Planning &amp; Economic Development Dept.</p>	<p>A key component to transparency and increasing community involvement and participation is to consistently communicate with the public during all stages of a project or planning process. Communication strategies should be in line with what is identified in the civic engagement guide and be used across all elements of the comprehensive plan. Communication strategies should be in line with what is identified in the civic engagement guide and be used across all elements of the comprehensive plan.</p>
<p><b>Host public information meetings for all major public works projects.</b></p> <p>Lead Implementer(s): Planning &amp; Economic Development Dept.; Public Works, Village Engineer</p>	<p>Major public works projects including water, sewer and road projects can be very disruptive to the immediate community and to residents travelling in the community. Providing an opportunity and venue for the public to become informed about the project would alleviate some anxiety that residents often feel when little is known about major changes occurring in the community.</p>
<p><b>#ommunity residents and stakeholders will support active participation in the development of the Comprehensive Plan</b></p> <p>Lead Implementer(s): Planning &amp; Economic Development Dept.; volunteers</p>	<p>Lemont is a community with a high sense of community pride. As such, residents will be actively involved in the development of this plan. Volunteer participation will ensure that the goals of the plan meet the needs of the people.</p>

**Implementation Action Area 2: Provide Inclusivity and Accessibility of Participation**

<b>Utilize everyday language when making public notices and announcements.</b>  Lead Implementer(s): Planning & Economic Development Dept.	Planning and zoning is a field that uses a considerable amount of jargon. Rephrasing planning and zoning requests and notices would help the general public be more informed and less intimidated by the process which may increase the rates of public participation.
<b>Actively seek opportunities to engage traditionally underrepresented groups.</b>  Lead Implementer(s): Planning & Economic Development Dept.	When soliciting public input care should be taken to ensure that all sectors of the population are represented. In some cases targeting certain populations may be necessary. An example would be to actively seek the input of youth in the community as research has shown that children exposed to civic duty early in their development grow to be more actively involved in their community as adults.

**Implementation Action Area 3: Encourage Partnerships and Define Roles**

<b>Identify common goals between the Village and other taxing districts and pursue opportunities to partner.</b>  Lead Implementer(s): Planning & Economic Development Dept.	Districts such as the Park District, the School District, the Fire District and Library all have services and programs that positively contribute to the community and make Lemont an attractive location for families and newcomers alike. Recognizing the shared benefits that are provided, the Village should pursue opportunities to partner with and support other districts in their efforts to better the community.
<b>Encourage taxing districts to participate in the review of new development proposals.</b>  Lead Implementer(s): Planning & Economic Development Dept.;	Other taxing districts are directly impacted by development decisions made by the Village. The Village will continue to seek participation from other taxing districts during review of new development proposals to ensure a more comprehensive review of potential impacts.
<b>Work with Village Commissions on project proposals that are within their area of interest.</b>  Lead Implementer(s): Planning & Economic Development Dept.; Village Commissions	Village commissions and boards help handle a variety of issues that come through the Village. Project proposals that are within their area of interest should continue to be shared. Commissions should be actively involved the development of the comprehensive plan and ultimately the implementation of the action items.

**Implementation Action Area 4: Promote Education, Capacity Building and Stewardship**

<p><b>Coordinate communications within all elements of the comprehensive plan</b></p> <p>Lead Implementer(s): Planning &amp; Economic Development Dept.; Village Commissions</p>	<p>Elements of the comprehensive plan may include strategies that involve educating the public and should be utilized as an opportunity to promote education and build capacity and stewardship around the topic. Many strategies in the comprehensive plan rely on community participation and one method of engaging participation is to raise awareness of the issues at hand. Increased awareness of the issues increases the likelihood of engaging active participation and should be used as a strategy to promoting volunteerism, stewardship and capacity building.</p>
<p><b>Support regional and issue oriented planning initiatives that positively impact Lemont</b></p> <p>Lead Implementer(s): Planning &amp; Economic Development Dept.</p>	<p>Recognizing that the Village does not exist in a bubble, special care should be taken to ensure that the Village and the community are kept abreast of regional plans that have local impact. Plans that have a positive impact on the local community should be supported.</p>
<p><b>Seek opportunities to collaborate with other agencies and organizations on education</b></p> <p>Lead Implementer(s): Planning &amp; Economic Development Dept.; other agencies as determined</p>	<p>There are many resources available that help increase awareness on issues relevant to the community. The Village should collaborate with other agencies and organizations on campaigns that seek to raise awareness. Examples include information useful to homeowners such as signs of the emerald ash borer, tree care, stream erosion controls, recycling guides, etc.</p>

