

## **ZONING FROM A TO Z**

### **Residential districts – Part 3 (Chapter 17-2)**

**By JUDITH LAUTH CASEY**

The first installment of this series explained that the zoning categories for residential (“R”) districts are differentiated primarily on the basis of maximum floor area ratio and minimum lot area requirements. Other significant limitations on structures in R districts, such as height limitations; front, rear, and side yard setbacks; and character standards were reviewed in the second installment in the January/February issue of SNN.

Another, new type of limitation derived from comments voiced during public hearings held by the Zoning Reform Commission, at which community members expressed concern that new construction resulted in little or no rear yard, which disrupts the established rhythm of rear yard open space in many neighborhoods, reduces available light to neighboring properties and yards, and reduced the amount of permeable space on a lot. In response, the Commission established requirements for minimum open space in rear yards (17-2-0307 Rear Yard Open Space).

Rear yard open space is the amount of lot area required to be preserved as open space within the rear yard. Off-street parking areas and driveways do not satisfy the open space requirements; further, curbs or the like must be provided to ensure that the open space is not used for parking, loading, or vehicle circulation.

As reviewed in the first installment, most of the residential housing in Sheffield is designated RT4, with a few RS3 lots in the western portion of the neighborhood. In RT4 districts, the minimum rear yard open space required is the greater of 65 square feet per dwelling unit or 6.5% of lot area. The minimum dimension on any side is 12 feet. Thus, for a single-family residence on a standard lot measuring 25 x 125 feet, the minimum rear yard open space required is 203 square feet ( $3125 \times .065 > 65$ ).

In RS3 districts, the minimum rear yard open space required is the greater of 225 square feet per dwelling unit or 6.5% of lot area. The minimum dimension on any side is 15 feet. Thus, for a single-family residence on a standard lot measuring 25 x 125 feet, the minimum rear yard open space required is 225 square feet ( $3125 \times .065 < 225$ ).

In RT4 and RS3 districts, the rear yard open space must be located at ground level or, if located on a terrace or patio, within 4 feet of ground level. When located at ground level, the area must be “substantially covered” with grass, ground cover, and the like or usable outdoor features such as walkways or patios.

Although the Zoning Reform Commission promotes the rear yard open space requirements as a key improvement over the former code, the requirements fail to eliminate some problems. For example, so-called breezeways (enclosed connections between a residence and the garage) are still allowed in the rear yard. In the initial drafts of the reformed zoning

code, breezeways were prohibited in the rear yard, presumably in response to public testimony opposing them and as part of the Commission's efforts to preserve open space in rear yards. However, the final draft of the code no longer prohibited breezeways. The only explanation provided by one of the members of the Commission was that Lincoln Park already had some breezeways.

SNA and its Planning Committee consistently have opposed breezeways in support of the many residents who have objected to them. Permitting breezeways as an obstruction in the rear yard is not consistent with the code's effort to maintain the character of existing residential neighborhoods, which includes a tradition of openness in the rear yard. The tall brick walls of breezeways disrupt the rhythm of rear yards, the structures unnecessarily consume additional open space, and the structures reduce the amount of available permeable space. Further, it is inconsistent to allow breezeways higher than the maximum 6 feet allowed for rear yard fences. Moreover, permitting them simply because some already exist simply condones a bad idea that generated substantial opposition, thus intentionally adopting a detrimental standard for the future.

Similarly, allowing the entire rear yard to be raised four feet above ground level as of right is inconsistent with the goals of encouraging green space and rear yard openness. A railing or wall added to the raised area further eliminates openness, bringing the height of the obstructed view above the maximum 6 feet allowed for rear yard fences. Consequently, SNA has suggested that the general rule should be that rear yard space must be at ground level, perhaps with an allowed percentage devoted to a deck or porch, consistent with Chicago tradition. An administrative adjustment still could be requested to petition for open space above ground level, so that any special circumstances could be accommodated.

In addition, if no permeable surface is provided underneath the raised areas, drainage and flooding problems already increasing in Sheffield and other neighborhoods are exacerbated. SNA therefore also has suggested that the code require that usable space at ground level include a substantial portion of permeable material. For example, even if the open space were an uncovered walkway or patio, pavers would allow water to percolate into the ground.

This is the third in a series of articles designed to educate the community about the basics of the new zoning code adopted in late 2004. If you would like to learn about a particular topic, contact the Association by calling 773-929-9255 or by sending an email message to [sheffieldneighborhoodassociation@hotmail.com](mailto:sheffieldneighborhoodassociation@hotmail.com); please be as specific as possible when describing your topic or question.

**Judith Lauth Casey** is SNA Second Vice-President and Planning Chair.