

TITLE 10
ZONING REGULATIONS

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CHAPTER 1
GENERAL PROVISIONS

SECTION:

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10-1-1: **SHORT TITLE:** Be it ordained by the President and Board of Trustees of the Village of Roseville that these regulations shall be known and may be cited as "The Village of Roseville, Illinois, Zoning Ordinance".

10-1-2: **RULES AND DEFINITIONS:** The rules and definitions contained in this Section shall be observed and applied, except when the context clearly indicates otherwise. The following rules of construction shall apply to the text:

- A. The particular shall control the general.
- B. In case of any difference of meaning or implication between the text and any caption or illustration, the text shall control.
- C. The word "shall" is mandatory and not discretionary. The word "may" is permissive.
- D. Words used in the present tense shall include the future; and words used in the singular number shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.

- E. The phrase "used for" includes "arranged for", "designed for", "intended for", "maintained for", "occupied for".

**ACCESSORY BUILD-
ING or USE**

A use customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or building. A mobile home shall not be considered permissible as an accessory building.

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

A. A children's playhouse, garden house, and private greenhouse.

B. A civil defense shelter serving not more than two (2) families.

C. A garage, shed, or building for domestic storage.

D. Incinerators incidental to residential use.

E. 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.

F. A nonpaying guest house or rooms for guests with an "accessory building", provided such facilities are used for the occasional housing of guests or occupants of the principal building and not for permanent occupancy by others as housekeeping units.

G. Off-street motor vehicle parking areas, and loading and unloading facilities.

AGRICULTURE

The use of land for agricultural purposes. This includes necessary buildings and structures which shall be used for agriculture including, but not limited to, farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture and animal and poultry husbandry and the necessary accessory uses for packing, treating or storing the produce; provided, however, that the operation of any such accessory uses shall be secondary to that of the normal agricultural

Agriculture (cont.)	activities. Buildings occupied as residences by persons not engaged in agricultural operations shall not be considered to be used for agricultural purposes.
AIRPORT	Any area of land or water which is used or intended for use for the landing and taking off of aircraft; and any appurtenant areas which are used or intended for use for airport buildings or other airport facilities or rights of way, together with all airport buildings and facilities located thereon.
ALLEY	A narrow service way providing a secondary public means of access to abutting properties, and not more than twenty feet (20') wide.
ALTERATIONS	As applied to a building or structure, a change or rearrangement in the structural parts or in the exit facilities, or an enlargement, whether by extending on a side or by increasing in height, or the moving from one location or position to another, or by change in use from that of one district classification to another
ALTERATIONS, STRUCTURAL	Any change in the supporting members of a building such as bearing walls, columns, beams, or girders.
ANIMAL HOSPITAL	Any building or portions thereof, designated or used for the care, observation or treatment of domestic animals.
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, and which contains complete kitchen, bath and toilet facilities, permanently installed.
APARTMENT HOUSE	A building arranged, intended, or designed to be occupied by three (3) or more families living independently from each other.
AREA, BUILDING	The total of areas taken on a horizontal plane at the main grade level of the principal building and all accessory buildings exclusive of uncovered porches, terraces and steps.

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 overall 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 WRECK- ING YARD	Any area of land where two (2) or more motor vehicles, not in running condition, or parts thereof, are stored in the open and not being restored to operation, or any land, building or structure used for the wrecking or storing of such motor vehicles, or parts thereof, not in running condition.
BASEMENT	A story partly underground but having at least one-half (½) of its height above the average level of the adjoining ground. A basement shall be counted as a story for the purposes of height measurement, if the vertical distance between the ceiling and the average level of the adjoining ground is more than five feet (5') or if used for business or dwelling purposes.
BILLBOARD or SIGNBOARD	Any structure, or portion thereof, situated on private premises, on which lettered, figured or pictorial matter is, or intended to be, displayed for advertising purposes, other than the name and occupation of the user of, or the nature of, the business conducted on such premises, or the products primarily sold or manufactured thereon. This definition shall not be held to include a real estate sign advertising for sale or rent the property upon which it stands.
BLOCK	That property abutting on one side of a street between the two (2) nearest intersecting streets or other natural barriers.
BOARD	The duly appointed Board of Appeals as established in Title 2, Chapter 4 of this Code.
BOARD OF APPEALS	The duly appointed Board of Appeals as established in Title 2, Chapter 4 of this Code.

BOARDING HOUSE	A building or premises where meals are served for compensation for five (5) or more persons, but not exceeding twelve (12) persons. An establishment where meals are served for compensation for more than twelve (12) persons shall be deemed a restaurant.
BUILDING	A structure having a roof supported by columns or walls, for the shelter, support, enclosure or protection of persons, animals, chattels, or property. When separated by party walls, each portion of such building shall be considered a separate structure.
BUILDABLE AREA	The space remaining on a lot after the minimum setback and other requirements of the ordinance are complied with.
BUILDING AREA	The maximum horizontal projected area of a building and its accessory buildings, excluding open steps, terraces and cornices projecting not more than thirty inches (30'').
BUILDING, FRONT LINE OF	The line of that face of the building nearest the front line of the lot. This face includes sun parlors and covered porches, whether enclosed or unenclosed, but does not include steps.
BUILDING, HEIGHT	The vertical distance measured from the average elevation of the proposed existing finished grade at the front of the building to the highest point of the roof for flat roofs, to the deck line of mansard roofs, and to the mean height between eaves and ridge for gable, hip and gambrel roofs.
BUILDING INSPECTOR	The duly appointed or employed officer whose duty is to enforce the provisions of this Title established in Section 10-1-10 of this Chapter.
BUILDING, SET-BACK LINE	A line parallel to the street line at a distance regulated by a front yard requirement as herein established.
CELLAR	A story having more than one-half ($\frac{1}{2}$) of its height below grade.

COMMISSION	The duly appointed County or Regional Planning Commission or the Village Planning Commission.
COMPREHENSIVE PLAN	The complete plan, or any of its parts, for the development of the county, or any community covered by the regulations specified herein and prepared by the corresponding Planning Commission and adopted by the governing body, in accordance with the authority conferred by Division 12, Illinois Municipal Code, as amended.
CORPORATE AUTHORITIES	See definition for Governing Body.
COUNTY	The County of Warren, State of Illinois.
COUNTY BOARD	The duly elected governing board of the County.
COUNTY CLERK	The Clerk of Warren County, Illinois.
COUNTY ENGINEER	The Highway Superintendent or Engineer of Warren County, Illinois.
COVERAGE	That percentage of the plot or lot area covered by the building area.
DISTRICT	A section of the Village for which uniform regulations governing the use, height, area, and intensity of use by buildings and land, and open spaces about buildings, are herein established.
DWELLING	A building, but not a trailer (mobile home), designed or used exclusively as the living quarters for one or more families.
DWELLING, ONE-FAMILY	A detached building designed for or occupied exclusively by one family.
DWELLING, TWO-FAMILY	A building designed for or occupied exclusively by two (2) families living independently of each other. May also be referred to as a duplex.
DWELLING, MULTI-FAMILY	A dwelling or group of dwellings on one plot containing separate living units for three (3) or more families, but which may have joint services or facilities or both.

DWELLING, GROUP	A group of two (2) or more one-family, two-family or multiple dwellings occupying a lot in one ownership and having any yard in common.
DWELLING, ROW	A dwelling, the walls on two (2) sides of which are in common with the walls of adjoining dwellings and are party or lot line walls.
DWELLING UNIT	A building or portion thereof providing complete housekeeping facilities for one family.
ESSENTIAL SERVICES	The erection, construction, alteration, or maintenance, by public utilities or Municipal or other governmental agencies, of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supply or disposal systems, elevated and underground water storage tanks, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith; reasonably necessary for the furnishing of adequate service by such public utilities or Municipal or other governmental agencies or for the public health or safety or general welfare, but not including buildings.
FAMILY	One or more persons who live together in one dwelling unit and maintain a common household. May consist of a single person or of two (2) or more persons, whether or not related by blood, marriage or adoption. May also include domestic servants and gratuitous guests.
FLOOR AREA	<p>The sum of the gross horizontal areas of the several floors of the building or buildings, measured from the exterior faces or exterior walls or from the center line of walls separating two (2) buildings. In particular, the "floor area" of a building or buildings shall include:</p> <ul style="list-style-type: none">A. Basement space.B. Elevator shafts and stairwells at each floor.

Floor Area (cont.)

C. Floor space for mechanical equipment, with structural headroom of seven feet six inches (7'6") or more.

D. Penthouses.

E. Attic space (whether or not a floor has actually been laid) providing structural headroom of seven feet six inches (7'6") or more.

F. Interior balconies and mezzanines.

G. Enclosed porches.

H. Accessory uses, not including space for accessory off-street parking.

However, the "floor area" of a building shall not include:

A. Cellar space, except that cellar space used for retailing shall be included for the purpose of calculating requirements for accessory off-street parking spaces and accessory off-street loading berths.

B. Elevator and stair bulkheads, accessory water tanks and cooling towers.

C. Floor space used for mechanical equipment, with structural headroom of less than seven feet six inches (7'6").

D. Attic space, whether or not a floor has actually been laid, providing structural headroom of less than seven feet six inches (7'6").

E. Terraces, breezeways and open spaces.

F. Uncovered steps.

G. Accessory off-street parking spaces.

H. Accessory off-street loading berths up to two hundred percent (200%) of the amount required by Section 10-6-3 of this Title.

FLOOD PLAIN	Lands which are low-lying, difficult to drain, subject to flood, or are natural drainageways.
FRONTAGE	All the property abutting on one side of a road, street or place between two (2) intersecting roads or places (crossing or terminating) or if the road, street or place is dead ended, then all of the property abutting on one side between an intersecting road, street or place and the dead-end of the road, street or place.
GARAGE, PRIVATE	An accessory building, housing not to exceed four (4) motor-driven vehicles, the property of and for the use of the occupants of the lot on which the private garage is located.
GARAGE, PUBLIC	Any garage other than a private garage, available to the public, operated for gain, and which is used for storage, repair, rental, greasing, washing, servicing, adjusting or equipping of automobiles or other motor vehicles.
GOVERNING BODY	The duly elected governing body of the governmental unit having specific jurisdiction; the County Board or the Village Board, whichever has jurisdiction.
HOME OCCUPATION	An accessory use of a service character customarily conducted within a dwelling by the residents thereof, which is clearly secondary to the use of the dwelling for living purposes and does not change the character thereof or have any exterior evidence of such secondary use other than a small name plate and in connection therewith there is not involved the keeping of a stock in trade. The office of a physician, surgeon, dentist or other professional person, including an instructor in violin, piano or other individual musical instrument limited to a single pupil at a time who offers skilled services to clients, and is not professionally engaged in the purchase or sale of economic goods, shall be deemed to be home occupations; and the occupations of dressmaker, milliner, or seamstress, each with not more than one paid assistant shall be deemed to be home occupations. Dancing instruction, band instrument instruction in

Home Occupation (cont.)	groups, tourist homes, beauty parlors, real estate offices, convalescent homes, mortuary establishments, and stores, trades or business of any kind not herein excepted shall not be deemed to be home occupations.
HOSPITAL	Unless otherwise specified, the term "hospital" shall be deemed to include sanitarium, sanatorium, preventorium, clinic, rest home, nursing home, convalescent home or any other place for the diagnosis, treatment or other care of ailments, shall be deemed to be limited to places for the diagnosis, treatment or other care of human ailment.
JUNK YARD	An open area or fenced enclosure where used or secondhand materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled including but not limited to scrap iron and other metals, paper, rags, rubber tires and bottles. A junk yard includes an automobile wrecking yard, but does not include uses established entirely within enclosed buildings.
KENNEL	Any structure or premises where three (3) or more dogs over four (4) months of age are kept.
LAND USE PLAN	The comprehensive long-range plan for the desirable use of land as officially adopted and as amended from time to time by the governing body, the purpose of such plan being, among other things, to serve as a guide to the zoning and progressive changes in the zoning of land to meet changing Village needs, in the subdividing and use of undeveloped land, and in the acquisition of land for such public purposes as roads, parks, schools, and other public buildings or public uses.
LOADING SPACE	A space within the main building or on the same lot therewith providing for the standing, loading, or unloading of trucks.
LOT	A parcel, tract or area of land accessible by means of a road, street or place. It may be a single parcel separately described in a deed or plat which is recorded in the office of the County Recorder, or it may include parts of or a combination of such parcels when adjacent to one another and used as one.

LOT OF RECORD	A lot which is part of a subdivision, addition or survey, a plat which is recorded or a parcel of land described by metes and bounds consisting of five (5) acres or less, the plat or description of such parcel of land having recorded in the office of the Recorder of Deeds of the County prior to the effective date of this Title.
LOT, CORNER	A lot at the junction of and having frontage on two (2) or more intersecting streets or roads.
LOT COVERAGE	The percentage of the lot area covered by the building area.
LOT, DEPTH OF	The mean horizontal distance between the front lot line and the rear lot line, measured in the general direction of the side lot lines.
LOT, INTERIOR	A lot other than a corner lot or through lot.
LOT LINE, FRONT	In the case of an interior lot, a line separating the lot from the road, street or place, and in the case of a corner lot a line separating the narrowest frontage of the lot from the street.
LOT, THROUGH	A lot having frontage on two (2) parallel or approximately parallel streets and which is not a corner lot.
LOT, WIDTH	The dimension of a lot, measured between side lot lines on the building line.
NET SITE AREA	That area, in the case of a multiple-dwelling plan, not occupied by rights of way.
NONCONFORMING USE	A building or use of land that does not conform to the regulations for the district in which it is situated.
PARKING LOT	Any place, lot, parcel or yard used in whole or in part for the storage or parking of two (2) or more vehicles where such usage is not incidental to or in conjunction with a dwelling, or other usage permissible in dwelling districts and located on the same tract.

