

## **ARTICLE I Title, Purpose, and Authority**

Section 1. TITLE.

This Ordinance shall be known as and may be referred to and cited as the Zoning Ordinance of the Village of Coal Valley, Illinois.

Section 2. PURPOSE.

The various zoning districts which are created by the Zoning Ordinance and the various articles and sections of the Ordinance are adopted for the purposes, among others, of:

- 2.001 Promoting the public health, safety, morals, comfort, and general welfare;
- 2.002 Helping to achieve greater efficiency and economy of land development by promoting the grouping of those activities which have similar needs and which are compatible;
- 2.003 Encouraging such distribution of population, classification of land use, and distribution of land development that will tend to facilitate adequate and economic provisions for transportation, communications, water supply, drainage, sanitation, education, recreation and other public requirements;
- 2.004 Lessening or avoiding congestion in the public streets and highways;
- 2.005 Protecting against fire, explosion, noxious fumes, and other hazards in the interest of the public health, safety, comfort, and general welfare;
- 2.006 Helping to insure that all residential, commercial, manufacturing and other types of structures will be accessible to fire fighting and other emergency equipment;
- 2.007 Prohibiting the formation or expansion of non-conforming uses of land, buildings and structures which are adversely affecting the character and value of desirable development in each zoning district;
- 2.008 Promoting the development of residential neighborhoods which are free of objectionable noise, dust,, fumes, heavy traffic volumes, and other adverse conditions, and in which each dwelling unit is assured of light, air and open spaces;
- 2.009 Preventing land development activities which lead to roadside blight and minimizing the effects of nuisance producing activities;
- 2.010 Promoting and guiding the continued growth and expansion of the Village while protecting the natural, economic and scenic resources of the Village; and
- 2.011 Conserving the taxable value of land and buildings throughout the Village.

Section 3. AUTHORITY.

The Ordinance is adopted in pursuance of the authority granted by the Statues of the State of Illinois, Chapter 24, Division 13.

## ARTICLE II Definitions

### Section 1. DEFINITIONS.

For the purposes of the Ordinance and for the implementation of the revisions contained herein, certain words, terms and phrases are to be interpreted as defined herein. Words used in the present tense shall include the future tense; the singular number includes the plural number, the plural number includes the singular number. The word "lot" , includes the word "plot" or "parcel." The word "shall" is mandatory; the word "may" is permissive. The masculine pronoun shall include the feminine.

The following words, terms and phrases are hereby defined as follows and shall be interpreted as such throughout the Ordinance. Terms not herein defined shall have the meaning customarily assigned to them.

- 1.001      **ADVERTISING DEVICE.** An advertising sign, billboard or poster pane which directs attention to a business, commodity, service or entertainment.
- 1.002      **ALLEY.** A traffic way, dedicated to public use, which affords a secondary means of vehicular access to the back or side of properties otherwise abutting a street.
- 1.003      **AUTOMOBILE LAUNDRY.** A building or portion thereof or premises used for the dispensing or offering for sale at retail any automotive fuels or oils, having pumps and storage tanks thereon, or where battery, tire and other similar services are rendered.
- 1.004      **AUTOMOBILE SERVICE STATION.** A building or portion thereof or premises used for dispensing or offering for sale at retail any automotive fuels or oils, having pumps and storage tanks thereon, or where battery, tire and other similar services are rendered.
- 1.005      **BASEMENT.** A story having part but not more than fifty (50) percent of its height below the average grade of the adjoining ground (as distinguished from a "cellar"). A basement shall be counted as a story for the purposes of height measurement. (See Appendix A)
- 1.006      **BILLBOARD** (see "Sign"). A sign which has more than one hundred (100) square feet of display surface and which is either erected on the ground or attached to or supported by a building or structure.
- 1.007      **BLOCK.** A tract of land bound by streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, shore-lines of waterways and/or other physical barriers.
- 1.008      **BOARDING HOUSE AND LODGING HOUSE.** A dwelling other than a hotel or motel where for compensation and by prearrangement for definite periods meals or lodging and meals are provided for three (3) or more, but not exceeding twenty (20), persons on a weekly or monthly basis.
- 1.009      **BOARD OF APPEALS.** The Zoning Board of Appeals of the Village established in Article XVIII,
- 1.010      **BUILDABLE AREA.** The space remaining on a lot after the minimum open space, yards and setback requirements have been complied with.
- 1.011      **BUILDING.** Any structure designed or built for the support, enclosure, shelter or protection of people, animals, chattels or property of any kind.

