

## **Why Did Forest Park Change the Zoning Ordinance and Make My Property Non-Conforming**

Forest Park has a significant number of non-conforming uses and structures and each case is different. Because of the age of the majority of Forest Park's housing stock, many homes have non-conforming setbacks even though the current requirements have been in place since at least the early 1960s. A review of older Zoning Ordinances also indicates that the community decided a long time ago not to continue the tradition of coach homes.

Many zoning changes are made in response to a desire to correct some problem with the existing zoning. For example, a side yard setback that is closer than the current requirement may have been found to increase the risk of a fire in one structure jumping to adjoining structures. Perhaps the impact of homes being so close to each other changed as construction trends changed from one-story homes to two-story homes. In short the changes made in the past are generally always intended to correct something that is perceived as a problem at the time the change is made.

A more recent change was made in the early 1990s in response to a booming residential market and the desire from developers to squeeze as many dwelling units on a lot as possible. Several projects approved under the old Zoning Ordinance at the time were resulting in complaints from residents of overcrowding, a lack of parking, inability to handle garbage and traffic, and a host of other problems associated with an increase in the number of people being squeezed into small spaces. Therefore, the Village Council modified the Zoning Ordinance to reduce the number of dwelling units permitted in each of the three residential districts. So, where a two-flat was permitted in an R-1 District prior to the change, new two-flats would no longer be permitted. Similarly, an existing two-flat in an R-1 District became legal non-conforming and had new restrictions placed on the way it could be altered or enlarged.

While Zoning Ordinance changes are made with the intent to modify an existing problem are good at preventing the problem from continuing, the impact of these changes on existing structures is often debated. The rules regulating what you can do with non-conforming uses and structures generally allow the uses and structures to continue in their current status, but place severe restrictions on changes, expansions or alterations unless the project can be brought into compliance with new requirements. In other words, the intent of regulating non-conforming uses is to allow them to continue, but if you're going to make further investments in a non-conforming property, the property should be brought into compliance at that time. If you have a three-flat or a four flat on a property and no parking in an R-1 District, it is in the community's best interest to enforce regulations that ensure that the overcrowded property is ultimately redeveloped in compliance with current regulations.