PARKING SPACE	An off-street space available for the parking of one motor vehicle, and having an area of not less than one hundred eighty (180) square feet exclusive of passageways and driveways appurtenant thereto and giving access thereto and having direct access to a street or alley.
PLACE	An open unoccupied space other than a street or alley, permanently reserved as the principal means of access to abutting property.
PLANNING COMMISSION	The duly appointed Village Planning Commission.
SERVICE STATION	A building, buildings, premises or portions thereof which are used or arranged, designed, or intended to be used for the retail sale of gasoline or other motor vehicle, motorboat or aircraft fuels.
STABLE	Any building, structure or portion thereof which is used in whole or in part for the shelter or care of horses, cattle or other similar animals, either permanently or transiently.
STORY	That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between any floor and the ceiling next above it.
STREET or ROAD	A public or private way which affords the principal means of access to abutting properties.
STREET or ROAD GRADE	The officially established grade of the street upon which a lot fronts. If there is no officially established grade, the existing grades of the street shall be taken as the street grade.
STRUCTURE	Anything constructed or erected, the use of which requires location on the ground, or attachment to something having location on the ground.
TRAILER (MOBILE HOME)	Any vehicle or structure used for living, sleeping, business or storage purposes, having no foundation other than wheels, blocks, skids, jacks, horses, or skirtings and which is, has been, or reasonably can

Trailer (Mobile Home) (cont.)	be equipped with wheels or other devices for transporting the structure from place to place, whether by motive power or other means. The term "trailer" shall include camp car and house car.
TRAILER (MOBILE HOME) COURT	An area of land divided into two (2) or more lots or parking berths platted and laid out to provide sites for trailers permanently affixed to the land.
TRAILER (MOBILE HOME) PARK	An area of land containing two (2) or more trailers or providing space where two (2) or more trailers are harbored or parked or intended to be harbored or parked without being permanently affixed to the land either free of charge or for remuneration purposes, and shall include any building, structure, tent, vehicle or enclosure, used or intended for use as part of the equipment of such park.
USE	The specific purpose for which land or a building is designed, arranged, intended, or for which it is or may be occupied and maintained. The term "permitted use" or its equivalent shall not be deemed to include any nonconforming use.
YARD	A space on the same lot with a principal building, open, unoccupied, and unobstructed by structures, except as otherwise provided.
YARD, FRONT	A yard extending across the full width of the lot, unoccupied other than by steps, walks, terraces, driveways, lampposts and similar structures, the depth of which is the least distance between the front lot line and the building line.
YARD, REAR	A yard extending across the full width of the lot between the rear of the principal building and the rear lot line unoccupied other than by accessory buildings which do not occupy more than thirty percent (30%) of the required space, and steps, walks, terraces, driveways, lampposts and similar structures, the depth of which is the least distance between the rear lot line and the rear of such principal building.
YARD, SIDE	A yard between the principal building and the side lot line, extending from the front yard or from the

Yard, Side (cont.)	front lot line where no front yard is required, to the rear yard. The width of the required side yard is measured horizontally, at ninety degrees (90°) with the side lot line, from the nearest part of the principal building.
ZONING DISTRICT MAP(S), COUNTY	A map, or maps, entitled Warren County Zoning District Map, for the corresponding area (county, township, etc.), showing the boundaries of the County Zoning Districts for the entire area of the County outside the limits of the cities, villages and incorporated towns therein, and dated, and any amendments thereto.
ZONING DISTRICT MAP(S), MUNICIPAL	Zoning district maps for the Village of Roseville, Illinois, within Warren County which zoning district map shows the boundaries of the zoning districts.

10-1-3: ESTABLISHMENT OF DISTRICTS:

A. Establishment of Use Districts and Map(s):

1. The Village of Roseville shall be classified and divided into districts designated as follows:

RESIDENTIAL DISTRICTS

- R-1 One-Family Dwelling District
- R-2 Multiple-Family Dwelling District
- R-3 Mobile Home Dwelling District

BUSINESS DISTRICTS

- B-1 Central Business District
- B-2 Highway Business District

INDUSTRIAL DISTRICTS

- I-1 Light Industrial District

SPECIAL DISTRICTS

- S-1 Slope District
- S-2 Commercial-Recreation District

2. Zoning District Map(s): The boundaries of the districts are shown on the map(s) for the corresponding area which accompany this Title and which are each designated as the "Roseville Zoning District Map". The district maps and all notations, references and other information shown

A2) thereon shall be a part of the Zoning Ordinance and shall have the same force and effect as if the district maps and all the notations, references and other information shown thereon were all fully set forth or described in the final ordinance. The original of each district map shall be properly attested to and filed along with the official signed and attested copy of the ordinance, in the office of the Village Clerk. No amendment to the final ordinance which involves matter portrayed in the Zoning District Map shall become effective until after such change and entry has been made on said original and official Zoning District Map.

3. All land annexed by any city, village or incorporated town which does not have in effect a municipal zoning ordinance at the time of such annexation shall be classified the same district classification as designated on the County Zoning District Map until such classification is changed by amendment to the ordinance and its appropriate maps.

B. Interpretation of District Boundaries: Where uncertainty exists with respect to the boundaries of any of the aforesaid districts as shown on the Zoning District Map, the following rules should apply:

1. Where district boundaries are indicated as approximately following the center lines of streets or highways, street lines, or highway right-of-way lines, such center lines, street lines, or highway right-of-way lines shall be construed to be such boundaries.

2. Where district boundaries are so indicated that they approximately follow lot lines, township lines, section lines, half section lines, quarter section lines and one-eighth ($\frac{1}{8}$) section lines, such lot lines shall be construed to be said boundaries.

3. Where district boundaries are so indicated that they are approximately parallel to the center lines or street lines of streets, or the center lines or right-of-way lines of highways, such district boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the Zoning District Map. If no distance is given, such dimension shall be determined by the use of the scale on the Zoning District Map.

4. Where the boundary of a district follows a railroad line, such boundary shall be deemed to be located in the middle of the main tracks of said railroad line.

5. Where the boundary of a district follows a stream, lake or other body of water, the boundary shall be the limit of the jurisdiction of the Village of Roseville unless otherwise indicated.

- C. Vacated Areas: Whenever any street, alley, public way, railroad right of way, waterway or other similar area is vacated by proper authority, the districts adjoining each side of such street, alley, public way, railroad right of way, or similar area shall be extended automatically to the center of such vacation and all area included in the vacation shall then and thenceforth be subject to all appropriate regulations of the extended districts. In the event of a partial vacation, the adjoining district, or district nearest the portion vacated, shall be extended automatically to include all the vacated area.

10-1-4: APPLICATION OF REGULATIONS:

- A. The provisions of this Title shall apply to the entire Village of Roseville.
- B. Nothing contained in these regulations shall impose restrictions with respect to land used or to be used for agricultural purposes or with respect to the erection, maintenance, repair, alteration, remodeling or extension of buildings or structures used or to be used for agricultural purposes upon such land except such buildings or structures for agricultural purposes shall conform to building or setback lines, and a permit with respect to land used for agricultural purposes and buildings thereon may be required but without charge therefor; nor shall these regulations be deemed to specify or regulate the type or location of any poles, towers, wires, cables, conduits, vaults, laterals or any other similar distributing equipment of a public utility as defined in the act entitled "An Act Concerning Public Utilities" of Illinois Revised Statutes.¹
- C. Except as hereinafter provided:
1. No building or land shall, upon the effective date hereof, be used or occupied and no building or part thereof shall be erected, moved, or altered unless in conformity with the regulations herein specified for the district in which it is located.
 2. No building shall, upon the effective date hereof, be erected or altered:
 - a. To exceed the height,
 - b. To accommodate or house a greater number of families,
 - c. To occupy a greater percentage of lot area, or
 - d. To have a narrower or smaller rear yard, front yard, side yard, inner or outer court than is specified herein for the district in which such building is located.

¹ S.H.A. ch. 24, §§11-117-1 et seq.

- C) 3. No part of a yard or other open space about any building required for the purpose of complying with the provisions of the standards in this report shall be included as a part of a yard or other open space similarly required for another building.
4. Every building hereafter erected or structurally altered shall be located on a lot as herein defined and in no case shall there be more than one main building on one lot except as otherwise provided in this Title.
5. No parcel of land described by metes and bounds or any lot shall hereafter be created which does not conform and meet the requirements of this Title.

10-1-5: **INTERPRETATION OF REGULATIONS:** In their interpretation and application, the provisions of this Title shall be held to be minimum requirements, adopted for the promotion of public health, morals, safety, or the general welfare. Whenever the requirements of this Title are at variance with the requirements of any other lawfully adopted rules, regulations or ordinances, the most restrictive, or that imposing the higher standards, shall govern.

10-1-6: **AMENDMENTS:**

- A. The Village Board of Trustees, the Zoning Commission, and 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.

- B. Review of Petitioner: 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 Zoning Commission of the Village of Roseville. The Zoning Commission shall hold the public hearing and forward its recommendations to the Village Board of Trustees within sixty (60) days of the date the petition was submitted to the Zoning Commission unless it is withdrawn by the petitioner.
- C. Notice of Public Hearing: The Zoning Commission of the Village of

- C) Roseville shall cause notice of public hearing of petitioner's application to be given in the following manner:
1. 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 of Roseville, or if no newspaper is published therein, then in one or more newspapers with a general circulation in the Village of Roseville;
 2. By causing said notice to state the time and place of the hearing and the place where copies of the proposed ordinance will be accessible for examination by interested persons; and
 3. By notifying such property owners, groups or organizations as it deems desirable.
- D. Written Protest: In the event of written protest against the proposed amendment, signed and acknowledged by the owners of twenty percent (20%) of the frontage immediately adjoining or across the alley or rear line therefrom, or by the owners of twenty percent (20%) of the frontage directly opposite the frontage proposed to be altered as to such regulation or zoning district, filed with the Village Clerk, such amendment shall not be passed by the Village Board of Trustees except by the favorable vote of two-thirds ($\frac{2}{3}$) of all the elected members of the Village Board of Trustees.
- E. The Village Board of Trustees may enact the ordinance, or proposed amendments thereto, with or without change, or may refer it back to the Zoning Commission for further consideration. The Zoning Commission shall cease to exist upon the adoption of a zoning ordinance for the entire Municipality and shall therefore be appointed as needed.

10-1-7: **SEPARABILITY:** If any section, subsection, sentence, clause or phrase is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of this Title as a whole or any part thereof other than the part so declared to be invalid.

10-1-8: **BUILDING PERMIT REQUIRED:**

- A. No nonagricultural building or structure shall be erected, added to, or structurally altered until a permit has been issued by the Zoning Administrator. Except upon a written order of the Board of Appeals no such building permit shall be issued for any building where said construction,

- A) addition, or alteration or use thereof would be in violation of any of the provisions of this Title. Upon request, a permit may be issued at no charge after compliance with the building setback line.
- B. There shall be submitted with all applications for building permits of nonagricultural buildings or structures two (2) copies of a layout or plot plan drawn to scale showing actual dimensions of the lot to be built upon, the exact size and location on the lot of the building and accessory buildings to be erected and such other information as may be necessary to determine and provide for the enforcement of this Title.
- C. One copy of such layout or plot plan shall be returned when approved by the Zoning Administrator together with such permit to the applicant.

10-1-9: CERTIFICATE OF OCCUPANCY REQUIRED:

- A. Subsequent to the effective date hereof no change in the use or occupancy of land, nor any change of use or occupancy in an existing nonagricultural building shall be made, nor shall any new nonagricultural building be occupied for any purpose, until a certificate of occupancy has been issued by the Zoning Administrator. Every certificate of occupancy shall state that the new occupancy complies with all provisions of this Title.
- B. No permit for excavation for, or the erection, construction or alteration of any nonagricultural building shall be issued before the application has been made and approved for a certificate of occupancy, but no occupancy permit shall be issued until the erection, construction or alteration has been completed, inspected and approved by the Zoning Administrator and no nonagricultural building or structure shall be occupied until the certificate and permit are issued.
- C. A record of all certificates of occupancy shall be kept on file in the office of the Zoning Administrator and copies shall be furnished on request to any person having a proprietary or tenancy interest in the land or in a building affected by such certificate of occupancy.
- D. A certificate of occupancy shall be required for all nonconforming uses of nonagricultural land or buildings existing upon the effective date hereof, or any amendment hereto. Application for such certificate of occupancy for nonconforming uses shall be filed with the Building Inspector by the owner or occupant of the land or building occupied by such nonconforming use within one year from the effective date hereof, or amendment hereto. It shall be the duty of the Zoning Administrator to issue a certificate of occupancy for nonconforming use.

- E. No nonconforming use shall be renewed, or changed, without a certificate of occupancy having first been issued by the Zoning Administrator.

10-1-10: **ENFORCEMENT:** The local authorities shall appoint a Zoning Administrator whose duty it shall be to enforce the provisions of this Title. Appeal from the decision of the Zoning Administrator shall be made to the Board of Appeals as provided in Title 2, Chapter 4 of this Code.

10-1-11: **VIOLATIONS AND PENALTIES:** The owner or agent of a building, structure or land in or upon which a violation has been committed or shall exist; or the lessee or tenant of an entire building, entire structure or entire land in or upon which violation has been committed or shall exist, or the agent, architect, building contractor or any other person who commits, takes part or assists in any violation or who maintains any building, structure or land in or upon which violation shall exist, shall be guilty of a misdemeanor, punishable by a fine of not less than ten dollars (\$10.00) and not more than one hundred dollars (\$100.00) for each offense; but if the offense be wilful, on conviction thereof, the punishment shall be a fine of not less than one hundred dollars (\$100.00) nor more than two hundred dollars (\$200.00) for each offense. A separate offense shall be deemed committed on each day that such violation occurs or continues. (Ord., 1-7-74)

CHAPTER 2
RESIDENTIAL DISTRICTS

SECTION:

- 10-2-1: R-1 One-Family Dwelling District
- 10-2-2: R-2 Multiple-Family Dwelling District
- 10-2-3: R-3 Mobile Home Dwelling District

10-2-1: **R-1 ONE-FAMILY DWELLING DISTRICT:** Within the R-1 One-Family Dwelling District, the following regulations shall apply:

A. Permitted Uses:

1. One-family detached dwelling.
2. Gardening.
3. Home occupations, as defined in Section 10-1-2 of this Title.
4. Public school, elementary and high, or private school having a curriculum similar to that ordinarily given in a public elementary school or public high school including religious instruction in parochial schools.
5. Churches and similar places of worship.
6. Convents, monasteries, rectories or parish houses to be occupied by not more than ten (10) persons.
7. Temporary buildings and uses for construction purposes for a period not to exceed one year.
8. Accessory use or building, as defined in Section 10-1-2 of this Title, and as regulated by Section 10-7-1 of this Title.
9. Library.

- A) 10. Off-street parking facilities, as required or permitted by Section 10-6-3 of this Title.
11. Private swimming pools appurtenant to a one-family dwelling on the same lot, when they meet yard depth and width requirements for principal buildings in the district in which they are located and when the swimming pool or the property on which it is located is adequately fenced to prevent access of small children and meets all applicable health and sanitary requirements.
12. Signs, defined as follows:
- a. A sign or sign board not exceeding eight (8) square feet in area, appertaining to the sale or lease of the premises or trespassing thereon.
 - b. A name plate, not exceeding one square foot in area.
 - c. A sign or bulletin board not exceeding twenty (20) square feet in area erected upon the premises of a church or other institution for the purpose of displaying the name and activities or services therein provided.
- B. Height: The maximum height of buildings permitted shall be as follows:
- 1. One-family detached dwellings: thirty feet (30'), and not over two and one-half (2½) stories, except as provided in Section 10-6-2 of this Title.
 - 2. Churches and similar places of worship: seventy five feet (75') for towers or steeples and not more than forty five feet (45') for the principal building.
- C. Lot Size:
- 1. Every one-family detached dwelling, convent, monastery, rectory or parish house hereafter erected shall be 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 eighty feet (80'), except as provided in Section 10-7-1 of this Title.
 - 2. Churches and similar places of worship hereafter erected or structurally altered shall be on a lot having an area of not less than one-half (½) acre and a width at the building line of not less than eighty five feet (85').