- 1.012 **BUILDING, ACCESSORY.** A building on the same zoning lot as a principal building which, by its nature, is customarily incidental and subordinate to the principal building.
- 1.013 **BUILDING, DETACHED.** A building surrounded by open space on the same zoning lot.
- 1.014 **BUILDINGS, HEIGHT OF.** The vertical distance from the grade to the highest point or the coping of a flat roof, to the deck line of a mansard roof or the mean height level between eaves and ridges for gable, hip or gambrel roofs. (See Appendix A)
- 1.0141 **BUILDING LINE.** A line parallel to the street right of way line at a distance established by the principal building's nearest point to the right of way line. The distance of this line from the right of way line may be greater or less than that of the Building Setback Line.  
(Amd. Ord. 90-0-02 2/7/90)
- 1.015 **BUILDING, PRINCIPAL.,** The main building on a lot occupied by a principal or special use permitted in a zoning district. (See Appendix A)
- 1.016 **BUILDING SETBACK LINE.** A line parallel to the street right-of-way line at a distance established by the setback requirements of the zoning district.
- 1.017 **CELLAR.** A story having fifty (50) percent or more of its height below the average grade of the adjoining ground (as distinguished from a "basement"). A cellar shall not be counted as a story for purposes of height measurement. (See Appendix A)
- 1.018 **CHILD CARE CENTER.** An establishment enrolling children and charging tuition, fees or other forms of compensation for the care of children which is licensed or approved by an appropriate authority to operate as a child care center.
- 1.019 **CLINIC.** An establishment where patients who are not lodged overnight are admitted for examination or treatment by physicians or health care practitioners practicing together.
- 1.020 **CLUBS, PRIVATE.** A building or buildings and facilities owned and operated by a corporation, association, person or persons for social, educational or recreational purposes, but not primarily for profit nor to render a service which is customarily carried on as a business.
- 1.021 **CONVALESCENT HOMES,** (See "Nursing Home")
- 1.022 **DRIVE-IN RESTAURANT OR REFRESHMENT STAND.** Any place or premises principally used for the sale, dispensing or serving of food, refreshments or beverages in automobiles, including those establishments where customers may serve themselves and may eat or drink the food, refreshments or beverages either on or off the premises.
- 1.023 **DWELLING.** A building or portion thereof, but not including a mobile home, travel trailer or recreation vehicle, designed or used exclusively for residential occupancy, including one-family, two-family and multi-family dwelling units, but not including hotels, motels,, boarding or lodging houses.
- 1.024 **DWELLING UNIT.** A dwelling which consists of one or more rooms which are arranged, designed or used as living quarters for one family only and includes individual bathrooms and complete kitchen facilities for the sole use of the residing family.
- 1.025 **DWELLING, ONE-FAMILY.** A residential dwelling unit for occupancy by one (1) family only.

- 1.026 DWELLING, TWO-FAMILY. A building containing two dwelling units for occupancy by not more than two (2) families.
- 1.027 DWELLING, MULTIPLE-FAMILY. A building containing more than two (2) dwelling units for occupancy by more than two (2) families.
- 1.028 ESSENTIAL SERVICES. The erection, alteration or maintenance, by public utilities or municipal or other governmental agencies, of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection systems communications systems, supply or disposal systems, including poles, wires, drains, sewers, pipes, conduits, cables, traffic signals, hydrants, and other similar equipment and accessories in connection therewith, reasonably necessary for the furnishing of adequate service by such public utilities or municipal or other governmental agencies or for the public health, safety, or general welfare, but not including buildings or telecommunications towers.  
(Amd Ord. 98-0-09, 4-15-98)
- 1.029 FAMILY. One or more persons occupying a dwelling unit and living as a single housekeeping unit, whether or not related to each other by birth, adoption or marriage, but not including any unrelated group consisting of more than five (5) persons, as distinguished from a group occupying a boarding house, lodging house or similar group living quarters as herein defined.
- 1.030 FARM. An area which is used for the growing of the usual farm products such as vegetables, fruit, trees and grain and their storage on the area. The term “farming” includes the operating of such an area for one or more of the above uses, including the necessary accessory uses for treating or storing the products; provided that the operation of any such accessory uses shall be secondary to that of the normal farming activities. The area may also be used for the raising thereon of the usual farm poultry and farm animals, but such use shall ' 1 not include the slaughtering and processing of poultry or animals except for consumption by the person or persons owning or operating the farm.
- 1.031 FLOOR AREA (for determining off-street parking and loading requirements), The sum of the gross horizontal a-areas of The several floors of the building, or portions thereof, devoted to a particular use, including accessory storage area located within selling or working space such as counters, racks or closets, and any basement floor area devoted to retailing activities, to the production or processing of goods, or to business or professional offices, However, “floor area” for the purpose of measurement for off-street parking spaces shall not include: floor area devoted to off-street parking or loading facilities, including aisles, ramps, and maneuvering space, or basement floor area other than area devoted to retailing activities, to the production or processing of goods, or to business or professional offices.
- 1.032 FRONTAGE. All property on one side of a street between two intersecting streets (crossing or terminating), measured along the right-of-way line of the street, or if the street is a dead-end, then all of the property abutting on one side between an intersecting street and the dead-end of the street. (See “Lot Line, Front”; and “Yard, Front”)
- 1.033 GARAGE, PRIVATE. An accessory building or a portion of the principal building used for the storage of vehicles owned and used by the occupants of the principal building.  
(Amd. Ord. 93-0-07 11/17/93)
- 1.034 GARAGE, PUBLIC. A building or portion thereof, other than a private garage, for equipping, servicing, repairing, hiring, selling or storing vehicles.

