

COMPREHENSIVE AMENDMENT TO THE
ZONING ORDINANCE OF
THE VILLAGE OF STEGER, ILLINOIS

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THE BOARD OF ECONOMIC DEVELOPMENT
(Official State Planning Agency)

by
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**COMPREHENSIVE AMENDMENT TO THE ZONING ORDINANCE
OF THE
VILLAGE OF STEGER, ILLINOIS**

AN ORDINANCE TO REGULATE AND RESTRICT THE LOCATION AND USE OF BUILDINGS, STRUCTURES AND LAND FOR TRADE, INDUSTRY, RESIDENCE, PUBLIC, SEMI-PUBLIC OR OTHER SPECIFIED USES; AND TO REGULATE AND DETERMINE THE AREA OF YARDS, COURTS AND OPEN SPACES; TO REGULATE AND LIMIT THE HEIGHT AND BULK OF BUILDINGS AND OTHER STRUCTURES; TO REGULATE AND LIMIT THE DENSITY OF POPULATION; AND FOR SAID PURPOSES TO DIVIDE THE VILLAGE INTO DISTRICTS; TO PRESCRIBE PENALTIES FOR THE VIOLATION OF ITS PROVISIONS, AND TO PROVIDE FOR ITS ENFORCEMENT.

WHEREAS, the Board of Trustees of the Village of Steger deems it necessary;

To promote and protect the public health, safety, comfort, morals and general welfare of the people;

To divide the Village of Steger into zones or districts, restricting and regulating therein the location, erection, construction, reconstruction, alternation and use of buildings, structures and land for residence, business and manufacturing and other specified uses;

To protect the character and the stability of the residential, business and manufacturing areas within the Village of Steger and to promote the orderly; and beneficial development of such areas;

To provide adequate light, air, privacy and convenience of access to property;

To regulate the intensity of use of lot areas, and to determine the area of open spaces surrounding buildings, necessary to provide adequate light and air and to protect the public health;

To establish building lines and the location of buildings designed for residential, business, manufacturing and other uses within such areas;

To fix reasonable standards to which buildings or structures shall conform therein;

To prohibit uses, buildings or structures incompatible with the character of development or intended uses within specified zoning districts;

To prevent additions to, or alternation or remodeling of, existing buildings or structures in such a way as to avoid the restrictions and limitations imposed hereunder;

To limit congestion in the public streets and protect the public health, safety, convenience and general welfare by providing for the off-street parking of motor vehicles and the loading and unloading of commercial vehicles;

To protect against fire, explosion, noxious fumes and other hazards in the interest of the public health, safety, comfort and general welfare;

To prevent the overcrowding of land and undue concentration of structures, so far as is possible and appropriate in each district, by regulating the use and bulk of buildings in relation to the land surrounding them;

To conserve the taxable value of land and buildings throughout the Village of Steger;

To provide for the elimination of non-conforming uses of land, buildings and structures which are adversely affecting the character and value of desirable development in each district;

And to define and limit the powers and duties of the administrative officers and bodies as provided herein.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BY THE BOARD OF TRUSTEES OF THE VILLAGE OF STEGER, COOK AND WILL COUNTIES, ILLINOIS, that:

SECTION 1 – TITLE

The title of this ordinance shall be:

“Comprehensive Amendment to the Zoning Ordinance
of
the Village of Steger, Illinois.”

SECTION 2 – DEFINITIONS

ACCESSORY BUILDING OR USE. A subordinate building or use which is located on the same lot on which the principal building or use is situated and which is reasonably necessary and incidental to the conduct of the primary use of such building or main use, when permitted by district regulation.

An “accessory use” includes, but is not limited to, the following:

- a. A children’s playhouse, garden house and private greenhouse;
- b. A garage, shed or building for domestic storage;
- c. Storage of merchandise normally carried in stock on the same lot with any retail service or business use, unless such storage is excluded by the district regulations;
- d. Storage of goods used in or produced by manufacturing activities, on the same lot or parcel of ground with such activities, unless such storage is excluded by the district regulations;
- e. Off-street motor vehicle parking areas, and loading and unloading facilities;
- f. Signs, as permitted and regulated in each district incorporated herein;
- g. Swimming pool, private, in residential districts for use by the occupants of the residence or building and their guests;
- h. Public utility communication, electric, gas, water and sewer lines, their supports and incidental equipment;
- i. Where a substantial part of the wall of an accessory building is a part of the wall of the main building, or where an accessory building is attached to the main building in a substantial manner, as by a roof, such accessory building shall be counted as part of the main building.

ALLEY. A public way, not more than thirty (30) feet wide, which affords only a secondary means of access to abutting property.

APARTMENT. A room or suite of rooms in a multiple-family structure which is arranged, designed, used or intended to be used as a single housekeeping unit.

AUTOMOBILE REPAIR, MAJOR. Engine rebuilding or major reconditioning of worn or damaged motor vehicles or trailers; collision service, including body, frame or fender straightening or repair; and over-all painting of vehicles.

AUTOMOBILE REPAIR, MINOR. Incidental repairs, replacement of parts, and motor service to automobiles, but not including any operation specified under “Automobile Repair, Major.”

AUTOMOBILE SERVICE STATION. A place where gasoline, stored only in underground tanks, kerosene, lubricating oil or grease, for operation of automobiles, are offered for sale directly to the public on the premises, and including accessories and services for automobiles.

AUTOMOBILE WRECKING YARD. Any place where two or more motor vehicles not in running condition, or parts thereof, are stored in the open and are not being restored to operation, or any land, building or structure used for wrecking or storing of such motor vehicles or parts thereof, and including any used farm vehicles or farm machinery, or parts thereof, stored in the open and not being restored to operating condition; and including the commercial salvaging of any other goods, articles or merchandise.

BASEMENT. A story partly or wholly underground. Where more than one-half (1/2) of its height is above the established curb level or above the average level of the adjoining ground where curb level has not been established, a basement shall be counted as a story for purposes of height measurement.

BILLBOARD. Any structure or portion thereof upon which are signs or advertisements used as an outdoor display. This definition does not include any bulletin boards used to announce church services or to display official court notices, or signs advertising the sale or lease of the premises on which the sign is located.

BLOCK. A tract of land bounded by streets or, in lieu of a street or streets, by public parks, cemeteries, railroad rights-of-way, bulkhead lines or shore lines of waterways or corporate boundary of the Village.

BOARD. The Board of Appeals of the Village of Steger, Illinois.

BOARDING HOUSE. A building other than a hotel or restaurant where meals are provided for compensation to four or more persons, but not more than twelve, who are not members of the keeper’s family.

BUILDING. Any structure where substantial walls and roof securely affixed to the land and entirely separated on all sides from any other structures by space or by walls in which there are no communicating doors, windows or openings; and which is designed, or intended for shelter, enclosure or protection of persons, animals or chattels. Any structure with interior areas not normally accessible for human use, such as gas holders, oil tanks, water tanks, grain elevators, coal bunkers, oil cracking towers and other similar structures are not considered as buildings.

BUILDING HEIGHT. The vertical distance measured from the sidewalk level or its equivalent established grade opposite the middle of the front of the building, and not including a cellar as defined herein, to the highest elevation of the roof in the case of a slant or flat roof; to the deck line of a mansard roof, and to the mean height level between eaves and ridge of a gable, hip or gambrel roof; provided that where buildings are set back from the street line, the height of the building may be measured from the average elevation of the finished lot grade at the front of the building.

BUILDING INSPECTOR. The Building Official appointed by the Village Board of Trustees, as Building Inspector, to administer the Village Building Codes and Zoning Ordinance.

BUILDING, NON-CONFORMING. A legally existing building which fails to comply with the regulations set forth in the section applicable to the district in which such building is located.

BUILDING, PRINCIPAL. A building in which is conducted the main use of the zoning lot on which it is situated.

BUILDING SETBACK LINE. A line parallel to the street line as at distance from it, regulated by the front yard requirements.

BULK. The term used to describe the size and mutual relationships of buildings and other structures, as to size; height; coverage; shape; location of exterior walls in relation to lot lines, to the center line of streets, to other walls of the same building, and to other buildings or structures; and to all open spaces relating to the building or structure.

CELLAR. A cellar is a story having more than one-half (1/2) of its height below curb level or below the highest level of the adjoining ground. A cellar shall not be counted as a story for the purpose of height measurements unless it is used for dwelling purposes.

CERTIFICATE OF COMPLIANCE. A certificate issued by the Building Inspector stating that the occupancy and use of land or a building or structure complies with the provisions herein.

CLINIC OR MEDICAL HEALTH CENTER. An establishment where three or more licensed doctors of medicine engage in the practice of medicine, operating on a group or individual basis, with pooled facilities such as coordinated laboratory, X-ray and allied departments, for the diagnosis and treatment of humans, which need not, but may, include a drug prescription counter (not a drug store) for the dispensing of drugs and pharmaceutical products to the patients of the said organization. In addition to the above, the “medical center” or “medical clinic” may include the practice of dentistry.

CLUB. An association of persons for some common purpose which is jointly supported and meets periodically, but not including groups organized primarily to render service which is customarily carried on as business.

COMMISSION. The Plan Commission of the Village of Steger.

DWELLING. A building or portion thereof, but not including a house trailer or mobile home, designed or used exclusively for residential occupancy, including one-family dwelling units, two-family dwelling units and multiple-family dwelling units, but not including hotels, boarding or lodging houses.

DWELLING GROUP. Two or more one-family, two-family or multiple-family dwellings, or boarding or lodging house, located on one zoning lot, but not including tourist courts or motels.

DWELLING UNIT. One or more rooms in a residential structure or apartment hotel, designed for occupancy by one family, for living and sleeping purposes.

DWELLING, MULTIPLE-FAMILY. A building or portion thereof designed or altered for occupancy by three or more families living independently of each other.

DWELLING, ONE-FAMILY. A building designed exclusively for use and occupancy by one (1) family, and entirely separated from any other dwelling by space.

DWELLING, TWO-FAMILY. A building designed or altered to provide dwelling units for occupancy by two families.

DWELLING, ROW (PARTY-WALL). A row of two (2) to six (6) attached, one-family, party-wall dwellings not more than two and one-half (2-1/2) stories in height.

EDUCATION INSTITUTION. Public, parochial, charitable or non-profit junior college, college or university, other than trade or business schools, including instructional and recreational uses, with or without living quarters, dining rooms, restaurants, heating plants and other incidental facilities for students, teachers and employees.

FAMILY. One or more persons related by blood, marriage or adoption or a ground of not more than five (5) persons (excluding servants) who need not be related by blood, marriage or adoption, living together and maintaining a common household, but not including sororities, fraternities, or other similar organizations.

GARAGE, BUS. An building used or intended to be used for the storage of three (3) or more passenger motor buses, or motor coaches used in public transportation, including school buses.

GARAGE, PRIVATE. A detached accessory building or portion of the principal building designed, arranged, used or intended to be used for the storage of passenger automobiles of the occupants of the premises. A garage shall be a detached accessory building greater than 144 square feet in area in all residential zoning districts. **(3-96)**

GARAGE, PUBLIC. A building other than a private garage, used for the care, incidental servicing and sale of automobile supplies or where motor vehicles are parked or stored for remuneration, hire or sale within the structure, but not including trucks, tractors, truck-trailers and commercial vehicles exceeding one and one-half (1-1/2) tons capacity.

GARAGE, BUS OR TRUCK. A building which is used or intended to be used for the storage of motor trucks, truck trailers, tractors and commercial vehicles exceeding one and one-half tons capacity.

GUEST HOME. Living quarters within a detached accessory building located on the same premises with the principal building, for use by temporary guests of the occupants of the premises. Such quarters shall not be rented or otherwise used as a separate dwelling.

HOME OCCUPATION. Any use customarily conducted entirely within a dwelling and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof; and provided that no article is sold or offered for sales except such as may be produced on the premises by members of the immediate family. Office, clinics, doctor's offices, hospitals, barber shops, beauty parlors, dress shops, millinery shops, real estate offices, tea rooms, restaurants, tourist homes, animal hospitals, kennels, among others, shall not be deemed to be "home occupations."

HOSPITAL OR SANITARIUM. An institution open to the public in which patients or injured persons are given medical or surgical care; or for the care of contagious diseases or incurable patients.

HOTEL, APARTMENT. A building containing dwelling units or individual guest rooms, the majority of which are for permanent guests. Maid and janitor service may be provided but kitchen facilities are not necessarily included.

HOTEL, MOTEL INN OR AUTO COURT. An establishment containing lodging accommodations designed for use by transients travelers or temporary guests, with no provision in said accommodations for cooking in any individual room or suite. Facilities provided may include maid service, laundering of linen used on the premises, telephone and secretarial or desk service.

HOUSEHOLDER. The occupant of a dwelling unit who is either the owner or lessee thereof.

JUNK YARD. Open area where waste, scrap metal, paper, rags or similar materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled, including auto and building wrecking yards, but excluding similar uses taking place entirely within a completely enclosed building.

KENNEL, COMMERCIAL. Any lot or premises on which two or more domestic animals, at least four months of age, are kept for compensation or kept or bed for sale.

LABORATORY, COMMERCIAL. A place devoted to experimental study such as testing and analyzing. Manufacturing, assembly or packaging of products is not included within this definition.

LINE OF BUILDING (For Measuring Yards). A line parallel to the nearest lot line drawn through the point of a building or group of buildings nearest to such lot line, exclusive of such features specified as being permitted to extend into a yard.

LOADING AND UNLOADING SPACE, OFF-STREET. An open, hard surfaced area of land other than a street or a public way, the principal use of which is for the standing, loading and unloading of motor trucks, tractors and trailers, to avoid undue interference with the public use of streets and alleys. Such space shall be not less than ten (10) feet in width, forty-five (45) feet in length and fourteen (14) feet in height, exclusive of access aisles and maneuvering space.

LODGING OR ROOMING HOUSE. A building with not more than five (5) guest rooms where lodging is provided for compensation pursuant to previous arrangement, but not open to the public or to overnight guests.

LOT. The word “lot” when used alone shall mean a “zoning lot” unless the use of the word clearly indicates otherwise.

LOT, CORNER. A parcel of land situated at the intersection of two or more streets or adjoining a curved street at the end of a block.

LOT COVERAGE. The area of a zoning lot occupied by the principal building or buildings and accessory buildings.

LOT DEPTH. The horizontal distance between the front and rear lot lines measured in the mean direction of the side lot lines.

LOT FRONTAGE. The front of a lot shall be that boundary of a lot along a public street; for a corner lot the owner may elect either street line as the front lot line.

LOT, INTERIOR. A lot other than a corner or reversed corner lot.

LOT LINE, FRONT. The front property line of a zoning lot.

LOT LINE, INTERIOR. A side lot line common with another lot.

LOT LINE, REAR. The rear lot line is the lot line or lot lines most nearly parallel to and most remote from the front lot line. Lot lines other than front or rear lot lines are side lot lines.

LOT, REVERSED CORNER. A corner lot, the rear of which abuts upon the side of another lot, whether across an alley or not.

LOT, THROUGH. A lot having frontage on two parallel or approximately parallel streets and which is not a corner lot.

LOT WIDTH. The horizontal distance between the side lot lines measured at right angles to the lot depth at the established front building line.

MANUFACTURE. The making of anything by any agency or process.

MOTOR FREIGHT TERMINAL. A building in which freight, brought to said building by motor truck, is assembled and stored for routing in intrastate and interstate shipment by motor truck.

NON-CONFORMING USE. Any use of land, buildings or structures which does not comply with the regulations herein.

NURSING HOME OR REST HOME. A private home for the care of children or the aged or infirm, or a place of rest for those suffering bodily disorders, but not including facilities for the treatment of sickness or injuries or for surgical care.

NURSERY SCHOOL. An institution providing day care services for children from four to six years of age.

PARKING AREA, PRIVATE. An open, hard-surfaced area of land, other than a street or public way, designed, arranged and made available for the storage of private passenger automobile only, of occupants of the building or buildings for which the parking area is developed and is accessory.

PARKING AREA, PUBLIC. An open, hard-surfaced are, other than a street or public way, intended to be used for the storage of passenger automobiles and commercial vehicles under one and one-half tons capacity, and available to the public, whether for compensation, free or as an accommodation to clients or customers.

PARKING SPACE, AUTOMOBILE. Space within a public or private parking area of not less than one hundred and sixty-two (162) square feet (eight and one-half feet by nineteen feet), exclusive of access aisles or drives, ramps, columns, or office and work areas, for the storage of one passenger automobile or commercial vehicle under one and one-half (1-1/2) tons capacity.

PLANNED DEVELOPMENT. A tract of land which is developed as a unit under single ownership or control, which includes two or more principal buildings, and which is at least four (4) acres in area—except for planned developments operated by a municipal corporation which shall be at least two (2) acres in area and manufacturing planned developments, which shall be at least ten (10) acres in area.

PORCH. A roof-over structure, projecting out from the wall or walls of a main structure and commonly open to the weather in part.

RAILROAD RIGHT-OF-WAY. A strip of land with tracks and auxiliary facilities for track operation, but not including depots, loading platforms, stations, train sheds, warehouses, car shops, car yards, locomotive shops or water towers.

SIGN, OUTDOOR ADVERTISING. A sign of any material and character whatsoever which is for outdoor advertising purposes, placed on the ground or on any natural or manmade object. The term “placed” as used in this definition of “outdoor advertising sign” shall include erecting, constructing, painting, printing and affixing or making visible in any manner whatsoever.

STORY. That portion of a building included between the surface of any floor and the surface of the floor next above it, or of there be not floor above it, then the space between the floor and the ceiling next above it. Any portion of a story exceeding fourteen (14) feet in height shall be considered as an additional story for each fourteen (14) feet or fraction thereof.