**Implementation Action Area 5. Practice Good Governance and Accountability**

<p><b>Ensure that services (police, fire, energy, telecommunications, etc.) remain in adequate supply as the community grows and service demands increase.</b></p> <p>Lead Implementer(s): Administration;</p>	<p>Services such as police, fire, water and sewer are critical components in a community and the Village must take care to ensure that current demands are met and the future growth is sustained in a manner that does not compromise the community. Additionally as telecommunication and energy services change, the Village should ensure that services are compatible with the community and that services produce positive benefits to residents.</p>
<p><b>Increase efficiency in Village processes through conservation, coordination, and consolidation of services while maintaining quality public service.</b></p>	<p>The Village should implement the recommendations outlined in the 2013 Village Strategic Plan.</p>

Lead Implementer(s): Administration;	
<b>Maintain ethical code of conduct and accountability.</b>  Lead Implementer(s): Administration; Ethics Commission	The Village should maintain compliance with the Code of Ethical Conduct and Governmental Ethics outlined in the Lemont Municipal Code.

DRAFT



Village of Lemont  
*Planning & Economic Development Department*

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418 Main Street · Lemont, Illinois 60439  
phone 630-257-1595 · fax 630-257-1598

TO: Planning & Zoning Commission  
FROM: Martha M. Glas, Village Planner  
THRU:  
SUBJECT: Lemont 2030 – Built Environment element  
DATE: October 11, 2013

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## **SUMMARY**

The built environment element of the comprehensive plan will include recommendations related to constructed surroundings that provide a setting for human interaction. This includes homes, work places, public places as well as outdoor open spaces. Perceptions about the built environment come from how a space looks, how well it is maintained and often times, whether or not the space feels safe. These factors influence the ability to develop an admiration or attachment to a particular place and ultimately add to character of a community.

## **2002 TO PRESENT**

The 2002 Comprehensive Plan addresses the built environment by particular areas in Lemont. These include the downtown, traditional neighborhoods, State Street (various segments), 127<sup>th</sup> street and southeast of Archer Ave.

## **DRAFT VISION & GUIDING PRINCIPLES**

In 2030, Lemont's buildings, structures, and patterns of land development will reinforce our community's unique character. Although larger in geographic area and more populous, Lemont will retain its small town charm and sense of community.

### **Guiding Principles:**

1. Architecturally and historically significant buildings and assets will be preserved.
2. Lemont's history will continue to be celebrated through public art; the downtown murals will be maintained.

3. Residential, commercial and industrial properties will be well maintained; deteriorating properties will not be permitted to become a blighting deleterious influence on surrounding properties.
4. The Village's existing high standards of architectural design and landscaping will be maintained for new commercial, industrial, and residential development.
5. The physical environment of key gateways into Lemont will be improved to provide a welcoming experience for visitors.
6. Lemont will encourage design features that foster community interaction, such as front porches, walking trails, open spaces, gathering points, plazas, etc.

## **RECOMMENDATIONS**

Please review the submitted materials and provide feedback to staff for further development of the comprehensive plan built environment element. The 127th Street design guidelines are included as a separate attachment for reference.



2002 COMPREHENSIVE PLAN BUILT ENVIRONMENT RECOMMENDATIONS	STATUS / NOTES	RECOMMENDATION FOR INCLUSION IN LEMONT 2030
<b>Downtown</b>		
A modest increase in the structural density ( <i>of downtown TIF</i> ) (more buildings and total floor space; perhaps structured parking) of the downtown TIF is advised, to increase the assessed valuation and to abide by the principles of Transit-Oriented Development (TOD).	Partly achieved through adoption of new DD zoning district and construction of Lofts, Old Town Square, Bella Strada, etc.	Should be revised to reflect current situation; to continue ongoing efforts.
Buildings that are “non-contributing” structures in historic district should be considered for removal, and if the buildings are incompatible with their surroundings.	Contributing or non-contributing status is one of several factors listed in the UDO to be considered by HPC in demolition applications.	For discussion.
Make capital improvements in and around the downtown to improve access, expand parking supply, and strengthen the connections between downtown and the quarry recreation area to the east and the brownfield redevelopment parcels to the north (Tri-Central Terminal; MWRDGC owned parcels on the Sanitary & Ship Canal).	Partly achieved.	Need to continue these efforts; particularly brownfield redevelopment/Tri-Central.
Through landscaping, street furniture, and pedestrian path improvements, highlight the segment of the Illinois and Michigan Canal in the downtown.	Partly achieved.	Need to continue efforts to expand landscaping to south side of canal. Need to address maintenance / improvement of the canal and canal wall.
Increase the number of housing units in the downtown by planning sites suitable for new mixed use (street-level commercial; apartments above) and residential buildings.	Achieved through DD district.	Should be revised to reflect current situation; to continue ongoing efforts.
Reconstruct the old Stephen Street bridge over the Sanitary and Ship Canal to create a direct route to and from downtown and the MWRDGC property east and west of the State Street bridge.	Not complete.	Suggest revising to reflect Active Transportation Plan goal; Stephen St. bridge as one of several potential bike/ped connections to Centennial Trail.