- 1.035 GRADE, The established elevation of the ground surface at the center of the wall adjoining the street for structures adjoining one (1) street only; the average of the established elevations of the ground surfaces at the centers of all walls adjoining streets for structures adjoining more than one (1) street; or the average level of the ground surfaces at all exterior walls of the structure for structures not adjoining any street. The wall approximately parallel to and not more than five (5) feet from a street line is to be considered as adjoining any street. (See Appendix A)
- 1.036 GRADE, FINISHED. The final elevation of the ground surface after development.
- 1.037 HOME OCCUPATION. Any occupation or activity carried on by a member or the immediate family residing on the premises in connection with which no sign or display is used that will indicate from the exterior that the building is being utilized in part for any purpose other than that of a dwelling, no commodity is sold upon the premises not produced on the premises, no person is employed in connection with the home occupation other than a member of the immediate family residing on the premises, and no mechanical equipment is used except of a type that is similar in character to that normally used for purely domestic or household purposes.
- 1.038 HOTEL. A building in which lodging and food service are provided and offered to the public for compensation and in which ingress and egress to and from all rooms is made through an inside lobby or office supervised by a person in charge at all hours. As such, it is open to the public, in contradistinction to a boarding house, lodging house or multi-family dwelling as herein separately defined.
- 1.039 INSTITUTION. A non-profit corporation or a non-profit establishment for public use.
- 1.040 JUNKYARD. A lot, land, or structure, or part thereof, used primarily for the collection, storage and sale of waste paper, rags, scrap metal, or other discarded materials, or for the collection, storage, dismantling and salvaging of machinery or vehicles not in running condition or for the sale of parts thereof. The term “junkyard” shall include automobile wrecking yards.
- 1.041 KENNEL. Any lot or premises on which are kept four (4) or more dogs more than six (6) months of age for compensation or sale.
- 1.042 LAUNDROMAT. An establishment providing home-type washing, drying, and/or ironing machines for rent to be used by customers on the premises.
- 1.043 LOADING AND UNLOADING SPACE, OFF-STREET. A hard surfaced area of an , other than a street or a public way, the principal use of which is for the standing, loading, and unloading of motor vehicles, tractors and trailers to avoid undue interference with the use of public streets or alleys by other motor vehicles.
- 1.044 LODGING HOUSE. (See “Boarding House and Lodging House”)
- 1.045 LOT. A parcel of land which is either a “lot of record” or a “Zoning lot”.
- 1.046 LOT AREA. The total horizontal area included within lot lines.
- 1.047 LOT DEPTH. The mean horizontal distance between the front and rear lot lines of a lot measured within the lot boundaries. (See Appendix A)

- 1.048 LOT LINE, FRONT. That boundary of a lot which is along a public street, or, where no public street exists, is along a private road; in the case of an interior lot, it is the line separating such lot from the public street or private road; in the case of a corner lot, it is the line separating such lot from the street or private road with the narrowest street or private road frontage; and in the case of a through lot, it is the line separating such lot from both streets or private roads. (See Appendix A)
- 1.049 LOT LINE, REAR, That boundary of a lot which is-most distant from and is or is most nearly parallel to the front lot line. In the case of a pointed or irregular lot, it shall be an imaginary line parallel to and farthest from the front lot line not less than ten (10) feet long and wholly within the lot. (See Appendix A)
- 1.050 LOT LINE, SIDE, Any boundary of a lot which is not a front lot line nor a rear lot line. (See Appendix A)
- 1.051 LOT OF RECORD. A lot which exists as shown or described on a plat or deed in the local registry of deeds in Rock Island or Henry Counties.
- 1.052 LOT WIDTH. Lot width shall be defined as follows: (See "Yard, Front")
- A. For a lot with a straight front lot line or a curved front lot line having a radius of curvature greater than 50', the lot width shall be the horizontal distance between the side lot lines measured at the front lot line.
  - B. For a lot with all or a part of its front lot line curved with the radius ( or radii ) of curvature of the front lot line being 50' or less, the lot width shall be the horizontal distance between the side lot lines measured at the front setback line.
  - C. For a corner lot with two right-of-way lines terminating at a tangent to a curve having a minimum radius of 15', the lot width shall be the horizontal distance between the side lot lines measured at the front lot line.
  - D. For a panhandle lot with a minimum frontage width of 20', the lot width shall be the horizontal distance between the side lot lines measured at the entrance to the build able portion of the lot.
- (ORD. 2001-00-01 1/3/01)
- 1.053 LOT, CORNER. A lot which has at least two (2) adjacent sides abutting or their full length on a street,, provided the interior angle at the intersection of such two (2) sides is less than one hundred thirty-five (135) degrees, (See Appendix A)
- 1.054 LOT, INTERIOR. Any lot other than a corner lot which abuts on only one (1) frontage street. (See Appendix A)
- 1.055 LOT, REVERSED CORNER. A corner lot, the rear of which abuts upon the side of another lot, whether across an alley or not. (See Appendix A)
- 1.056 LOT, THROUGH. A lot having frontage on two (2) parallel or approximately parallel streets and which is not a corner lot. On a through lot, both street lines shall be deemed front lot lines. (See Appendix A)
- 1.057 LOT, ZONING. A single tract of land located within a single block, which,, at the time of filing for a building permit, is designated by its owner or developer as a tract to be used, developed or built upon as a unit under single ownership or control. Therefore, a "zoning lot" may or may not coincide with a "lot of record".
- 1.058 MOBILE HOME. A mobile living unit for permanent human occupancy, as distinguished from a travel trailer. (See "Travel Trailer and Recreational Vehicle")

