

CHAPTER 4

GENERAL SUPPLEMENTARY REGULATIONS

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10-4-1: USES PERMITTED: When a use or accessory use is not specifically listed in the Sections devoted to "Uses Permitted " it shall be assumed that such uses are expressly prohibited , unless by written order of the Village Board it is determined that said use is similar to and compatible with the uses listed and is expressly included as a use permitted in a zoning district. However, no such order may be made by the Village Board without first having a public hearing, in the manner prescribed by Chapter 7, Section 10-7-5 of this Title, before the Board of Appeals. Any such proposed variation which fails to receive the approval of the Board of Appeals shall not be ordered except by a favorable vote of two thirds (2/3) of all Trustees.

10-4-2: BULK OF BUILDINGS: All buildings and structures shall conform to the building regulations established for the district in which each building shall be located, except that parapet walls, chimneys, cooling towers, elevator bulkheads, fire towers, stacks, and necessary mechanical appurtenances shall be permitted to exceed the maximum height provisions when erected in accordance with all other ordinances of the Village (as provided in Section 10-4-15).

10-4-3: MAINTENANCE OF YARDS, COURTS AND OTHER OPEN SPACES: The maintenance of yards, courts, and other open space and minimum lot area legally required for a building shall be a continuing obligation of the owner of such building or of the property on which it is located, as long as the building is in existence. Furthermore, no legally required yards,

courts, or other open space or minimum lot area allocated to any building shall, by virtue of change of ownership or for any other reason, be used to satisfy yard, court, other open space, or minimum lot area requirements for any other building.

10-4-4 : DIVISION OF ZONING LOTS : No improved zoning lot shall hereafter be divided into two (2) or more zoning lots unless all improved zoning lots resulting from each such division shall conform with all the applicable regulations of the zoning district in which property is located.

10-4-5: ACCESSORY BUILDINGS: No accessory building shall be used for residential purposes except as otherwise provided in this Title.

10-4-6: LOCATION OF REQUIRED OPEN SPACE: All yards, courts, and other open spaces allocated to a building or dwelling group shall be located on the same zoning lot as such building or dwelling group unless otherwise specifically provided for herein.

10-4-7: REQUIRED YARDS FOR EXISTING BUILDINGS: No yards now or hereafter provided for a building existing on the effective date of this Title shall subsequently be reduced below, or further reduced below if already less than, the minimum yard requirements of this Title for equivalent new construction.

10-4-8: REDUCTION OF LOT; LIMITATION ON NUMBER OF PRINCIPAL BUILDINGS ON LOT: No part of an area, frontage, or yard required for any lot, building, or use for the purpose of complying with the provisions of this Title shall be included as an area, frontage or yard for another lot, building or use. Except as otherwise specifically provided in this Title, only one principal building shall be permitted on a lot.

10-4-9: CORNER LOTS AND THROUGH LOTS: For any through lot, both frontages shall comply with the front yard requirements of the district in which it is located.

10-4-10: FRONTAGE REQUIREMENTS: Any lot in any district shall have minimum frontage abutting a public street the width of which shall be the greater of:

- A. Thirty feet (30') ;
- B. The width of the building located on the lot; or
- C. The lot width required by the zoning district in which the lot is located as shown in Section 10-3-4 (E).

10-4-11: GENERAL PERFORMANCE STANDARDS:

A. Any lot shall be properly graded for drainage and maintained in good condition, free from trash and debris.

B. Noise emanating from any use shall not be of such volume or frequency as to be unreasonably offensive at or beyond the property line. Unreasonably offensive noises, due to intermittence,

beat frequency, or shrillness shall be muffled so as not to become a nuisance to adjacent uses.

C. No obnoxious, toxic, corrosive or radioactive matter, smoke, fumes or gases shall be discharged across the boundaries of any lot in such concentrations as to be detrimental to or endanger the public health, safety, comfort or welfare or to cause injury or damage to property or business. Compliance with the laws of the State of Illinois and the United States, and any rules or regulations issued thereunder shall be deemed to be in compliance with the provisions of this Title.

D. Noise which is in compliance with the laws of the State of Illinois and the United States, and any rules or regulations adopted thereunder, shall be deemed to be in compliance with the provisions of this Title.

