

VILLAGE OF CARPENTERSVILLE

1200 L. W. Besinger Drive
Carpentersville, Illinois 60110
847-426-3439

Village President
John Skillman

Village Clerk
Tania Gomez

Village Manager
John O'Sullivan _____ *Concur*

Village Trustees
Dickie Abbott
Jeff Frost
Humberto Garcia
Jim Malone
Denise Richardson
Brenda Sandoval

BOARD REPORT

TO: Village President, Board of Trustees, Manager, and Attorney
FROM: Tim Brinkmann, Asst. Community Development Director
DATE: February 13, 2024
SUBJECT: An Ordinance Amending Title 16 of the "Carpentersville Municipal Code," Regarding Garages in Residentially Zoned Districts in the Village.

BACKGROUND

Over the course of this year, multiple Village residents have applied for building permits to build detached garages on their residential properties. Some Village residents have questioned the reasoning behind the size restrictions listed in the zoning code and historically, variations have been granted by the PZC for larger than permitted detached garages in residential zoning districts. Staff reviewed the current section of the zoning code which regulates detached garages in residential zoning districts, and feels that the code should be updated based on a variety of factors.

While reviewing the Zoning Code for detached garages, Staff noticed that nothing was mentioned about the storage of other items in garages, such as personal lawn equipment, household items, etc. Staff feels that this definition should be revised as well to coincide with the revisions to the size of detached garages.

ANALYSIS

Staff proposes that Subsection 16.18.020 of the zoning code be revised so that the regulations for detached garages in residential districts are clearer and more concise for

Village residents, their contractors, and staff. Subsection 16.18.020 – Accessory buildings, structures, and uses of the Zoning Code contains Subsection A., which states that *“In the residential zoning districts, accessory buildings, structures and uses are limited to...2. A private residential garage used only for the housing of non-commercial passenger automobiles and with a floor area of not to exceed five hundred fifty (550) square feet. An additional floor area of 200 square feet may be provided for each 1,000 square feet of lot area by which such lot exceeds six thousand (6,000) square feet, provided no garage shall exceed 1,000 square feet nor house more than five such automobiles.”*

Staff proposes that this section of the Zoning Code be revised and expanded to reflect the variety of lot sizes of residential zoning districts throughout the Village. Staff proposes that the Zoning Code be revised so that the maximum size of a detached garage be dependent upon a few factors: the size of the lot, the lot area coverage percentage, the total roofed building coverage percentage, and zoning district setbacks.

Staff also found a potential issue with the definition of “Garage storage” that could technically limit what Village residents are allowed to store in their own garages. Section 16.04 of the Zoning Code currently states: *“Garage storage” means any building or premises, used for housing vehicles.*” The text in this definition technically means that a garage is strictly for housing vehicles and not for storing any other items such as personal lawn equipment, tools, or other household supplies. Staff feels that this definition should be revised to officially permit the storage of personal lawn equipment, tools, and other household supplies in residential garages rather than rely upon an assumption that the storage of such items is permitted by the zoning code.

Based on the analysis above, Village staff has drafted the following proposed text amendment for detached garages in residential zoning districts and a text amendment to the definition section of the Zoning Code regarding “garage storage”. Within the proposed text amendments detailed in this report, text to be deleted is shown crossed out (e.g. deleted) and text to be added is shown in italics and underlined (e.g. added).

Subsection 16.18.020 – Accessory buildings, structures and uses of the Zoning Code contains Subsection A, which states: *“In the residential zoning districts, accessory buildings, structures and uses are limited to...2. A private residential garage used only for the housing of non-commercial passenger automobiles, ~~and with a floor area of not to exceed five hundred fifty (550) square feet. An additional floor area of 200 square feet may be provided for each 1,000 square feet of lot area by which such lot exceeds six thousand (6,000) square feet, provided no garage shall exceed 1,000 square feet nor house more than five such automobiles.”~~ The maximum size of a detached garage will be dependent upon the size of the lot it is built upon, along with the lot area coverage percentage, the total roofed building coverage percentage and zoning setbacks of the residential zoning district the property is located in. The maximum size of a detached garage in each residential zoning district is as follows:*

R-1: one thousand (1,000) square feet

R-2: eight hundred sixty-four (864) square feet

R-2-A and all other remaining single-family residential zoning districts: five hundred seventy-six (576) square feet

* * *

Section 16.04 – Definitions states “Garage storage” means any building or premises, designed or intended used for housing vehicles or which is utilized to house vehicles. In residentially-zoned districts, garage storage may also include personal lawn care equipment and materials, household supplies, tools and similar items. Non-residential uses of a garage in a residentially-zoned district are prohibited.

The PZC reviewed the text amendment request according to the criteria listed in the Municipal Code during their meeting on January 18th, 2024, and found the request in compliance with the Municipal Code. Therefore, The PZC voted (4 aye, 0 nay, 3 absent) on a motion to recommend to the Village Board the approval of the requested text amendment.

FISCAL IMPACT

Staff finds that the approval or disapproval of the proposed amendment to the text of the Zoning Ordinance would have no specific or direct fiscal impact upon the Village. However, approval of the proposed amendment would make it easier for Village residents to apply for building a garage on their properties.

DEPARTMENT RECOMMENDATIONS

Staff recommends that the Village Board of Trustees uphold the recommendation of the Planning and Zoning Commission and approve the proposed text amendment.