2002 COMPREHENSIVE PLAN BUILT ENVIRONMENT RECOMMENDATIONS	STATUS / NOTES	RECOMMENDATION FOR INCLUSION IN LEMONT 2030
Construct a public plaza at the end of Stephen Street to create a public view on the Sanitary and Ship Canal. Improve the viaduct at the BNSF RR crossing to create a more appealing entry to this area	Not complete.	For discussion.
Pursue a second grade-separated access, at minimum for pedestrians, across the BNSF RR between the downtown and the former Tri-Central parcel.	Not complete.	For discussion.
Plan and build a Village-owned structured parking facility in the downtown.	Complete.	Should be revised to reflect current situation; to continue ongoing efforts.
Support redevelopment initiatives that conform to the goals and objectives of a unified downtown plan.	Complete.	Leave in plan.
Favor the assemblage of parcels and coordinated redevelopment over the piecemeal, uncoordinated development of individual parcels.	Current village policy, but difficult to enforce.	Leave in plan.
Maintain an unobstructed view of the historic churches (St. Patrick's, St. Alphonsus, Old Methodist Church [Lemont Area Historical Society], SS. Cyril & Methodius, Bethany Lutheran, St. Matthews), and old central school from the north gateway to the community.	Current village policy.	Leave concept in plan, with rewording.
Require the use of limestone in landscape plans, sign monuments, building facades (at minimum, as a minor embellishment) to expand the quarry heritage theme throughout the community.	Current Village policy to require limestone or products simulating limestone in monuments signs. Often required on buildings in PUDs.	For discussion; reword to encourage?
Identify properties that are in violation of outdoor storage regulations or other property maintenance codes on a regular basis, and cite violators for non-compliance.	Current Village policy	New CP should have a more detailed analysis and recommendations related to code enforcement.

2002 COMPREHENSIVE PLAN BUILT ENVIRONMENT RECOMMENDATIONS	STATUS / NOTES	RECOMMENDATION FOR INCLUSION IN LEMONT 2030
Eliminate signs that are larger than necessary to communicate their message to the public.	Nonconforming signs cannot be replaced, except in compliance with current UDO requirements. No amortization period for nonconforming signs.	Remove from plan; unnecessary statement. Replace with a policy statement that reinforces Village stance that the need for signage should be balanced with needs to maintain community character.
Prepare a sign inventory for use as documentary evidence of the qualities of signs in the Village.	Not complete.	Remove from plan.
Amend the Sign ordinance (see plan implementation).	Sign regulations have been amended numerous times.	Remove from plan.
Require all temporary signs to be registered and removed within a reasonable period.	Current village policy.	Remove from plan; unnecessary statement.
Review the sign ordinance periodically for effectiveness.	Sign regulations are the most amended part of our zoning regulations.	Remove from plan; sign ordinances are amended enough without periodic review.
Use the sign grant program as an incentive to businesses to erect signs that are constructed of high-quality materials and make a positive contribution to the streetscape.	Currently done in the downtown TIF district.	For discussion - to expand to other areas beyond TIF?
Create standards of commercial building design such that commercial building facades have the same richness of detail and quality of materials as single-family dwellings in Lemont.	UDO contains commercial design guidelines.	Reword to reflect current status, but leave in plan.
Create a timely site plan and architectural elevation review procedure that requires approval of building site plans, architectural elevations, and landscape plans of all buildings prior to issuance of a building permit.	Village currently requires site development permits prior to building permit issuance, which address site and landscape issues. Building elevations are addressed in building permit process.	Remove from plan.