STREET LINE. A line separating an abutting lot, piece or parcel from a street.

SHED, PRIVATE. A detached accessory building designed, used or intended to be used for storage by the occupants of the premises. A shed shall be detached and a minimum of the ten (10) feet from any principal building and three (3) feet from any other accessory building. See section 4.7-4 for setbacks. **(3-96)**

STRUCTURE. Anything constructed or erected which requires location on the ground or is attached to something having location on the ground.

STRUCTURAL ALTERATIONS. Any change other than incidental repairs, which would prolong the life the supporting members of a building or structure, such as bearing walls, columns, beams or girders.

TRAILER, HOUSE OR MOBILE HOMES. A vehicle without motive power, designed to be drawn by a motor vehicle to be used for human habitation or for carrying persons and property, including a trailer coach or house trailer or mobile home.

TRUCK PARKING AREA OR YARD. Any land used or intended to be used for the storage or parking of trucks, tractors, truck trailers, and including commercial vehicles, while not loading or unloading, and which exceeds one and one-half tons in capacity.

YARD. An open space on the same zoning lot with a principal building or group of buildings, which is unoccupied and unobstructed from its lowest level upward except as otherwise permitted herein, and which extends along a lot line and at right angles thereto to a depth or width specified in the yard regulations for the district in which the zoning lot is located.

YARD, FRONT. A yard extending across the full width of the zoning lot and lying between the front line of the lot and the nearest line of a building.

YARD, REAR. A yard extending across the full width of the zoning lot and lying between the rear line of the lot and the nearest line of the principal building.

YARD, SIDE. That part of the yard lying between the nearest line of the principal building and a side lot line, and extending from the required front yard (or from the front lot line, if there is no required front yard) to the required rear yard.

ZONING LOT. A plot of ground, made up of one or more parcels, which is or may be occupied by a use, building or buildings including the open spaces required herein.

SECTION 3 – USE DISTRICTS

Residential Districts

- R-1A.....One-Family Dwelling District
- R-1B.....One-Family Dwelling District
- R-1.....One-Family Dwelling District
- R-2.....One-Family Dwelling District
- R-3.....General Residence District

Business Districts

- B-1.....Business District, Limited Retail
- B-2.....Business District, General Retail
- B-3.....Service and Wholesale District

Manufacturing Districts

- M-1.....Manufacturing District, Limited
- M-2.....Manufacturing District, General

- 3.1 ZONING MAP. The locations and boundaries of the districts established herein are shown on the Zoning Map which is hereby incorporated into and made a part of this ordinance.
- 3.2 ZONING OF NEW OR ANNEXED LAND. Prior to the annexation of any territory to the Village of Steger, a plan for zoning the area to be annexed shall be forwarded to the Village Board of Trustees by the Plan Commission.
- 3.3 ZONING OF STREETS, ALLEYS, PUBLIC-WAYS AND RAILROAD RIGHTS-OF-WAY. All streets, alleys, public-ways and railroad rights-of-way, if not otherwise specifically designated, shall be deemed to be in the same use district as the property immediately abutting upon such alleys, streets, public-ways and railroad rights-of-way. Where the center line of a street, alley, public-way or railroad right-of-way services as a district boundary, the zoning of such areas, unless otherwise specifically designated shall be deemed to be the same as that of the abutting property up to such center line.
- 3.4 BOUNDARY LINES. Wherever any uncertainty exists as to the boundary of any use district as shown on the Zoning District Map incorporated herein, the following rules are suggested:
 - 3.4-1 Where district boundary lines are indicated as following streets, alleys or similar rights-of-way, they shall be construed as following the center lines thereof.

- 3.4-2 Where district boundary lines are indicated as approximately following lot lines, such lot lines shall be construed to be such boundaries.
- 3.4-3 Where a lot held in one ownership and of record after the proposed ordinance is adopted, is divided by a district boundary line, the entire lot shall be construed to be within the less restricted district, provided that this construction shall not apply if it increases the area of the less restricted portion of the lot by more than twenty (20) percent.

SECTION 4 – GENERAL PROVISIONS

4.1 SCOPE OF REGULATIONS. No building or structure shall be erected, converted, enlarged, reconstructed or structurally altered nor shall any building or land be used for any purpose other than is permitted in the district in which the building or land is located.

4.2 BUILDING HEIGHT, BULK AND LOT COVERAGE

4.2-1 No building shall be erected, reconstructed, relocated or structurally altered so as to have a greater height or bulk, a higher percentage of lot coverage or smaller open space about it than is permissible under the limitations set forth herein for the district in which such building is located, except that parapet walls, chimneys, cooling towers, elevator bulkheads, fire towers, stacks, state towers or scenery lofts, and necessary mechanical appurtenances shall be permitted to exceed the maximum height limit.

4.2-2 No space allocated to a building or dwelling group for the purpose of complying with the side, rear or front yard, or court or other open space, or lot area requirements shall thereafter be used to satisfy the yard, court, open space or lot area requirements of any building or dwelling group.

4.3 LOT DIMENSION AND AREA

4.3-1 When two or more parcels of land, each of which lacks adequate area and dimension 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.

4.3-2 Any single lot or parcel of land held in one ownership, which was of record at the time of adoption of this ordinance, that does not meet the requirements for minimum lot width and area, may be utilized for a permitted use, provided that yards, courts or usable open space are not less than seventy-five (75) percent of the minimum required dimensions or areas.

4.4 LOCATION OF BUILDINGS. Except as otherwise provided for, every building shall be constructed or erected upon a lot or parcel of land which abuts upon a public street or permanent easement of access to a public street.

- 4.5 DIVISION OF ZONING LOTS. No improved zoning lot shall hereafter be divided into two or more zoning lots and no portion of any improved zoning lot shall be sold, unless all improved zoning lots resulting from each such division or sale shall confirm with all the bulk regulations of the zoning district in which the property is located. However, with respect to the resubdivision of improved zoning lots in R-3 Districts, side yard requirements shall not apply between attached buildings.
- 4.6 NUMBER OF BUILDINGS ON A ZONING LOT. Except in the case of planned developments, not more than one principal detached residential building shall be located on a zoning lot, nor shall a principal detached residential building be located on the same zoning lot with any other principal building.
- 4.7 ACCESSORY BUILDINGS.
- 4.7-1 Time of Construction. No accessory building or structure shall be constructed on any lot prior to the time of construction of the principal building to which it is accessory.
- 4.7-2 Percentage of Required Rear Yard Occupied. No detached accessory building or buildings shall occupy more than twenty-five (25) percent of the area of a required rear yard.
- 4.7-3 Height of Detached Garages in Required Rear or Side Yards. No detached garage located in a required rear or side yard shall exceed fifteen (15) feet to the ridge line of the roof. **(3-96)**
- 4.7-4 Minimum distance from Lot Lines and other structures on the property. No detached garage or shed shall be located less than five (5) feet from the side property lines and five (5) feet from the rear property line or easement. On reversed corner lots, no detached accessory building shall be located less than five (5) feet from the rear lot line and less than twenty-five (25) feet from the side lot line abutting the street. **(3-96)**
- 4.7-5 Maximum Area of Detached Garages
- 4.7-5.1 No detached garage shall be constructed with a floor area exceeding seven hundred seventy (770) square feet in a zoned lot less than twenty thousand (20,000) square feet in area. **(3-96)**
- 4.7-5.2 No detached garage shall be constructed with a floor area exceeding eight hundred (800) square feet in a zoned lot less than forty thousand (40,000) square feet in area. **(3-96)**

- 4.7-5.3 No detached garage shall be constructed with a floor area exceeding one thousand (1,000) square feet with a maximum length of forty (40) feet in a zoned lot less than 3 acres. Garage height to ridge line shall not exceed seventeen (17) feet. **(3-96)**
- 4.7-5.4 No detached garage shall be constructed with a floor area exceeding one thousand five hundred (1,500) square feet with a maximum length of forty (40) feet in a zoned lot greater than three (3) acres. Garage height to ridge line shall not exceed twenty (20) feet. **(3-96)**
- 4.7-5.5 Number of Accessory Buildings on a Lot. Not more than one (1) shed and one (1) detached garage shall be located on a lot. **(3-96)**
- 4.7-5.6 Detached Garage Requirements. The exterior finishes of detached garages shall match that of the principal structure, except when the principal structure is of brick exterior or the garage may be of other approved exterior finishes. All garages shall have a concrete slab floor with the exterior sides extending eighteen (18) inches below the finished grade, six (6) inches wide at the bottom of the trench and sloping up at a 45 degree angle to meet the floor slab. The concrete slab shall have a 6" x 6" reinforcing mesh or fibermesh additive.**(3-96)**

4.7-6 SHED REQUIREMENTS

- 4.7-6.1 Private sheds shall be located in the rear yards only of all residential districts and shall not exceed 1 story or 10 feet in height to the roof peak. The construction shall be of approved construction standards and of approved materials for exposure to the weather. **(3-96)**

SECTION 5 – NON-CONFORMING BUILDING AND USES

5.1 CONTINUANCE OF USE

- 5.1-1 Any lawfully established use of a building or land that does not conform to the use regulations for the district in which it is located shall be deemed to be a legal non-conforming use and may be continued, except as otherwise provided herein.
- 5.1-2 Any legal non-conforming building or structure may be continued in use provided there are not physical changes other than necessary maintenance and repair, except as otherwise permitted herein.
- 5.1-3 Any building for which a permit has been lawfully granted may be completed in accordance with approved plans; provided construction is started within ninety (90) days and diligently prosecuted to completion. Such building shall thereafter be deemed a lawfully established building.

5.2 DISCONTINUANCE OF USE

- 5.2-1 Whenever any part of a building, structure or land occupied by a non-conforming use is changed to or replaced by a conforming use, such premises shall not thereafter be used or occupied by a non-conforming use, even though the building may have been originally designed and constructed for the prior non-conforming use.
- 5.2-2 Whenever a non-conforming use of a building or structure or part thereof has been discontinued for a period of twelve consecutive months, or whenever there is evident a clear intent on the part of the owner to abandon a non-conforming use, such use shall not, after being discontinued or abandoned, be re-established, and the use of the premises thereafter shall be in conformity with the regulations of the district.
- 5.2-3 Where no enclosed building is involved, discontinuance of a non-conforming use for a period of six months shall constitute abandonment, and shall not thereafter be used in a non-conforming manner.

5.3 TERMINATION AND REMOVAL OF NON-CONFORMING USES, BUILDINGS AND STRUCTURES. The period of time during which the following non-conforming uses of buildings, structure or land may continue to remain shall be limited from the effective date of this zoning ordinance or amendment hereto which causes the use to be non-conforming. Every such non-conforming use shall be completely removed from the premises at the expiration of the period of time specified below.

5.3-1 Any non-conforming use of a building or structure having an assessed valuation not in excess of five hundred dollars (\$500.00) shall be removed after two (2) years.

5.3-2 All non-conforming signs, billboards and outdoor advertising structures shall be removed after five (5) years.

5.3-3 Any non-conforming use of land where no enclosed building is involved, or where the only buildings employed are accessory or incidental to such use, or where such use is maintained in connection with a conforming building, shall be removed after a period of two (2) years.

5.3-4 Any non-conforming house trailers shall be removed after a period of six (6) months.

5.4 REPAIRS AND ALTERATIONS

5.4-1 Normal maintenance of a building or other structure containing a non-conforming use is permitted, including necessary non-structural repairs and incidental alterations which do not extend or intensify the non-conforming use.

5.4-2 No structural alteration shall be made in a building or other structure containing a non-conforming use, except in the following situations;

- a. When the alteration is required by law.
- b. When the alteration will actually result in elimination of the non-conforming use.
- c. When a building in a residential district containing residential non-conforming uses may be altered in any way to improve livability, provided no structural alterations shall be made which would increase the number of dwelling units or the bulk of the building.

- 5.5 DAMAGE AND DESTRUCTION. If a building or other structure containing a non-conforming use is damaged or destroyed by any means to the extent of fifty (50) percent or more of its replacement value at that time, the building or other structure can be rebuilt or used thereafter only for a conforming use and in compliance with the provisions of the district in which it is located. In the event the damage or destruction is less than fifty (50) percent of its replacement value, based on prevailing costs, the building may then be restored to its original condition and the occupancy or use of such building may be continued which existed at the time of such partial destruction.

In either event, restoration or repair of the building or other structure must be started within a period of six (6) months from the date of damaged or destruction, and diligently prosecuted to completion.

5.6 ADDITIONS AND ENLARGEMENTS

- 5.6-1 A non-conforming building may be enlarged or extended only if the entire building is thereafter devoted to a conforming use, and is made to conform to all the regulations of the district in which it is located.
- 5.6-2 No building partially occupied by a non-conforming use shall be altered in such a way as to permit the enlargement or expansion of the space occupied by such non-conforming use.
- 5.6-3 No non-conforming use may be enlarged or extended in such a way as to occupy any required usable open space, or any land beyond the boundaries of the zoning lot as it existed on the effective date of the adopted ordinance, or to displace any conforming uses in the same building or on the same parcel.
- 5.6-4 A building or structure which is non-conforming with respects to yards, floor area ratio, or any other element of bulk shall not be altered or expanded in any manner which would increase the degree or extent of its non-conformity with respect to the bulk regulations for the district in which it is located.

- 5.7 EXEMPTED BUILDINGS, STRUCTURES AND USES. Whenever a lawfully existing building or other structure otherwise conforms to the use regulations of the district in which it is located, but is non-conforming only in the particular manner hereinafter specified, the building and use thereof shall be exempt from the requirements of subsections 5.3 and 5.4.

- 5.7-1 In any residential district where a dwelling is non-conforming only as to the number of dwelling units it contains, provided no such building shall be altered in any way so as to increase the number of dwelling units therein.
- 5.7-2 In any residential district, where a use permitted in the B-1 District occupies ground floor space within a multiple-family dwelling located on a corner lot.
- 5.7-3 In any business or manufacturing district, where the use is less from a residential district than that specified in the regulations for the district in which it is located.
- 5.7-4 In any district where an established building, structure or use is non-conforming with respect to the standards prescribed herein for any of the following:
 - a. Yards – front, side, rear or transitional;
 - b. Off-street parking and loading;
 - c. Lot area;
 - d. Building height;
 - e. Gross floor area.

SECTION 6 – RESIDENTIAL DISTRICTS

6.1 R-1A ONE-FAMILY DWELLING DISTRICT. The R-1A One-Family Residence District is intended to create a semi-urban environment of one-family homes on relatively large lots. The standards of the district provide for lot sizes adequate to accommodate individual wells and sewage disposal systems. Compatible uses to the residential character of the district are allowed, such as schools, recreations and social facilities, religious facilities and certain public facilities which service the residents living in the district. All commercial activities are prohibited, except for selected recreation and sanitary uses and designated hereinafter.

6.1-1 Permitted Uses.

1. One-Family detached dwellings.
2. Parks, forest preserves and recreation areas, when publicly owned and operated.
3. Home occupations.
4. A temporary real estate office in conjunction with a new housing development, limited to the selling or renting of new units in such developments and in no case to be in operation for more than one year following completion of construction of said housing development.
5. Permitted accessory use, including off-street parking facilities in accordance with the provisions of Section 9.
6. Schools, public, denominational or private, elementary and high, including playgrounds and athletic fields auxiliary thereto.
7. Churches, rectories, seminaries, convents, monasteries and similar religious institutions, including dormitories and other accessory uses required for operation.
8. Agricultural land and buildings including greenhouses and nurseries, except products grown on the zoning lot.
9. Temporary buildings for construction purposes for a period not to exceed the completion date of such construction.
10. Signs, subject to the provisions of subsection 6.1-6.
11. Public parking area, when located and developed as required in Section 9.

6.1-2 Accessory Uses

- 6.1-2.1 Accessory Uses, buildings or other structures customarily incidental to and commonly associated with a Principal or Conditional Permitted Use (Permitted or Special Use) may be permitted; provided they are operated and maintained under the same ownership and on the same lot as the permitted use, do not include structures or structural features inconsistent with the permitted use, and do not involve the conduct of any business, professional, trade or industry.

Accessory uses may include the following as uses similar to the following:

Agricultural buildings and structures
Boathouses, private
Conservatories, private,
Fallout shelters,
Garages, Carports, or other parking spaces for the exclusive use of residents, occupants and guests of the premises,
Gardening,
Guest houses, private,
Home occupations,
Household pets exclusively for the use of personal enjoyment of residents of the premises and not for commercial purposes and limited to not more than a total of three traditional domestic animals,
Living quarters, detached, for persons employed on the premises, if occupied only by such persons and their immediate family, and not rented or otherwise used as a separate dwelling,
Playhouses and summer houses,
Roadside stands, for the display and sale of agricultural products grown on zoning lots where the principal use is agriculture,
Sewage disposal units, individual, as regulated by the Cook County Health Department,
Stables, private, on zoning lot at least three (3) acres in size,
Swimming pools and tennis courts, exclusively for the use of the residents and their guests,
Tool houses, sheds and other similar buildings for the storage of domestic supplies,
Water retention and detention areas,
Water systems, individual, as regulated by the Cook County Health Department.

6.1-3 Special Uses

6.1-3.1 Special uses may be allowed subject to the issuance of special use permits in accordance with the provisions of Section 10.3-6. Unless otherwise specifically set forth, wherever a special use is named as a major category, it shall be deemed to include only those itemized uses listed under the said major category.