- 1.059 MOBILE HOME PARK. A parcel of land which has been designated, improved or is intended to be used or rented for occupancy by one (1) or more mobile homes and is licensed as such by an appropriate licensing authority.
- 1.060 MOTEL. A building or a group of buildings used primarily for the temporary residence of motorists and/or travelers.
- 1.061 NONCONFORMING BUILDING OR STRUCTURE. Any building or structure which does not Comply With all the Regulations of the Ordinance and of any amendment hereto.
- 1.062 NONCONFORMING LOT. A lot of record existing in 1974 at the date of the passage of the original Zoning Ordinance of the Village of Coal Valley which does not have the minimum width or contain the minimum area for the zoning district in which it is located.
- 1.063 NONCONFORMING USE. Any use of land, buildings or structures, lawful at the time of the enactment of the original Zoning Ordinance of the Village of Coal Valley adopted in 1974, which does not comply with all of the regulations of the Ordinance and of any amendment hereto governing use for the zoning district in which such use is located.
- 1.064 NURSING HOME, CONVALESCENT HOME OR SHELTERED CARE HOME. An extended or intermediate care facility license or approved by an appropriate authority to provide full-time convalescent or continuing care to individuals who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves.
- 1.065 OCCUPANCY PERMIT. A required permit allowing occupancy of a building or structure 'after it has been determined that the building or structure meets all requirements of applicable ordinances.
- 1.066 OCCUPATION, HOME. (See "Home Occupation")
- 1.067 OFFICIAL MAP. A map, established by the Subdivision Ordinance of the Village.
- 1.068 OFFICIAL NEWSPAPER. That newspaper designated by the Village and as the medium for publication of all legal notices.
- 1.069 OPEN SALES LOT, RENTAL LOT OR STORAGE LOT. Any land used or occupied for the purpose of buying, selling, renting or storing new or used passenger cars or trucks, motor scooters, motorcycles, boats, trailers, aircraft, recreational or camping equipment or other commodities.
- 1.070 OPEN SPACE. Any parcel or area of land or water essentially unimproved and set aside, dedicated, designated or reserved for public or private use or enjoyment, or for the use and enjoyment of owners and occupants of land adjoining or neighboring such open space.
- 1.071 ORDINANCE. The Zoning Ordinance of the Village and referred to herein as the "Ordinance."
- 1.072 PARKING SPACE, OFF-STREET. An area designated for the temporary storage of a motor vehicle, which is directly accessible to an access aisle, is not located on a dedicated street right-of-way, and is designated and constructed in accordance with the provisions of the Ordinance.

- 1.073 PLANNING COMMISSION. The Planning Commission of the Village.
- 1.074 RENTAL LOT. (See “Open Sales Lot, Rental Lot or Storage Lot”)
- 1.075 RECREATION VEHICLE. (See “Travel Trailer and Recreation Vehicle”)
- 1.076 REFRESHMENT STAND. (“See Drive-In Restaurant or Refreshment Stand”)
- 1.077 RIGHT-OF-WAY. A strip of land occupied or intended to be occupied by a street, road, walkway, crosswalk, railroad or other such use. Every right-of-way established under the Subdivision Ordinance of the Village and shown on a Final Plat of Subdivision is separate and distinct from the lots adjoining such right-of-way and is not included within the dimension of the areas of such lots.
- 1.078 SEPTIC SYSTEM. An individual subsurface sewage treatment facility approved by appropriate state and/or local authorities designed to function on an individual lot basis.
- 1.079 SETBACK LINE. A line denoting the distance required to obtain the minimum front, side and rear yard as provided in each zoning district,
- 1.080 SEWERAGE SYSTEM, CENTRAL. A sewage treatment facility approved by appropriate state and/or local authorities designed to serve two or more lots.
- 1.081 SHED. (See “Building”)
- 1.082 SHELTERED CARE HOME. (See “Nursing Home, Convalescent Home or Sheltered Care Home)
- 1.083 SIGN. An identification, description, display or illustration which is affixed to, or represented directly or indirectly upon, a building, structure or piece of land, and which directs attention to any object, product, place, activity, person, institution, organization or business on the premises. However,, a “sign” shall not include any display of official court or public office notices, nor shall it include the flag, emblem, or insignia of a nation, political unit, school or religious group. (See “Advertising Device”)
- 1.084 SIGN, BILLBOARD. (See “billboards)
- 1.085 SIGN, ON-SITE, (See “Sign”) A sign located on a specific property and can also be an advertising device.
- 1.086 SIGN, OFF-SITE, (See “Advertising Device”) A sign located on property for which the message on the sign is not directed or related to.
- 1.086a SIGN, ON BUILDING (See “Sign). A sign affixed to a building housing the business for which the sign is user to identify and/ or advertise the business.
- 1.086b SIGN, MONUMENT (See “Sign), a vertical sign used to identify multiple businesses located on the same property.
- 1.087 STORAGE LOT. (See “Open Sales Lot, Rental Lot or Storage Lot”)
- 1.088 STORY, FULL. That portion of a building, other than a basement, included between the surface of any floor and the surface of the, floor next above it or, if there be no floor above it, then the space between the floor and the ceiling next above.