2002 COMPREHENSIVE PLAN BUILT ENVIRONMENT RECOMMENDATIONS	STATUS / NOTES	RECOMMENDATION FOR INCLUSION IN LEMONT 2030
Require design review of the appearance of all new and reconstructed commercial, industrial, and multi-family residential buildings.	UDO contains commercial design guidelines, but the only design review board is for the historic district.	For discussion - what level of design review is appropriate? Are additional standards needed?
Maintain and strengthen the identity of Lemont as a historic district.		Leave in plan.
Enhance the downtown as a town center with a balance of retail, entertainment, office, civic and housing space. Emphasize especially ground-level retail use on Main Street (State Street to Fremont), Stephen Street north of Main, and Canal Street, with the remaining blocks a diversity of ground-level office-service and residential buildings.	DD district is intended to achieve this goal.	Leave in plan.
Complete the Illinois and Michigan Canal as a public open space in downtown and as a bicycle path route to the Heritage Quarries recreation area and other bicycle paths (see also "Transportation")	Not sure what was to be completed at this time, but I&M Canal path connects to the HQRA.	The transportation element will address bike/ped links.
Increase the number of housing units within walking one-half mile of the Metra station, and in areas within approximately one mile of the Metra Station that have capacity for additional dwelling units.	DD district is intended to achieve this goal.	Reword to reflect current status, but leave in plan.
Increase the number of public parking spaces in central locations downtown to achieve a higher ratio of public parking to building floor area. Public parking spaces (on-street and in public lots) should make up the majority share of parking availability.	DD district is intended to achieve this goal.	Reword to reflect current status, but leave in plan.
Amend the zoning ordinance to recognize existing single-family dwelling structures on particular blocks (north Stephen Street, east side; east Talcott Street, south side) as a permitted use. Allow adaptive re-use or redevelopment of these structures when compatible with the downtown environment.	Single-family detached residential is a permitted use in the DD. Adaptive reuse is also allowed, with guidance based on street type.	Completed; no need to include in updated plan.

2002 COMPREHENSIVE PLAN BUILT ENVIRONMENT RECOMMENDATIONS	STATUS / NOTES	RECOMMENDATION FOR INCLUSION IN LEMONT 2030
Amend the zoning ordinance and other relevant planning tools to require an off-site or within-building parking contribution from new construction in the B-2 District.	B-2 no longer exists, but was replaced by DD, which does not require a parking contribution for small developments. Larger developments are required to provide parking.	For discussion.
Improve Stephen Street to the Sanitary & Ship canal and prepare plans and designs for a public plaza at the end of the street, as recommended by the 1994 Downtown Plan.	Not complete.	For discussion.
If available, continue to use the TIF revenues to make capital improvements and provide grants for building revitalization projects that further the goals of the downtown plan	Complete.	Current practice will continue in TIFs. Reword to reflect current status, but leave in plan.
<b>Traditional Neighborhoods</b>		
Continue opposition to use of the Illinois Central/Canadian National Railroad line as a high-speed rail route unless it can be shown that it will have no adverse impacts on accessibility, public safety, the historic landscape, and capacity for additional Metra service.	The high speed rail route has been determined and it will not go through Lemont.	Unecessary; remove from plan.
To keep a lively streetscape, encourage use of the public sidewalks by local businesses, while ensuring pedestrian accessibility and community aesthetics are not compromised. Sidewalk café seating, sidewalk sales, restrained merchandise displays, and sandwich board signs are some examples. Allow use of sidewalks by civic organizations in connection with special events.	Complete.	Remove from plan.
Reduce the maximum height of dwellings to avoid construction of houses that are out of proportion to existing dwellings in the neighborhood. (refrencing traditional neighborhoods)	R-4A guidelines were written to amend the allowable home size in older neighborhoods. By all accounts it has been successful.	Reword policy to reflect current status.