6.1-3.2 The following special uses are permitted in the R-1A District:

1. SIMILAR AND COMPATIBLE USES to those allowed as “permitted use” in this district.
2. RESIDENTIAL USES, row housing, condominium or clustering of residences.
3. EDUCATIONAL INSTITUTIONS, colleges or universities, but not business colleges or trade schools; private and public schools.
4. RECREATION AND SCHOOL FACILITIES, athletic fields, non-commercial, community center buildings, club house; non-commercial, not for profit.
5. HEALTH AND MEDICAL INSTITUTIONS, hospitals, nursing home, geriatric facilities, nursery schools, day care centers.
6. PUBLIC SERVICES USES, utility sub-stations, fire stations, police stations, post offices, public office buildings and water and sanitation facilities.

6.1-4 Building Height. The maximum height of buildings permitted shall be as follows:

6.1-4.1 One-Family detached dwellings. Twenty-five (25) feet or two and one-half (2-1/2) stories.

6.1-4.2 Special uses. Forty-five (45) feet for the main structure and seventy-five (75) feet for towers or steeples.

6.1-5 Lot Sizes

6.1-5.1 Every one-family detached dwelling hereafter erected shall be located on a lot having an area of not less than forty thousand (40,000) square feet and a width at the established building line of not less than one hundred fifty (150) feet.

6.1-5.2 All non-residential principal uses of buildings as permitted in this section shall be located on a tract of land having an area of not less than the following:

1. Agricultural buildings and structures shall have a minimum lot area of three (3) acres.
2. Stables, private shall have a minimum lot area of three (3) acres.
3. Special uses may require a lot area greater than forty thousand square feet when specified by the Zoning Board of Appeals.

6.1-6 Yard Areas

6.1-6.1 Yard Areas. No building shall be erected or enlarged unless the following yards are provided and maintained in connection with such building, structure or enlargement.

6.1-6.2 Front Yard. A front yard of not less than fifty (50) feet.

6.1-6.3 Side Yards. There shall be a side yard of each side of the dwelling of not less than fifteen (15) percent of the lot width, or fifteen (15) feet, whichever is less, except as follows:

1. Corner lots, on the intersecting street side, fifteen (15) percent of the lot width or twenty-five (25) feet, whichever is less.
2. Reversed corner lots, on the intersecting street side, eighty (80) percent of the front yard requirements of the lot to the rear.
3. On lots upon which a non-residential use is erected or enlarged, there shall be a side yard of not less than twenty (20) feet on each of the main structure and a combined total of side yards of not less than forty (40) feet.

6.1-6.4 Rear Yard. A rear yard of not less than fifty (50) feet.

6.1-6.5 Special uses may require yard areas greater when specified by the Zoning Board of Appeals.

6.1-7 Dwelling Standards

- 6.1-7.1 Lot Coverage. Not more than thirty-five (35) percent of the lot may be occupied by buildings and structures, including accessory buildings.
- 6.1-7.2 Dwelling Sizes. Every one-story dwelling hereafter erected in any R-1A One-Family Dwelling District shall have a total ground floor area of not less than eighteen hundred (1800) square feet, measured from the outside of the exterior walls, including utility rooms but excluding cellars, basements, open porches, breezeways, garages and other spaces that are not frequently or during extended periods for living, eating or sleeping purposes. Every dwelling or more than one story hereafter erected in any R-1A One-Family Dwelling District shall have a total floor area, measured from the outside of the exterior walls, of not less than twenty-two hundred (2200) square feet, including utility rooms, but excluding cellars, basements, garages. **(07/07)**

6.1-8 Signs

- 6.1-8.1 Signs. In any R-1A District the following non-flashing non-illuminated signs are permitted under the conditions specified.
- 6.1-8.2 Nameplates and Identification Signs, subject to the following;
- a. Area and Content—Residential. There shall be not more than one nameplate—not exceed one square foot in area—for each dwelling unit, indication the name or address of the occupant or a permitted occupation. On a corner zoning lot two (2) such nameplates for each dwelling unit—one facing each street shall be permitted.
 - b. Area and Content—Non-Residential. For non-residential buildings, a single identification sign, not exceeding nine (9) square feet in area and indicating only the name and address of the building may be displayed. On a corner zoning lot two (2) such signs, one facing each street, shall be permitted. However, no non-residential sign shall be allowed without written authorization of the Zoning Administrator.
 - c. Projection. No sign shall project beyond the property line into the public way.

- d. Height. No sign shall project higher than one (1) story or fourteen (14) feet above curb level, whichever is lower.

6.1-8.3 “For Sale,” “To Rent” Signs, subject to the following:

- a. Area and Number. There shall be not more than one such sign per zoning lot, except that on a corner lot two (2) signs, not facing each street, may be permitted. No sign shall exceed twelve (12) square feet in area nor be closer than eight (8) feet to any other zoning lot.
- b. Projection. No sign shall project beyond the property line into the public way.
- c. Height. No sign shall project higher than one story or fourteen (14) feet above curb level, whichever is lower.

6.1-8.4 Signs Accessory to Parking Area, subject to the following:

- a. Area and Number: Signs designating parking area entrances and/or exits are limited to one sign for each such exit to entrance and to a maximum size of two (2) square feet each. One sign per parking area, designating the conditions of use or identity of such parking area and limited to a maximum size of nine (9) square feet, shall be permitted. On a corner zoning lot two (2) such signs, one facing each street, shall be permitted.
- b. Projection. No sign shall project beyond the property line into the public way.
- c. Height. No sign shall project higher than seven (7) feet above the curb level.

6.1-8.5 In an R-1A District, the following Non-Flashing Signs and permitted under the conditions specified:

- a. Church Bulletins, subject to the following:
 - 1. Area and Number. There shall be not more than one sign per zoning lot, except that on a corner lot two (2) signs, one facing each street, shall be permitted. No sign shall exceed sixteen (16) square feet in area nor be closer than eight (8) feet to any other zoning lot.
 - 2. Projection. No sign shall project beyond the property line into the public way.

3. Height. No sign shall project higher than one (1) story, or fourteen (14) feet above curb level, whichever is lower.

6.1-9 Prohibited Uses

- 6.1-9.1 All uses not expressly authorized in Sections 6.1-1, 6.1-2 and 6.1-3 are expressly prohibited.

The following as well as uses similar to the following illustrates prohibited uses:

1. Automobile race tracks, raceways, speedways.
2. Commercial use.
3. Dog kennels and veterinary establishments.
4. Excavations of gravel, sand or other raw materials except as a permitted, special, or accessory use as previously designated herein.
5. Fertilizer works.
6. Hotels and motels.
7. Industrial uses.
8. Junk yard.
9. Landfill dump.
10. Mobile home parks.
11. Mobile homes.
12. Penal institutions.
13. Recreational facilities, commercial, including swimming pools, golf driving ranges, miniature golf courses, lighted golf courses.
14. Signs and billboards, except accessory signs.
15. Slaughter houses.
16. Stables, commercial.
17. Stadiums and grandstands, commercial.

6.1-10 Special Provisions

- 6.1-10.1 Special Provisions. Uses in the R-1A One-Family Residence District shall conform to the requirements of Section 6.1-10.1, set forth hereinafter.

1. Parking and Loading Requirements. All uses shall conform to the applicable requirements for Off-Street Parking and Loading set forth in Section 9.
2. Tents. Tents shall not be used as a place of permanent residence, and shall not be erected, used or maintained on any lot, except for a limited period of time.

3. Trucks. Trucks and other commercial vehicular equipment shall not be parked or stored on a zoning lot except when located in a garage or a fully enclosed structure or in such a manner as not to be visible from adjacent rights-of-way or from the windows of structures on adjacent parking lots. Vehicles to be parked or stored must be owned or legally controlled by the residents or occupants of the principal use. Small pick-up trucks and/or vans used principally as passenger cars are excluded from this requirement.
4. Sewer and Water. All dwellings and uses requiring sanitary facilities shall be served by either a municipal sewer and water system, a private community sewer and water system, or a private individual sewage disposal system and water supply system approved by the Cook County Health Department.

6.2 R-1B ONE-FAMILY DWELLING DISTRICT. The R-1B One-Family Residence District is intended to create a semi-urban environment of single-family homes on a minimum lot size that may or may not accommodate individual sewage disposal systems. Uses compatible to the residential character of the district are allowed, as are home occupations. No commercial activities are allowed, except for selected recreation and sanitary uses as designated hereinafter.

6.2-1 Permitted Uses.

1. One-Family detached dwellings.
2. Parks, forest preserves and recreation area, when publicly owned and operated.
3. Home occupations.
4. A temporary real estate office in conjunction with a new housing development, limited to the selling or renting of new units in such development and in no case to be in operation for more than one year following completion of construction of said housing development.
5. Permitted accessory use, including off-street parking facilities in accordance with the provisions of Section 9.
6. Schools, public, denominational or private, elementary and high, including playgrounds and athletic fields auxiliary thereto.
7. Churches, rectories, seminaries, convents, monasteries and similar religious institutions, including dormitories and other accessory uses required for operation.

8. Agricultural land and buildings including greenhouses and nurseries, no retail sales.
9. Temporary buildings for construction purposes for a period not to exceed the completion date of such construction.
10. Signs, subject to the provisions of subsection 6.1-6.
11. Public parking area, when located and developed as required in Section 9.

6.2-2 Accessory Uses

- 6.2-2.1 Accessory Uses, buildings or other structures customarily incidental to and commonly associated with a Principal or Conditional Permitted Use (Permitted or Special Use) may be permitted; provided they are operated and maintained under the same ownership and on the same lot as the permitted use, do not include structures or structural features inconsistent with the permitted use, and do not involve the conduct of any business, professional, trade or industry.

Accessory uses may include the following as uses similar to the following:

Agricultural buildings and structures
 Boathouses, private
 Conservatories, private,
 Fallout shelters,
 Garages, Carports, or other parking spaces for the exclusive use of residents, occupants and guests of the premises,
 Gardening,
 Guest houses, private
 Home occupations,
 Household pets exclusively for the use of personal enjoyment of residents of the premises and not for commercial purposes and limited to not more than a total of three traditional domestic animals,
 Living quarters, detached, for persons employed on the premises, if occupied only by such persons and their immediate family, and not rented or otherwise use as a separate dwelling,
 Playhouses and summer houses,
 Roadside stands, for the display and sale of agricultural products grown on zoning lots where the principal use is agricultural,
 Sewage disposal units, individual, as regulated by the Cook County Health Department,
 Stables, private, at least three (3) acres in size.

Swimming pools and tennis courts, exclusively for the use of the residents and their guests,
Tool houses, sheds and other similar buildings for the storage of domestic supplies,
Water retention and detention areas,
Water systems, individual, as regulated by the Cook County Health Department.

6.2-3 Special Uses

6.2-3.1 Special uses may be allowed subject to the issuance of special use permits in accordance with the provisions of Section 10.3-6. Unless otherwise specifically set forth, wherever a special use is named as a major category, it shall be deemed to include only those itemized uses listed under the said major category.

6.2-3.2 The following special uses are permitted in the R-1B District:

1. SIMILAR AND COMPATIBLE USES to those allowed as “permitted use” in this district.
2. RESIDENTIAL USES, row housing, condominium or clustering of residences.
3. EDUCATIONAL INSTITUTIONS, colleges or universities, but not business colleges or trade schools; private and public schools.
4. RECREATION AND SCHOOL FACILITIES, athletic fields, non-commercial, community center buildings, club house; non-commercial, not for profit.
5. HEALTH AND MEDICAL INSTITUTIONS, hospitals, nursing home, geriatric facilities, nursery schools, day care centers.
6. PUBLIC SERVICES USES, utility sub-stations, fire stations, police stations, post offices, public office buildings and water and sanitation facilities.

6.2-4 Building Height. The maximum height of buildings permitted shall be as follows:

6.2-4.1 One-Family detached dwellings. Twenty-five (25) feet or two and one-half (2-1/2) stories.

6.2-4.2 Special uses. Forty-five (45) feet for the main structure and seventy-five (75) feet for towers or steeples.

6.2-5 Lot Sizes

6.2-5.1 Every one-family detached dwelling hereafter erected shall be located on a lot having an area of not less than forty thousand (40,000) square feet and a width at the established building line of not less than one hundred twenty-five (125) feet.

6.2-5.2 All non-residential principal uses of buildings as permitted in this section shall be located on a tract of land having an area of not less than the following:

1. Agricultural buildings and structures shall have a minimum lot area of three (3) acres.
2. Stables, private shall have a minimum lot area of three (3) acres.
3. Special uses may require a lot area greater than forth thousand square feet when specified by the Zoning Board of Appeals.

6.2-6 Yard Areas

6.2-6.1 Yard Areas. No building shall be erected or enlarged unless the following yards are provided and maintained in connection with such building, structure or enlargement.

6.2-6.2 Front Yard. A front yard of not less than fifty (50) feet.

6.2-6.3 Side Yards. There shall be a side yard of each side of the dwelling of not less than fifteen (15) percent of the lot width, or fifteen (15) feet, whichever is less, except as follows:

1. Corner lots, on the intersecting street side, fifteen (15) percent of the lot width or twenty-five (25) feet, whichever is less.
2. Reversed corner lots, on the intersecting street side, eighty (80) percent of the front yard requirements of the lot to the rear.
3. On lot upon which a non-residential use is erected or enlarged, there shall be a side yard of not less than twenty (20) feet on each side of the main structure and a combined total of side yards of not less than forty (40) feet.

6.2-6.4 Rear Yard. A rear yard of not less than fifty (50) feet.

6.2-6.5 Special uses may require yard area greater when specified by the Zoning Board of Appeals.

6.2-7 Dwelling Standards

6.2-7.1 Lot Coverage. Not more than thirty-five (35) percent of the lot may be occupied by buildings and structures, including accessory buildings.

6.2-7.2 Dwelling Sizes. Every one-story dwelling hereafter erected in any R-1B One-Family Dwelling District shall have a total ground floor area of not less than eighteen hundred (1800) square feet, measured from the outside of the exterior walls, including utility rooms but excluding cellars, basements, open porches, breezeways, garages and other spaces that are not frequently or during extended periods for living, eating or sleeping purposes. Every dwelling or more than one story hereafter erected in any R-1B One-Family Dwelling District shall have a total floor area, measured from the outside of the exterior walls, of not less than twenty two hundred (2200) square feet, including utility rooms, but excluding cellars, basements, garages.

6.2-8 Signs

6.2-8.1 Signs. In any R-1B District the following non-flashing non-illuminated signs are permitted under the conditions specified.

6.2-8.2 Nameplates and Identification Signs, subject to the following:

- a. Area and Content- -Residential. There shall be not more than one nameplate-not exceeding one square foot in area- -for each dwelling unit, indicating the name or address of the occupant or a permitted occupation. On a corner zoning lot two (2) such nameplates for each dwelling unit- -one facing each street shall be permitted.
- b. Area and Content- -Non-Residential. For non-residential buildings, a single identification sign, not exceeding nine (9) square feet in area and indicating only the name and address of the building may be displayed. On a corner zoning lot two (2) such signs, one facing each street, shall be permitted. However, no non-residential sign shall be allowed without written authorization of the Zoning Administrator.
- c. Projection. No sign shall project beyond the property line into the public way.

- d. Height. No sign shall project higher than one (1) story or fourteen (14) feet above curb level, whichever is lower.

6.2-8.3 “For Sale,” “To Rent” Signs, subject to the following:

- a. Area and Number. There shall be not more than one such sign per zoning lot, except that on a corner lot two (2) signs, facing each street, may be permitted. No sign shall exceed twelve (12) square feet in area nor be closer than eight (8) feet to any other zoning lot.
- b. Projection. No sign shall project beyond the property line into the public way.
- c. Height. No sign shall project higher than one story or fourteen (14) feet above curb level, whichever is lower.

6.2-8.4 Signs Accessory to Parking Area, subject to the following:

- a. Area and Number: Signs designating parking area entrances and/or exits are limited to one sign for each such exit to entrance and to a maximum size of two (2) square feet each. One sign per parking area, designating the conditions of use or identity of such parking area and limited to a maximum size of nine (9) square feet, shall be permitted. On a corner zoning lot two (2) such signs, one facing each street, shall be permitted.
- b. Projection. No sign shall project beyond the property line into the public way.
- c. Height. No sign shall project higher than seven (7) feet above the curb level.

6.2-8.5 In an R-1B District, the following Non-Flashing Signs and permitted under the conditions specified:

- a. Church Bulletins, subject to the following:
 - 1. Area and Number. There shall be not more than one sign per zoning lot, except that on a corner lot two (2) signs, one facing each street, shall be permitted. No sign shall exceed sixteen (16) square feet in area nor be closer than eight (8) feet to any other zoning lot.
 - 2. Projection. No sign shall project beyond the property line into the public way.

3. Height. No sign shall project higher than one (1) story, or fourteen (14) feet above curb level, whichever is lower.

6.2-9 Prohibited Uses

- 6.2-91 All uses not expressly authorized in Sections 6.2-1, 6.2-2 and 6.2-3 are expressly prohibited.

The following as well as uses similar to the following illustrate prohibited uses:

1. Automobile race tracks, raceways, speedways.
2. Commercial use.
3. Dog kennels and veterinary establishments.
4. Excavations of gravel, sand or other raw materials except as a permitted, special, or accessory use as previously designated herein.
5. Fertilizer works.
6. Hotels and motels.
7. Industrial uses.
8. Junk yard.
9. Landfill dump.
10. Mobile home parks.
11. Mobile homes.
12. Penal institutions.
13. Recreational facilities, commercial, including swimming pools, golf driving ranges, miniature golf courses, lighted golf courses.
14. Signs and billboards, except accessory signs.
15. Slaughter houses.
16. Stables, commercial.
17. Stadiums and grandstands, commercial.

6.2-10 Special Provisions

- 6.2-10.1 Special Provisions. Uses in the R-1B One-Family Residence District shall conform to the requirements of Section 6.2-10.1 set forth hereinafter.