- 1.089 **STORY, HALF.** A partial story under a gable, hip or gambrel roof, the wall plates of which on at least two opposite exterior walls are not more than four (4) feet above the floor of such story; provided however, that any partial story used for residential purposes shall be deemed a full story.
- 1.090 **STREET.** A public right-of-way which provides a channel for vehicular and pedestrian movement and may provide vehicular and pedestrian access to properties adjacent to it, and which may also provide space for the location of essential services.
- 1.091 **STRUCTURES.** Anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground. Among other things”, structures include buildings, mobile homes, walls, fences, satellite dish antennas, advertising devices and signs.
- 1.092 **STRUCTURAL ALTERATIONS.** Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams or girders, and any change in the roof or in the exterior walls, excepting minor repairs and regular maintenance and such repair or replacement as may be required for the safety of the building or its occupants.
- 1.093 **TRAVEL TRAILER AND RECREATION VEHICLE.** A vehicular, portable structure built on a chassis,, designed-to be used as a temporary dwelling for travel and recreational purposes (as distinguished from a mobile home), having a body width not exceeding eight (8) feet.
- 1.094 **USE.** The purpose or activity for which the land or building thereon is designed, arranged or intended, or for which it is occupied or maintained.
- 1.095 **USE, ACCESSORY.** A use on the same lot with a principal use which, by its nature, is customarily incidental and subordinate to the principal use,
- 1.096 **USE, PRINCIPAL.** The main use of land or buildings as distinguished from a subordinate or accessory use. A “principal use” may be a “permitted use” or a “special use ,
- 1.097 **USE, PERMITTED.** A use which may be lawfully-established in a particular district or districts, provided it conforms with all requirements, regulations and standards of such district.
- 1.098 **USE, SPECIAL.** A use which because of its unique characteristics, cannot be properly classified as a permitted use in a particular district or districts. Such “special” uses may be permitted by “special use permits in accordance with the provisions of the Ordinance.
- 1.099 **VILLAGE.** The Village of Coal Valley, Illinois.
- 1.100 **YARD.** The open space at finished grade unoccupied by any s structure or portion of a structure, other than projections of uncovered steps, uncovered balconies, or uncovered porches; provided, however, that fences, walls, poles, posts and other customary yard accessories, ornaments, and furniture may be permitted in any such open space subject to height and visibility requirements, In measuring a yard for the purpose of determining the width of a side yard, or the depth of a front yard or a rear yard, the minimum horizontal distance between the lot line and the principal building shall be used.

- 1.101 YARD, FRONT. The area extending across the full width of the lot and lying between the front lot line and the principal building. The front yard shall be measured by a line at right angles to the front lot line, or in the case of a curved front lot line by a parallel line. In the case of a corner lot, the owner may determine which of the yards not abutting on the street will be considered rear and side yards. (See Appendix A)  
(Amd. Ord. 93-0-04 9/22/93)
- 1.102 YARD, REAR. The area extending across the full width of the lot which is most distant from the front yard and which is the required minimum horizontal distance between the rear lot line and the rear of the principal building. (See Appendix A)
- 1.103 YARD, REQUIRED. The minimum horizontal distance between the principal building on a lot and the front rear and/or side lot line.
- 1.104 YARD, SIDE. The area between the principal building and the side lot line, extending from the required front yard to the required rear yard, and being the minimum horizontal distance required between a side lot line and the side of the principal building. (See Appendix A)
- 1.105 YARD, TRANSITIONAL. The area that must be provided on a zoning lot in a business or an industrial district which adjoins a zoning lot in a residential district. (See Appendix A)
- 1.106 ZONING CERTIFICATE. A document issued by the Zoning Officer in Accordance with provisions of the Ordinance.
- 1.107 ZONING MAP. The map or maps incorporated into the Ordinance as a Part hereof designating zoning districts.
- 1.108 ZONING OFFICER. The person appointed to occupy the office created herein, in which office is vested the chief administrative and enforcement duties as outlined in the Ordinance.

**ARTICLE III Establishment of District Zoning Map, Boundary interpretations, and Annexed Territory**

Section 1. ESTABLISHMENT OF DISTRICTS.

