



**CITY OF ELMHURST**  
209 NORTH YORK STREET  
ELMHURST, ILLINOIS 60126-2759  
(630) 530-3000  
www.elmhurst.org

**STEVEN M. MORLEY**  
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CITY CLERK  
**ELAINE LIBOVICZ**  
CITY TREASURER  
**JAMES A. GRABOWSKI**  
CITY MANAGER

May 18, 2020



326 S. Prospect  
Elmhurst, IL 60126

Re: Request for an Inspection

Dear

It was brought to our attention that a structure in your rear yard may violate a section of the City of Elmhurst Zoning Code. Our records indicate that you received a permit in 2014 for this structure. A portion of this permit may have been granted in error.

We'd like to discuss the matter with you and are asking your permission to perform an inspection on your property. After the inspection, we can work closely with you on the next steps, if any are necessary.

Thank you for your understanding and cooperation in this matter. Please do not hesitate to contact me with any questions at (630) 530-6019.

Sincerely,

Emily Egan  
Code Enforcement Supervisor  
Assistant City Planner

**Eileen Franz - Re: Concern about city ordinance violation****From:****To:** Eileen Franz <Eileen.Franz@elmhurst.org>**Date:** 5/9/2020 11:08 AM**Subject:** Re: Concern about city ordinance violation

Good morning,

Thanks for responding to my email. I appreciate your time on this subject, as I do realize how busy you may be. All though the sheltering in does give time in one sense, there seems to be more items on the 'to do list', that we never had the time to do before.

I wanted to comment on the concept of 'low tunnels' for gardening, as it was a minimal compromise to what was being requested. These tunnels do very little to allow the growth of plants during the winter months, as the height and width do not create enough warm air mass to promote the growth, that a taller, larger membrane structure would. Access to items within the low tunnel requires the removal of the covering, thus exposing the plants to the undesired weather conditions. Not good for plants. Truly defeats the purpose of trying to grow and harvest winter vegetables.

Because of this pandemic, is there any possibility of reconsidering this ordinance, due to relative practical and sustainable reasons? Also more and more people are turning to home gardens not only for a healthy, affordable food source, but also a means to create family quality time and learning experiences. (environment, nutrition, recycling, composting, organic and sustainable gardening practices)

The concern that these temporary extended growing structures are not attractive to look at from neighboring homes, is a matter of personal opinion. People who garden, due so responsibly, and also respect environmental practices.

Would it be possible to advise how I can get this topic back on the agenda for the city to reconsider the ordinance?

Again, I do appreciate your time to review my requests and concerns.

Kind regards,

On Fri, May 8, 2020 at 3:11 PM Eileen Franz <Eileen.Franz@elmhurst.org> wrote:

I apologize for the delay in responding. Thank you for letting me know about 326 S Prospect. We will look into it.

For your reference, the regulations for Low Tunnels and Cold Frames are detailed below.

I hope that you continue to stay safe during these times and that you have a nice Mother's Day.

#### 22.52 - Low tunnels and cold frames.

- (a) Time of Construction. No low tunnel or cold frame shall be constructed on any lot prior to construction of a principal building. No low tunnels or cold frames may be on a property for longer than six months and may only be up from October 15 through April 15.
- (b) Drainage and Utility Easements. Low tunnels or cold frames shall not be located on or within any utility, cable television, or drainage easement created by a duly recorded document.
- (c) Height and Area of Low Tunnels and Cold Frames. No low tunnel or cold frame shall exceed one hundred (100) square feet (footprint) or be higher than three feet in height above grade. If there are multiple low tunnel or cold frame structures on a property, the aggregate square footage may not exceed one hundred (100) square feet.
- (d) Location. No low tunnel or cold frame shall be located in the front or corner side yard. Low tunnels and cold frames may be located in the required side or rear yard setback, provided that it does not obstruct access to the rear yard of a property.
- (e) On Corner Lots. No low tunnel or cold frame shall be erected in or encroach upon the required side yard of a corner lot which is adjacent to the street, nor upon the required side yard of a reversed corner lot which is adjacent to the street. However, in no event shall a low tunnel or cold frame in a corner side yard extend closer to such corner side yard than the front yard setback distance required for the lots to the rear of such lot. At no time can a low tunnel or cold frame be closer to the corner side yard lot line than the principal structure.
- (f) Separation Between Buildings. Low tunnel and cold frame structures may be less than ten (10) feet from an accessory or principal building.
- (g) Permitted obstructions and detached accessory structures, including low tunnels and cold frames, shall not, in the aggregate, occupy more than forty (40) percent of the required rear yard.
- (h) A low tunnel or cold frame must meet all front and corner side yard structure setback and coverage requirements for the zoning district in which it is located.

"Low tunnel" means a temporary structure typically made of, but not limited to, flexible pipe or other material covered with translucent plastic/material, constructed in a "half-round" or "hoop" shape, for the purpose of protecting and cultivating plants. A low tunnel cannot exceed three feet in height nor one hundred (100) square feet in area. The land that is covered by a low tunnel must be an area designated for crop cultivation where crops are grown in the natural soil profile or in raised beds. A low tunnel may not be used for storage of inorganic materials. A low tunnel is considered more temporary than a greenhouse.

"Cold frame" means a temporary unheated, transparent roofed structure, not higher than three feet, or greater than one hundred (100) square feet, used to protect plants from excessively cold and wet weather. Construction material typically consists of, but is not limited to, a wooden or concrete frame and a plastic or glass cover. A cold frame may not be used for storage.

Eileen Franz  
City Planner  
209 N. York  
Elmhurst, IL 60126  
(630) 530-3121  
eileen.franz@elmhurst.org

&gt;&gt;&gt; 5/5/2020 11:33 AM &gt;&gt;&gt;

Hi Eileen,

I hope you are doing well during this sheltering in phase of our lives. I am finding the extra time I have now since I am working from home a chance to meet some of my neighbors. I have lived here for 30 years now and never had a chance to socialize with a lot of the new neighbors.

When I am not riding my bike, I am taking advantage of the time to work in my garden, in between the snow, sleet, and cold weather. I have my soil prepped for planting and just waiting for the warm weather to stay. Due to the economics a lot of us are facing (higher prices for certain foods, tainted produce, increased property taxes), I will be hoping for a good long gardening season.

Which brings me to the real purpose of this email.

Extended membrane structure - used to extend the gardening season during the coldest months of the year. If I was able to legally have a temporary covered garden, I would be harvesting a variety of 'winter vegetables', such as kale, lettuce, and root vegetables which can grow all winter and avoid freezing. I would have seedlings ready to plant over Memorial Day weekend. Which by this time the weather would have warmed (hopefully) and the structure would have been removed, revealing a normal vegetable garden in its place.

Since Elmhurst City Council voted down further discussion to change city ordinances to permit membrane structures, such as a temporary covered garden, why is it, that there are several structures that remain on Elmhurst properties, in full view from the road? My concern that the property at 326 South Prospect is in violation with the city ordinance since it is a temporary, membrane structure. Why are they permitted to keep theirs up, and others are not?

It would be greatly appreciated if the response to my question would be to reconsider the true value of Elmhurst families having the opportunity to extend their gardening season by the use of a temporary garden structure. It would be sustainable, eco-friendly, opportunity for quality family activity, and provide nutritious organic vegetables to a family.

If the response is not favorable to reconsidering the ban on temporary covered gardens, then the structure should be taken down at 326 South Prospect.

Sincerely,