1. Parking and Loading Requirements. All uses shall conform to the applicable requirements for Off-Street Parking and Loading set forth in Section 9.
2. Tents. Tents shall not be used as a place of permanent residence, and shall not be erected, used or maintained on any lot, except for a limited period of time.

3. Trucks. Trucks and other commercial vehicular equipment shall not be parked or stored on a zoning lot except when located in a garage or a fully enclosed structure or in such a manner as not to be visible from adjacent rights-of-way or from the windows of structures on adjacent parking lots. Vehicles to be parked or stored must be owned or legally controlled by the residents or occupants of the principal use. Small pick-up trucks and/or vans used principally as passenger cars are excluded from this requirement.
4. Sewer and Water. All dwellings and uses requiring sanitary facilities shall be served by either a municipal sewer and water system, a private community sewer and water system, or an individual water system. Individual sewer disposal units may be used for single-family detached dwellings located on zoning lots with at least twenty thousand (20,000) square feet of area. Individual sewage disposal systems and individual water supply system must be approved by the Cook County Health Department. If both an individual sewage disposal system and an individual water system are used to service the same lot, then a minimum lot area of forty thousand (40,000) square feet is required. All lots under 40,000 square feet and over 20,000 square feet platted before 1990, shall be considered conforming and comply with Section 5, Non-conforming building and uses.

6.3 R-1 ONE-FAMILY DWELLING DISTRICT

6.3-1 Permitted Uses. The following uses are permitted:

One-family detached dwellings.

Parks, forest preserves and recreational areas, when publicly owned and operated.

Home occupations.

A temporary real estate office in conjunction with a new housing development, limited to the selling or renting of new units in such developments and in no case to be in operation for more than one year following completion of construction of said housing development.

Permitted accessory uses, including off-street parking facilities in accordance with the provisions of Section 9.

Planned developments, residential, as defined herein.

Schools, public, denominational or private, elementary and high, including playgrounds and athletic fields auxiliary thereto.

Churches, rectories, seminaries, convents, monasteries and similar religious institutions, including dormitories and other accessory uses required for operation.

Temporary buildings for construction purposes for a period not to exceed the completion date of such construction.

Signs, subject to the provisions of subsection 6.3-6.

Transitional uses. Any of the following transitional uses shall be permitted on a zoning lot located in as R-1 One-Family Dwelling District where the side of such zoning lot abuts upon the side or rear of a railroad right-of-way or a zoning lot in a business or manufacturing district or is separated only by an alley, provided such transitional use does not extend more than one hundred (100) feet from a railroad right-of-way or from the boundary of the business or manufacturing district which it adjoins, and provided the location and proposed development are first approved by the Plan Commission after public hearing.

- a. Two-family dwellings with the same lot area requirements as in the R-3 General Residence District.
- b. Public parking area, when located and developed as required in Section 9.

6.3-2 Building Height. The maximum height of buildings permitted shall be as follows:

6.3-2.1 One-family detached dwellings. Twenty-five (25) feet or two and one-half (2-1/2) stories.

6.3-2.2 Churches. Forty-five (45) feet for the main structure and seventy-five (75) feet for towers or steeples.

6.3-3 Lot Sizes

6.3-3.1 Every one-family detached dwelling hereafter erected shall be located on a lot having an area of not less than ten thousand (10,000) square feet and width at the established building line of not less than sixty (60) feet.

6.3-3.2 All non-residential principal uses of buildings as permitted in this section shall be located on a tract of land having an area of not less than fifteen thousand (15,000) square feet with a minimum width of eighty (80) feet at the building line and shall be served by an approved system of water and sanitary sewer facilities.

- 6.3-4 Yard Areas. No building shall be erected or enlarged unless the following yards are provided and maintained in connection with such building, structure or enlargement.
- 6.3-4.1 Front Yard. A front yard of not less than twenty-five (25) feet.
- 6.3-4.2 Side Yards. There shall be a side yard on each side of the dwelling of not less than ten (10) percent of the lot width, or ten (10) feet, whichever is less, except as follows:
- a. Corner lots, on the intersecting street side, fifteen (15) percent of the lot width or fifteen (15) feet, whichever is less.
 - b. Reversed corner lots, on the intersecting street side, eighty (80) percent of the front yard requirements of the lot to the rear.
 - c. Lot with driveway in a side yard on one side, fifteen (15) percent of the lot width or twelve (12) feet, whichever is less.
 - d. On lots upon which a non-residential use is erected or enlarged, there shall be a side yard of not less than ten (10) feet on each side of the main structure and a combined total of side yards not less than twenty-five (25) feet.
- 6.3-4.3 Rear Yard. A rear yard of not less than thirty (30) feet.
- 6.3-5 Lot Coverage. Not more than thirty-five (35) percent of the lot area may be occupied by buildings and structures, including accessory buildings.
- 6.3-6 Dwelling Standards. Every one-story dwelling hereafter erected in any R-1 One-Family Dwelling District shall have a total ground floor area of not less than twelve hundred (1200) square feet, measured from the outside of the exterior walls, including utility rooms but excluding cellars, basements, open porches, breezeways, garages and other spaces that are not frequently or during extended periods for living, eating or sleeping purposes.

Every dwelling of more than one story hereafter erected in any R-1 One-Family Dwelling District shall have a total floor area, measured from the outside of the exterior walls, of not less than fourteen hundred (1400) square feet, including utility rooms but excluding cellars, basements, garages, open porches, breezeways and other spaces that are not used frequently or during extended periods for living, eating or sleeping purposes, except that enclosed space intended for habitable rooms which are to be completed within a reasonable time may be considered in computing such floor areas.

6.3-7 Signs. In any R-1 District the following non-flashing non-illuminated signs are permitted under the conditions specified.

6.3-7.1 Nameplates and Identification Signs, subject to the following

- a. Area and Content- - Residential. There shall be not more than one nameplate - - not exceeding one square foot in area- -for each dwelling unit, indicating the name or address of the occupant or a permitted occupation. On a corner zoning lot two (2) such nameplates for each dwelling unit- -one facing each street- -shall be permitted.
- b. Area and Content- -Non-Residential. For non-residential buildings, a single identification sign, not exceeding nine (9) square feet in area and indicating only the name and address of the building, may be displayed. On a corner zoning lot two (2) such signs- -one facing each street- -shall be permitted. However, no non-residential sign shall be allowed without written authorization of the Zoning Administrator.
- c. Projection. No sign shall project beyond the property line into the public way.
- d. Height. No sign shall project higher than one (1) story or fourteen (14) feet above curb level, whichever is lower.

6.3-7.2 “For Sale,” “To Rent” Signs, subject to the following:

- a. Area and Number. There shall be not more than one such sign per zoning lot, except that on a corner lot two (2) signs- -one facing each street- -may be permitted. No sign shall exceed twelve (12) square feet in area nor be closer than eight (8) feet to any other zoning lot.

- b. Projection. No sign shall project beyond the property line into the public way.
- c. Height. No sign shall project higher than one story or fourteen (14) feet above curb level, whichever is lower.

6.3-7.3 Signs Accessory to Parking Area, subject to the following:

- a. Area and Number. Signs designating parking area entrances and/or exits are limited to one sign for each such exit or entrance and to a maximum size of two (2) square feet each. One sign per parking area, designating the conditions of use or identity of such parking area and limited to a maximum size of nine (9) square feet, shall be permitted. On a corner zoning lot two (2) such signs, one facing each street, shall be permitted.
- b. Projection. No sign shall project beyond the property line into the public way.
- c. Height. No sign shall project higher than seven (7) feet above curb level.

6.3-7.4 In an R-1 District, the following Non-Flashing Signs are permitted under the conditions specified:

- a. Church Bulletins, subject to the following:
 - 1. Area and Number. There shall be not more than one sign per zoning lot, except that on a corner lot two (2) signs, one facing each street, shall be permitted. No sign shall exceed sixteen (16) square feet in any area nor be closer than eight (8) feet to any other zoning lot.
 - 2. Projection. No sign shall project beyond the property line into the public way.
 - 3. Height. No sign shall project higher than one (1) story, or fourteen (14) feet above curb level, whichever is lower.

6.4 R-2 ONE-FAMILY DWELLING DISTRICT

6.4-1 Permitted Uses. Any use permitted in the R-1 One-Family Dwelling District, subsection 6.3-1.

6.4-2 Building Height. The same regulations shall apply as required or permitted in the R-1 One-Family District.

6.4-3 Lot Sizes

6.4-3.1 Every one-family detached dwelling hereafter erected shall be located on a lot having an area of not less than eight thousand (8,000) square feet, and a width at the established building line of not less than fifty (50) feet.

6.4-3.2 All non-residential principal uses as permitted in this section shall be located on a tract of land having an area of not less than ten thousand (10,000) square feet with a minimum width of seventy-five (75) feet at the building line.

6.4-4 Yard Areas. The same regulations shall apply as required or permitted in the R-1 One-Family Dwelling District.

6.4-5 Lot Coverage. Not more than thirty-five (35) percent of the lot area may be occupied by buildings and structures, including accessory buildings.

6.4-6 Dwelling Standards. Every one-story dwelling hereafter erected in any R-2 One-Family District shall have a total ground floor area of not less than one thousand one hundred forty (1140) square feet, measured from the outside of the exterior walls, including utility rooms but excluding cellars, basements, open porches, breezeways, garages and other spaces that are not used frequently or during extended period for living, eating or sleeping purposes. Every dwelling of more than one story hereafter erected in any R-2 One-Family Dwelling District shall have a total floor area, measured from the outside of the exterior walls of not less than twelve hundred (1200) square feet, including utility rooms but excluding cellars, basements, open porches, breezeways, garages and other spaces that are not used frequently or during extended periods for living, eating and sleeping purposes except that enclosed space intended for habitable rooms which are to be completed within a reasonable time may be considered in computing such floor area.

6.4-7 Signs. The same regulations shall apply as permitted or required in the R-1 One-Family Dwelling District.

6.5 R-3 GENERAL RESIDENCE DISTRICT

6.5-1 Permitted Uses. The following uses are permitted:

Any of the uses permitted in the R-2 One-Family Dwelling District.

Two-family dwellings.

Multiple-family dwellings and apartments.

One-family row dwellings (party-wall) with not more than six (6) dwellings in a row or building.

Transitional Uses- -Offices of physicians, dentists, lawyers, architects, real estate brokers, and other professional occupations, when conducted in a residential structure used primarily as a home and when located on lots having a side line adjoining a lot in a business or manufacturing district, or adjacent to a railroad right-of-way, or when facing a business or manufacturing district, or railroad right-of-way, directly across a street or alley, provided that:

- a. The lot on which the transitional use is located does not extend more than seventy-five (75) feet from the adjoining business or manufacturing district, or more than one hundred and twenty (120) feet in depth from the street line in cases where the lot does not adjoin but faces a business or manufacturing district;
- b. The home occupations are conducted in conjunction with the use of a dwelling unit as a home by the occupant thereof, with not more than two employees other than members of the related family, and that the residential character of the exterior of the dwelling is not changed. Medical clinics are not included or permitted.

6.5-2 Building Height. The maximum height of buildings permitted shall be as follows:

6.5-2.1 One-family detached dwellings, two-family detached dwellings and churches: The same regulations shall apply as required or permitted in the R-1 One-Family Dwelling District.

6.5-2.2 Multiple-family dwellings, apartments and one-family row dwellings: Thirty-five (35) feet or two and one-half stories.

6.5-3 Lot Area per Dwelling

6.5-3.1 Every one-family detached dwelling hereafter erected shall be located on a lot having an area of not less than eight thousand (8,000) square feet and a width at the established building line of not less than seventy (70) feet.

6.5-3.2 All two-family dwellings hereafter erected or structurally altered shall be located on a lot having an area of not less than eight thousand (8,000) square feet and a width at the established building line of not less than seventy (70) feet.

6.5-3.3 All structures or buildings containing three or more dwelling units shall provide minimum lot area per dwelling unit as follows:

Apartments with 4 or more bedrooms	2,000 sq.ft.
Apartments with 3 bedrooms	1,500 sq.ft.
Apartments with 2 bedrooms	900 sq.ft.
Apartments with 1 bedroom and Efficiency Apartments	600 sq.ft.
One-family row dwellings	2,000 sq.ft.

except that corner and end dwelling units shall have not less than 2,500 square feet of lot area;

provided, however, that in no event shall the minimum lot area be less than eight thousand (8,000) square feet and have a width at the building line of not less than seventy (70) feet.

6.5-3.4 All non-residential principal uses permitted in this section shall be located on a lot having an area of not less than ten thousand (10,000) square feet, and a width at the established building line of not less than seventy-five (75) feet.

6.5-4 Yard Areas. No building shall be erected or enlarged unless the following yards are provided and maintained.

6.5-4.1 Front Yard. On every zoning lot a front yard shall be provided of not less than thirty (30) feet.

6.5-4.2 Side Yards. On every zoning lot, side yards shall be as follows:

- a. For one and two-family detached dwellings, the same regulations shall apply as in the R-2 One-Family Dwelling District.
- b. For multiple-family dwellings, on interior lots there shall be a side yard on each side of the principal buildings of not less than ten (10) percent of the lot width, but need not exceed ten (10) feet.

On corner lots the side yard on the intersecting street width shall be not less than fifteen (15) feet, except in the case of a reverse corner lot, where there shall be a side yard on the street side of the corner lot of not less than eighty (80) percent of the front yard required in the lots in the area of such corner lot. No accessory building on said reversed corner lot shall project beyond the front yard line required on the adjacent lot to the area, nor be located nearer than five (5) feet to the side lot line on such adjacent lot.

- c. For one-family row dwellings, the same regulations shall govern side yards for multiple-family dwellings, except that there may be not less than fifteen (15) feet between the adjacent row buildings.
- d. For non-residential buildings, on a lot improved with a non-residential building there shall be a side yard of not less than twelve (12) feet on each side of the main structure and a combined total of side yards of not less than thirty (30) feet.

6.5-4.3 Rear Yard. In the R-3 General Residence District there shall be provided and maintained rear yards as follows:

- a. For one and two-family dwellings, a rear yard of not less than thirty (30) feet.
- b. For row dwellings, a rear yard of not less than twenty-five (25) feet.
- c. For multiple-family dwellings and apartments, a rear yard of not less than twenty-five (25) feet.
- d. For non-residential buildings, a rear yard of not less than thirty (30) feet.

6.5-5 Lot Coverage. Not more than fifty (50) percent of the area of a lot may be covered by buildings and structures, including accessory buildings.

6.5-6 Dwelling Standards

6.5-6.1 For one-family dwellings, the same regulations shall apply as required in the R-2 One-Family Dwelling District.

6.5-6.2 Two-family dwelling structures shall have a total floor area of not less than six hundred and twenty (620) square feet for each dwelling unit, measured from the outside walls, including utility rooms but excluding all other areas not used for living or sleeping purposes.

6.5-6.3 Multiple-family structures (three or more dwelling units) shall have a total floor area per dwelling unit of not less than:

Apartments with 4 or more bedrooms	650 sq.ft.
Apartments with 3 bedrooms	550 sq.ft.
Apartments with 2 bedrooms	450 sq.ft.
Apartments with 1 bedroom	300 sq.ft.
Efficiency apartments	275 sq.ft.

6.5-6.4 Signs. The regulations governing signs in the R-1 One-Family Dwelling District shall apply in the R-3 General Residence District.

SECTION 7 – BUSINESS DISTRICTS

7.1 B-1 BUSINESS DISTRICT, LIMITED RETAIL

7.1-1 Permitted Uses. The following retail business and service uses are permitted, provided they are operated entirely within a building- -except for off-street parking and loading facilities:

Air conditioning and heating sales and service.

Antique shops.

Art and school supply stores.

Art galleries and studios.

Bakery shops, including the baking or processing of food products when prepared for retail use on the premises only.

Banks and financial institutions.

Barber shops, beauty parlors, chiropody, massage, or similar personal service shops.

Book and stationary stores.

Cabinet maker with less than 10 employees. **(07/07)**

Candy and ice cream shops.

Camera and photographic supply shops for retail sales.

Carpet, rug and linoleum stores.

China and glassware stores.

Clubs or lodges (non-profit), fraternal or religious institutions.

Coin and philatelic stores.

Currency exchanges.

Custom dressmaking, millinery, tailoring or shoe repair shops, when conducted for retail sale on the premises only.

Department stores.

Drygoods stores.

Drug stores.

Dry-cleaning and pressing establishments, when employing facilities for the cleaning and pressing of not more than seven hundred fifty (750) pounds of dry goods per day, and when using perchlorethylene or other similar non-flammable solvents approved by the Fire Department.

Electrical appliance stores and repairs, but not including appliance assembly or manufacture.

Employment agencies.

Florist shops and conservatories for retail trade on the premises only.

Food, meat and fruit stores.

Frozen food stores and food lockers.

Furniture stores, and upholstery when conducted as a part of the retail operations and secondary to the main use.

Furrier, when conducted for retail trade on the premises only.

Gift shops.

Hardware stores.

Haberdasheries.

Hobby stores.

Hotels and motels, including restaurants and meeting rooms.

Household appliance stores and repair.

Interior decorating shops, including upholstery and making of draperies, slip covers and other similar articles when conducted as a part of the retail operations and secondary to the main use.

Jewelry and watch repair shops.

Laundries, automatic self-service types, or hand.

Leather goods and luggage stores.

Locksmith.

Meeting halls.

Millinery shops.

Musical instrument sales and repair, retail trade only.

News stand.

Offices, business and professional, including medical clinics.

Optician, optometrist.

Orthopedic and medical appliance stores, but not including the assembly or manufacture of such articles.

Pet shops, but not including animal hospitals.