- C) 3. Public school, elementary and high, or private school having a curriculum similar to that ordinarily given in a public elementary school or public high school including religious instruction in parochial schools, hereafter erected, shall conform to the following standards:

Elementary School	5 acres plus 1 acre per 100 student design capacity
Junior High School	10 acres plus 1 acre per 100 student design capacity
Senior High School	15 acres plus 1 acre per 100 student design capacity

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

1. Front Yard. Each lot upon which a dwelling is constructed should have a front yard of not less than thirty feet (30').

2. Side Yard. On each lot upon which a dwelling is constructed, there shall be a side yard on each side of not less than ten feet (10'). The combined total of the side yards for interior lots shall not be less than twenty feet (20') and the combined total of side yards for corner lots shall not be less than thirty feet (30'). The side yard on each side of a building on a lot of record which is less than seventy feet (70') in width, shall have a width of not less than seven feet (7').

On lots upon which a church or similar place of worship is constructed or extension made to an existing church or similar place of worship, there shall be a side yard of not less than fifteen feet (15') on each side of the main structure and a combined total of side yards of not less than thirty five feet (35').

3. Rear Yard. Every lot or parcel of land upon which a building is constructed shall have a rear yard of not less than ten feet (10'), except for an accessory building which shall have a rear yard of not less than seven feet (7').

- E. Percentage of Lot Coverage: All buildings including accessory buildings shall not cover more than thirty percent (30%) of the area of the lot.
- F. Parking Facilities: Parking facilities shall be provided as required or permitted in Section 10-6-3 of this Title.

10-2-2: **R-2 MULTIPLE-FAMILY DWELLING DISTRICT:** Within the R-2 Multiple-Family Dwelling District, the following regulations shall apply:

A. Permitted Uses:

1. Any use permitted in the R-1 One-Family Dwelling District.
2. Two-family dwellings and multiple dwellings not to exceed nine (9) dwelling units or apartments per structure.
3. One-family row dwellings with not more than (8) dwelling units in one building.
4. Private clubs, fraternities, sororities and lodges, excepting those the chief activity of which is a service, customarily carried on as a business.
5. Boarding or lodging house.
6. Any uses permitted through the application of subsequent sections of this Title.

B. Height: The same regulations shall apply as permitted in the R-1 One-Family Dwelling District, except that multiple-family dwellings shall be not more than three (3) stories or thirty five feet (35') in height and except as permitted in Section 10-6-2 of this Title.

C. Lot Size:

1. One-Family Dwellings, Private Clubs, Fraternities, Sororities and Lodges, Boarding or Lodging House and Any Building for Other Non-Dwelling Uses: The same regulations shall apply as permitted in the R-1 One-Family Dwelling District, except that the lot size as specified in Section 10-2-1C1 hereof, shall be five thousand (5,000) square feet.
2. Two-Family Dwellings: Every two-family dwelling hereafter erected or structurally altered shall be on a lot having an area of not less than seven thousand five hundred (7,500) square feet or three thousand seven hundred fifty (3,750) square feet per dwelling unit, and a width at the building line of no less than forty feet (40'), except as provided in Section 10-6-2 of this Title.

- C) 3. Multiple-Family Dwellings and Row Houses: Every building hereafter erected or structurally altered as a multiple-family dwelling or as a row house shall provide a lot area per dwelling unit of not less than thirteen hundred fifty (1,350) square feet and a width at the building line of not less than fifty feet (50'), except as provided in Section 10-6-2, of this Title.

4. Where a lot of record has less area or width than herein required for two-family dwellings, multiple-family dwellings or row houses, such lot may be used for one-family dwelling purposes or for any of the other nondwelling uses permitted by this Section.

5. Churches and Similar Places of Worship, Public and Private Schools: The same regulations shall apply as required in the R-1 One-Family Dwelling District.

- D. Yard Areas:

1. Front Yard: The same regulations shall apply as required in the R-1 One-Family Dwelling District.

2. Side Yard:

One family detached dwellings: The same regulations shall apply as required in the R-1 One-Family Dwelling District.

Two-family dwellings: The same regulations shall apply as required for one-family detached dwellings.

Multiple-family dwellings and row houses: The same regulations shall apply as required for one-family detached dwellings.

3. Rear Yard: Every lot or parcel of land upon which a building is constructed shall have a rear yard of not less than twenty five feet (25').

- E. Percentage of Lot Coverage: All buildings including accessory buildings shall not cover more than forty percent (40%) of the area of the lot.

- F. Off-Street Parking and Loading Facilities: Off-street parking and loading facilities shall be provided as permitted in Section 10-6-3, of this Title.

10-2-3: **R-3 MOBILE HOME DWELLING DISTRICT:**¹ Within the R-3 Mobile Home Dwelling District, the following permitted uses shall be allowed:

¹ See Chapter 8 of this Title.

- A. One-family detached dwelling, provided each shall meet the provisions outlined below in subsection B1 through B5.
- B. Any mobile home (trailer) to be used as a one-family dwelling placed on a lot on a permanent foundation, permanently anchored to the ground for more than a period of sixty (60) days, provided each shall meet the following regulations:
1. Height: The same regulations shall apply as permitted in the R-1 One-Family Dwelling District.
 2. Lot Size: Every one-family dwelling or mobile home (trailer) hereinafter located shall have a lot area of not less than six thousand (6,000) square feet and a width at the building line of not less than fifty feet (50').
 3. Yard Area:
 - a. Each lot upon which a dwelling or mobile home dwelling is located shall have a front yard of not less than twenty five feet (25').
 - b. Side Yard: On each lot upon which a dwelling or mobile home dwelling is located, there shall be a side yard on each side of not less than five feet (5'). The combined total of the side yards for interior lots shall not be less than fifteen feet (15') and the combined total of the side yards for corner lots shall not be less than twenty feet (20'). The side yard on each side of the mobile home on a lot of record which is less than forty feet (40') in width shall have a width of not less than five feet (5').
 - c. Rear Yards: Every lot or parcel of land upon which a dwelling or mobile home dwelling is located shall have a rear yard of not less than twenty feet (20').
 4. Percentage of Lot Coverage: Any dwelling or mobile home including accessory buildings shall not cover more than thirty percent (30%) of the area of the lot.
 5. Parking Facilities.
 - a. Mobile Homes and Travel Trailers: Parking facilities for mobile home dwellings and travel trailers shall be provided as required through the application of the mobile home regulations, Chapter 8 of this Title.
 - b. One-Family Detached Dwelling: Parking facilities shall be provided as required or permitted in Section 10-6-3 of this Title.

- C. Mobile home trailers limited to use as one-family dwellings within a designated mobile home trailer park and travel trailers within a designated travel trailer park and subject to the application of Chapter 8 of this Title.
1. Manager's Dwelling: A one-family detached dwelling for the occupancy by the manager or custodian of any mobile home trailer park.
 2. Height: The regulations as specified through the application of Chapter 8 of this Title.
 3. Lot Size: The regulations as specified through the application of Chapter 8 of this Title.
 4. Yard Areas: The regulations as specified through the application of Chapter 8 of this Title.
 5. Percentage of Lot Coverage: The regulations as specified through Chapter 8 of this Title.
 6. Off-Street Parking Facilities: Off-street parking facilities shall be provided as specified in Chapter 8 of this Title. (Ord., 1-7-74)

CHAPTER 3
BUSINESS DISTRICTS

SECTION:

- 10-3-1: B-1 Central Business District
10-3-2: B-2 Highway Business District

10-3-1: **B-1 CENTRAL BUSINESS DISTRICT:** Within the B-1 Central Business District, the following regulations shall apply:

A. Permitted Uses:

Any use permitted in the R-1 One-Family Dwelling District.

Amusement establishments: bowling alleys, dance halls, and other similar places of recreation when conducted wholly within a completely enclosed building.

Art, book, school supply, and stationery stores.

Auto accessory store, where there is no driveway across the sidewalk into the main building.

Automobile motor repair, sales and service shop, including automobile body repair and rebuilding, and painting of automobiles.

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

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

Banks, financial institutions, savings and loan associations.

- A) Barber shop, beauty parlor, massage, or similar personal service shops.
- Bicycle repair, sales and rental.
- Blueprinting and photostating establishments.
- Bus passenger terminal.
- Camera and photographic supply shops for retail sales.
- Candy and ice cream store.
- Clubs and fraternal organizations, catering establishments.
- Convenience food store.
- Custom dressmaking, millinery, tailoring or shoe repair when conducted for retail sales on the premises only.
- Department stores.
- Drugstores.
- Dry goods store, haberdashery, and wearing apparel stores.
- Dyeing, dry cleaning, and laundry works having a boiler with a steam generating capacity no greater than one thousand five hundred (1,500) pounds of steam per hour, having a portion of the premises devoted to the pickup and delivery to customers of items to be dyed, dry cleaned, or laundered and which does not operate before the hour of seven o'clock (7:00) A.M. nor after the hour of nine o'clock (9:00) P.M. and which utilizes only underwriter approved nonflammable solutions and materials in its operations.
- Electrical appliance store and repair, but not including appliance assembly or manufacturing.
- Florist shop and conservatory for retail trade on premises only.
- Food and fruit stores.
- Frozen food lockers.
- Funeral homes and mortuaries.
- Furniture store and upholstery.

- A) Furrier, when conducted for retail trade on the premises only.
- Garden supplies and seed stores.
 - Gift stores.
 - Hardware stores.
 - Hobby stores.
 - Hotels, including dining and meeting rooms, when business uses occupy the street frontage except for an entranceway to the hotel lobby.
 - Household appliance store and repair shops.
 - Interior decorating shops, including upholstery and making of draperies, slipcovers, and other similar articles, when conducted as part of the retail operations and secondary to the main use.
 - Jewelry store and watch repair.
 - Kennel.
 - Leather goods and luggage store.
 - Liquor store, package goods only.
 - Launderette, laundromat, or similar self-service laundry or self-service dry cleaning establishment.
 - Meat markets.
 - Medical clinics.
 - Messenger or telegraph service station.
 - Motel.
 - Newsstands.
 - Offices, business and professional.
 - Off-street parking facilities in an open lot or a covered building.
 - Package liquor store.
 - Paint and wallpaper store.

- A) Photography studio, art gallery or studio, including the developing of film and pictures when conducted as a part of the retail business on the premises.

Post office.

Pressing establishments, when employing facilities for the pressing of dry goods received on the premises from retail trade only and not including any wholesale pressing business.

Public utility collection offices.

Restaurant, tea room, cafe when establishment is not of the drive-in type where food is served to customers remaining in motor vehicle.

Service stations, public garages, and other motor vehicle services provided no major repair work is performed out of doors; provided all pumps, underground storage tanks, lubricating, and other devices are located at least thirty feet (30') from any street right of way; provided all automobile parts, dismantled vehicles, and similar articles are stored within a building.

Shoe store.

Sporting goods store.

Tailor shop.

Taverns.

Theaters, indoor.

Tobacco stores.

Trailer sales or rental (house trailers) on an open lot or within a building.

Typewriter and office equipment sales and service.

Variety store.

Any other similar type retail store not specifically listed herein, when authorized by the governing body after receipt of review and recommendations from the Planning Commission.

- B. Condition of Uses: All activities, except for automobile off-street parking, which are permitted or required in this B-1 District, shall be conducted wholly within an enclosed building.

- C. Height of Building: The height of all buildings or structures shall be no more than three (3) stories or thirty five feet (35') in height except as permitted in Section 10-6-2 of this Title.
- D. Yard Areas: No building or structure shall be constructed or enlarged unless the following yards are provided and maintained in connection with such building.

1. Front Yard: No front yard shall be required when all frontage between two (2) intersecting streets lies within this district. However, when lots within this district are adjacent to and adjoining lots in an R District, all of which front upon the same street between two (2) intersecting streets, there shall be established the same front yard setback for all the frontage as has been established in the abutting R District.

Exception: When existing buildings located in this district have already established a building line at the street line at a depth less than required above, then all new buildings may conform to the same building line, except for the first fifty feet (50') of the B-1 District frontage adjacent to the R District, whereupon there shall be provided a front setback of not less than ten feet (10').

2. Side Yard: No side yard is required except for a corner lot which abuts upon an R District, or upon an alley separating this district from an R District. There shall be provided a side yard equal to one-half ($\frac{1}{2}$) the front yard required in the abutting R District, but in no case more than ten feet (10'). The same setback shall apply also if business buildings front the intersecting street, commonly referred to as the side streets.

3. Rear Yard: There shall be a rear yard of not less than twenty feet (20'); provided, however, that a one-story accessory building may be relocated thereon, except for the five feet (5') adjacent and parallel to the rear lot line or alley line, for the storage of motor vehicles and the unloading and loading of vehicles under roof as provided in Section 10-6-3 of this Title.

- E. Off-Street parking and loading facilities shall be provided as required in Section 10-6-3 of this Title.

10-3-2: **B-2 HIGHWAY BUSINESS DISTRICT:** Within the B-2 Highway Business District, the following regulations shall apply:

- A. Permitted Uses:

Air conditioning and heating sales and service.

- A) Automobile motor repair, sales and service shop, including automobile body repair and rebuilding, and painting of automobiles.

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

Battery and tire service stations.

Beverage, nonalcoholic, bottling and distributing.

Boat display, sales and service.

Farm implement display, sales and service.

Feed and seed store.

Kennel.

Mobile home and travel trailer site.

Motel.

Plumbing, heating, and roofing supply shops when conducted wholly within a building.

Pet shop or animal hospital when conducted wholly within an enclosed building.

Recreation places, including bowling alley, dance hall, gymnasiums, skating rink, archery range, miniature golf course, or other similar places of amusement or entertainment when operated for pecuniary profit.

Restaurant, nondrive-in, drive-in car service.

Taverns.

Trailer sales or rental (house trailers) on an open lot or within a building.

Uses customarily incidental to any of the above uses and accessory buildings when located on the same premises.

Any other similar type retail use not specifically listed herein, when authorized by the governing body after receipt of review and recommendations from the Planning Commission.