ORDINANCE NO. 24-06

AN ORDINANCE AMENDING TITLE 16 OF THE "CARPENTERSVILLE MUNICIPAL CODE,"
REGARDING GARAGES IN RESIDENTIALLY ZONED DISTRICTS

WHEREAS, the "Zoning Ordinance of the Village of Carpentersville," as amended ("**Zoning Ordinance**"), sets forth zoning and land use regulations applicable in the Village of Carpentersville; and

WHEREAS, Section 16.04 – Definitions defines certain terms in the Village's zoning code and Subsection 16.18.020 of the Zoning Ordinance regulates garages in residentially zoned districts in the Village; and

WHEREAS, the Village of Carpentersville has initiated amendments to Section 16.04 – Definitions to revise how garage storage is defined and Subsection 16.18.020 – Accessory buildings, structure and uses of the Zoning Ordinance to revise how garages are regulated in residentially zoned districts (collectively the "**Proposed Amendments**"); and,

WHEREAS, pursuant to Sections 2.52.040.G of the Village Code, a public hearing of the Planning and Zoning Commission of the Village of Carpentersville ("**PZC**") to consider approval of the Proposed Amendments was duly advertised in the Daily Herald on January 1, 2024, and was held on January 18, 2024; and

WHEREAS, on January 18, 2024, the PZC voted (4 aye, 0 nay, 3 absent) to approve a recommendation to the President and Board of Trustees in support of the Proposed Amendments; and

WHEREAS, the President and Board of Trustees have considered the Proposed Amendments and the recommendation of the PZC, and have determined that adoption of the Proposed Amendment, as set forth in this Ordinance, will serve and be in the best interest of the Village and its residents;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Carpentersville, Kane County, Illinois, as follows:

SECTION 1: RECITALS.

The foregoing recitals are incorporated into, and made a part of, this Ordinance as the findings of the Village President and Board of Trustees.

SECTION 16.04 - Definitions.

A Portion of Section 16.04 titled "Definitions" is hereby amended to read as follows (**Additions are bold and double underlined**; deletions are struck through):

"Garage storage" means any building or premises, **designed or intended** used for housing vehicles **or which is utilized to house vehicles. In residentially-zoned districts, garage storage may also include personal lawn care equipment and materials, household supplies, tools and similar items. Non-residential uses of a garage in a residentially-zoned district are prohibited.**

SUBSECTION 16.18.020 – Accessory buildings, structures and uses.

A Portion of Subsection 16.18.020 titled "Accessory building, structures and uses" is hereby amended to read as follows (**Additions are bold and double underlined**; deletions are struck through):

"In the residential zoning districts, accessory buildings, structures and uses are limited to...2. A private residential garage used only for the housing of non-commercial passenger automobiles, and with a floor area of not to exceed five hundred fifty (550) square feet. An additional floor area of 200 square feet may be provided for each 1,000 square feet of lot area by which such lot exceeds six thousand (6,000) square feet, provided no garage shall exceed 1,000 square feet nor house more than five such automobiles." **The maximum size of a detached garage will be dependent upon the size of the lot it is built upon, along with the lot area coverage percentage, the total roofed building coverage percentage and zoning setbacks of the residential zoning district the property is located in. The maximum size of a detached garage in each residential zoning district is as follows:**

R-1: one thousand (1,000) square feet

R-2: eight hundred sixty-four (864) square feet

R-2-A and all other remaining single-family residential zoning districts: five hundred seventy-six (576) square feet

* * *

SECTION 3: SEVERABILITY.

If any provision of this Ordinance or part thereof is held invalid by a court of competent jurisdiction, the remaining provisions of this Ordinance are to remain in full force and effect, and are to be interpreted, applied, and enforced so as to achieve, as near as may be, the purpose and intent of this Ordinance to the greatest extent permitted by applicable law.

SECTION 4: EFFECTIVE DATE.

The provisions of this Ordinance will be in full force and effect upon its passage, approval and publication, in accordance with law.

Motion made by Trustee Garcia, seconded by Trustee Sandoval, that the Ordinance be passed.

ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES of the Village of Carpentersville, Illinois at a regular meeting thereof held on the 13th day of February, 2024, pursuant to a roll call vote as follows:

AYES: 6 (Richardson, Malone, Garcia, Abbott, Sandoval, Skillman)
NAYS: 0

ABSENT: 0
Present: 1 (Frost)
APPROVED by me this 13 day of Feb, 2024.



John Skillman, Village President

(SEAL)

ATTEST: 

Tania Gomez, Village Clerk



CERTIFICATION

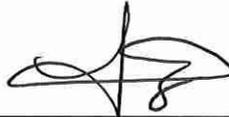
I, Tania Gomez, do hereby certify that I am the duly appointed, acting and qualified Clerk of the Village of Carpentersville, Kane County, Illinois, and that as such Clerk, I am the keeper of the records and minutes and proceedings of the President and Board of Trustees of said Village of Carpentersville.

I do further certify that at a regular meeting of the President and Board of Trustees of the Village of Carpentersville, held on the 13 day of February, 2024, the foregoing Ordinance entitled, **AN ORDINANCE AMENDING TITLE 16 OF THE "CARPENTERSVILLE MUNICIPAL CODE," REGARDING GARAGES IN RESIDENTIALLY ZONED DISTRICTS**, was duly passed by the President and Board of Trustees of the Village of Carpentersville.

The pamphlet form of Ordinance No. 24-06, including the Ordinance was prepared, and a copy of such Ordinance was available in the Village Hall, commencing on the 13 day of February, 2024, and will continue for at least 10 days thereafter. Copies of such Ordinance are also available for public inspection upon request in the office of the Village Clerk.

I do further certify that the original, of which the attached is a true and correct copy, is entrusted to me as the Clerk of said Village for safekeeping, and that I am the lawful custodian and keeper of the same.

Given under my hand and seal of the Village of Carpentersville this 13 day of February, 2024.



Tania Gomez, Village Clerk
Village of Carpentersville,
Kane County, Illinois

(SEAL)