Photography studios, including the development of film and pictures when done as a part of the retail business on the premises.

Planned development, business, as defined herein.

Plumbing and heating showroom and shops.

Picture framing, when conducted for retail trade on the premises only.

Photo developing and processing.

Postal substations.

Public utility collection offices.

Public utility and public service uses, including: public art galleries and museums; public libraries; telephone exchanges, repeater stations; micro-wave relay towers and stations; mobile transmitting towers and stations, antenna towers and other outdoor equipment essential to the operation of the exchange in the interest of public convenience and necessity; bus terminal or other public transportation terminal facilities and other similar uses.

Residential uses, as follows:

Dwelling units and lodging rooms, if business uses or premises designed for such uses occupy the ground floor, and provided that either:

1. Not less than twenty (20) percent of the frontage on the same street and within the same block, or twenty (20) percent of the frontage directly across the street from such frontage, is already developed with buildings in which there are dwelling units or lodging rooms; or
2. At least two-thirds (2/3) of the frontage in the entire block is zoned for business, and that not less than twenty (20) percent of the frontage so zoned for business is already developed with buildings in which there are dwelling units or lodging rooms.

Restaurants, tearooms or cafes, when the establishment is not of the drive-in type where food is served to occupants remaining in motor vehicles.

Saving and loan associations.

Sewing machine sales and service.

Shoe and hat stores, and repairing when done as a part of the retail business.

Sporting goods stores.

Telegraph offices.

Telephone booths, public.

Tobacco shops.

Toy stores.

Travel bureau and transportations ticket offices.

Typewriter and adding machine sales and services.

Wearing apparel shops.

Accessory uses, including off-street parking and loading facilities, as permitted or required in accordance with the provisions of Section 9.

Other retail business uses not specifically listed above when found to have economic compatibility with established uses on adjoining property.

7.1-2 Conditions of Use. All uses permitted in this district, except residential district uses, shall be retail establishments dealing directly with consumers and shall be subject to the following conditions:

- a. Dwelling units and lodging rooms are not permitted below the second floor.

- b. The sale of foodstuffs or articles intended for human consumption shall be conducted wholly within an enclosed building.
- c. Establishments of the “drive-in” type, offering goods or services directly to customers waiting in parked motor vehicles, are not permitted.
- d. There shall be no manufacture, processing or treatment of products other than those which are clearly incidental and essential to the retail business conducted on the same premises.
- e. Such uses, operations or products shall not be objectionable due to odor, dust, smoke, noise, vibration or other similar causes.
- f. Any exterior sign displayed shall pertain only to a use conducted within the building.

7.1-3 Height of Buildings. No building or structure shall be erected or structurally altered to exceed a height of three (3) stories nor shall it exceed forty-five (45) feet except as provided herein.

7.1-4 Transitional Yards. Where a B-1 District adjoins a residential district, transitional yards shall be provided in accordance with the following regulations:

7.1-4.1 When lots in a B-1 District front on the street and at least eighty (80) percent of the frontage directly across the street between two consecutive intersecting streets is in a residential district, the front yard regulations for the residential district shall apply to the said lots in the business district.

7.1-4.2 In a B-1 District where a side lot line coincides with a side or rear lot line of property in an adjacent residential district, a yard shall be provided along such side lot line. Such yard shall be equal in dimensions to the minimum side yard which would be required herein for a residential use on the adjacent property in a residential district.

7.1-4.3 In a B-1 District where a rear lot line coincides with a side lot line of property in an adjacent residential district, a yard shall be provided along such rear lot line. Such yard shall be equal in dimension to the minimum side yard which would be required herein for residential use on the adjacent property in the residential district.

7.1-4.4 In a B-1 District, where a rear lot line coincides with a rear lot line of property in an adjacent residential district, a yard shall be provided along such rear lot by may begin at a height of fifteen (15) feet or one story above grade, whichever is lower.

- 7.1-4.5 In a B-1 District, where the extension of a front or side lot line coincides with the front lot line of adjacent lots located in a residential district, a yard equal in depth to the minimum front yard required herein on such adjacent lot in the residential district shall be provided along such front or side lot line for a distance of at least twenty-five (25) feet including the width of any intervening alley, from such lot in the residential district.
- 7.1-4.6 Transitional yards shall be unobstructed from lowest level to sky.
- 7.1-5 Signs. The following signs are permitted:
- 7.1-5.1 Signs relating only to the name and use of buildings or premises upon which they are placed. Advertising signs and outdoor billboards advertising products or matters not related to the occupancy and use of the premises shall not be permitted.
- 7.1-5.2 Signs attached to a building or buildings shall not project more than eighteen (18) inches from the wall upon which they are attached. Signs must be attached to parapet walls or other wall surfaces made a part of the main structure. Signs erected on a separate superstructure attached to the roof of the building or to any other part of the building above the roof line shall not be permitted. No sign shall project higher than four (4) feet above the parapet line or the roof line, whichever is higher.
- 7.1-5.3 The gross surface area of all business signs on a zoning lot shall not exceed in square feet of area two times the lineal frontage as such zoning lot. Each side of a building which abuts upon more than one street shall be considered as a separate frontage.
- 7.1-5.4 For integrated shopping centers in single ownership and management, or under unified control, one additional sign may be erected not exceeding one hundred (100) square feet in area advertising only the name and the location of the integrated shopping center.
- Such sign shall be placed so as to be entirely within the property lines of the premises upon which the sign is located and bottom edge of such sign shall be at least eight (8) feet above the level of the ground and the over-all height shall not exceed twenty (20) feet above curb level, or above the adjoining ground level if such ground level is above the street level.
- 7.1-5.5 No sign may be painted, pasted or similarly posted directly on the surface of any wall. Nor shall any sign be permitted to be placed on any wall, fence or standard facing the side of any adjoining lot located in a residential district.

- 7.1-5.6 Signs attached to, or hung from, a marquee or canopy shall be completely within the borderline of the outer edge of the marquee or canopy, and shall be in no instance lower than eight (8) feet above the ground or surface over which the marquee or canopy is constructed.
- 7.1-5.7 Signs, clocks or other advertising devices erected upon standards or separate supports shall be placed so as to be entirely within the proper lines of the premises upon which it is located, and no part of the sign or standard shall have a total height greater than twenty (20) feet above the level of the street upon which the sign faces, or have the adjoining ground level if such ground level is above the street level, nor shall the surface of any such sign exceed an area of one hundred (100) square feet.
- 7.1-5.8 No illuminated sign shall be of the flashing or intermittent type. Signs which may be in conflict with public traffic signals shall not be permitted. Illuminated signs shall be shaded so as not to shine on adjacent residential properties.
- 7.1-5.9 Traffic or directional signs designating entrances, exits and conditions of use of parking facilities accessory to the main use of the premises may be maintained provided they are located within the property lines of the subject lot.

ZONING CLASSIFICATIONS RELATING TO THE SALE OR GIFT OF ALCOHOLIC LIQUOR AND DRAM SHOP

- 7.1-6 B-1-A permits the following land use relating to gift or sale of alcoholic liquor and Dram Shops:
 - Taverns, clubs, lodges, hotels, motels, restaurants, cafes and retail stores in which the gift or sale of distilled alcoholic liquor, wine and beer is to be transacted.
- 7.1-7 B-1-B permits the following land use relating to gift or sale of alcoholic liquor and Dram Shops:
 - Taverns, clubs, lodges, motels, hotels, restaurants, cafes and retail stores in which gift or sale of wine and beer is to be transacted expressly excluding distilled alcoholic liquors.
- 7.1-8 B-1-C permits the following land use relating to gift or sale of alcoholic liquor and Dram Shops:
 - Clubs, hotels, motels, restaurants, cafes and retail stores in which the gift or sale of packaged distilled alcoholic liquor, wine and beer is to be transacted in their original containers with the seals unbroken.

7.2 B-2 BUSINESS DISTRICT, GENERAL RETAIL

7.2-1 Permitted Uses. The following retail and service uses are permitted provided they are operated entirely within a building, except for establishments of the “drive-in” type offering goods and service directly to customers waiting in parked motor vehicles.

Any use permitted in the B-1 Business District.

Agricultural implement sales and services.

Auction rooms.

Automobile service stations.

Ambulance service.

Automobile sales and service shops, including painting and repairing, but not the painting or repairing of trucks. Pick-up trucks and vans principally for passenger use are excluded from this requirement.

Blueprinting and photostating establishments.

Bicycle sales and repair.

Boat showrooms- -sales and service.

Catering establishments.

Costume rental shops.

Cutting of glass and glazing establishments.

Exterminating shops.

Garages, public for storage of private passenger automobiles and commercial vehicles under one and one-half (1-1/2) tons.

Hand laundries.

Laboratories (medical, dental, research, experimental and testing,) provided no production or manufacturing of products takes place and provided the performance standards of the M-1 District are complied with.

Loan offices.

Mirror and glazing shops.

Monuments sales, but not include the cutting or grinding of stones or other material, on an open lot or within a building.

Off-street parking and loading facilities, as permitted or required in accordance with the provisions of Section 9.

Pawn shop.

Physical culture and health services.

Printing and publishing of newspapers, periodicals, books and including letter process work.

Radio and television broadcasting stations.

Schools: music, dance, business, commercial or trade.

Second-hand stores and rummage shops.

Silver plating and repair shops.

Theater, indoor.

Undertaking establishments, funeral parlors or mortuaries.

Accessory uses, including off-street parking and loading facilities as permitted or required in accordance with the provisions of Section 9.

7.2-2 Conditions of Use. All uses permitted in this district (except residential district uses) shall be retail establishments only and shall be subject to the following conditions:

- a. Dwelling units and lodging rooms are not permitted below the second floor, except in hotels and motels.
- b. There shall be no manufacture, processing or treatment of products other than those which are clearly incidental and essential to the retail business conducted on the premises.
- c. Not more than five persons (exclusive of manager, drivers and clerks) shall be engaged in said manufacturing, processing or treatment of products, including catering, cleaning, laundering, plumbing, upholstering, and other similar permitted uses.
- d. Such uses, operations or products shall not be objectionable due to odor, dust, smoke, noise, vibrations, or other similar causes.

7.2-3 Height of Buildings. The same regulations shall apply as permitted or required in the B-1 Business District.

7.2-4 Yard Areas. All yard regulations shall be the same as required and apply in the B-1 Business District.

7.2-5 Signs. All sign regulations shall be the same as required and apply in the B-1 Business District.

ZONING CLASSIFICATIONS RELATING TO THE SALE OR GIFT OF ALCOHOLIC LIQUOR AND DRAM SHOP

7.2-6 B-2-A permits the following land use relating to gift or sale of alcoholic liquor and Dram Shops:

Amusement establishments -- bowling alleys, pool halls, dance halls, skating rinks, and other similar places or recreation and catering establishments in which the gift or sale of distilled alcoholic liquor, wine and beer, is to be transacted.

7.2-7 B-2-B permits the following land use relating to gift or sale of alcoholic liquor and Dram Shops:

Amusement establishments -- bowling alleys, pool halls, dance halls, skating rinks, and other similar places or recreation and catering establishments in which the gift or sale of wine and beer is to be transacted expressly excluding distilled alcoholic liquors.

7.2-8 B-2-C permits the following land use relating to gift or sale of alcoholic liquor and Dram Shops:

Amusement establishments -- bowling alleys, pool halls, dance halls, skating rinks, and other similar places or recreation and catering establishments in which the gift or sale of packaged distilled alcoholic liquor, wine and beer is to be transacted in their original packages with the seals unbroken.

7.3 B-3 SERVICE AND WHOLESALE DISTRICT

7.3-1 Permitted Uses. The following business uses and service establishments are permitted, provided they are conducted wholly within an enclosed building, except for off-street parking or loading facilities and except for establishments of the “drive-in” type offering goods and services directly to customers waiting in parked motor vehicles, and except where specific below as permitted on an open lot.

Any use permitted in the B-2 Business District.

Agricultural implement sales and services, on an open lot or within a building.

Automobile washing, including the use of mechanical conveyors, blowers and steam cleaning.

Battery and tire service stations.

Beverages, non-alcoholic, bottling and distributing.

Bicycles and motorcycle sales and repair.

Book binding.

Building materials sales, when conducted wholly within a building.

Contractor's office and shops, where no fabrication is done on the premises and where all storage of materials and equipment is within a building.

Feed and seed storage, wholesale.

Greenhouses.

Heating and air-conditioning (fabricating and assembly) shops.

Live bait stores.

Motels.

Pet shops or animal hospitals when conducted wholly within an enclosed building.

Plumbing, heating and roofing supply shops.

Printing, publishing and issuing of periodicals, books, stationery and other reading matter.

Storage and warehousing, and wholesale establishments.

Taxidermist shops.

Tinsmiths.

Trailer sales or rental (house trailers) business on an open lot or within a building not including occupancy of trailers.

Used passenger automobile sales on an open lot or within a building.

Accessory uses, including off-street parking and loading facilities as permitted or required in Section 9.

7.3-2 Special Uses.

7.3-2.1 Special uses may be allowed subject to the issuance of special use permits in accordance with the provisions of Section 10.3-6. Unless otherwise specifically set forth, wherever a special use is named as a major category, it shall be deemed to include only those itemized uses listed under the said majority category

7.3-2.2 The following special uses permitted in the B-3 District:

Processing or assembly limited to the following, provided that space occupied in a building does not exceed six thousand (6000) square feet of total floor space and basement space, and not including stairwells or elevator shafts; and provided such processing or assembly can be conducted without noise, vibration, odor, dust or any other condition which might be disturbing to occupants of adjacent buildings. When manufacturing operations of the same or similar products demand space exceeding six thousand (6000) square feet, they shall then be located in the M-1 Manufacturing District,

Advertising displays.

Awnings, venetian blinds and window shades.

Brushes and brooms.
Bakeries, wholesale.

Cosmetics, drugs and perfumes.

Electrical equipment appliances.

Food processing, packaging and distribution.

Jewelry.

Medical and dental supplies.

Optical goods and equipment.

Pattern making.

Scientific and precision instruments.

Products from finished materials such as bone, cloth, cork, feather, felt, fibre, fur, glass, hair, horn, leather, plastic, precious or semi-precious stones, paper, rubber, shell or yarn.

Telecommunication towers and equipment

7.3-3 Height of Buildings. The same regulations shall apply as required or permitted in the B-1 Retail Business District.

7.3-4 Yard Areas. All yard requirements shall be the same as required and apply in the B-1 Business District.

7.3-5 Signs. The same regulations shall apply as in the B-1 Business district.

ZONING CLASSIFICATIONS RELATING TO THE SALE OR GIFT OF ALCOHOLIC LIQUOR AND DRAM SHOP

7.3-6 B-3-A permits the following land use relating to gift or sale of alcoholic liquor and Dram Shops:

Restaurants, taverns and motels in which the gift or sale of distilled alcoholic liquor, wine and beer is to be transacted.

7.3-7 B-3-B permits the following land use relating to gift or sale of alcoholic liquor and Dram Shops:

Restaurants, taverns and motels in which the gift or sale of wine and beer is to be transacted expressly excluding distilled alcoholic liquor.

7.3-8 B-3-C permits the following land use relating to gift or sale of alcoholic liquor and Dram Shops:

Restaurants, taverns and motels in which the gift or sale of packaged distilled alcoholic liquor, wine and beer is to be transacted in their original containers with the sales unbroken.

SECTION 8 – MANUFACTURING DISTRICTS

8.1 M-1 LIMITED MANUFACTURING DISTRICT

8.1-1 Permitted Uses. Since most uses permitted in this district will be in proximity to residential districts, it is hereby declared that performance standards shall be high and that all manufacturing, processing or assembly of materials and products must be carried on in a matter not injurious or offensive to the occupants of adjacent premises by reason of the emission of odors, fumes, or gases, hazardous wastes, dust, smoke, noise, vibrations or fire hazards. Therefore, compliance with the performance standards established herein:

Artificial limb manufacture.

Automobile painting, upholstering, repairing, reconditioning, and body fender repairing when done within the confines of a structure.

Apparel and other products manufactured from textiles.

Batteries, manufacture and rebuilding.

Bedspring and mattress manufacture.

Belting.

Bicycle manufacture.

Blacksmith or welding shops.

Brooms and brushes.

Boat building and repair.

Bus line shops and garages.

Canning and preserving.

Canvas and canvas products.

Carpet and rug cleaning.

Carpet manufacturing.

Cleaning and dyeing establishments when employing facilities for handling more than one thousand (1000) pounds of dry goods per day.

Cigarettes and cigars.

Coated fabrics, except rubberized.

Cork and cork products.

Creameries and dairies.

Drapery and bedding manufacture.

Drugs and pharmaceutical products.

Electric motors and generators.

Engraving.

Fur goods, not including tanning or dyeing.

Glass products, from previously manufactured glass.

Grain elevators.

Heating appliances and sheet metal products, including stoves and ranges.

Hosiery manufacture.

Ice cream and ice manufacture.

Laundries, more than one thousand pounds daily capacity.

Machine shops and metal products manufacture, when not equipped with heavy punch presses, drop forges or riveting machines or any other equipment which may create noise, vibration, smoke, odors, heat, glaze or fire hazards exceeding the performance standards made a part of this section.

Metal polishing and plating.

Musical instruments.

Pianos and organs.

Parking (off-street) as required or permitted.

Perfumes and cosmetics.

Planned developments, manufacturing, as defined herein.

Plastic products, but not including the processing of the raw materials.

Public utility electric substations and distribution centers, gas regulation centers and underground gas holder stations.

Rubber products (small) such as washers, gloves, foot-wear and bathing caps, but excluding rubber and synthetic rubber processing.

Shoes and boots.

Signs as defined and regulated herein.