For the purpose of the Ordinance, the Village is hereby organized into the following zoning districts:

- 1.001 AGRICULTURAL DISTRICT  
“A-1” Agricultural District
- 1.002 RESIDENCE DISTRICTS  
“R-1” One-Family Residence District  
“R-2” Two-Family Residence District  
“R-3” Multiple-Family Residence District  
“R-4” Mobile Home Park District
- 1.003 COMMERCIAL DISTRICTS  
“O-1” Office District  
“B-1” Limited Business District  
“B-2” General Business District
- 1.004 INDUSTRIAL DISTRICT  
“I-1” Industrial District
- 1.05 GENERAL BUSNISS DISTRICT, ADULT REGULATED USE.  
“B-2 (A)” General Business District, Adult Regulated Use. This B-2 (A) would overlay the designated I-1 Light Industrial District, so that the I-1 district could be used for any qualifying light, Industrial use, but it would be the only area in which an adult use could be located.
- 1.006 Testing of farm and construction equipment, and maintenance and repair to same.

Section 2. ZONING MAP.

The location and boundaries of the zoning districts established by the Ordinance are set forth on the map entitled “Zoning Map” which is herein and hereby made a part of the Ordinance. Such map, together with everything shown thereon and all amendments thereto, shall be as much a part of the Ordinance as though fully set forth and described herein.

Section 3. RULES FOR INTERPRETATION OF DISTRICT BOUNDARIES.

Where uncertainty exists with respect to the precise location of any of the aforesaid districts shown on the Zoning Map, the following rules shall apply:

- 3.001 Boundaries shown as following or approximately following streets, highways or alleys shall by construed to follow the center lines of such streets, highways or alleys;
- 3.002 Boundaries shown as following or approximately following platted lot lines or other property lines shall be construed to be said platted lot lines or property lines.

- 3.003 Boundaries shown as following or approximately following railroad lines shall be construed to lie midway between the main tracks of such railroad lines.
- 3.004 Boundaries shown as following or approximately following the center lines of streams, rivers or other continuously flowing water courses shall be construed as following the channel center line of such water courses taken at a mean low water mark,
- 3.005 Boundaries shown as following or closely following the Village limits shall be construed as following such limits.
- 3.006 Where the application of the aforesaid rules leaves a reasonable doubt as to the boundaries between two districts, the regulations of the more restrictive district shall govern the entire parcel in question, unless otherwise determined by the Board of Appeals in accordance with provisions contained in Section XVIII.
- 3.007 Whenever any street, alley or other public easement is vacated, the district classification of the property to which the vacated portions of land accrue shall become the classification of the vacated land,

Section 4. ANNEXED TERRITORY.

All territory which may hereafter be annexed to the Village shall be classified automatically as being in an "R-1" One-Family Residence District until such classification shall have been changed by amendment of the Ordinance as provided hereafter, except that property annexed under the terms of a valid pre-annexation agreement shall be classed in accordance with the terms of such pre-annexation agreement.

(Amd. Ord. 90-0-02 2/7/90)

## ARTICLE IV General Provisions

### Section 1. ZONING AFFECTS EVERY STRUCTURE AND USE.

Except as hereinafter provided, no building or structure shall be erected, constructed, occupied, moved, altered or repaired, nor shall any land be occupied or used except in conformity with the regulations hereinafter specified for the District in which it is located.

### Section 2. MINIMUM STREET FRONTAGE, LOT OF RECORD, NUMBER OF BUILDINGS ON A LOT, AND LOTS UNSERVED BY SEWER OR WATER.

2.001 MINIMUM STREET FRONTAGE. No lot shall be created after the adoption of the Ordinance unless it abuts at least twenty (20) feet on a public street and has access thereto.

2.002 LOT OF RECORD. In any Residence District a single-family dwelling may be established on a lot of record in existence at the time of enactment of the Ordinance regardless of the size of the lot, provided all other requirements of the Ordinance are complied with. However, where two (2) or more undeveloped lots of record in existence prior to the adoption of the Ordinance are held in common ownership, they shall be considered as a single zoning lot for purposes of the Ordinance, unless each lot has an area of at least ninety (90) percent of the required minimum lot area for the District in which it is located.

2.003 NUMBER OF BUILDINGS ON A ZONING LOT. Except in the case of planned unit developments, not more than one principal building shall be located on a zoning lot.

2.004 LOTS UNSERVED BY SEWER AND/OR WATER. In any Residential District where neither central water supply nor central sewerage services are reasonably available, one (1) single-family detached dwelling may be constructed on each lot, provided the lot area and width are a minimum of twenty thousand (20,000) square feet, ;and one hundred (100) feet respectively; further provided, however, that where either a public water supply system or a public sanitary sewer system is accessible, these requirements shall be ten thousand (10,000) square feet, and seventy-five (75) feet respectively, except as hereinafter specified.

### Section 3. ACCESSORY BUILDINGS.

3.001 TIME OF CONSTRUCTION. No accessory buildings or structures shall be constructed on any lot prior to the time of construction of the principal building to which it is accessory, unless such accessory building is erected in preparation for the erection of the principal building and after the building permit has been issued for the principal building.

3.002 PERCENTAGE OF REQUIRED YARD OCCUPIED. No detached accessory buildings shall occupy, more than fifty (50) percent of the area of a required yard.