2002 COMPREHENSIVE PLAN BUILT ENVIRONMENT RECOMMENDATIONS	STATUS / NOTES	RECOMMENDATION FOR INCLUSION IN LEMONT 2030
Reduce the number of non-conforming structures and uses in the Village. There were at least 68 non-conforming structures in 1999, and possibly many more that have not been documented.	UDO does not allow replacement of nonconformities.	For discussion - is a stronger approach needed?
<b>State Street (from Illinois north)</b> Future capital improvements budgets should include landscaping and other beautification on the excess land beside the State Street Bridge.	Not complete.	Leave in plan.
<b>State Street (from Illinois to Peiffer)</b> Encourage preservation of traditional-style homes on busy arterial road environment – consider “Level II” home occupations, or adding an adaptive reuse category when a business renovates a home but the owner does not necessarily live in the home.	Homnes on State are zoned residential and do not allow any commercial use.	Reword, but leave policy in to revise zoning to allow limited commercial use of these existing homes as a way to extend the useful life of these often historic and charming structures.
Invest in streetscape improvements (parkway trees, decorative banners, etc.) to enhance property values.	Parly completed.	New CP should have a more detailed analysis and recommendations related to this issue.
Study traffic signal/safe pedestrian crossing options at Logan and State.		
Discourage/prohibit home occupations that make demands on parking.	UDO contains restrictions on home occupations related to parking and traffic generation.	Current practices appear to be effective; no policy needed in CP.
Require site improvements before rezoning legal non-conforming uses (medical and dental buildings in 800 block).	Unknown.	These buildings are zoned commercial; policy not needed.
<b>State Street from Freehauf to 129th</b>		
Introduce new development design guidelines to require reduced front yard parking fields.	Need to research.	
Require brick/stone exteriors including limestone as the Lemont “signature”.	Not currently required for as of right development, but has often been a condition of PUD approvals.	For discussion.

2002 COMPREHENSIVE PLAN BUILT ENVIRONMENT RECOMMENDATIONS	STATUS / NOTES	RECOMMENDATION FOR INCLUSION IN LEMONT 2030
Avoid narrow-lot “strip” development.	Current policy, but difficult to enforce.	For discussion.
Require sidewalks/bikeways both sides of roadway.	Current policy.	Addressed in Transportation Element, unnecessary here.
Require bike racks – add to parking standards (general commercial requirement).	Not currently required, but addressed in Active Transportation Plan.	Addressed in Transportation Element, unnecessary here.
Signs – reduce the percentage of face that may be illuminated. (For examples, encourage the use of signs with routed copy instead of fully illuminated plastic faces)	Sign regulations have been amended numerous times.	Remove.
Preserve tree stands, especially east side of State.	UDO currently contains tree preservation standards.	Address in Natural Resources element.
Work with Lemont Plaza Shopping Center ownership to reconfigure the parking lot. Require more aggressive property maintenance.	Lemont Plaza remains an issue.	For discussion - want to include something specifically about this property in the plan?
Increase roadway capacity south of 127th Street, perhaps adding a center turn lane.	Done.	Remove.
Add street trees where parkways offer adequate planting spaces.	Unknown where street trees have been added, but new development has been required to install street trees.	Remove.
<b><i>State Street from 129th to 132nd</i></b>		
Require improvements to road capacity as condition of “upzoning”. Improved circulation is needed. Connections to 129th Street and Walnut Street should be considered.	UDO requires ROW improvements as conditions of development.	Addressed in transportation element.
Require sidewalks/bikeways both sides of roadway.	Current policy	Addressed elsewhere in plan.
Protect the natural drainage way on the east side of State.	UDO contains numerous drainage regulations.	If necessary in CP, probably best addressed in other elements.

2002 COMPREHENSIVE PLAN BUILT ENVIRONMENT RECOMMENDATIONS	STATUS / NOTES	RECOMMENDATION FOR INCLUSION IN LEMONT 2030
Require distinctive appearance in multi-family developments – use of high-quality exterior finishes, creative site planning.	UDO contains some design standards for multi-family and most are approved via PUD, where additional design standards are often enforced.	Leave in plan.
<b>127th St</b>		
A harmonious streetscape design should be promoted on 127th Street, in anticipation of its creation as a new community gateway when the tollway is constructed.	See 127th St. design guidelines	See 127th St. design guidelines
<b>Southeast of Archer Ave.</b>		
Where indicated by the use of overlays on the land use map, “conservation design” should be practiced. This technique of land planning incorporates natural features into the subdivision design and uses only the most suitable soils and topography for construction purposes. Conservation design may be combined with cluster development, a related concept in which lot areas and setbacks are reduced within the “buildable” acreage to provide the developer an incentive to set aside the natural features	Kettering is the first conservation design subdivision to be built in Lemont.	Allowing / encouraging conservation design is a valid goal, but may be better addressed in Natural Resources element, which will identify areas of high ecological value or concern.
<b>127th St Design Guidelines - Appendix</b>		For dicussion.