- B. **Height:** No building or structure shall exceed three (3) stories or thirty five feet (35') in height except as permitted in Section 10-6-3 of this Title.
- C. **Lot Size:** Every building hereafter erected shall be 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 eighty feet (80'), except as provided in subsequent sections of this Title.
- D. **Yard Areas:** No building or structure shall be constructed or enlarged unless the following yards are provided and maintained in connection with such building.
1. **Front Yard:** Each lot upon which a building is constructed shall have a front yard of not less than seventy five feet (75') along all Federal and State rights of way; along all others, fifty feet (50').
 2. **Side Yard:** No side yard is required, except for a lot which abuts upon an R District, or upon an alley separating this District from an R District. There shall be then provided a side yard equal to one-half ($\frac{1}{2}$) the front yard required in the abutting R District, but in no case less than twenty feet (20').
 3. **Rear Yard:** There shall be a rear yard of not less than twenty feet (20'); provided, however, that a one-story accessory building may be located thereon, except for the five feet (5') adjacent and parallel to the rear lot line or alley line, for the storage of motor vehicles and the unloading and loading of vehicles under roof.
- E. **Off-Street Parking and Loading Facilities** shall be provided as required in Section 10-6-3 of this Title. (Ord., 1-7-74)

CHAPTER 4

I-1 LIGHT INDUSTRIAL DISTRICT

SECTION:

- 10-4-1: Permitted Uses
- 10-4-2: Conditions of Use
- 10-4-3: Height
- 10-4-4: Yard Areas
- 10-4-5: Performance Standards
- 10-4-6: Off-Street Parking and Loading Facilities
- 10-4-7: Planting Areas

10-4-1: **PERMITTED USES:** A light industrial use is one which creates a minimum amount of nuisance outside the plant; is conducted entirely within enclosed buildings, does not use the open area around such buildings for storage of raw materials or manufactured products or for any other industrial purpose other than transporting goods between buildings; provides for enclosed loading and unloading berths; and which is not noxious or offensive by reason of the emission of smoke, dust, fumes, gas, odors, noises or vibrations beyond the confines of the building. The following uses are permitted:

Animal hospitals.

Any agricultural use.

Bakeries.

Bottling works.

Building material yards where no mill work is done.

Cabinet making establishments and carpenter shops which use no motors larger than ten (10) horsepower.

Clothing factories.

Contractors' yards.

Dairies.

10-4-1

10-4-2

Dry Cleaning plants.

Dyeing plants.

Feed processing and distributing facilities.

Fruit canning and packing establishments.

Ice plants.

Laundries.

Machine shops.

Milk distribution stations.

Optical goods factories.

Paper box factories.

Pencil factories.

Printing, publication, and engraving plants.

Research and development organizations.

Sheet metal shops.

Storage firms.

Trucking terminals.

Welding shops.

Wholesale businesses.

10-4-2: **CONDITIONS OF USE:** The above permitted uses shall be subject to the following:

- A. Any production, processing, cleaning, servicing, testing, repair or storage of goods, materials or products shall take place without creating disturbing influences to the use and occupancy of adjoining properties.
- B. All business, production, servicing and processing shall take place within completely enclosed buildings unless otherwise specified.

- B) Within one hundred fifty feet (150') of the nearest point of any residential R 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 wall or fence, including solid doors or gates thereto, at least eight feet (8') high but in no case lower than the enclosed storage. However, open off-street loading facilities and open off-street parking facilities for the storage of motor vehicles may be unenclosed throughout the District except for such screening of parking and loading facilities as may be required.

10-4-3: **HEIGHT:** No building or structure shall exceed three (3) stories or thirty five feet (35') in height, except as permitted in Section 10-6-2 of this Title.

10-4-4: **YARD AREAS:**

- A. Front Yard: All buildings and structures shall have a front yard depth of at least fifty feet (50'). Buildings and structures placed on corner lots should observe front yard requirements on both streets.
- B. Side Yard: All buildings and structures shall have a side yard width of at least fifty feet (50').
- C. Rear Yard: All buildings and structures shall have a rear yard depth of at least fifty feet (50').
- D. Yards Adjacent to Residential Districts: All buildings and structures on lots adjacent to residential districts shall be located so as to provide side yard widths or rear yard depths of at least one hundred feet (100') adjacent to such residential districts.
- E. Railroad Siding Frontage: No yards shall be required for those portions of lots which front on railroad sidings.

10-4-5: **PERFORMANCE STANDARDS:** The following requirements shall apply:

- A. 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 use districts.

A)	<u>Octave Band</u>	<u>Sound Level</u>	<u>Sound Level</u>
	<u>Cycles per Second</u>	<u>in Decibels</u>	<u>in Decibels</u>
		All Residential Districts	B1, B2, B3
	0 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

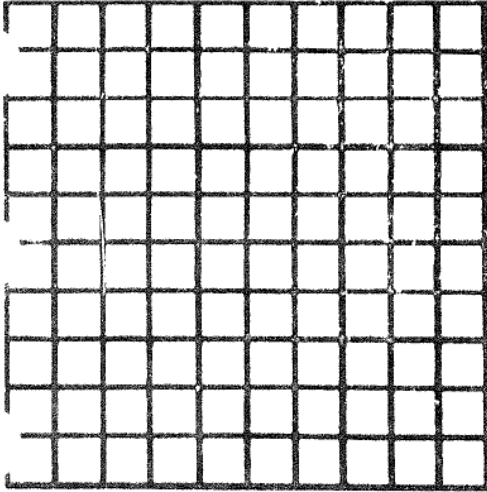
Objectionable sounds of an intermittent nature which are not easily measured shall be controlled so as not to become a nuisance to adjacent uses.

Measurement is to be made at the nearest boundary of the nearest residential area or at 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.

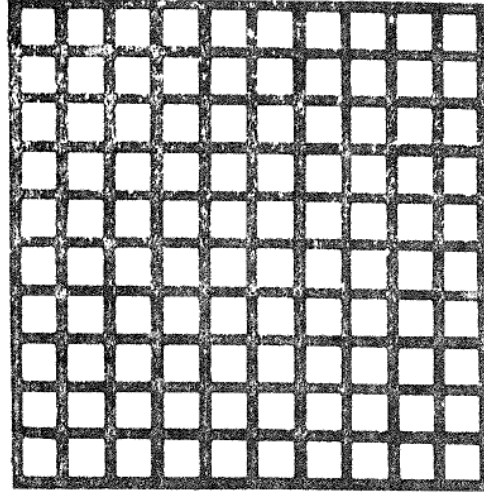
- B. Smoke and Particulate Matter: The emission of smoke or dusts by manufacturing plants in an amount sufficient to create a general nuisance to adjoining properties shall be prohibited. Total emission of smoke and particulate matter shall be limited to the following:

Ringelmann Requirements: All smoke and the emission of all other particulate matter in quantities sufficient to produce an opacity at any point greater than Ringelmann 3 shall be prohibited. The only exception should be a plume consisting entirely of condensed steam. A Ringelmann 1 unit is defined as twenty percent (20%) density for one minute. No more than fifteen (15) units of Ringelmann smoke shall be permitted per hour and no smoke more intense than Ringelmann 2 except that during one hour of a twenty four (24) hour day, thirty (30) units of smoke may be emitted but with no smoke more intense than Ringelmann 3, as shown on Plate 1 on the following page.

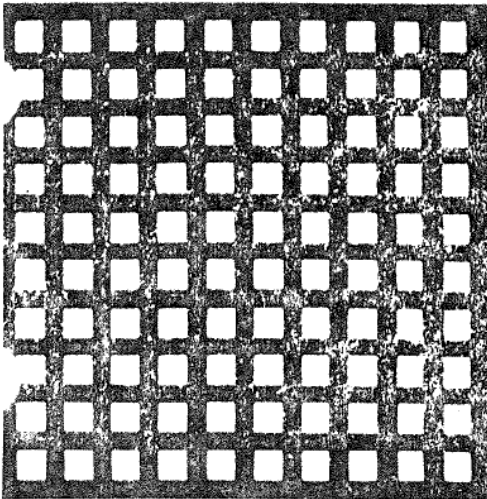
The total quantity of emitted solids shall not exceed one pound per hour, per acre of lot area.



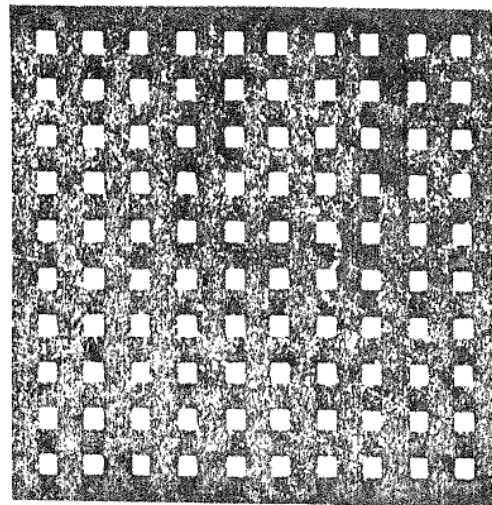
1
Equivalent to 20 Percent Black



2
Equivalent to 40 Percent Black



3
Equivalent to 60 Percent Black



4
Equivalent to 80 Percent Black

RINGELMANN'S SCALE FOR GRADING THE DENSITY OF SMOKE

Instructions for Use:

Hang smoke chart on a level with the eye, about 36 feet from observer, as nearly as possible in line with chimney. Glance from smoke to chart and note corresponding number, recording same and time of observation.

Repeat observations at one-fourth or one-half minute intervals. From these records the average density may be determined for each hour, or for each day.

No smoke is recorded as No. 0. 100 percent black smoke is recorded as No. 5. Experienced observers often record in half chart numbers.

- C. 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.
- D. Noxious Gases: Processes and operations of permitted uses capable of dispersing gases or toxic particulates into the atmosphere must be hooded or otherwise suitably enclosed. The emission of such toxic gases or particulate matter shall be from a stack.
- E. Glare and Heat: Operations producing intense light or heat shall be performed within an enclosed building and not be visible beyond any lot line bounding the property whereon the use is conducted.
- F. Vibrations: No uses shall be located and no equipment shall be installed in such a way to produce intense, earth-shaking vibrations which are noticeable at the property lines of the subject premises.

10-4-6: **OFF-STREET PARKING AND LOADING FACILITIES:** Off-street parking and loading facilities shall be provided as required in Section 10-6-3 of this Title.

10-4-7: **PLANTING AREAS:**

- A. Landscape development shall be required to include an area of at least twenty feet (20') in width along all streets, with the exception of approved entrances, which border the proposed development, to be planted and maintained with trees and shrubbery to serve as a screen for the parking and storage areas.
- B. A planting screen, consisting of suitable shrubbery, maintained at a ten foot height by ten foot width (10' x 10'), to be planted wherever the industrial use abuts a residential district. (Ord., 1-7-74)

CHAPTER 5
SPECIAL DISTRICTS

SECTION:

- 10-5-1: S-1 Slope District
10-5-2: S-2 Commercial-Recreation District

10-5-1: **S-1 SLOPE DISTRICT:** The S-1 Slope District is designed to allow proper use of land having a cross-slope which exceeds twelve percent (12%), and to prevent encroachment into the District which will unduly increase storm water runoff and damage. Within the S-1 Slope District, the following regulations should apply:

- A. Permitted Uses (as subject to subsections B, C, and D below):
1. Building lots for one-family detached dwelling of a minimum of three (3) acres.
 2. Utility easements.
 3. Pedestrian easements.
 4. Parks, playgrounds, and general community open space.
 5. Agricultural uses as limited and defined in subsection E below.
- B. Any slope area, the average cross-slope of which exceeds eighteen percent (18%), shall be subject to a special use exception, Section 10-6-1B which shall be in conformity with the applicable comprehensive county or community plan.
- C. Any slope area, the average cross-slope of which is less than twelve percent (12%), shall be considered suitable for any permitted uses above and uses permitted as follows and shall be subject to subsection F below.

- C) 1. Commercial poultry farms and feeding facilities, kennels, riding stables and dairies.
2. Outdoor advertising signs and billboards set back from the established right of way of any highway or thoroughfare at least as far as the required front yard depth for a principal building.
3. Public parks, playgrounds and community centers; private recreation areas and facilities, including country clubs, golf courses, fishing lakes and boat docks.
4. Baseball, football stadium, or sports arena.
5. Drive-in theaters and other similar commercial recreation establishments.
6. Outdoor rifle or skeet shooting ranges; which premises are deemed suitable by the governing body for such use, for reasons, among others, of topography, screening by trees, or other features, and also in consideration of the present and potential use of adjacent properties.
7. Equipment and materials storage yards, and junk yards, provided these are enclosed on all sides by a solid fence or wall not less than eight feet (8') high; petroleum or inflammable liquids storage. Provided, further, that any of the foregoing uses shall be authorized only on premises adjoining and within one thousand feet (1,000') of a railroad or a highway or primary thoroughfare, which premises are deemed suitable by the governing body for the intended use, for reasons, among others, of topography, screening by trees, or other features, and in consideration of the present and potential use of adjacent properties.
8. Commercial mines, quarries and gravel pits, temporary sawmills; provided, that any lot or tract of land for such use, other than for a temporary sawmill, shall be not less than ten (10) acres in area.
9. Disposal of refuse or garbage by the Municipality, County, or agents thereof providing the disposal operation meets the regulations and standards for sanitary landfills set by the Illinois Department of Public Health.
- D. Any slope area, the average cross-slope of which exceeds twelve percent (12%), shall be considered to be extremely rugged and the development of this terrain shall be limited to permitted uses above and subject to subsection F below.

- E. Agriculture, including customary agricultural buildings, structures, and dwellings, provided that permanent agricultural dwellings shall comply with subsection F below.
- F. All uses indicated in the above subsections A, C, D and E will be permitted, if, in the judgment of the governing body, they will not when located, constructed and operated as proposed be inconsistent with the purpose intended by the provisions prescribed in this Section for the S-1 Slope District: among others, protecting human life, preventing material losses, avoiding undue runoff of storm water and accompanying damage, and excessive soil erosion; at the same time, said use will not impair the present or potential use of adjacent properties.

10-5-2: **S-2 COMMERCIAL-RECREATION DISTRICT:** Within the S-2 Commercial-Recreation District, the following regulations shall apply:

A. Permitted Uses:

1. Automobile service stations, provided that any tire or tube repairing, battery changing and storing of merchandise or supplies is conducted wholly within a building. Plans for the erection or structural alteration of an automobile service station should be approved by the Planning Commission. The Planning Commission may require such changes to the yard, location of pumps and buildings, and construction of buildings as it may deem best suited to insure safety, minimize traffic difficulties, and safeguard adjacent properties.
2. Bake shop.
3. Boat sales, service and supplies.
4. Camera and photographic supply shops for retail sales only, not including the processing of film.
5. Commercial recreation places, including archery ranges, bowling alleys, dance halls, gymnasiums, miniature golf courses, skating rinks or other similar places of amusement or entertainment.
6. Cottages for seasonal occupancy.
7. Food and fruit stores.
8. Gift and curio shops.
9. Motels.