3.003 HEIGHT OF ACCESSORY BUILDINGS. No detached accessory building or structure shall-exceed the height of the principal building or structure.

- 3.004 LOCATION ON LOT. No accessory building or structure shall be erected in any front yard. Accessory buildings shall be no closer than five (5) feet from all lot lines of adjoining lots which are in any "R" District and at least six (6) feet from alley lines. If an accessory building is erected on either side of the principal building, it shall not encroach upon the side-yard requirement,
- 3.005 RATIO OF BUILDING LENGTH TO WIDTH. No accessory building shall be constructed in residential districts where the length exceeds the width by more than 75% of the width. Fractional measurements can be rounded to the next higher footage.
- 3.006 NUMBER AND SIZE. In any residential District, the number of accessory buildings on any lot shall be limited to two (2) with one (1) accessory building not exceeding 75% of the square footage of the principal building at grade and two (2) accessory buildings not exceeding 100% of the square footage of the principal building at grade.

Section 4. REQUIRED YARD CANNOT BE REDUCED OR USED BY ANOTHER BUILDING.

No lot, yard, court, parking area or other open space shall be so reduced in area or dimension as to make any such area or dimension less than the minimum required by the Ordinance, and, if already less than the minimum required, it shall not be further reduced. No required yard provided around any building or structure shall be included as part of any yard required for another building or structure.

Section 5. CONVERSION OF DWELLINGS.

The conversion of any building into a dwelling, or the conversion of any dwelling so as to accommodate an increased number of dwelling units, shall be permitted only within a district in which a new building for similar occupancy would be permitted under the Ordinance, and only when the resulting occupancy will comply with the requirements governing new construction in such district with respect to minimum lot size, lot area per dwelling unit, dimensions of yards and other open spaces, and off-street parking. Each conversion shall be subject also to such further requirements as may be specified hereinafter within the article applying to such district.

Section 6. TRAFFIC VISIBILITY AT CORNER LOTS.

In an "RI" Residence District on any corner lot, no fence, structure, or planting shall be erected or maintained within twenty (20) feet of the "corner" so as to interfere with traffic visibility across the corner.

Section 7. ESSENTIAL SERVICES.

Essential services shall be permitted as authorized and regulated by law and other ordinances of the Village, it being the intention hereof to exempt such essential services from the application of the Ordinance.

Section 8. VALIDITY OF EXISTING BUILDING PERMITS.

Nothing contained herein shall require any change in the overall layout, plans, construction, size or designated uses of any building or structure, or part thereof, for which the official approvals and required building permits have been granted before the

enactment of the Ordinance; provided, however, that the construction of such buildings or structures shall have been started prior to the effective date of the Ordinance and the completion thereof carried on in a normal manner within the subsequent six (6) months period, except for reasons beyond the builders' control.

Section 9. FLOOD-HAZARD AND OBSTRUCTION OF WATER COURSE CHANNELS,

- 9.001 FLOOD HAZARD. In any District which is subject to flood hazard, a building permit or any structure, exclusive of signs, shall be issued only when the bottom of the floor joists of the first floor of such structure are above the elevation subject to periodic flooding or where such hazard has been eliminated to the satisfaction of the Village Engineer by a protective wall or other means.
- 9.002 OBSTRUCTION OF WATER COURSE CHANNELS. To prevent encroachment upon or construction in river or creek channels, and to avoid obstruction to the natural conveyance of water flow in such rivers, creeks and other natural water courses, there shall not be placed, erected or located within the banks of such water courses any building's or structures, piers or marinas or retaining or revetment walls, except properly authorized bridges or dams. In addition there shall not be placed any filling of earth, ashes, rubbish, rubble, concrete, masonry, or any other kind of fill within the banks of such water courses. However, this provision may be waived if the structure or fill is approved by the Village Engineer, and, where applicable, the County Soil and Water Conservation District, and/or the U.S. Army Corps of Engineers, and/or the Illinois Department of Transportation as well as other concerned agencies.

Section 10 – LANDSCAPE REQUIREMENTS (Site Plan)

- a. **Site Plans.** If a building permit is applied for an administrative site plan approval will be required. Site plans are not required for single family and two family residences.
- b. **Site Plan Review.** An application for a building or parking lot permit shall promptly be forwarded to the Director, Public Works. Review must be completed within fifteen (15) days of the receipt by the village of a complete site plan review application. If, in the judgment of the Director, Public Works, the site plan review application does not contain sufficient information to enable the Director, Public Works to properly carry out its responsibilities, the Director, Public Works may request additional information from the applicant. In that event, the 15-day period previously referred to shall be suspended, pending the receipt of all information requested by the Director, Public Works.
- c. **Landscaping and Screening Requirements.** The provisions of this section for the installation and maintenance of landscaping and screening requirement are intended to protect the character and stability of residential, commercial, industrial and conservation areas, and to enhance the aesthetic and visual image of the village.
1. The grounds surrounding a building development will be landscaped with grass, trees, bushes and scrubs so as to enhance the property.
  2. Parking lots of five (5) or more spaces shall be set back ten feet (10') from the front property line(s). Landscaping requirements with the front yard(s) include that the yard be seeded or sodded with grass. Rock cover may be used, but may not exceed twenty percent (20%) of the landscaped front yard setback. In addition, one canopy tree for every five (5) parking spaces and a minimum for five percent (5%) ground cover landscape coverage of shrubs and

evergreens/conifers shall be required.

