

## New Rules lower Roofs in Downers Grove

By Annette Akey, Chairman of Government Affairs - North

On May 17 Downers Grove passed its first comprehensive zoning change since 1965. Realtors were active in many phases of the new ordinance, commenting on roof heights, setbacks, lot coverage, and front porch and garage bonuses. REALTOR® Association of West/South Suburban Chicagoland (RWSSC) provided testimony to the planning commission as well as bringing expert testimony to the Village Counsel to ensure that property owner rights are protected.

What is new?

- the Lot of Record is now defined more clearly
- chimney projections into sideyards now 18" (was 24")
- front yard setbacks on both streets for corner lots
- new height restrictions for districts: 33' for 50 and 75 foot wide lots (R-3 & R4), 35' for larger width lots (R1, R-2, and R-5)
- new eave height restrictions; 25' for R-1 & R-2; 23' for R-3, R-4, and R-5
- new lot coverage restriction of 32%
- new sideyard setbacks of 5' or 10% of width in R-4/5

RWSSC focused on helping Downers Grove come up with a zoning code that is easy to understand and protects the rights of property owners to use their property freely.

When these issues first surfaced in Downers Grove, a citizen group created a laundry list of proposals, which included many restrictive and outright illegal requests. One of these proposals was for a "conservation district" in which a neighborhood would essentially take over the zoning decisions from the zoning committee. Existing state and federal law prohibit government from delegating their powers to other bodies, including homeowners. Additionally, the proposed language for the district was extremely vague and did not establish a clear procedure, definition of purpose, or an understandable framework for homeowners to follow.

Lot Coverage was not an issue in the old zoning code, the code simply defined setbacks. In the new code, Downers Grove is joining most other towns by providing that a home can cover a specific percentage of the lot. With lot coverage of 32%, a 10,000 square foot lot would be limited to a home footprint of 3200 square feet. If the percentage is dropped to 17%, the same lot could only hold a 1700 square foot home. In today's marketplace, homeowners are asking for larger homes with more amenities. The larger lot coverage of 32% will allow the marketplace to grow and develop along with the needs of residents.

RWSSC expects that the passage of this new code will help simplify the process for homeowners. For owners who are replacing obsolete housing, the new code brings clarity and simplified rules to follow. Many Realtors® participated in this 18-month campaign in Downers Grove and we would like to thank each of them for their assistance and guidance.

Please remember that your donation to RPAC helps pay for the materials that were used in this Downers Grove Zoning project. In addition to supporting candidates who understand the REALTOR® perspective, RPAC helps us create everything from letters and brochures to advertising and web based advocacy. Your donations help every homeowner you serve by preserving their ability to freely own, use, and transfer their property. Please remember to donate to RPAC (insert our webaddress to donate online) today.