- A) 10 Outdoor membership clubs.
11. Resort cabins and lodges.
 12. Restaurants and cafes.
 13. Sporting goods and supplies.
 14. Travel trailer parks, provided that all requirements of Chapter 8 of this Title are fully met.
- B. Height: No building or structure shall exceed two (2) stories, or thirty five feet (35') in height.
- C. Lot Size: Every building hereafter erected shall be on a lot having an area of not less than ten thousand (10,000) square feet with a width at the established building line of not less than eighty feet (80'), except as provided in Sections 10-6-1 and 10-6-2 of this Title.
- D. Yard Areas: No building or structure shall be constructed unless the following yard areas are provided and maintained in conjunction with the building:
1. Front Yard: Each lot upon which a building is constructed should have a front yard of not less than fifty feet (50').
 2. Side Yard: No side yard shall be required where lots abut S-1 Districts; however, where a lot abuts an R-District, B-District, or I-District, a side yard equal to one-half ($\frac{1}{2}$) the front yard required in the abutting district, but in no case less than fifteen feet (15') shall be required.
 3. Rear Yard: There shall be a rear yard of not less than twenty feet (20').
- E. Off-Street Parking Facilities: A space for parking, loading and unloading shall be provided for in Section 10-6-3 of this Title. (Ord., 1-7-74)

CHAPTER 6
SUPPLEMENTARY REGULATIONS

SECTION:

- 10-6-1: Special Use Exceptions, Requirements and Procedure
- 10-6-2: Additional Height, Area, and Yard Regulations
- 10-6-3: Off-Street Parking and Loading Requirements
 - 10-6-3-1: General Provisions
 - 10-6-3-2: Additional Regulations, Parking
 - 10-6-3-3: Location of Parking Areas
 - 10-6-3-4: Schedule of Off-Street Parking Requirements
 - 10-6-3-5: Design and Schedule of Off-Street Loading and Unloading Space

10-6-1: **SPECIAL USE EXCEPTIONS, REQUIREMENTS AND PROCEDURE:**

- A. The special Exceptions listed in Figure 1, as set out in this Chapter, and their accessory buildings and uses may be permitted by the Planning Commission and local authority in the districts indicated therein, in accordance with the procedure set forth in this Section and the requirements listed in said Figure 1.
- B. Upon receipt of an application for a permit for a special use exception by the Zoning Administrator it shall be referred to the Planning Commission for investigation as to the manner in which the proposed location and character of the special use exception will affect the applicable Comprehensive Land Use Plan and how the standards in Figure 1 are applied. The Planning Commission shall report the results of its study to the local authority within sixty (60) days following receipt of the application. If no such report has been filed with the local authority within this time period, the local authority shall be permitted to proceed to process the application.

- B) A fee of thirty five dollars (\$35.00) shall be paid to the Village Clerk at the time the application is filed, and an additional fee of fifteen dollars (\$15.00) shall be paid to the Village Clerk prior to the time publication of "Notice of Public Hearing" is ordered by the local authority. All fees received hereunder by the Village Clerk shall be paid over to the Municipality to the credit of the General Revenue Fund of the Municipality.

Within sixty (60) days of the receipt of an application for a permit for a special use exception, or upon receipt of the report of the Planning Commission, the local authority shall cause a public hearing to be held before the Planning Commission in relation thereto after fifteen (15) days' notice thereof has been given in a newspaper of general circulation. The hearing shall contain the particular location for which the special use exception is requested as well as a brief statement of what the proposed special use consists.

Within ten (10) days following the hearing, the Planning Commission shall file a report of said hearing and its recommendations relative to said application with the local authority.

On receipt of the Planning Commission's report and recommendations or after the lapse of sixty (60) days from the date of the application, the local authority shall conduct a hearing at their next regular meeting, and, upon an affirmative finding of the Planning Commission's recommendations and that:

1. The proposed special use exception is to be located in a district wherein such use may be permitted, and
2. The requirements set forth in Figure 1 for such special use exception will be met, and
3. The special use exception is consistent with the spirit, purpose and intent of the applicable Land Use Plan, will not substantially and permanently injure the appropriate use of neighboring property, and will serve the public convenience and welfare.

The Municipality may order the Zoning Administrator to issue a zoning certificate for the special use exception.

- C. An existing lawful use which is listed herein as a special use exception, and which is located in a district in which such special use exception may be permitted, shall be considered a conforming use, and shall not be required to apply for a permit as a special use exception.

- D. Any expansion of such special use exception involving the enlargement of the buildings, structures and land area devoted to such use shall be subject to the procedure described in this Section.
- E. If the nature of the special use exception involves more than one of those listed in Figure 1, the applicant may apply for a permit for the special use exception which is most closely related to the primary use; provided that the requirements of all related uses are met.

(See following pages for Figure 1)

Figure 1

SPECIAL USE EXCEPTIONS AND REQUIREMENTS

	District(s) in Which Use May Be Permitted	Requirement Designation
Airport, heliport	S-1	b6, g, h2, i2, j1, k1, l2, n2, p, r1, s, t, u2, v, w
Artificial lakes of one or more acres	All Districts	i1, j2, p, r1, u1, w
Billboards or signboards	B-1, I-1	e, p
Crematory or cemetery	All R Districts, I-1	b11, c2, p, q, r1, v, w
Fire station	All R Districts B-1, B-2	b4, c6, k11, r1, s, t, v
Greenhouse, commercial	R-1, I-1	b4, c6, f2, h1, k7, m4, n1, r1, v, w
Hospital or sanatorium	All R Districts	b7, c6, g, h5, j1, k9, l2, m5, n1, p, s, t, v
Industrial park	I-1	a1, b10, c7, d3, g, h3, j2, k10, l2, m6, n2, o, p, q, r1, s, t, v, w
Kindergarten or day nursery	All R Districts	b3, c8, f3, h1, i3, j1, k12, r1, v
Library	All R Districts, B-1	b6, c6, k29, l2, m1, r1, s, v
Other public buildings, Village or City Hall, Courthouse	B-1	b6, c6, h1, k30, m1, r1, s
Outdoor theater	B-2, I-1	c6, i6, k11, p, r1, s, t, v, w
Outdoor commercial rec- reational enterprise	B-2, I-1, S-1, S-2	c4, d1, g, h1, i1, j3, k14, l2, n1, p, r2, s, t, v, w
Power transmission line	All Districts	p
Practice golf-driving range	I-1, S-1, S-2	c6, i7, j3, k16, l2, r1, v

Figure 1, Special Use Exceptions and Requirements (cont.)

	<u>District(s) in Which Use May Be Permitted</u>	<u>Requirement Designation</u>
Private recreational development	All R Districts, S-1, S-2, B-2	c4, g, h1, j3, k2, l2, r1, v, w
Produce or stockyard terminal, wholesale	B-2, l-1	b10, c7, d3, e, h1, i8, j1, k11, l4, m3, n2, p, r1, s, t, v, w
Public or commercial sewage or garbage disposal plant	l-1, S-1, S-2	b11, c11, e, k19, r1, u1, v, w
Public or employee off-street parking areas	All Districts	b2, p, r1, s, t, v, x, y
Public park or public recreational facilities	All Districts	c4, g, h1, j2, k21, l2, t, v, w
Public utility substation or exchange, including telephone exchange	All Districts	c1, g, j4, k18, r1, v
Radio and television tower	l-1, S-1	k19, p, r1, v
Railroad right of way and uses essential to railroad operations	All Districts	h1, k20, r1, v
Riding stable	R-1, l-1	b5, c10, h1, j1, k21, m1, r1, v, w
Service station	B-2, l-1	a1, b4, e, r2, s, t, v
Shopping center	B-2, S-2	a2, b7, g, i3, j1, k23, m3, n2, o, p, s, t, u1, v
Storage and distribution facilities, inflammable liquids and gases, chemicals and liquid fertilizers	B-2, l-1	a1, b6, e, i8, p, r1, s, t, u1, v
Trailer (mobile home) park or court	B-2, S-2	p, u3
Truck freight terminal	B-2, l-1	c1, e, j1, k25, l5, n3, p, r1, s, t, v, w

Figure 1, Special Use Exceptions and Requirements (cont.)

	District(s) in Which Use May Be Permitted	Requirement Designation
Public or commercial sewage or garbage dis- posal plant	I-1, S-1, S-2	b11, c11, e, k19, r1, u1, v, w
Public or employee off- street parking areas	All Districts	b2, p, r1, s, t, v, x, y
Public park or public recreational facilities	All Districts	c4, g, h1, j2, k21, l2, t, v, w
Public utility substation or exchange, including tele- phone exchange	All Districts	c1, g, j4, k18, r1, v
Radio and television tower	I-1, S-1	k19, p, r1, v
Railroad right of way and uses essential to railroad operations	All Districts	h1, k20, r1, v
Riding stable	R-1, I-1	b5, c10, h1, j1, k21, m1, r1, v, w
Service station	B-2, I-1	a1, b4, e, r2, s, t, v
Shopping center	B-2, S-2	a2, b7, g, i3, j1, k23, m3, n2, o, p, s, t, u1, v
Storage and distribution facilities, inflammable liquids and gases, chem- icals and liquid fertilizers	B-2, I-1	a1, b6, e, i8, p, r1, s, t, u1, v
Trailer (mobile home) park or court	B-2, S-2	p, u3
Truck freight terminal	B-2, I-1	c1, e, j1, k25, l5, n3, p, r1, s, t, v, w

Figure 1, Special Use Exceptions and Requirements (cont.)

NOTE: Use of # symbol in the Figure indicates that the requirements of the district apply to the district where located.

a. CLASSIFICATION OF USE PERMITTED

1. Light Industrial
2. Local Business

b. MINIMUM LOT AREA

1. #
2. 1,500 sq. ft.
3. 110 sq. ft. per child
4. 25,000 sq. ft.
5. 20,000 sq. ft. plus 5,000 sq. ft. per horse over 4 horses
6. One acre
7. 5 acres
8. 5 acres including 2,500 sq. ft. per mobile home stand
9. 6 acres
10. 20 acres
11. 40 acres
12. 80 acres
13. 320 acres
14. 2 times requirement for single-family dwelling
15. 2 acres

c. MINIMUM YARDS (Feet)

	Front	Side (each)	Rear
1.	#	#	#
2.	#	50	50
3.	#	10	30
4.	#	40	40
5.	#	---	---
6.	100	40	40
7.	100	Abutting Residential = Abutting Other Use =	75 35
8.	#	20	#
9.	150	150	150
10.	100	100	100
11.	300	300	300

d. BUILDING SETBACK FROM CENTER LINE OF INTERIOR ROAD

1. 40 feet
2. 50 feet
3. 85 feet

Figure 1, Special Use Exceptions and Requirements (cont.)

NOTE: Use of # symbol in the Figure indicates that the requirements of the district apply to the district where located.

- e. USE PERMITTED NOT CLOSER THAN 300 FEET TO A RESIDENTIAL USE
- b. MINIMUM GROSS FLOOR AREA OF PRINCIPAL BUILDINGS (Square Feet)
 - 1. #
 - 2. Over 1,000
 - 3. Determined by number of children to be accommodated
 - 4. 400
 - 5. 2 times single-family dwelling
 - 6. 672
- g. PLAN OF LANDSCAPE DEVELOPMENT TO BE SUBMITTED WITH APPLICATION
- h. MAXIMUM HEIGHT OF STRUCTURE (Feet)
 - 1. #
 - 2. As required by appropriate State or Federal agency
 - 3. Same as Light Industrial
 - 4. 45
 - 5. 70
 - 6. 25
- i. FENCE
 - 1. 6-foot wire mesh where accessible to the public
 - 2. 6-foot wire mesh when located at ground level
 - 3. 4-foot wire mesh around play area
 - 4. Solid wall or solid painted fence 8 feet high
 - 5. 4-foot wire mesh abutting residential use
 - 6. Painted board fence 8 feet high
 - 7. Adequate to protect abutting use
 - 8. 6-foot wire mesh
 - 9. 6-foot solid painted for refuse dump
 - 10. 6-foot wire mesh abutting residential use
- j. SCREEN PLANTING WHERE ABUTTING RESIDENTIAL USE (Tight Screen, Effective at all Times)
 - 1. 6-foot height by 6-foot width
 - 2. 25 feet abutting residential district or use
 - 3. 8-foot height by 6-foot width
 - 4. Adequate to screen power substation from street view
 - 5. 7-foot high along streets for refuse dump

Figure 1, Special Use Exceptions and Requirements (cont.)

NOTE: Use of # symbol in the Figure indicates that the requirements of the district apply to the district where located.

k. PARKING SPACES

1. One per 2 employees plus one per 4 seats in waiting room
2. One per 2 customers or members
3. One per 2 employees plus 3 per doctor
4. One per 3 employees plus one per 6 students
5. 30
6. One per 3 employees per shift
7. One per 3 employees plus one per 125 sq. ft. of sales area
8. One additional
9. One per 4 beds plus one per doctor, plus one per 3 employees, plus one per hospital vehicle
10. One per 2 employees on largest shift
11. One per 2 employees
12. One per 2 employees plus one per 5 children to be accommodated
13. One per 2 employees plus one per mobile home stand
14. One per 3 employees plus one per 500 sq. ft. of use area
15. One per 3 employees plus one per 10 inmates at estimated capacity
16. One per 3 employees plus one per driving tee
17. One per camp site and one per cabin
18. Telephone exchange - one per employee
19. One per employee per shift
20. One per 2 employees where headquartered
21. One per 5,000 sq. ft.
22. One
23. One per 60 sq. ft. of sales area
24. 3 per 4 employees plus one per 4 seats
25. One per 2 employees plus 4 for customers
26. One per employee plus one per sleeping accommodation
27. 2
28. One per employee plus one for each 6 seats in main auditorium
29. One per 30 sq. ft. of use area
30. One per 3 employees plus one per 150 sq. ft.

l. DISTANCE OF PARKING AREA FROM RESIDENTIAL USE (Feet)

1. 10
2. 25
3. 50
4. 100
5. 300

Figure 1, Special Use Exceptions and Requirements (cont.)

NOTE: Use of # symbol in the Figure indicates that the requirements of the district apply to the district where located.