Storage of household goods.

Storage and sale of trailers, farm implements and other similar products on an open lot.

Sporting and athletic equipment.

Storage of flammable liquids, fats or oils in tanks each of fifty thousand (50,000) gallons or less capacity, but only after the location and protective measures have been approved by local governing authorities.

Stone, marble and granite grinding and cutting.

Textiles --spinning, weaving, dyeing and printing.

Tools and hardware, such as hand tools, bolts, nuts, screws, cutlery, house hardware, locks and plumbing appliances.

Tool and die shops.

Truck tractor, trailer or bus storage yard, but not including a truck terminal.

Toys and children's vehicles.

Wire brush manufacture.

Any other manufacturing establishment that can be operated in compliance with the requirements of this section without creating objectionable noise, odors, dust, gas, smoke, fumes or vapor and that is a use compatible with the use and occupancy of adjoining properties.

8.1-2 Conditions of Use. All permitted uses are subject to the following conditions:

- a. Any production, processing, cleaning, servings, testing, repair or storage of materials, goods or products shall conform to the performance standard set forth herein and shall not be injurious or offensive to the occupants of adjoining premises by reasons of the emission or creation of noise, vibrations, smoke, dust or other particulate matter, toxic and noxious materials, odors, fire or explosion hazards or glare or heat.
- b. All business, production, servicing and processing shall take place within completely enclosed buildings unless otherwise specified. Within one hundred and fifty (150) feet of a residential district, all storage shall be in completely enclosed buildings or structures and storage located elsewhere in this district may be open to the sky but shall be enclosed by solid walls or fence (including solid doors or gates thereto) at least eight (8) feet high, but in no case lower in height than the enclosed storage and suitably landscaped.

However, open off-street loading facilities and open off-street parking of motor vehicles under one and and-half (1-1/2) tons capacity may be unenclosed throughout the district, expect for such screening of parking and loading facilities as may be required under the provisions of Section 9.

- c. Uses established on the effective date of the Steger zoning ordinance and by its provisions are rendered non-conforming shall be permitted to continue subject to the regulations of Section 9.
- d. Uses established after the effective date of the Steger zoning ordinance shall conform fully to the performance standards set forth for the district.

8.1-3 Height of Buildings. No building or structure shall be erected or structurally altered to exceed a height of three (3) stories nor shall it exceed forty-five (45) feet, except as provided herein.

8.1-4 Lot Coverage. The maximum ground area occupied by all buildings shall be not more than sixty (60) percent of the area of the lot or tract on which a building permit has been issued.

8.1-5 Yard Areas

8.1-5.1 Front Yard. There shall be a front yard having a depth of not less than fifteen (15) feet wherein there shall be no structure of any kind, open storage of materials or equipment, or parking vehicles.

8.1-5.2 Side Yards. There shall be a minimum side yard of not less than fifteen (15) feet on both sides of the building or buildings, but where the property is adjacent to a residential district there shall be a side yard of not less than twenty-five (25) feet on the side nearest to residential lots. The parking of private automobiles may be permitted within the side yard areas, but not closer than five (5) feet to any lot zoned for residential use.

8.1-5.3 Rear Yard. A rear yard of five (5) feet is required except where a lot abuts upon a residential district, in which case there shall be a rear yard of not less than thirty (30) feet, and no storage of materials or equipment, or the parking of automobiles shall take place within the ten (10) feet closest to any residential lot or lots.

8.1-6 Performance Standards. The following requirements shall apply:

8.1-6.1 Noise. The sound pressure level, to be measured as described below, shall not exceed the following decibel levels in the designated octave bands when adjacent to the designated types of districts:

<u>Octave Band Cycles per Second</u>	<u>Sound Level in Decibels</u>
<u>All residential Districts</u>	<u>B-1, B-2, B-3 Districts</u>

37.5 to 75	58	73
75 to 150	54	69
150 to 300	50	65
300 to 600	46	61
600 to 1200	40	55
1200 to 2400	33	48
2400 to 4800	26	41
Over 4800	20	35

Objectionable sounds of an intermittent nature which are not easily measured shall be controlled so as not to become a nuisance to adjacent uses.

Method of Measurement. Measurement is to be made at the nearest boundary of the nearest residential area or any other point along the boundary where the level is higher. The sound levels shall be measured with a sound level meter and associated octave band filter as prescribed by the American Standards Association.

- 8.1-6.2 Smoke and Particulate Matter. The emission of smoke and dust by manufacturing plants in an amount sufficient to create a general nuisance to adjoining properties shall be prohibited. Total emission of smoke and particulate matter shall be in compliance with Environmental Protection Agency (EPA) and Illinois Environmental Protection Agency (IEPA).
- 8.1-6.3 Odors. No odor shall be emitted by any use permitted in this district in such quantities as to be readily detectable by an average observer at any point on the boundary line of the premises or beyond.
- 8.1-6.4 Noxious Gases. Processes and operations of permitted uses capable of dispersing noxious gases or toxic particulate into the atmosphere must be hooded or otherwise suitably enclosed. The emission of such noxious gases or toxic particles shall be from a stack.
- 8.1-6.5 Glare and Heat. Operations producing intense light or heat shall be performed within an enclosed building and shall not be visible beyond any lot line bounding the property whereon the use is conducted.
- 8.1-6.6 Vibrations. There shall be no uses which create heavy earth-shaking vibrations which are noticeable at the property line of the subject premises.

8.2 M-2 GENERAL MANUFACTURE DISTRICT

- 8.2-1 Permitted Uses. The uses permitted in this district generally include those manufacturing and industrial activities which cannot be operated economically without creating some conditions which may be objectionable or obnoxious to the occupants of adjoining properties and for that reason must be grouped in areas where similar industrial uses are now located or where the permitted uses

will be best located in accordance with the comprehensive land use plan of the Village, which is designed to protect the welfare of the community.

Any use permitted in the M-1 District.

Automobiles, truck and trailers.

Box and crate manufacture.

Brick, tile and terra cotta manufacture.

Building materials, such as prefabricated houses, composition wallboards, partitions and panels.

Building equipment yards.

Cement products, excluding concrete batch plants and manufacture of concrete products.

Coffin manufacture.

Corrugated metal products.

Glass blowing and manufacture.

Graphite and graphite products.

Hemp products.

Ink from primary raw materials, including colors and pigment.

Metal stamping and extrusion of metal products.

Metal foundries and casting.

Meat and fish products, packing and processing of, but not including slaughtering.

Motor testing and internal combustion motors.

Porcelain products, such as bathroom and kitchen equipment.

Wax products, manufactured from paraffin.

8.2-2 Conditions of Use. All permitted uses are subject to the following conditions:

8.2-2.1 All production, processing, cleaning, servicing, testing, repair or storage of goods, materials, or products shall conform with the performance standards herein, as required under the M-1 manufacturing district.

8.2-2.2 Within one hundred and fifty (150) feet of a residential district, all business, production, servicing, processing and storage shall take place or be within completely enclosed buildings, except that storage of materials may be open to the sky provided the storage area is enclosed with a solid wall or fence at least eight (8) feet high.

However, within such one hundred and fifty (150) feet of a residential district, off-street loading facilities and off-street parking of motor vehicles under one and one-half (1-1/2) tons capacity may be unenclosed except for such screening of parking and loading facilities as may be required under the provisions of Section 9.

8.2-3 Height of Buildings. No building or structure shall hereafter be erected or structurally altered to exceed a height of four (4) stories or sixty (60) feet, except as provided herein.

8.2-4 Lot Coverage. The maximum ground area occupied by all buildings shall be not more than sixty (60) percent of the area of the lot or tract in which a building permit has been issued.

8.2-5 Yard Areas. The same regulations shall apply as required or permitted in the M-1 Manufacturing District.

8.2-6 Performance Standards. The following requirements shall apply:

8.2-6.1 Noise. The sound pressure shall be the same as those permitted in the M-1 Manufacturing District.

8.2-6.2 Smoke and Particulate Matter. The emissions of smoke or dusts in an amount sufficient to create a general nuisance to occupants of adjoining properties or to the occupants in the general areas wherein the use if located shall be prohibited.

8.2-6.3 Odors. No odors shall be emitted by any use permitted in this district in such quantities as to be readily detectable by an average observer at any point on the boundary line of the nearest residential or business district.

8.2-6.4 Noxious Gases. Process and operations of permitted uses capable of dispersing noxious gases or toxic particles into the atmosphere must be hooded or otherwise suitably enclosed. The emission of such noxious gases or toxic particulate shall be from a stack not less than twenty-five (25) feet in height.

- 8.2-6.5 Glare and Heat. Operations producing intense light or heat, when adjacent to a residential or business district, shall be performed within an enclosed building and not be visible beyond the boundary separating the subject premises from the adjoining residential or business district.
- 8.2-6.6 Vibrations. There shall be no uses which create heavy earth-shaking vibrations which are noticeable at any district boundaries separating residential and business districts from an M-2 Manufacturing District.

SECTION 9 – OFF-STREET PARKING AND LOADING

9.1 PURPOSE. The purpose of this section is to alleviate, to prevent congestion of the public streets, and so promote the safety and welfare of the public by establishing minimum requirements for the off-street parking and loading and unloading of motor vehicles in accordance with the use to which property is put.

9.2 GENERAL PROVISIONS – PARKING AND LOADING

9.2-1 Scope of Regulations. The off-street parking and loading provisions shall apply as follows:

9.2-1.1 For all buildings and structures erected and all uses of land established after the effective date of the ordinance, accessory parking and loading facilities shall be provided as required by the regulations of the district in which such buildings or uses are located. However, where a building permit has been issued prior to the effective date of the zoning ordinance, and provided that construction has begun within one year of such effective date and diligently prosecuted to completion, parking and loading facilities as required herein need not be provided.

9.2-1.2 When the intensity of used of any building, structure or premise shall be increased through addition of dwelling units, gross floor area, seating capacity, or other unit of measurement specified herein for required parking or loading facilities, parking and loading facilities as required herein shall be provided for such increase in intensity of use.

However, no building or structure lawfully erected for use lawfully established prior to the effective date of such ordinance shall be required to provide such additional parking or loading facilities unless and until aggregate increase in units of measurement shall equal not less than fifteen (15) percent of the units of measurement existing of the effective date of the zoning ordinance, in which event parking or loading facilities as required herein shall be provided for the total increase.

- 9.2-1.3 Whenever the existing use of a building or structure shall hereafter be changed to a new use, parking and loading facilities shall be provided as required for such new use. However, if the said building or structure was erected prior to the effective date of the zoning ordinance, additional parking or loading facilities are mandatory only in the amount by which the requirements for the new use would exceed those for the exiting use of the latter were subject to the parking and loading provisions of the ordinance.
- 9.2-2 Existing Parking and Loading Facilities. Accessory off-street parking or loading facilities which are located on the same lot as the building or use served and which were in existence on the effective date of the zoning ordinance or where provided voluntarily after such effective date shall not hereafter be reduced below, or if already less than, shall not further be reduced below, the requirements of the ordinance for a similar new building or use.
- 9.2-3 Permissive Parking and Loading Facilities. Nothing herein shall be deemed to prevent the voluntary establishment of off-street parking or loading facilities to service any existing use of land or buildings provided that all regulations herein governing the location, design, improvement, and operation of such facilities are adhered to.
- 9.2-4 Damage or Destruction. For any conforming or legally non-conforming building or use which is in existence on the effective date of the zoning ordinance, which subsequent thereto is damaged or destroyed by fire, collapse, explosion, or other cause, and which is reconstructed, re-established or repaired, off-street parking or loading facilities need not be provided, except that parking or loading facilities equivalent to any maintained at the time of such damage or destruction shall be restored or continued in operation. However, in no case shall it be necessary to restore or maintain parking or loading facilities in excess of those required by the ordinance for equivalent new uses or construction.

9.2-5 Control of Off-Site Parking Facilities. When required parking facilities are provided on land other than the zoning lot on which the building or use serviced by such facilities is located, they shall be and remain in the same possession or ownership as the zoning lot occupied by the building or use to which the parking facilities are accessory. No such off-site parking facilities shall be authorized and no occupancy permit shall be issued where the plans call for parking facilities other than on the same zoning lot until and unless the Board of Appeals has reviewed the plans and heard the applicant and made findings that the common ownership or possession of the zoning lot and the site of the parking facilities are reasonably certain to continue and that the off-site parking facilities will be maintained at all times during the life of the proposed use or building.

9.2-6 Submission of Plot Plans. Any application for a building permit or for a certificate of occupancy where no building permit is required, shall include therewith a plot plan – drawn to scale and fully dimensioned, showing any parking or loading facilities to be provided in compliance herewith.

9.3 ADDITIONAL REGULATIONS - PARKING

9.3-1 Use of Parking Facilities. Off-street parking facilities accessory to residential use and developed in any residential district in accordance with the requirements herein shall be used solely for the parking of passenger automobiles owned by occupants of the dwelling structures to which such facilities are accessory or by guests of said occupants. Under no circumstances shall required parking facilities accessory to residential structures be used for the storage of commercial vehicles or for the parking of automobiles belonging to the employees, owners, tenants, visitors, or customers of business or manufacturing establishments.

9.3-2 Joint Parking Facilities. Off-street parking facilities for different buildings, structures or uses or for mixed uses may be provided collectively in any zoning district in which separate parking facilities for each constituent use would be permitted, provided that the total number of spaces so located together shall not be less than the sum of the separate requirements for each use.

- 9.3-3 Computation. When determination of the number of off-street parking spaces required herein results in a requirement of a fractional space, any fraction of one-half (1/2) or less may be disregarded while a fraction in excess of one-half (1/2) shall be counted as one parking space.
- 9.3-4 A required off-street parking space shall be at least eight and one-half (8-1/2) feet in width and at least twenty (20) feet in length, exclusive of access drives or aisles, ramps, columns, or office or work areas. Such space shall have a vertical clearance of at least seven (7) feet.
- 9.3-5 Access. Each required off-street parking space shall open directly upon an aisle or driveway of such width and design as to provide safe and efficient means of vehicular access to such parking space. All off-street parking facilities shall be designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movements. No driveway across public property nor curb cut shall exceed a width of thirty (30) feet.
- 9.3-6 Yards. Off-street parking spaces may be located in any yards except required front yards.
- 9.3-7 Design and Maintenance
- 9.3-7.1 Open and Enclosed Parking Spaces. Accessory parking spaces located on the same lot as occupied by the use served may be open to the sky or enclosed in a building. Accessory parking spaces located in a residential district elsewhere than on the same lot occupied by the use served shall be open to the sky except when otherwise allowed.
- 9.3-7.2 Surfacing. All open off-street parking areas, except a single parking space accessory to a one-family dwelling, shall be improved with a compacted macadam base, not less than four (4) inches thick, surfaced with asphaltic concrete or some comparable all-weather, dustless material.

- 9.3-7.3 Screening and Landscaping. All open automobile parking areas containing more than four (4) parking spaces shall be effectively screened on each side adjoining or fronting on any property situated in a residential district or any institutional premises by a wall, fence or densely planted compact hedge not less than five (5) feet not more than six (6) feet in height. Such required screening shall conform with the front and side yard setback requirements of the district in which the parking is located.
- 9.3-7.4 Lighting. Any lighting used to illuminate off-street parking areas shall be directed away from residential properties in such a way as not to be created a nuisance.
- 9.3-7.5 Signs. Accessory signs are permitted to parking areas.
- 9.3-7.6 Repair and Service. No motor vehicles repair work of any kind shall be permitted in conjunction with accessory off-street parking facilities provided in a residential district.

The sale of gasoline and motor oil in conjunction with accessory off-street parking facilities is not permitted in any residential district.

- 9.3-8 Maximum Number of Spaces. The total number of accessory parking spaces provided for one-family, two-family or multiple-family dwellings or hotels shall not exceed that required herein for such use or for any equivalent new use by more than fifty (50) percent or four (4) spaces, whichever number is greater.
- 9.3-9 Floor and Area Exemptions. When two (2) or more uses are located on the same zoning lot, only one exemption in terms of floor area, as set forth in subsection 9.5, Schedule of Parking Requirements, shall be taken.
- 9.4 LOCATION OF ACCESSORY OFF-STREET PARKING FACILITIES. The location of off-street parking spaces in relation to the use served shall be as prescribed hereinafter. All distances specified shall be walking distances between such parking spaces and a main entrance to the use served.
- 9.4-1 For Uses in a Residential District. Parking spaces accessory to dwellings shall be located on the same zoning lot as the use served. Spaces accessory to use other than dwellings may be located on a lot adjacent to, or directly across a street or alley from, the lot occupied by the use served, but in no case at a distance in excess of three hundred (300) feet from such use.

9.4-2 For Uses in Business and Manufacturing Districts. All required parking spaces shall be within one thousand (1,000) feet of the use served, except for spaces accessory to dwelling units (except those located in a transient hotel) which shall be within three hundred (300) feet of the use served. However, no parking spaces accessory to a use in a business or manufacturing district shall be located in a residential district.

9.5 SCHEDULE OF PARKING REQUIREMENTS (Changes made July 1995)

9.5-1.1 One-Family and Two-Family Dwellings. Two (2) spaces per each dwelling unit. The public walkway shall not be part of the area of the parking space.

9.5-1.2 Multiple-Family and Row Dwellings. Three (3) spaces per each 2-bedroom dwelling unit and plus one half (1/2) space per each bedroom more than two (2) within a dwelling unit.

9.5-1.3 Elderly Housing Buildings (other than rest homes, convalescent and nursing homes). One (1) space per dwelling unit, apartment or rental space plus one (1) space for each employee or staff member per shift plus an additional 10% of spaces for visitor parking.

