



VANDEWALLE & ASSOCIATES INC.

To: Village of Fontana
From: Mike Slavney, FAICP, Village Planner
Date: August 16, 2012
Re: Zoning Ordinance and Map – Revised Public Hearing Drafts

The draft Zoning Ordinance and Map have been revised based on the direction of the Plan Commission and the Village Board at the August 6, 2012 public hearing and based on direction provided by Village staff at the August 13, 2012 staff meeting.

Zoning Map Revisions

1. As directed at the public hearing, the Audino/Mesa, LLC properties (Tax ID numbers SA 426300001 and SA 426300002) are now depicted as RS-1 (changed from AH-35).
2. As directed at the public hearing, the Kimberly Genz property (Tax ID number SIHF 00017A) is now depicted as RS-5 (changed from AH-35).
3. As directed at the public hearing, O'Neil/JMO Properties property (Tax ID number STFV 00031) is now depicted as RP (changed from AH-35).

Please note that the RP district allows mini-warehouses as a conditional use. A new conditional use permit would be required to expand existing mini-warehouses. Also, note that office, personal and professional services, light industrial, indoor storage and wholesaling, indoor maintenance service, and institutional uses are allowed by right in the RP district.

Staff recommends that this property be zoned AH-35 (as shown on the August 6th draft of the Zoning Map) to remove the potential for industrial land uses on this property. In addition, staff recommends that personal storage facilities (i.e. mini-warehouses) be added as a conditional use in the AH-35 zoning district to clearly enable the continuation of the existing land use on the property as a legal conforming land use.

4. David Klesmith requested at the public hearing that his property (Tax ID number STFV 00116) containing a single family home be zoned SR-1 instead of AH-35 zoning. Staff considered this request and recommends the zoning be changed to the SR-1 zoning district.

Zoning Ordinance Revisions

1. Clarified the building height definition and added sample graphic (pages 11-12).
2. Clarified the landscape surface area definition to indicate that this does not include any portion of a lot covered by impervious surfaces (page 16).
3. Adjusted the required minimum landscape surface ratio for the LR-0 district to match the current zoning standards (i.e. 30 percent *lot coverage* is the inverse of 70 percent landscape surface ratio) (page 28).
4. Added note to Figure 18-28 indicating that minimum lakeshore frontage is not required for lots not abutting the lake (page 28).
5. Revised Section 18-28(o) to clarify that the prohibition to increase density does not preclude property owner's ability to subdivide if their property meets district standards. Also removed the note indicating that lots with the potential for additional land divisions be added to the Zoning Map. The Village has not completed a detailed environmental analysis of the lakefront lots to ensure such lots would be accurately accounted for on the Zoning Map. Such analysis is typically conducted at the expense of the property owner (page 28).
6. Adjusted the required minimum landscape surface ratio for the SR-1 district to match the current zoning standards (i.e. 30 percent *lot coverage* is the inverse of 70 percent landscape surface ratio) (page 30).
7. Adjusted the required minimum landscape surface ratio for the SR-2 district to match the current zoning standards (i.e. 40 percent *lot coverage* is the inverse of 60 percent landscape surface ratio) (page 32).
8. Clarified language in the Resort Business district as suggested by Atty. Dean Richards (pages 55-60).
9. Revised the "residential recreational facility" land use so as to not conflict with the Village's tree preservation policies (page 106).
10. Clarified the "limited duration outdoor activities and events" land use as suggested by Atty. Dean Richards (page 112).
11. Added examples of density and intensity calculations as requested by staff (pages 114-116).
12. Eliminated subsection 18-92(a)(3) as it conflicts with 18-92(a) pertaining to blanket conforming status being applied to both principal and accessory structures (page 124).
13. Revised Section 18-93 to clarify that structures that have received blanket conforming status are no longer "nonconforming" structures, but legal structures that do not meet the bulk or other requirements of the Chapter (pages 124-125).
14. Added sample graphic depicting reservation of land for building additions (page 127).
15. Revised Section 18-93(c)(3)a. to clarify that setbacks may not be reduced below one-half of the zoning district requirements (page 128).
16. Added current Section 18-33 to the Lakeshore Overlay zoning district, with the adjustment of the shoreyard setback from 50 to 75 feet for consistency with previously authorized policy decision (pages 137-139).
17. Added Appendix D: Abbey Harbor Marina Subdistrict Inventory of Existing Land Uses and Development.