- m. NUMBER OF LOADING AND UNLOADING BERTHS (Should Not Face on Bordering Highway)
 - 1. One
 - 2. 2
 - 3. Per development plan
 - 4. 15,000 sq. ft. - 1; over 15,000 ft. - 2
 - 5. Up to 200 beds - 1; 200 to 500 beds - 2; over 500 beds - 3
 - 6. 15,000 sq. ft. or less - 1;
15,001 - 40,000 sq. ft. - 2;
40,001 - 100,000 sq. ft. - 3;
each additional 40,000 sq. ft. - 1 additional
- n. DISTANCE OF LOADING AND UNLOADING BERTH FROM RESIDENTIAL USE (Feet)
 - 1. 50
 - 2. 100
 - 3. 300
- o. PLAT APPROVED BY THE COMMISSION TO BE SUBMITTED WITH APPLICATION
- p. DEVELOPMENT PLAN TO BE SUBMITTED WITH APPLICATION
- q. COVENANT BY OWNERS TO PERPETUATE MAINTENANCE AND APPROVE FUTURE IMPROVEMENTS
- r. MAXIMUM NUMBER OF PRINCIPAL ENTRANCES FROM MAJOR THOROUGHFARE
 - 1. One
 - 2. 2
- s. ACCEPTABLE RELATIONSHIP TO MAJOR THOROUGHFARE
- t. THOROUGHFARES MUST BE ADEQUATE TO CARRY ADDITIONAL TRAFFIC ENGENDERED BY USE
- u. OTHER AUTHORITY APPROVAL REQUIRED
 - 1. State Board of Health
 - 2. Aeronautics Commission
 - 3. Special Ordinance of Governing Body

Figure 1, Special Use Exceptions and Requirements (cont.)

NOTE: Use of # symbol in the Figure indicates that the requirements of the district apply to the district where located.

- v. OUTDOOR ARTIFICIAL LIGHTING SHALL BE APPROVED BY THE COMMISSION
- w. DISPOSAL OF LIQUID AND OTHER WASTES SHALL MEET THE APPROVAL OF THE PERTINENT HEALTH AUTHORITIES
- x. NO SALES, DEAD STORAGE, REPAIR WORK OR DISMANTLING ON THE LOT
- y. EXCEPT FOR APPROVED EXITS AND ENTRANCES, A MASONRY WALL 4 FEET IN HEIGHT AND 6 INCHES THICK ERECTED AT REQUIRED FRONT LINE OF BUILDING AND MAY BE REQUIRED ALONG BOUNDARIES OF PARKING AREA AS DETERMINED BY THE COMMISSION FOR THE PROTECTION OF RESIDENTIALLY ZONED OR USED PROPERTY

(See following page for Section 10-6-2)

10-6-2: ADDITIONAL HEIGHT, AREA, AND YARD REGULATIONS: The district regulations hereinafter set forth in this Section qualify or supplement, as the case may be, the district regulations appearing elsewhere in this Title.

A. Additional Height Regulations:

1. Single-family dwellings and two-family dwellings may be increased in height by not more than ten feet (10') when the side and rear yards are increased over the yard requirements of the district in which they are located by not less than ten feet (10') each, but they shall not exceed three (3) stories in height.

2. Chimneys, cooling towers, elevator bulkheads, fire towers, monuments, stacks, stage towers, or scenery lofts, tanks, water towers, ornamental towers and spires, radio towers, or necessary mechanical appurtenances, may be erected to a height in accordance with existing or future ordinances of the governing body.

B. Additional Area Regulations:

1. No accessory building shall be constructed upon a lot until the construction of the main building has been actually commenced, and no accessory building shall be used for dwelling purposes unless the main building on the lot is also being used for dwelling purposes.

2. More than one industrial, commercial, multiple dwelling or institutional building may be erected upon a single lot or tract, but the yards and open spaces required around the boundaries of the lot or tract shall not be encroached upon by any buildings, nor shall there be any change in the intensity of use requirements.

When more than one multiple dwelling building is erected upon a single lot or tract, the minimum distances between main buildings shall be the following:

- a. Front to front, seventy feet (70'); front to rear, sixty feet (60').
- b. Side to side, one-half ($\frac{1}{2}$) the height of the taller building but not less than twenty feet (20').

B2) c. Front to side or rear to side, the height of the taller building but not less than thirty feet (30').

d. Rear to rear, fifty feet (50').

3. Where an open space is more than fifty percent (50%) surrounded by buildings, the minimum width of the open space should be thirty feet (30') for one-story buildings, forty feet (40') for two-story buildings and fifty feet (50') for three-story buildings.

4. All distance requirements and buffer area or screening requirements established for the protection of R Districts shall be applicable to any trailer (mobile home) court existing or hereinafter established.

C. Additional Yard Regulations:

1. In computing the depth of a rear yard, where such yard opens onto an alley, one-half ($\frac{1}{2}$) of the alley width may be included as a portion of the rear yard.

2. No accessory buildings which are not a part of the main building may be built in any yard but a rear yard and shall be at least five feet (5') from the rear lot line. An accessory building which is not a part of the main building shall not occupy more than thirty percent (30%) of the required rear yard.

3. Every part of a required yard shall be open to the sky, unobstructed, except for accessory buildings in a rear yard, and except for the ordinary projections of skylights, sills, belt courses, cornices and ornamental features projecting not to exceed twelve inches (12"). This requirement shall not prevent the construction of fences not exceeding eight feet (8') in height, except on that portion of lots within thirty feet (30') of the intersection of two (2) or more streets.

4. Open, or lattice-enclosed fire escapes, fireproof outside stairways, and balconies opening upon fire towers projecting into a yard not more than five feet (5') and the ordinary projections of chimneys and flues may be permitted by the Building Inspector.

5. For the purposes of side yard requirements, a two-family dwelling shall be considered as one building occupying a single lot.

- C) 6. An open unenclosed porch not more than one story in height or paved terrace may project into the required front yard for a distance not exceeding ten feet (10'). An enclosed vestibule containing not more than forty (40) square feet may project into the required front yard for a distance not to exceed four feet (4').
7. Terraces, uncovered porches, platforms and ornamental features which do not extend more than three feet (3') above the floor level of the first (ground) story may project into a required yard, provided these projections be distant at least two feet (2') from the adjacent side lot line.
8. When forty percent (40%) of a frontage is developed with two (2) or more buildings, then the depth of the front yards heretofore established should be adjusted in the following manner:
- a. When the building furthest from the street provides a front yard no more than ten feet (10') deeper than the building closest to the street, then the average depth of the front yard for such frontage shall be the minimum depth of front yard for new buildings in such block.
 - b. When the above is not the case and the lot is within one hundred feet (100') of an existing building on each side, excluding, however, buildings on corner lots which front upon the intersecting street, then the depth of the front yard is determined by a line drawn from the closest front corners of these two (2) adjacent buildings.
 - c. When neither paragraph 8a nor 8b is the case and the lot is within one hundred feet (100') of an existing building on one side only, excluding, however, buildings on corner lots which front upon the intersecting street, then the depth of the front yard is the same as that of the existing adjacent building.
9. In all districts a triangular space must be maintained at the street corner of a corner lot, free from any kind of obstruction to vision between the heights of three feet (3') and twelve feet (12') above the established street grade. The street grade is measured at the intersection of the center lines of the intersecting street pavements, and the triangular space is determined by a diagonal line connecting two (2) points measured fifteen feet (15') equidistant from the intersection of the property lines or the property lines extended on the corner of the lot using each of the street right-of-way lines.
10. In single-family dwelling districts, when eighty percent (80%) of the frontage of a block on both sides of the street between two (2) intersecting streets or between an intersecting street and a cul-de-sac

- C10) has been developed with main buildings and accessory buildings with side yards less than that required by the dwelling district in which said property is situated, then the side yard requirement for any main buildings or accessory buildings in said block shall be the average side yard of all parcels of property in said block rather than the side yard set forth in the dwelling district in which said parcel of property is situated. In determining the existing side yard of any developed parcel, in order to compute the average herein required, the side yard of the main building on any developed parcel shall be used except that when an accessory building exists with a smaller side yard than the main building has, the side yard shall be taken as being the average between the side yard of the main building and the side yard of the accessory building.

10-6-3: OFF-STREET PARKING AND LOADING REQUIREMENTS:

10-6-3-1: GENERAL PROVISIONS:

- A. Procedure: An application for a building permit for a new or enlarged building, structure, or use, shall include therewith a plot plan, drawn to scale, and fully dimensioned showing any off-street parking or loading facilities to be provided in compliance with the requirements of this Title.
- B. Extent of Control: The off-street parking and loading requirements of this Title shall apply as follows:
1. All buildings and structures erected and all land uses shall provide accessory off-street parking or loading facilities as required hereinafter for the use thereof.
 2. When a building or structure erected or enlarged prior to or after the effective date of this Title should undergo a decrease in number of dwelling units, gross floor area, seating capacity, number of employees, or other unit of measurement specified hereinafter for required off-street parking or loading facilities, and further, when said decrease would result in a requirement for fewer total off-street parking or loading spaces through application of the provisions of this Title, off-street parking and loading facilities may be reduced accordingly; provided, that existing off-street parking or loading facilities are so decreased only when the facilities remaining would at least equal or exceed the off-street parking or loading requirements resulting from application of the provisions of this report to the entire building or structure as modified.

- B) 3. When a building or structure undergoes any increase in number of dwelling units, gross floor area, seating capacity, or other unit of measurement specified hereinafter for required off-street parking or loading facilities, and further, when said increase would result in a requirement for additional total off-street parking or loading spaces through application of the provisions of this Title, parking and loading facilities shall be increased so that the facilities would at least equal or exceed the off-street parking or loading requirements resulting from application of the provisions of this report to the entire building or structure as modified.
- C. Existing Off-Street Parking and Loading Spaces: Accessory off-street parking and loading spaces in existence on the effective date of this Title may not be reduced in number unless already exceeding the requirements of this Section for equivalent new construction; in which event, said spaces shall not be reduced below the number required herein for such equivalent new construction.
- D. Schedule of Requirements:
1. Tables for Required Off-Street Parking and Loading: Requirements governing the number and location of off-street parking and off-street loading facilities in relation to the use of property are established hereinafter in subsections of this Title. The off-street parking and loading requirements for any use not specified therein shall be the same as for similar specified use, as determined below.
 2. Floor Area: The term "floor area" as employed in this off-street parking and loading Section in the case of office, merchandising, or service types of use shall mean the gross floor area of a building or structure used or intended to be used for service to the public as customers, patrons, clients, patients, or tenants, including areas occupied by fixtures and equipment used for display or sale of merchandise.
- "Floor area" for the purposes of this Section shall not include any area used for:
- Storage accessory to the principal use of a building.
 - Incidental repairs.
 - Stairways and elevators.
 - Show windows.
 - Rest rooms.
 - Utilities.
 - Dressing, fitting or alteration rooms.

10-6-3-2: ADDITIONAL REGULATIONS, PARKING:

- A. **Use of Off-Street Parking Facilities:** Off-street parking facilities accessory to residential use and developed in any residential district in accordance with the requirements of this Section shall be used solely for the parking of passenger automobiles or commercial vehicles of not more than five (5) ton GVW owned by occupants of the dwelling structures to which such facilities are accessory or by guests of said occupants.
- B. **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 off-street parking facilities for each constituent use would be permitted; provided, that the total number of spaces so located together are not less than the sum of the separate requirements for each use and not more than three hundred feet (300') from the lot on which the main building or use to be served is located.

In any case where the required parking spaces are not located on the same lot with the building or use served, or where such spaces are collectively or jointly provided and used, a written agreement thereto assuring their retention for such purposes, shall be properly drawn and executed by the parties concerned, approved as to form and execution by the Village Attorney or appointed legal advisor, and shall be filed with the application for a building permit.

- C. Not more than fifty percent (50%) of the parking spaces required for (a) theaters, and places of amusement, and up to one hundred percent (100%) of the parking spaces required for a church or school may be provided and used jointly by (b) banks, office, retail stores, repair shops, service establishments and similar uses not normally open, used or operated during the same hours as those listed in (a); provided, however, that written agreement, assuring the retention for such purpose, shall be properly drawn and executed by the parties concerned, approved as to form and execution by the Village Attorney and shall be filed with the application for a building permit.
- D. **Control of Off-Site Facilities:** When required accessory off-street parking facilities are provided elsewhere than on the lot on which the principal use served is located, they shall be in the same possession, either by deed or long-term lease, as the property occupied by such principal use, and the owner shall be bound by covenants filed of record in the office of the Village Clerk, requiring the owner and his or her heirs and assigns to maintain the required number of off-street parking spaces during the existence of the principal use.

- E. Permitted Districts for Accessory Parking: Accessory parking facilities provided elsewhere than on the same zoning lot with the principal use served in accordance with the requirements below, may be located in any zoning district except as follows:

No parking facilities accessory to a business or manufacturing use shall be located in a residential district where authorized by the local authorities as prescribed hereinafter.

- F. Nonresidential Parking in Residential Districts: Accessory off-street parking facilities serving nonresidential uses of property may be permitted in any R District, when authorized by the local authorities after review and study by the Planning Commission, subject to the following requirements in addition to all other relevant requirements.

1. The parking lot shall be accessory to, and for use in connection with, one or more nonresidential establishments located in adjoining districts or in connection with one or more existing professional or institutional office buildings or institutions, if the parking lot proposed is within three hundred feet (300') of the nonresidential use which it is to serve.

2. The parking lot shall be used solely for the parking of passenger automobiles or commercial vehicles of not more than five (5) ton GVW.

3. No commercial repair work or service of any kind shall be conducted on the parking lot.

4. No sign of any kind other than signs designating entrances, exits and conditions of use, shall be maintained on the parking lot, and shall not exceed twenty (20) square feet in area.

5. The parking lot may be open from seven o'clock (7:00) A.M. to nine o'clock (9:00) P.M. and shall be closed at all other times; provided, however, that when supervised by one or more full-time attendants, the parking lot may be kept open until twelve o'clock (12:00) midnight. Parking lot lights shall be turned off when the lot closes.

6. Each entrance to and exit from the parking lot shall be at least twenty feet (20') distant from any adjacent property located in any residential district, except where ingress and egress to the parking lot is provided from a public alley or public way separating the residential areas from the proposed parking lot.

7. In addition to the foregoing requirements, such parking lots shall conform to any further requirements and conditions as may be prescribed by the local authorities for the protection of properties adjacent to and in the vicinity of the proposed parking lot.

G. Design and Maintenance:

1. Parking Space, Description: A required off-street parking space shall be an area of not less than one hundred eighty (180) square feet nor less than nine feet wide by twenty feet long (9' x 20') measured perpendicularly to the sides of the parking space exclusive of access drives or aisles, ramps, columns, or office and work areas, accessible from streets or alleys or from private driveways or aisles leading to streets or alleys and to be used for the storage or parking of passenger automobiles or commercial vehicles under one and one-half (1 ½) tons' capacity. Aisles between vehicular parking spaces shall be not less than twelve feet (12') in width when serving automobiles parked at a forty five degree (45°) angle in one direction nor less than twenty five feet (25') in width when serving automobiles parked perpendicularly.