9.5-1.4 Tourist Courts, Tourist Homes, Motels and Motor Hotels. One (1) space per each dwelling unit or lodging room plus one (1) space for each employee or staff member per shift.

9.5-1.5 Hotels, Transient. One (1) per each sleeping room plus one (1) per every three (3) seats in meeting or assembly rooms.

9.5-1.6 Lodging Houses. One and one half (1-1/2) per each two (2) lodging rooms plus one (1) per each employee and/or owner.

9.5-1.7 Private Clubs and Lodges (With sleeping facilities for guests). One and one half (1-1/2) parking space per each two (2) lodging rooms plus one (1) per every three (3) seats in any meeting or assembly rooms plus one (1) space for each employee or staff member per shift.

- 9.5-2 RETAIL AND SERVICE USES, as follows:
- 9.5-2.1 Automobile Service Stations. One (1) per every employee per shift plus two (2) per each service bay.
- 9.5-2.2 Automotive Service Stations (self-serve). One (1) per each employee, plus one (1) per each five hundred (500) square feet of retail space.
- 9.5-2.3 Retail Stores. One (1) per each two hundred fifty (250) square feet of sales floor area plus one (1) per each employee.
- 9.5-2.4 Undertaking Establishments, Funeral Parlors. One (1) per every fifty (50) square feet of chapel area.
- 9.5-2.5 Bowling Alleys. Six (6) per alley, plus such additional spaces as may be required herein for affiliated uses- bars, restaurants and the like.
- 9.5-2.6 Establishments Dispensing Food or Beverages for Consumption on the Premises. One (1) per every three (3) seats, plus one (1) per every employees at the peak business hours.
- 9.5-2.7 Furniture and Appliance Stores, Household Equipment or Furniture Repair Shops. One (1) per each six hundred (600) square feet in excess of one thousand (1,000) square feet plus one (1) per employee and no less than two (2) per sales floor.
- 9.5-2.8 Motor Vehicle or Machinery Sales or Rentals. One (1) per every five hundred (500) square feet of enclosed sales or rental area, plus one (1) per every three thousand (3,000) square feet of outdoor sales or rental area, plus one (1) per employee.
- 9.5-2.9 Theaters (Indoor). One (1) per every three (3) seats. Theaters with three (3) or more auditoriums; one (1) per every four (4) seats, plus one (1) per employee.
- 9.5-3 Car Washes. Four (4) stacking spaces per self-serve wash stall, plus ten (10) stacking spaces per automatic stalls, plus one (1) per employee, but not less than four (4) employee spaces.
- 9.5-3.1 Offices-Business, Professional and Governmental. One per every three hundred (300) square feet, plus one (1) per every seat in any assembly type rooms.

- 9.5-3.2 Wholesale Establishments (But not Including Warehouses and Storage Buildings Other than Accessory). One (1) per every one thousand (1,000) square feet in excess of four thousand (4,000) square feet, but not less than two (2), plus one (1) per employee.
- 9.5-3.3 Establishments Engaged in Production, Processing Cleaning, Servicing, Testing or Repair of Materials, Goods and Products. Two (2) spaces, plus one (1) per each employee on largest shift, plus one (1) per each vehicle used in the conduct of the enterprise.
- 9.5-3.4 Warehouse and Storage Buildings. One (1) per each two thousand (2,000) square feet, plus one (1) per employee.
- 9.5-3.5 Sales of Buildings Materials. One (1) per each four hundred (400) square feet, plus one (1) per each 2,000 square feet of outside area, plus one (1) per employee.
- 9.5-3.6 Banks. One (1) per each three hundred (300) square feet, plus eight (8) stacking spaces per drive-up service lane, plus one (1) per employee.
- 9.5-3.7 Clinics and Medical Offices. One (1) per each employee and doctor, plus one (1) per each two hundred (200) square feet.
- 9.5-4 COMMUNITY SERVICE USES, as follows:
- 9.5-4.1 Church, School, College and Other Institutional Auditoriums. One (1) per each three (3) auditorium seats. Adequate space shall also be provided for buses used in connection with the activities of the institution, and all loading and unloading of passengers shall take place upon the premises.
- 9.5-4.2 Libraries, Art Galleries and Museums- -Public. One (1) per each one thousand (1,000) square feet, plus one (1) per employee per shift.
- 9.5-4.3 Colleges, Universities and Professional, Business and Trade Schools. Two (2) per classroom, plus one (1) per every two (2) students based on the maximum number of students attending classes on the premises at any one time during any twenty-four (24) hour period, plus one (1) per employee.

- 9.5-4.4 Health Coverage Government Operated. Three (3) per every staff or visiting doctor, plus one (1) per employee.
- 9.5-4.5 Hospitals. One (1) per every two (2) hospital beds, plus one (1) per each full-time employee, plus one (1) for each doctor.
- 9.5-4.6 Municipal or Privately-Owned Recreation Buildings. One (1) per each employee, plus one (1) per every two (2) seats in assembly areas.
- 9.5-4.7 Public Utility and Public Service Uses. One (1) per every employee.
- 9.5-4.8 Health Clubs and Fitness Centers. One (1) per every employee, plus one (1) per every two hundred (200) square feet.
 - Swimming Pool Areas- one (1) per every seventy-five (75) square feet of pool area.
 - Tennis and Racquet Courts- three (3) per court.
- 9.5-4.9 Schools- -Elementary, Middle and Junior High. Two (2) per every classroom.
- 9.5-5 Schools-High. One (1) per every classroom, plus one (1) per every three (3) students, plus one (1) per employee.
 - 9.5-5.1 Day Care Centers. One (1) per every employee, plus one (1) per every five (5) children.
 - 9.5-5.2 Day Care Homes. Three (3) per home.
 - 9.5-5.3 Dry-cleaning and Laundry Processing Stations. One (1) per every five hundred (500) square feet.
 - 9.5-5.4 Park and Recreational Areas, as follows:
 - Ball field and picnic areas- 10 per acre.
 - Swimming Pool- one (1) per every seventy-five (75) square feet of water area.
 - Tennis or Racquet Courts- three (3) per court.
 - Golf Courses- Six (6) per green, plus one (1) per employee.

- 9.5-6 PLACES OF ASSEMBLY as follows:
Stadiums, Arenas, Auditoriums (other than church, college or institutional school), Convention Halls, Dance Halls, Exhibition Halls, Skating Rinks, and Other Similar Places of Assembly. Parking spaces shall equal a minimum of thirty-three (33) percent of the capacity in persons, plus one (1) per employee.
- 9.5-7 GOVERNMENTAL USES
-Fire and Police Stations- one (1) per every five hundred (500) square feet.
-Post Offices- two (2) per service bay or counter, plus one (1) per every employee, plus one (1) for each service vehicle.
- 9.5-9 MISCELLANEOUS USES, as follows:
- 9.5-9.1 Fraternalities, Sororities and dormitories. One (1) per each sleeping room.
- 9.5-9.2 Private Clubs and Lodges (Without Sleeping Facilities for Guests). One (1) per every three (3) seats of meeting space.
- 9.5-9.3 Rest Homes or Nursing Homes. One (1) per every four (4) residents, plus one (1) per every employee and doctor assigned to the staff.
- 9.5-9.4 Sanitariums, Convalescent Homes or Institutions for the Aged or for Children. One (1) per every four (4) residents, plus one (1) per every employee and doctor assigned to the staff.
- 9.5-9.5 Theaters- -Automotive Drive-in. One (1) per every employee, plus five (5).
- 9.5-9.6 For the following uses, parking spaces shall be provided in adequate number, as determined by the Zoning Board of Appeals, to serve persons employed or residing on the premises as well as the visiting public.
- a. Airports or aircraft landing fields, heliports.
 - b. Convents and monasteries.
 - c. Crematories and mausoleums.

- d. Fraternal or religious institutions.
- e. Outdoor amusement establishments- -fairgrounds, permanent carnivals, kiddie parks and other similar amusements centers.
- f. Penal and correctional institutions.
- g. Rectories and parish houses.
- h. Institutions for the Care of the Insane or Feeble-Minded.

9.6 ADDITIONAL REGULATIONS- -OFF-STREET LOADING

- 9.6-1 Location. All required loading berths shall be located on the same zoning lot as the use served. No loading berth for vehicles over two (2) tons capacity shall be closer than fifty (50) feet to any property in a residential district unless completely enclosed by building walls or a uniformly painted soil fence or wall, or any combination thereof, not less than six (6) feet in height. No permitted or required loading berth shall be located within twenty-five (25) feet of the nearest point of intersection of any two streets.
- 9.6-2 Size. Unless otherwise specified, a required loading berth shall be at least ten (10) feet in width by at least twenty-five (25) feet in length, exclusive of aisle and maneuvering space, and shall have a vertical clearance of at least fourteen (14) feet.
- 9.6-3 Access. Each required off-street loading berth shall be designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movements.
- 9.6-4 Surfacing. All open off-street loading berths shall be improved with a compacted macadam base, not less than seven (7) inches thick, surfaced with not less than two (2) inches of asphaltic concrete or some comparable all-weather dustless material.
- 9.6-5 Repair and Service. No motor vehicle repair work or service of any kind shall be permitted in conjunction with loading facilities provided in any residential or business district.

- 9.6-6 Space allocated to any off-street loading berth shall not, while so allocated, be used to satisfy the space requirements of any off-street parking facilities or portions thereof.
- 9.6-7 Uses for which off-street loading facilities are required herein but which are located in buildings of less floor area than the minimum prescribed for such required facilities shall be provided with adequate receiving facilities off any adjacent alley, service drive, or open space on the same lot which is accessible by motor vehicle.

9.7 SCHEDULE OF LOADING REQUIRMENTS. For the uses listed in the following table, off-street loading berths shall be provided on the basis of gross floor area of building or portions thereof devoted to such uses in the amounts shown herein.

<u>USE</u>	<u>GROSS FLOOR AREA IN SQUARE FEET</u>	<u>REQUIRED NUMBER AND MINIMUM HORIZONTAL DIMENSIONS OF BERTHS</u>
a. Hospitals, sanitariums other institutional uses.	10,000 to 200,000	1 – (10 ft. x 25 ft.)
b. Hotels, clubs and lodges, except as set forth in Item e below.	For each additional 200,000 or fraction thereof	1 additional (10 ft. x 25ft.)
	– – –	
c. Hotels, clubs and lodges when containing any of the following: Retail shops, convention halls, auditoriums, exhibition halls, or business or professional offices (other than accessory).	10,000 to 20,000	1 – (10 ft. x 25 ft.)
	20,000 to 150,000	1 – (10 ft. x 25 ft.)
	For each additional 150,000 or fraction thereof.	1 additional (10 ft. x 50 ft.)
	– – –	
d. Retail stores	5,000 to 10,000	1 – (10 ft. x 25 ft.)
e. Establishments dispensing food or beverages for consumption on the premises.	10,000 to 25,000	2 – (10 ft. x 25 ft. ea.)
f. Motor vehicle and machinery sales.	25,000 to 40,000	2 – (10 ft. x 25 ft. ea.)
g. Wholesale establishments (but not including warehouse and storage buildings other than accessory).		
h. Auditoriums, convention halls, exhibition halls, sports arenas, stadiums.	10,000 to 20,000	1 – (10 ft. x 25 ft.)
	20,000 to 100,000	1 – (10 ft. x 50 ft.)
i. Bowling alleys.	For each additional 100,000 or fraction thereof.	1 additional (10 ft. x 50 ft.)

<u>USE</u>	<u>GROSS FLOOR AREA IN SQUARE FEET</u>	<u>REQUIRED NUMBER AND MINIMUM HORIZONTAL DIMENSIONS OF BERTHS</u>
j. Banks and offices- - business, professional and governmental.	10,000 to 100,000	1 – (10 ft. x 25 ft.)
	For each additional 100,000 or fraction thereof.	1 additional (10 ft. x 25 ft.)
	For each additional 500,000 or fraction thereof.	1 additional (10 ft. x 25 ft.)
	— — —	
k. Establishments engaged in production, processing, cleaning, servicing, testing or repair of materials, goods or products.	5,000 to 10,000	1 – (10 ft. x 25 ft.)
	10,000 to 40,000	1 – (10 ft. x 50 ft.)
	40,000 to 100,000	2 – (10 ft. x 50 ft. ea.)
l. Warehouses and storage buildings.	For each additional 100,000 or fraction thereof.	1 additional (10 ft. x 50 ft.)
	— — —	
m. Theaters	8,000 to 25,000	1 – (10 ft. x 25 ft.)
	For each additional 50,000 or fraction thereof.	1 additional (10 ft. x 25 ft.)
	— — —	
n. Undertaking establishments and funeral parlors.	8,000 to 100,000	1 – (10 ft. x 25 ft.)
	For each additional 100,000 or fraction thereof.	1 additional (10 ft. x 25 ft.)

SECTION 10 – ADMINISTRATION

10.1 ENFORCING OFFICER. The administrator of this ordinance for the Village if designated as the building Inspector shall be responsible for enforcing this ordinance.

10.2 BUILDING PERMITS, CERTIFICATE OF COMPLIANCE AND USE PERMITS

10.2-1 Building Permits. No building or structure shall hereafter be erected or structurally altered until a building permit shall be issued by the Building Inspector stating that the building or structure and use of land comply with the regulations of the ordinance and all building and health laws and ordinance of the Village.

All applications for building permits shall be accompanied by a plot plan, drawn to scale, showing the actual dimensions of the lot or lots to be built upon, the size of the building or structure to be erected, or structurally altered, its location on the lot or lots, location of well, septic tank and seepage field, and such other information as may be necessary to provide for the enforcement of these regulations. A carefull record of such applications and plot plans shall be kept in the office of the Building Inspector.

10.2-2 Certificate of Compliance. No building or structure hereafter erected or structurally altered shall be occupied and used until a Certificate of Compliance has been issued by the Building Inspector. The Certificate of Compliance shall be issued only after the Building Inspector makes a finding that the building or structure has been erected or structurally altered in conformance with the provisions herein and other health and building laws and in accordance with a building permit.

Certificates of Compliance shall be applied for coincident with application for a building permit and shall be issued within ten (10) days after the erection and alterations of such buildings shall have been satisfactorily completed. A record of all certificates shall be kept on file in the office of the Building Inspector and copies shall be furnished, on request, to any person having a property or tenancy interest in the buildings affected.

10.2-3 Certificate for Continued Occupancy of Non-Conforming Uses. Certificate for the continued occupancy of non-conforming uses existing at the time of passage of this ordinance, or made non-conforming by this ordinance, shall state that the use is a non-conforming one and does not conform with the provisions of this ordinance. The Building Inspector shall notify the owners of the property being used as a non-forming use and shall furnish said owner with a Certificate of Occupancy for such non-conforming use.

10.2-4 Use Permit. No change shall be made in the use of a building or part thereof now or hereafter erected or structurally altered, or in the use of land now or hereafter occupied, without a use permit having first been issued by the Building Inspector. No such use permit shall be issued to make a change unless it is in conformity with the provisions herein and amendments hereto, hereafter duly enacted. No application for a building permit or other permit or license, or for a certificate of occupancy, shall be approved by the Building Inspector, and no permit or license shall be issued by any other Village department, which would authorize the use or change in use of any land or building contrary to the provisions of this ordinance, or the erection, moving, alteration, enlargement, or occupancy of any building designed or intended to be used for a purpose or in a manner contrary to the provisions of this ordinance.

10.2-5 Continuance of Existing Uses. Nothing herein shall prevent the continuance of the present lawful occupancy or lawful use of any existing building or zoning lot, except as may be necessary for the safety of life and property and except as provided herein.

10.3 ZONING BOARD OF APPEALS

10.3-1 Zoning Board of Appeals Established. There is hereby established a Zoning Board of Appeals. Said Board of Appeals shall consist of seven members appointed by the President of the Village and confirmed by the Village Board of Trustees of said Village. The members of said Board of Appeals shall serve respectively for the following terms:

- One for one year;
- One for two years;
- One for three years;
- One for four years;
- One for five years;
- One for six years;
- One for seven years.

The successor of each member so appointed shall serve for a period of five years. Vacancies shall be filled by the President of the Board of Trustees, subject to confirmation by the Board of Trustees for the unexpired term. Members may be removed by the President of the Board of Trustees for cause after written charges have been filed and after a public hearing has been held if demanded by the member so charged.

One of the members of said Board of Appeals shall be designated by the President of the Board of Trustees, with the consent of the Board of Trustees, as Chairman of said Board and shall hold said office as Chairman until a successor is appointed. Said Chairman, or in his absence the Acting Chairman, may administer oaths and compel the attendance of witnesses.

The Village Clerk shall act as clerk for the Board of Appeals and shall make and keep a record of all its meetings and official acts.

10.3-2 Meetings. All meetings of the Board of Appeals shall be held at the call of the Chairman and at such other times as the Board of Appeals may determine. All meetings of the Board of Appeals shall be open to the public.

The Board of Appeals shall keep minutes of its proceedings, showing the vote of each member upon every questions, or if absent or failing vote, indicting such fact; and shall also keep records of its examinations and other official actions. Findings of act shall be included in the minutes on each case and the reasons for granting or denying each application shall be specified. Every rule, regulation and every order, requirement, decision or determination of the Board of Appeals shall immediately be filed in the office of the Village Clerk and shall be a public record.

The Board of Appeals shall adopt its own rules of procedure; a copy of which and all recommendations thereto shall be filed in the office of the Village Clerk.

The minutes of the Board of Appeals shall be open to public examination at reasonable hours.

Expenses incurred by the Zoning Board of Appeals are to be itemized and shall be borne by the Village. The members thereof shall serve without compensation.