The ten-foot (10') front yard setback may be reduced to five (5') if there is a continuous twenty-six inch (26") solid wall/fence or shrubbery hedge provided. Sodding, rock ground cover, canopy tree and ground cover landscape coverage requirements will still be applied if a solid wall/fence is provided. Sodding and/or rock ground requirements will still be applied if a shrubbery fence is provided.



3. Parking lots of five (5) or more spaces shall be setback five feet (5') from side and rear property lines. Landscaping requirements within the side and rear yards include that the yard be seeded or sodded with lawn. Rock ground cover may be used, but may not exceed twenty percent (20%) of the landscaped side and rear yard setback. In addition, one canopy tree for every five (5) parking spaces and a minimum of five percent (5%) ground landscape coverage of shrubs and evergreens/conifers shall be required.

When a side and/or rear yard is adjacent to a residential use, a continuous four foot (4') solid wall/fence or shrubbery hedge shall also be provided with the five foot (5') setback yard. If a four-foot (4') shrubbery hedge is provided, canopy tree and ground landscape coverage shall not be required.

4. Wherever landscaping and screening requirements may interfere with traffic vision, the height and placement shall be determined by the Director, Public Works.
5. Trees and other landscaping shall be of a species, which are hardy to the area and have measured diameters of such identified in the Minimum Standards of Plantings section of this appendix. Prohibited trees are identified in Section F.
6. Subject to the approval of the Director, Public Works, alternate landscaping plans may be substituted for consideration.
7. A landscaping/site plan will be required to be submitted for staff review prior to issuing a building permit. The following basic standards should be set:
  - a. Drawn to scale;
  - b. Identify location of landscaping or other features;
  - c. Specify nature of materials (i.e. species, variety, etc.);
  - d. Specify number of plants, shrubs, trees, etc., by species.
8. Landscaping and screening must be maintained in good condition, free of refuse and debris, and provide a healthy, neat and orderly appearance at least equal to the original installation. It shall be owner's responsibility to see that the landscaping is maintained.

**d. Appeal Process.** If the Director, Public Works approves a site plan, a building permit may then be issued. If the Director, Public Works does not approve a site plan, the applicant may appeal the decision to the Planning & Zoning Commission. A notice of appeal must be filed with the Planning & Zoning Commission no later than fifteen (15) days after receipt by the applicant of the decision.

**e. Minimum Standards for Plantings.**

- A. Canopy Trees. Two inches (2") diameter, six inches (6") above ground level, and ten feet (10') in height when planted.
- B. Understory Tree. One-inch (1") diameter, six inches (6") above ground level and six feet (6') in height when planted.
- C. Shrubs. Twenty-four inches (24") in height when planted; forty percent (40%) or more must reach a mature height of six feet (6') or more.
- D. Evergreens/Conifers. Two inches (2") in diameter, six inches (6") above ground level, and six feet (6') in height when planted. Twenty feet (20') minimum

height at maturity.

- f. **Prohibited Trees.** The following weak-wooded trees and generally undesirable trees for urban conditions shall be prohibited for use in meeting any of the landscaping/screening requirement for off-street parking areas and/or buffer yard requirements:

- A. Ailanthus (tree of heaven)
- B. Box Elder
- C. European Mountain Ash
- D. European White Birch
- E. Ginkgo, fruit bearing
- F. Hawthorne
- G. Mulberry
- H. Pin Oak
- I. Poplar
- J. Purple-Leaf Plum
- K. Russian Olive
- L. Siberian Elm
- M. Silver Maple
- N. Sweet Gum
- O. Willow
- P. White Ash

- g. **Maintenance of Landscaping and Screening.** Landscaping must be maintained in good condition, free of refuse and debris and provide a healthy, neat and orderly appearance at least equal to the original installation. It shall be the owner's responsibility to see that the landscaping is maintained.

(Ord.2009-00-13,8/19/09)

Section 11 Storage Boxes, Tents and Canopied Storage Shelters.

- A. This provision shall control the use of storage boxes (i.e. such as PODS), tents (i.e. fabric free standing structures for car/material storage/parking), and Canopied storage shelters (i.e. free standing open sided, metal or wood covered structures for car parking/storage) within the Village.
- B. Storage boxes can be used within "R" zoned areas of the Village for a period not to exceed 30 days in any one-year period.
- C. Storage Tents and canopied storage shelters will not be permitted in any "R" zoned area of the Village.

(Ord.2009-00-11,8/5/09)

- D. Exceptions. On property of 15 contiguous acres or more, storage boxes, tents and canopied shelters may be placed or erected but not closer than 250 feet from adjacent property lines.

(Ord.10-00-02B,1/20/10)