2. Measurement of Space: When determination of the number of required off-street parking spaces results in a requirement of a fractional space, any fraction up to and including one-half (½) shall be disregarded, and fractions over one-half (½) shall be interpreted as one parking space.

3. Access: Parking facilities shall be designed with appropriate means of vehicular access to a street or alley in such a manner as will least interfere with the movement of traffic and so designed as to permit adequate maneuvering area for vehicles to turn around where only one entry or exit is provided in order that no backing of vehicles into the street is required. No driveway or curb cut in any district shall exceed twenty five feet (25') in width.

4. Signs: No signs shall be displayed in any parking area within any residential district, except such as may be necessary for the orderly use of the parking facilities.

5. Striping: All parking spaces shall be properly marked by durable paint in stripes a minimum of four inches (4'') wide and extending the length of the parking space.

6. Required Setbacks: No parking space nor portion thereof established on the same zoning lot with a building shall be located within a required front yard. No parking spaces nor portion thereof established on a zoning lot without a building shall be located closer to any street line than the established building line on adjacent properties nor closer than the front yard setback required for the district in which the parking lot is located. Further, any wall, fence or hedge developed around any parking area shall be subject to the front yard setback requirements of this Title in the same manner as a building or structure.

G) 7. Surfacing: All open off-street parking areas, except those accessory to single-family dwellings, shall be improved with a compacted macadam base, not less than four inches (4") thick, surfaced with not less than one and one-half inches (1 ½") of asphaltic concrete or some other comparable all-weather dustless material.

8. Lighting: Any lighting used to illuminate an off-street parking area shall be so arranged as to reflect the light away from all adjoining properties.

9. Storm Water: Adequate storm water drainage facilities shall be installed in order to insure that storm water does not flow onto abutting property or abutting sidewalks in such a way or quantity that pedestrians using the sidewalk would be detrimentally affected or inconvenienced. The Village Engineer shall approve all such facilities.

10-6-3-3: LOCATION OF PARKING AREAS: Off-street automobile parking facilities shall be located as hereinafter specified. Where a distance is specified, such distance shall be walking distance measured from the nearest point of the parking area to the nearest entrance of the building that the parking area is required to serve.

- A. For one and two-family dwellings: On the same lot with the building they are required to serve.
- B. For clubs, hospitals, sanitariums, orphanages, homes for the aged, convalescent homes, and for other similar uses: the off-street parking facilities required shall be on the same lot or parcel of land as the main building or buildings being served or upon properties contiguous to the zoning lot upon which is located the building or buildings they are intended to serve.
- C. For uses other than those specified above, off-street parking facilities shall be provided on the same lot or parcel of land as the main building being served, or on a separate lot or parcel of land not over one thousand feet (1,000') from any entrance of the main building measured from the nearest point of the parking area, provided the separate lot or parcel of land intended for the parking facilities is located in the same district as the principal permitted use or in a less restricted district.

10-6-3-4: SCHEDULE OF OFF-STREET PARKING REQUIREMENTS:

(See following page for schedule)

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One and two-family dwellings	1 parking space for each family dwelling unit, behind the building line
Bowling alleys, recreation centers, swimming pools, skating rinks and other recreation and amusement facilities	1 parking space for every 5 customers computed on the basis of maximum servicing capacity at any one time plus 1 additional space for every 2 persons regularly employed on the premises
Club houses and permanent meeting places of veterans, business, civic, fraternal, labor and similar organizations	1 parking space for every 50 square feet of aggregate floor area in the auditorium, assembly hall and dining room of such building plus 1 additional space for every 2 persons regularly employed on the premises
Funeral homes and undertaking establishments	Parking or storage space for all vehicles used directly in the conduct of the business plus 1 parking space for every 2 persons regularly employed on the premises and 1 space for every 4 seats in the auditorium or chapel of such establishment
Hospitals	1 parking space for each bed intended for patients, excluding bassinets, plus 1 per doctor plus 1 per 3 employees plus 1 for hospital vehicle
House trailers (mobile homes)	1 parking space for each trailer used for dwelling or sleeping purposes
Indoor retail businesses	Parking or storage space for all vehicles used directly in the conduct of such business plus 3 parking spaces for the first 1,000 square feet of total area and 1 additional space for every additional 200 square feet of floor area
Industrial plants and facilities	Parking or storage space for all vehicles used directly in the conduct of such industrial use plus 1 parking space for every 2 employees on the premises at maximum employment on a single shift

Junior and senior high schools

1 parking space for every 8 seats available at maximum capacity in the assembly hall, auditorium, stadium, or gymnasium of greatest capacity on the school grounds or campus; if the school has no assembly hall, auditorium, stadium or gymnasium, 1 parking space shall be provided for each person regularly employed at such school plus 2 additional spaces for each classroom

Libraries, museums, post offices, and similar establishments

Parking or storage space for all vehicles used directly in the operation of such establishments plus 3 parking spaces for the first 1,000 square feet of total floor area and 1 additional space for every additional 200 square feet of floor area

Medical and dental clinics

3 parking spaces for each doctor plus 1 additional space for every 2 regular employees

Nursing homes

1 parking space for every 2 beds occupied at maximum capacity, plus 1 space for every 2 regular employees; this requirement is in addition to the parking space requirements for hospitals set forth in Section 10-6-1 of this Chapter

Offices

1 parking space for every 300 square feet of office space

Outdoor retail businesses

Parking or storage space for all vehicles used directly in the conduct of such business plus 2 parking spaces for each person employed on the premises based on maximum seasonal employment and such additional spaces as may be required by the Planning Commission based on the nature of the business and other relevant factors

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Public and private elementary schools

1 parking space for every 12 seats available at maximum capacity in the assembly hall, the auditorium, stadium or gymnasium of greatest capacity on the school grounds or campus; if the institution has no assembly hall, auditorium, stadium, or gymnasium then 1 parking space shall be provided for each person regularly employed at such school plus 1 additional space for each classroom

Public garages

Indoor or outdoor parking or storage space for all vehicles used directly in the conduct of such business plus 3 parking spaces for each person regularly employed on the premises

Repair shops, plumbing shops, electrical shops, roofing shops, and other service establishments

Parking or storage space for all vehicles used directly in the conduct of the business plus 2 parking spaces for each person regularly employed on the premises

Restaurants and other eating and drinking establishments

1 parking space for every 200 square feet of total floor area

Self-service laundries

1 parking space for every 2 washing machines

Service stations

Parking or storage space for all vehicles used directly in the conduct of the business plus 1 parking space for each gas pump, 3 spaces for each grease rack or similar facility, and 1 space for every 2 persons employed on the premises at maximum employment on a single shift.

Theaters, auditoriums, churches, stadiums, civic centers and other places of public assembly

1 parking space for every 6 seats available at maximum capacity

Three or more family dwellings

2 parking spaces for each family dwelling unit

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10-6-3-5

Transportation terminals	1 parking space for every 100 square feet of waiting room space
Motels and hotels	1 ½ parking spaces for each sleeping room offered for tourist accommodation plus 1 space for each dwelling unit on the premises
Universities, colleges, junior colleges, academies, technical schools and similar institutions of higher learning	1 parking space for every 6 seats occupied at maximum capacity in the assembly hall, auditorium, stadium or gymnasium of greatest capacity on the campus; if the institution has no assembly hall, auditorium, stadium or gymnasium, 1 parking space shall be provided for each person regularly employed at such institution plus 5 additional spaces for each classroom
Warehouses, freight terminals and trucking terminals	Parking or storage space for all vehicles used directly in the conduct of such business plus 2 parking spaces for each person regularly employed on the premises
Wholesale businesses	Parking or storage space for all vehicles used directly in the conduct at such business plus 2 parking spaces for each person employed on the premises based on maximum seasonal employment

10-6-3-5: DESIGN AND SCHEDULE OF OFF-STREET LOADING AND UNLOADING SPACE:

A. Design:

1. Loading Berth, Description: An off-street loading berth shall be a hard-surfaced area of land, open or enclosed, other than a street or public way, used principally for the standing, loading or unloading of motor trucks, tractors and trailers so as to avoid undue interference with the public use of streets and alleys.

A) 2. Location: No permitted or required loading berth shall be closer than fifty feet (50') to any property in a residential district unless completely enclosed by building walls, or a uniformly painted solid fence or wall, or any combination there of not less than six feet (6') in height. No permitted or required loading berth shall be located within twenty five feet (25') of the nearest point of intersection of any two (2) streets. Loading berths open to the sky may be located in any required yards.

3. Measurement of Berth: When determination of the number of required off-street loading berths results in a requirement of a fractional berth, any fraction up to and including one-half (½) shall be disregarded, and fractions over one-half (½) shall be interpreted as one loading berth.

4. Surfacing: All open off-street loading berths shall be improved with a compacted gravel base, not less than seven inches (7") thick, surfaced with not less than one inch (1") of asphaltic concrete or some comparable all-weather dustless material.

B. Off-Street Loading or Unloading Space Requirements: Every building or structure used for business, trade or industry shall provide adequate space for the loading and unloading of vehicles off the street or public alley. Such space shall have access to a public alley or, if there is no alley, to a street. Off-street loading and unloading space shall be in addition to and not considered as meeting a part of the requirements for off-street parking space. Off-street loading and unloading space shall not be used or designed, intended or constructed to be used in a manner to obstruct or interfere with the free use of any street, alley or adjoining property. At least the following off-street loading and unloading space requirements for specific uses shall be provided:

Retail businesses and service establishments	1 off-street loading and unloading space at least 12 feet by 35 feet for every 3,000 square feet of total floor area
Industrial plants	1 off-street loading and unloading space at least 12 feet by 50 feet for every 10,000 square feet of total floor area
Warehouses and wholesale storage facilities	1 off-street loading and unloading space at least 12 feet by 50 feet for every 7,500 square feet of total floor area

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- B) Freight terminals and trucking terminals 1 off-street loading and unloading space at least 12 feet by 50 feet for every 5,000 square feet of total floor area

(Ord., 1-7-74)

CHAPTER 7

NONCONFORMING USES AND BUILDINGS

SECTION:

10-7-1: Nonconforming Uses and Buildings

10-7-1: **NONCONFORMING USES AND BUILDINGS:**

- A. The lawful use of land for storage except for agriculture uses or where such use is an adjunct of any structure, and advertising signs and bulletin boards which do not conform to the provisions of this Title shall be discontinued within one year from the date of the effective date of this Title and the lawful use of land for storage purposes except for agriculture uses or where such use is an adjunct of any structure, and signs and bulletin boards which become nonconforming by reason of a subsequent change in this Title shall also be discontinued within one year from the date of the change.
- B. The lawful use of a building or structure existing at the time of the effective date of this Title may be continued, although such use does not conform to the provisions of this Title. If no structural alterations are made, a nonconforming use of a building may be changed to another nonconforming use of the same or of a more restricted classification. Whenever such nonconforming use has been changed to a more restricted use or to a conforming use, such use shall not thereafter be changed to a less restricted use.
- C. Whenever the lawful use of a building becomes nonconforming through a change in zoning requirements or district boundaries, such use may be continued and if no structural alterations are made, it may be changed to another nonconforming use of the same or of a more restricted classification. Whenever such nonconforming use has been changed to a more restricted use or to a conforming use, such use shall not thereafter be changed to a less restricted use.

- D. The lawful use of land as a trailer court which does not conform to the provisions of this Title shall not be extended beyond the area actually so used at the date of approval of this Title and no new parking spaces or berths for additional trailers shall be added thereto.
- E. Whenever a nonconforming use of a nonagricultural building or structure, or part thereof, has been discontinued for a period of eighteen (18) consecutive months, or for a continuous period of twenty four (24) months if the building was originally designed and constructed for a nonresidential use, such use shall not after being discontinued or abandoned, be reestablished, and the use of the premises thereafter shall be in conformity with the regulations of the district.
- F. Where no enclosed building is involved, discontinuance of a nonconforming use for a period of twelve (12) months shall constitute abandonment.
- G. No existing nonagricultural building or structure devoted to a use not permitted in the district in which such building or premises is located, except when required to do so by law, shall be enlarged, extended, reconstructed or structurally altered, unless such use is changed to a use permitted in the district in which such building or structure is located; provided, however, any building containing a residential nonconforming use may be altered in any way to improve livability but no structural alteration shall be made which would increase the number of dwelling units therein or the bulk of the building. Any existing building or structure devoted to a use permitted in the district in which such building or structure is situated, but failing to comply with the yard or building setback line requirements of this Title may be enlarged, extended, reconstructed or structurally altered in any manner which does not further encroach upon the required open yard space or building setback line which is not complied with.
- H. Any nonagricultural building or structure containing a nonconforming use which is damaged by explosion, fire, flood, wind or other act of God or man to the extent of fifty percent (50%) or more of its fair market (sales) value immediately prior to damage shall not be repaired or reconstructed except in conformity with the provisions of this Title. In the event that the Building Inspector's estimate of the extent of damage or fair market value is not acceptable to the applicant for the building permit to repair or reconstruct such building or structure, the applicant may appeal to the Board of Appeals.
- I. No nonagricultural building or structure designed or intended to be utilized for a nonconforming use shall be constructed or allowed unless substantial construction is under way at the time of the enactment or

- I) subsequent amendment of this Title and is being diligently prosecuted so that such building or structure will be completed within eighteen (18) months from the time of the enactment or subsequent amendment of this Title. All outstanding building permits for construction which do not meet these requirements shall be rendered null and void by the enactment or subsequent amendment of this Title.
- J. When adjacent lots of record are in single ownership and fronting on the same street or place, even though such lots are smaller in area and width than permitted in the use district where located, no building or structure shall be erected or structurally altered on such lot, except in conformity with the provisions of this Title.
- K. The regulations set forth herein shall be applicable pursuant to the effective date of this Title. (Ord., 1-7-74)

CHAPTER 8

MOBILE HOMES, MOBILE HOME PARKS

SECTION:

- 10-8-1: Purpose
- 10-8-2: Rules and Definitions
- 10-8-3: Mobile Home Site Standards
- 10-8-4: Permanent Facilities and Resident Services
- 10-8-5: Standards for Continuing Operations
- 10-8-6: Administration Procedures
- 10-8-7: Licenses and Permits
- 10-8-8: Inspection, Enforcement and Appeals
- 10-8-9: Design Review Standards

10-8-1: **PURPOSE:** The purpose of this Chapter is to provide zoning procedures in the R-3 District¹ wherein mobile home or travel trailer use is desired in order to permit flexibility in uses and design under conditions of approved site design and development plans.