In considering all appeals and all proposed variations to this ordinance, the Zoning Board of Appeals shall, before recommending that the board of Trustees grant any variation from the ordinance in a specified case, first determine and make a finding of fact that the proposed variation will not (a) impair an adequate supply of light and air to adjacent property; (b) unreasonably increase the congestion in public streets; (c) increase the danger of fire or engage the public safety; (d) unreasonably diminish or impair established property values within the surrounding area; (e) merely serve as a convenience to the applicant, but is necessary to alleviate some demonstrable hardship or difficulty; or in any other respect impair the public health, safety, comfort, morals and welfare of the inhabitants of the Village.

- 10.3-3 Appeals and Review. Any person aggrieved by a ruling of the Building Inspector charged with the enforcement of this ordinance or by any officer, department, board or bureau of the Village concerning the interpretation of this ordinance, may take an appeal to the Zoning Board of Appeals. The Zoning Board of Appeals shall fix a reasonable time and place for the hearing and appeals and shall give notice thereof to the persons appealing and to the officer from whom the appeal is taken. It shall hear the appeal within a reasonable time. At the hearing, parties of interest may appear in person or by agent or attorney.

Such appeal shall be taken within such time after the date of the adverse ruling as shall be prescribed by the Board of Appeals by a general rule and shall be taken by filing with the officers from whom the appeal is taken and with the Zoning Board of Appeals a notice of appeal specifying the grounds, together with such plats and exhibits as are reasonably necessary. Such appeal shall be taken upon forms provided by the Zoning Board of Appeals. The officer from whom the appeal is taken shall forthwith transmit to the Board all the papers constituting the record upon which the action appeal was taken.

The Zoning Board of Appeals may reverse or affirm, wholly or partly or may modify or amend the order, requirement, decision or determination made by the Building Inspector or any other office, department, board or bureau charged with the enforcement of this ordinance.

The Zoning Board of Appeals may reverse or affirm, wholly or partly or may modify or amend the order, requirement, decision or determined appealed from to the extent and in the manner that said Board may decide to be fitting and proper in the premises and to that end said Board shall also have all the powers of the officer from whom the appeal is taken.

The concurring vote of four (4) members of the Board of Appeals shall be necessary or reverse any order, requirements, decision or determination of the Building Inspector or other officer, department, board or bureau or to decide in favor of the applicant any matter upon which it is authorized by this ordinance to render decisions. A quorum shall consist of four members of the Board of Appeals.

10.3-4 Stay of Proceedings. The appeal shall stay all proceedings and furtherance of the action appealed from unless the officer from whom the appeal is taken certified to the Zoning Board of Appeals, after notice of appeal has been filed with them, that by reasons of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property; in which case the proceedings shall not be stayed otherwise than by restraining order which may be granted by the Zoning Board of Appeals or by Court of Record on application, with notice to the officer from whom the appeal is taken, and all due causes shown.

10.3-5 Variations

- a. Purpose. Variation should be granted solely to provide relief under unusual consideration and only when in harmony with the general intent and purpose of this ordinance.
- b. Conditions. In making its determinations as to whether there is unnecessary hardship, the Zoning Board of Appeals shall take into consideration the extent to which the following condition, all favorably to the applicant or appellant, have been established by the evidence:
 1. That the particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the owner as distinguished from a mere inconvenience or loss of revenue if the strict letter of the regulations were carried out;

2. That the conditions upon which the requested variation is based would not be applicable generally to other properties within the same zoning classification;
 3. That the alleged difficulty or hardship has not been created by any person presently having an interest in the property;
 4. That the granting of the variation will not be materially detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.
 5. That the proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood; and
 6. That the proposed variation complies with the spirit and intent of the restrictions imposed by this ordinance.
- c. Authorized Variations. Variations from the regulations of this ordinance shall be granted by the Zoning Board of Appeals only in accordance with the standards set forth in this ordinance, and may be granted in the following instances only and in no others:
1. To permit the extension of a district to include an entire lot where the boundary line of the district divides a lot of record on the effective date of this ordinance;
 2. To permit any yard of less dimension than required by the applicable regulations.
 3. To permit any building or structure to exceed the lot coverage limitations imposed by the applicable regulations.
 4. To permit the use of a lot for a use otherwise prohibited solely because of the insufficient area of the lot, but in no event shall the area of the lot be less than ninety (90) percent of the required lot area;

5. To reduce the applicable off-street parking and loading facilities required by not more than one parking space or loading berth or twenty (20) percent of the required number, whichever is greater;
 6. To increase by not more than twenty-five (25) percent, the maximum distant that required parking spaces are permitted to be located from the use served;
 7. To permit the same off-street parking facilities to qualify as a required facility for two or more uses, provided that substantial use of such facility by each user does not take place at approximately the same hours of the same day of the week.
- d. Application. An application for a variation of the regulation of this ordinance may be made by a property owner or his agent to the Zoning Board of Appeals. Such application shall be made in writing, stating the variation requested, the location of the property for which the variation is requested, name of the property owner, and cause for the requested variation. A fee of seventy-five dollars (\$75.00) shall accompany said application, which shall not be refunded regardless of the outcome of the application.
- e. Public Hearing. The Zoning Board of Appeals shall fix a reasonable time and place for a public hearing upon the application. Notice of the time and place of the hearing shall be published at least once, not more than thirty (30) days nor less than fifteen (15) days before the hearing, in one or more newspapers published in the Village or, if no newspaper is published therein, then in one or more newspapers with a general circulation within the Village.
- f. Report of Findings. The Zoning Board of Appeals shall report its findings and recommendations to the Village Board of Trustees within thirty (30) days after the public hearing.

- g. Village Board Action. Upon receipt of the report and recommendations from the Board of Appeals, to grant or deny the variation, the Board of Trustees, by ordinance, without further public hearing, may adopt the proposed variation or may refer it back to the Board of Appeals for further consideration and any proposed variation which fails to receive the approval of the Board of Appeals shall not be passed except by a favorable vote of two-thirds of all the members of the Board of Trustees. In making any variation, the Board of Trustees shall be governed by the same considerations and restrictions as set forth above.

No variation in any case shall be made by the Village Board of Trustees without a hearing by the Zoning Board of Appeals as required hereinabove nor without a report thereof having been made by the Board of Appeals to the Board of Trustees and every such report shall be accompanied by a finding of fact specifying the reasons for the report.

10.3-6 Special Use Variations

1. Purpose. The development and execution of a zoning ordinance is based upon the division of the Village into districts within which districts the use of land and buildings and the bulk and location of buildings and structures in relation to the land are substantially uniform. It is recognized, however, that there are uses which because of their unique characteristics, cannot be properly classified in any particular district or districts without consideration, in each case, of the impact of those uses upon neighboring land and of the public need for the particular use at the particular location. Such uses fall into two categories:
 - a. Uses publicly operated or traditionally affected with a public interest;
 - b. Uses entirely private in character but of such an unusual nature that their operation may give rise to unique problems with respect to their impact upon neighboring property or public facilities.

2. Initiation of Special Use Variation. Any person owning or having an interest in the subject property may file an application to use such land for one or more of the uses provided for in this ordinance in the zoning district in which the land is situated.
3. Application for Special Use Variation. An application for a use variation shall be filed with the Board of Appeals upon a form prescribed by said Board. The application shall be accompanied by such plans and/or data prescribed by the Board and shall include a statement in writing by the applicant and adequate evidence showing that the proposed use variation will conform to the standards set forth herein. A fee of seventy-five dollars (\$75.00) shall accompany said application, which shall not be refunded regardless of the outcome of the application.
4. Hearing on Application. Upon receipt, in proper form, of the application and statement referred to in paragraph “b” above, the Zoning Board of Appeals shall fix a reasonable time and place for a public hearing thereon and shall give notice of the time and place of said public hearing by publishing such notice at least once, not more than thirty (30) days nor less than fifteen (15) days before the hearing, in one or more newspapers published in the Village, or if no newspaper is published therein, then in one or more newspapers with a general circulation within the Village.
5. Authorization. For each application for a special use variation, the Zoning Board of Appeals shall report to the Village Board of Trustees its findings and recommendations, including the stipulations or additional conditions and guarantees that such conditions will be completed with when they are deemed necessary for the protection of the public interest.

The Board of Trustees may grant or deny any application for a use variation provided, however, that in the event of written protest against any proposed special use variation, signed and acknowledged by the owners of twenty (20) percent of the frontage immediately adjoining the property proposed for a special use variation, or by the owners of twenty (20) percent of the frontage across an alley or directly opposed therefrom, such use variation shall not be granted except by the favorable vote of two-thirds of all the members of the Village Board of Trustees.

6. Standards. No special use variation shall be recommended by the Zoning Board of Appeals unless said Board of Appeals shall find:
 - a. That the establishments, maintenance or operation of the use will not be detrimental to or endanger the public safety, health, morals, comfort or general welfare;
 - b. That the use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
 - c. That the establishments of the use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district;
 - d. That adequate utilities, access roads, drainage, and/or other necessary facilities have been or are being provided;
 - e. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets;
 - f. That the use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the Village Board of Trustees pursuant to the recommendations of the Zoning Board of Appeals.

7. Planned Developments. Planned Developments are of such substantially different character from other special use variations that specific and additional standards and exceptions are hereby established to govern the recommendations of the Zoning Board of Appeals and the action of the Village Board of Trustees.
 - a. In the case of residential, business or manufacturing planned developments, the Zoning Board of Appeals may recommend, and the Village Board of Trustees may authorize, that there be in part of the area of such development and for the duration of such development, specified uses not permitted by the use regulations for the district in which said development is located, provided the Zoning Board of Appeals shall find:
 - i. That the uses permitted by such variation are necessary or desirable and are appropriate with respect to the primary purpose of the development;
 - ii. That the uses permitted by such special use variation are not of such a nature or so located as to exercise a detrimental influence on the surrounding neighborhood;
 - iii. That not more than twenty (20) percent of the ground area or of the gross floor area of such development shall be devoted to the uses permitted by said special use variation;
 - iv. That in a manufacturing planned development such additional uses allowed by use variations shall conform with the performance standards of the district in which the development is located, as set forth herein;
 - v. That the special use variation so allowed is reflected by the appropriate zoning district symbols and so recorded on the Zoning District Map.

- b. Bulk Regulations. In the case of any Planned Developments, the Zoning Board of Appeals may recommend and the Board of Trustees may authorize, variations to applicable bulk regulations of the zoning ordinance within the boundaries of such development, provided that the Zoning Board of Appeals shall find:
- i. That such variation shall be solely for the purpose of promoting an integrated site plan no less beneficial to the resident of or occupants of such development, as well as of neighboring properties, than would be obtained under the bulk regulations of the zoning ordinance for buildings developed on separate zoning lots;
 - ii. That the overall minimum lot area or maximum lot coverage of a residential planned development would not exceed by more than fifteen (15) percent the requirements for individual uses in the district in which such planned development is located;
 - iii. That the minimum lot area per dwelling unit requirements herein shall not be decreased by more than fifteen (15) percent in any such development containing residential uses, and that there shall be available to each residential building and immediately adjacent thereto (including the land area upon which it is erected) the minimum amount of land area required for such building under the lot area per dwelling unit provisions of this ordinance;
 - iv. That spacing between principle buildings shall be at least equivalent to such spacing as would be required between buildings similarly developed under the terms of the ordinance on separate zoning lots, due consideration being given to the openness normally afforded by intervening streets and alleys;
 - v. That along the periphery of such planned developments, yards shall be provided as required by the regulations of the district in which said development is located.

8. Conditions and Guarantees. Prior to the granting of any use variation, the Zoning Board of Appeals may recommend and the Board of Trustees shall stipulate, such conditions and restrictions upon the establishment, location, construction, maintenance and operation of the special use variation as deemed necessary for the protection of the public interest and to secure compliance with standards and requirements specified herein. In all cases in which special use variations are granted, the Board of Trustees shall require such evidence and guarantees as it may deem necessary as proof that the conditions stipulated in connection therewith are being and will be complied with.
9. Effect of Denial of a Use Variation. No application for a special use variation which has been denied wholly or in part by the Board of Trustees shall be resubmitted for a period of one (1) year from the date of said order or denial, except on grounds of new evidence or proof of changed conditions found to be valid by the Zoning Board of Appeals and the Board of Trustees.
10. Revocation. In any case where a special use variation has not been established within one (1) year after the date of granting thereof, then without further action by the Zoning Board of Appeals or the Board of Trustees, the special use variation authorization shall be null and void.
 - a. Change of Zoning. Nothing herein contained shall be construed to give or grant to the Zoning Board of Appeals the power or authority to alter or change the zoning ordinance or any use district made a part of the Zoning map; such power and authority being reserved to the Village Board of Trustees; the Board of Appeals shall not have any power or authority with respect to any alterations or changes of the zoning ordinance except to make recommendations to the Board of Trustees in such specific cases as may properly come from the Board of Appeals.

- b. Miscellaneous. No order for a use variation permitting the erection or alteration of a building shall be valid for a period longer than six (6) months unless such use is established within such period; provided, however, that where such use permitted is dependent upon the reaction or alteration of a building, such order shall continue in force and effect if a building permit for said erection or alteration is obtained within such period and such erection or alteration is started and proceeds to completion in accordance with the term of such permit.

No order for a use variation permitting a use of a building or premises shall be valid for a period longer than six (6) months unless such use is established within such period; provided, however, that where such use permitted is dependent upon the erection or alteration of a building, such order shall continue in force and effect if a building permit for said erection or alteration is obtained within such period and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.

- 10.3-7 Administration Review. All final administrative decisions of the Board under this Section shall be subject to judicial review pursuant to the provision of the “Administrative Review Act” of the State of Illinois, approved May 8, 1945, and all amendments and modifications thereof, and the rules adopted pursuant thereto. The term “administrative decision” is defined in Section 1 of the “Administrative Review Act.”

10.4 AMENDMENTS

- 10.4-1 Petition for Amendment. The Plan Commission, other governmental bodies and any private petitioner may apply for an amendment in the text herein, and in the accompanying Zoning Map made a part hereof. Any petition for an amendment by a private party shall be accompanied by a filing fee as established by the Village Board of Trustees, which fee shall be deposited with the Village and no part shall be returnable to the petitioner.

The petition for amendment shall state the property location for which the amendment is requested, the name of the property owner, and a statement describing the amendment requested. A fee of One Hundred Fifty Dollars (\$150.00) shall accompany the petition which shall not be refunded regardless of the outcome of the petition.

10.4-2 Review of Petition. The regulations imposed and the zoning districts created hereunder may be amended by ordinance, but no such amendment shall be made by the Village Board of Trustees without public notice and without a public hearing before the Plan Commission of the Village. The Plan Commission shall hold the public hearing and forward its recommendations to the Village Board of Trustees within forty-five (45) days of the date of the petition was submitted to the Plan Commission unless it is withdrawn by the petitioner.

10.4-3 Notice of Public Hearing. The Plan Commission of the Village shall cause notice of public hearing on petitioner's application to be given by publishing notice of the time and place of such public hearing at least once, not more than thirty (30) days and not less than fifteen (15) days before the hearing, in one or more newspapers published in the Village, or if no newspaper is published therein, then in one or more newspapers with a general circulation in the Village. Said notice shall contain the particular location for which the amendment is requested as well as a brief statement describing the amendment.

10.4-4 Written Protest. In the event of written protest against the proposed amendment, signed and acknowledged by the owners of twenty (20) percent of the frontage proposed to be altered, or by the owners of twenty (20) percent of the frontage immediately adjoining or across the alley or rear line therefrom, or by the owners of twenty (20) percent of the frontage directly opposite the frontage proposed to be altered as to such regulations or zoning district, filed with the Village Clerk, such amendment shall not be passed by the Village Board of Trustees except by a favorable vote of two-thirds of all the elected members of the Village Board of Trustees.

10.5 INTERPRETATION: PURPOSE AND CONFLICT

In interpreting and applying the provisions herein, they shall be held to be the minimum requirements for the promotion of the safety, health, convenience, comfort, prosperity, and general welfare. It is not intended by this ordinance to interfere with, abrogate, or annul any easements, covenants or other agreements between parties, except that where this ordinance impose a greater restriction upon the use of land, buildings or premises or upon the height of buildings or requires larger open spaces than are imposed or required by such other ordinances or such other easements, covenants or agreements, the provisions herein shall control.

10.6 FEES

Fees pertaining to petitions for zoning amendments, use permits, certificates of compliance, variations and for appeals to the Zoning Board of Appeals shall be established by action of the Village Board of Trustees from time to time. Such fees shall be paid to the Village Clerk who shall give a receipt therefore and account for same at regular intervals to the Village Board of Trustees.

10.7 VIOLATIONS: PENALTY

Any persons, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with, or who resists the enforcement of any of the provisions of this ordinance shall be fined not less than twenty-five dollars (\$25.00) nor more than two hundred dollars (\$200.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

10.8 VALIDITY

Should any clause, section or provision herein be declared by the courts to be valid, the same shall not affect the validity of this ordinance as a whole or any part hereof, other than the part so declared to be invalid.

10.9 REPEAL OF CONFLICTING ORDINANCES

The within comprehensive amendments repeals the zoning ordinance of the Village of Steger, approved November 7, 1960, and published December 15, 1960, together with all amendments thereto, and all other ordinances or provisions of ordinances which are in variance with the terms of the within comprehensive amendment to the zoning ordinance.

10.10 WHEN EFFECTIVE

This ordinance is hereby declared to be urgent and necessary for the immediate preservation of the public peace, health, safety and general welfare and shall be in full force and effect from and after its due passage, approval and recording and publication as provided by law.

Passed by the Board of Trustees and approved by the Village President of the Village of Steger, Counties of Cook and Will, and State of Illinois, this sixth day of July, 1992.

Village President

ATTEST:

Village Clerk