10-4-12: OCCUPANCY OF TEMPORARY STRUCTURES: No temporary structure (including travel trailers or mobile homes) shall be used or occupied for any residential, commercial or industrial use except as specifically permitted or required by this Title. However, the Board of Zoning Appeals may, upon application therefor, permit the use of such temporary structure for such reasonable time and for such use as the Board deems to be compatible with the character of the area in which the structure is located, and in compliance with reasonable consideration of the general health, safety and welfare. A temporary structure, including travel trailers or mobile homes, which is located inside the boundaries of any lot of any manufacturing company or industrial operation within an I District is permissible without any special permit.

10-4-13: CONTIGUOUS PARCELS: When two (2) or more parcels of land, each of which lacks adequate area and/or minimum dimensions to qualify for a permitted use under the requirements of the use district in which they are located, are contiguous and are held in one ownership, they shall be used as one zoning lot for such use.

10-4-14: INDIVIDUAL WATER AND SEWAGE SYSTEMS: In any district where individual water or sewage systems are used in place of public water and/or sewage facilities, if the plans for such facility are prepared by competent registered professional engineers, the facilities may be built upon the area provided for in such plans without any further opinion, but which area in any event shall not be less than the size lot required for the district in which the use is to be located, or less than one acre, whichever is greater, and if fronting on any street or public road, have a less frontage than one hundred twenty five feet (125'). When such plans are not prepared by a registered professional engineer, and doubt exists with the Village Board as to the adequacy of the soil structure of the lot to properly accommodate an individual water and/or sewage system to operate on the lot required for an individual water and/or sewage system, the Village Board may require property owner to obtain an opinion from a registered engineer as to the size of lot required for an individual water and/or sewage system to operate on the lot according to safe health standards. If the opinion and the findings of the engineer indicate that a larger lot is necessary, the Village Board may require a lot size in excess of the minimum area defined previously in this Section. When the original plans are not prepared by a professional engineer, no such variation may be made by the Village Board without first having a public hearing before the Board of Appeals in accordance with the requirements and procedures set forth in Chapter 7,

Section 10-7-5 of this Title. Any such variation which fails to receive the approval of the Board of Appeals shall not be passed except by a favorable vote of two-thirds (2/3) of all the Aldermen, and any variation made by the corporate authorities shall be exercised only by the adoption of ordinances.

10-4-15: MINIMUM YARDS; EXCEPTIONS: Subject to the requirements that there be a minimum distance of six feet (6') between any point on a principal building and any point on any principle building on an adjacent lot, the following exceptions shall apply:

A. Cornices, chimneys, planters, or other similar architectural features may extend two feet (2') into a required yard.

B. Open, unenclosed, uncovered porches at ground level may extend into a required yard not more than six feet (6').

C. Fire escapes may extend into a required yard not more than four feet (4').

D. Patios extending into a required rear yards may be covered by a roof, but shall not be enclosed by walls.

E. Canopies, eaves, balconies, roof overhangs or other similar features not included in the foregoing parts of this Section, may extend into a required yard not more than four feet (4').

F. Average Front Yard Exception. Except as otherwise provided in this Section regarding yards adjoining arterial or collector streets, in all SR and MR Districts, where lots comprising fifty percent (50%) or more of the frontage on one side of a street between intersecting streets are developed with buildings having an average front yard different from that required herein, the front yard of such buildings shall be the average frontage of said location, provided such an average requirement is not less than twenty feet (20') nor more than thirty five feet (35').

10-4-16: PUBLIC UTILITY AND PRIVATE UTILITY DISTRIBUTION FACILITIES; EXCEPTION: Public and private utility transmission and distribution facilities may be exempt from minimum rear yard requirements, except as provided for each zoning district (subject to Section 10-3-12). (Ord. 776; 5-12-1971)

10-4-17: DUMPSTER SCREENING: in B-1, B-2, B-3, and "I" zoning districts all dumpsters, garbage, refuge, and grease receptacles shall have a proper screen installed composed of a minimum of 6 ft opaque barrier to hid the dumpster from public view. The barrier can be opaque fencing (see fence definition), concrete, or CMU block. In the "I" zoning district, the screen is only required if receptacles can be seen from the street or public view. (Ord. 1689; 8-15-2023)