10-8-2: **RULES AND DEFINITIONS:** The rules and definitions specified in Section 10-1-2 of this Title are hereby incorporated by reference. The following terms, unless a contrary meaning is specifically prescribed by the content, shall have the following meanings:

CAMP

Any one or more of the following, other than a hospital, place of detention, or school offering general instructions:

Any area of land or water on which are located two (2) or more cabins, tents, travel trailers, shelters, houseboats or other accommodations of a design or character suitable for seasonal or other more or less temporary living purposes, regardless of whether such structures or other accommodations actually are occupied seasonally or otherwise.

¹ See Section 10-2-3 of this Code.

HEALTH AUTHORITY	The legally designated health authority or its authorized representative of the Municipality.
LICENSE	A written license issued by the community health authority allowing a person to operate and maintain a mobile home or mobile home park subdivision under the provisions of these standards and regulations.
LOT	An area of land, whether acreage or a subdivision thereof, whereupon a mobile home trailer may be placed.
MOBILE HOME TRAILER	Any vehicle or mobile structure more than thirty feet (30') long, on wheels, skids, rollers or blocks, designed to be pulled, pushed, or carried by a motor vehicle on a highway, and designed for living as a one-family dwelling unit, complete and ready for occupancy as such except for minor and incidental unpacking and assembly operations, location on permanent foundations, connections to utilities, and the like.
MOBILE HOME TRAILER PARK SUB-DIVISION	An area of land divided into two (2) or more lots with foundations platted and laid out to provide sites for mobile homes permanently affixed to the land for a period of time exceeding sixty (60) days. The subdivision area shall include any building or structure, fixture or equipment that is used or intended to be used in connection with providing that accommodation, including provisions for sewer, water, electric and any other similar facilities required to permit occupancy of such mobile homes parked thereon.
PARK SUBDIVISION	The total acreage platted for development into a mobile home trailer park subdivision.
PERMANENTLY AFFIXED	A mobile home shall be deemed to be permanently affixed to the land when, in accordance with its owner's intent, its wheels, skids, rollers or other transporting devices have been removed and it has been so placed upon a lot, possessing a compacted gravel or concrete slab foundation for supporting the home, whereby it is rendered immobile and stationary.

SITE	The total parcel of land, whether undivided acreage or a platted subdivision or an individual lot therein, upon which a mobile home trailer may be situated.
TRAILER	A mobile home trailer as herein defined.
TRAVEL TRAILER	Any vehicle or mobile structure designed for highway travel less than thirty feet (30') long, on wheels, skids, rollers or blocks designed to be pulled, pushed or carried by a motor vehicle, and any house, car, camp car, "piggy-back" camper, or self-propelled motor vehicle, which is designed for sleeping or commercial purposes, and which is complete and ready for occupancy as such except for minor and incidental unpacking and assembly operations, location on jacks, connections to utilities, and the like.
TRAVEL TRAILER TRANSIENT PARK	An area of land containing two (2) or more travel trailers or providing space where two (2) or more trailers are harbored or parked or intended to be harbored or parked for a period of sixty (60) days or less either free of charge or for remuneration purposes, and shall include any building, structure, tent, vehicle or enclosure, used or intended for use as a part of the equipment of such park, and providing sewer, water, electric, and other similar facilities required to permit occupancy of such travel trailers parked thereon.

10-8-3: MOBILE HOME SITE STANDARDS:

- A. Minimum Site Size: Every mobile home trailer and travel trailer park subdivision shall be platted on not less than two (2) acres of land.
- B. Minimum Lot Size:
 1. Every mobile home hereafter placed in a subdivision shall be on a lot having an area of not less than four thousand (4,000) square feet and a width at the established building line of not less than forty feet (40').
 2. Every travel trailer hereafter placed in a park shall be on a lot having an area of not less than one thousand eight hundred (1,800) square feet and a width at the established building line of not less than thirty feet (30').

- C. Height: No building, structure or dwelling in a mobile home subdivision or travel trailer park shall exceed two and one-half (2 ½) stories or thirty five feet (35') in height.
- D. Yard Areas:
1. No mobile home shall be placed upon a park subdivision lot unless the following yards are provided and maintained in connection with such mobile home dwellings:
 - a. Front Yard: Each lot upon which a mobile home dwelling is placed shall have a front yard of not less than twenty feet (20').
 - b. Side Yard: On each lot upon which a mobile home dwelling is placed, there shall be a side yard on each side of not less than five feet (5'). The side yard for corner lots shall be not less than twenty feet (20').
 - c. Rear Yard: Every lot upon which a mobile home dwelling is placed shall have a rear yard of not less than ten feet (10').
 2. No travel trailer shall be placed upon a park lot unless the following yards are provided and maintained in connection with such travel trailer:
 - a. Front Yard: Each lot upon which a travel trailer is to be parked shall have a front yard of not less than eight feet (8'). No travel trailer shall be parked in a travel trailer park closer than thirty feet (30') to an adjacent row of trailers.
 - b. Side Yard: On each lot upon which a travel trailer is parked there shall be a side yard on each side thereof of not less than eight feet (8').
 - c. Rear Yard: Every lot upon which a travel trailer is parked shall have a rear yard of not less than five feet (5').
- E. Setback from Center Line of Street.
1. Every mobile home placed upon a subdivision lot which fronts upon a major highway shall be set back from the center line of said highway a minimum of eighty feet (80') to the building line.
 2. Every travel trailer placed upon a park lot which fronts upon a major highway shall be set back from the center line of said highway a minimum of sixty (60') feet to the building line.
- F. Percentage of Lot Coverage:

- F) 1. Each mobile home dwelling, including accessory buildings, garages, and porches, shall not cover more than seventy percent (70%) of each subdivision lot.
2. Each travel trailer, including accessory buildings, garages and driveways, shall not cover more than eighty percent (80%) of each travel trailer park lot.
- G. Dwelling Standards: Every mobile home dwelling hereafter placed upon a subdivision lot shall have a total ground floor area of not less than five hundred (500) square feet, measured from the outside of exterior walls, including utility rooms, but excluding open porches, breezeways, and garages.
- H. Off-Street Parking Facilities:
1. Two (2) parking spaces for each mobile home dwelling lot shall be provided. No motor vehicle, parked on the mobile home lot, shall be parked closer than three feet (3') to the mobile home, nor closer than ten feet (10') from an adjoining mobile home.
2. One parking space for each travel trailer lot shall be provided.
- I. Liquefied Petroleum Gas as Fuel: When liquefied petroleum gas is used, the containers for such gas shall be the liquefied petroleum gas container approved by the Interstate Commerce Commission for its intended purpose and shall be integrally attached to the travel trailer or mobile home in a manner as approved by the Liquefied Petroleum Gas Association or other appropriate authority including the appropriate safety authorities and the Building Inspector.
- J. Fuel Oil Supply: Fuel oil supply systems shall be installed and maintained in accordance with applicable State and local codes and regulations. All fuel oil storage containers, barrels, tanks or cylinders and piping to the mobile home shall be securely fastened in place and protected against physical damage.
- K. Natural Gas System: Natural gas piping systems shall be installed underground in accordance with applicable codes, regulations and public utility standards. Each mobile home and travel trailer lot provided with piped gas shall have an approved manual shutoff valve installed upstream of the gas outlet. The outlet shall be equipped with an approved cap to prevent accidental discharge of gas when the outlet is not in use.

- 10-8-4: **PERMANENT FACILITIES AND RESIDENT SERVICES:**
The following permanent facilities shall be installed and available to and for each mobile home and travel trailer lot:

- A. Streets and driveways shall be installed and paved to a minimum width of twenty four feet (24') and conform to Village subdivision standards.
- B. Sanitary drinking water system, inspected and approved by the Department of Health, providing adequate pressure with appropriate water connections for domestic usage. At least one cold water supply outlet shall be provided within three hundred feet (300') of every dependent mobile home or travel trailer site.
- C. For fire protection, sanitary water under adequate pressure in standard fire hydrants, which hydrants shall be located within four hundred feet (400') of every individual lot within a park subdivision or transient park. Fire extinguishers, State approved, shall be placed at locations within two hundred feet (200') of each travel trailer.
- D. Sanitary sewage disposal system, inspected and approved by the Department of Health, with appropriate water and odor tight sewerage connections for mobile home or travel trailer usage. Connection between storm water drainage systems and sewage disposal systems shall not be permitted.
- E. Refuse disposal receptacles, watertight, or incinerators located within two hundred feet (200') of each travel trailer lot as approved by the Building Inspector. Disposal shall create neither a menace to health nor a nuisance.
- F. Insect and rodent control measures shall be employed to maintain healthful and sanitary conditions.
- G. Public utilities, having building code and ordinance approved connection boxes, including but not limited to electricity, gas and telephone.
- H. Where dependent trailers are situated within a park subdivision or transient trailer park, a community service building shall be provided within three hundred feet (300') of each mobile home or travel trailer site. Such building shall be conveniently located, heated and lighted, and contain water closets and lavatories for each sex, properly compartmented and partitioned with a minimum width of not less than three feet (3'), hot and cold water showers for each sex, and private dressing room compartments of not less than three feet by four feet (3' x 4'). All floors, adequately sloped for drainage, shall be waterproof as well as all walls which are subject to water splash. Concrete curbing at least six inches (6") in height shall be installed throughout the building.

10-8-5: **STANDARDS FOR CONTINUING OPERATIONS:** The following standards for continuing the operations of a mobile home trailer and travel trailer park subdivision shall be imposed upon each owner or operator thereof:

A. Register: A register record shall be kept of all mobile home or travel trailer owners or occupants situated within a park subdivision. The register, which shall be kept within the management office, shall contain the following information:

1. The name and address of each occupant.
2. The name and address of each owner of each mobile home or travel trailer and motor vehicle by which it is towed.
3. The make, model, year and license number of each mobile home, travel trailer and motor vehicle.
4. The state, territory or country issuing such licenses.
5. The date of arrival and of departure.
6. The lot number and location within the park subdivision or transient trailer park.
7. A registry of all school-age children.

The register shall be kept available at all times for inspection by law enforcement officers, public health officials and other officials whose duties necessitate the acquisition of the information contained in the register. The register record of each occupant registered therein shall not be destroyed for a period of six (6) years.

B. Supervision: The owner or duly authorized attendant or caretaker shall be in charge at all times to keep the park subdivision, its facilities and equipment in a clean, orderly and sanitary condition. The attendant or caretaker shall be answerable with the owner for the violation of any provision of these standards to which the licensee or permittee is subject.

C. Suspension and Revocation of License: Following proper notification and adequate time for correction, the Department of Public Health may suspend or revoke any license to maintain and operate a park subdivision when the owner has been found to be violating any provision of these standards.

- D. Exception: Nothing in this Chapter shall be construed to prohibit the storage of any travel trailer for any length of time when it is not used for living or sleeping purposes.
- E. Posting of License and Transfer: The license certificate and certificate of occupancy shall be conspicuously posted in the office of or the premises of the park subdivision at all times. Operating licenses shall be nontransferable without the written consent of the licensor. Each and every mobile home and travel trailer within a park subdivision shall have displayed within it a certificate of title. In addition, the mobile home or travel trailer owner and the park subdivision owner or operator shall comply with all other provisions of the Illinois Motor Vehicle Law.¹
- F. School Board Report: The owner or operator shall file a report with the local school board or district on the first days of February and September wherein the mobile home park subdivision is located, giving the names and ages of all school-age children living therein.
- G. Board of Health Report: The owner or operator shall file a report with the Board of Health giving the full name, age and address of every person who is affected or suspected of being affected with any reportable or communicable disease.
- H. Maintenance, Repair and Sanitation: The owner or operator shall maintain and repair all facilities, services, roads and driveways and keep all of same in a sanitary and safe condition within the park subdivision. Occupants of mobile homes or travel trailers therein, who violate sanitation or safety standards or standards identified herein, or who wilfully or maliciously damage the facilities within the park subdivision, shall be prosecuted or ejected.
- I. The owner or operator shall comply with all rules and regulations of the Illinois Department of Revenue.

10-8-6: **ADMINISTRATION PROCEDURES:** The division and allocation of land hereafter for the construction, location, operation and expansion of both proposed and existing mobile home trailer park subdivisions and travel trailer transient parks shall be governed by the following procedures and the various design standards as specified in this Chapter. The design standards shall be found and determined by the Planning Commission to be a necessary element of this Chapter and essential to accomplish the objectives of said regulations:

A. General Scope of Regulations:

1. Approval of the Commission shall be obtained for the following:

1. S.H.A. ch. 95 ½.

- A1) a. The establishment, construction, expansion or operation of an existing mobile home park subdivision or travel trailer transient park.
- b. Use of any mobile home as temporary living or office space while a building or structure is under construction.
- B. Procedure for Filing: The applicant shall file with the Planning Commission a site development plan and a supplementary statement containing the following information:
1. The name and address of the applicant, the owner, partners, corporate officers (including present and last occupation), the engineer/surveyor preparing plat, and of the person proposed to supervise the facility.
 2. The location and legal description of the tract, the boundary lines, their bearings and distance, a small sketch indicating general vicinity, location of adjoining streets and its relationship to the general area.
 3. The arrangement of lots in relation to each other and interior streets; plans and specifications of existing and proposed buildings.
 4. Improvement plans, cross sections and profiles for all utilities, sewerage, streets, garage and waste disposal, fire protection, lighting, and parking areas proposed to be installed.
 5. Date, north point, scale not greater than two hundred feet (200') to the inch and gross and net acreage.
 6. Freedom of the site from objectionable smoke, noxious odors and unusual noise.
 7. Suitability of the site for the purpose intended insofar as soil, groundwater level, drainage, and topography are concerned.
 8. Contour of five foot (5') intervals or less, if required.
 9. Proposed and existing facilities for a sanitary community building, where needed, including a description of toilets, urinals, sinks, wash basins, slop sinks, showers and drains.
 10. Calendar months during which the applicant will operate the mobile home park subdivision or travel trailer transient park.
 11. A statement of public and private fire-fighting facilities available.

- C. Decisions and Appeals: Following a final decision of the Planning Commission, an appeal may be made to the Board of Appeals, where it is alleged there is an error in any order, requirement, decision or determination in the enforcement of This Title.

10-8-7: LICENSES AND PERMITS:

- A. Construction Permit and Original Operating License Requirements: It shall be unlawful for any person to park, place, construct or maintain any mobile home or travel trailer, mobile home park subdivision or travel trailer transient park upon any acreage, lot, premises, area or tract, without first obtaining a construction permit from the Building Inspector and/or an original operating license from the Department of Public Health or the County Health Unit of the Illinois Department of Public Health, as specified in Section 2-4-1 of this Code.

1. Provided, however, that any mobile home situated within the Municipality but not within a mobile home park subdivision upon the effective date hereof shall if in conformity with all sewer, water, sanitation and health ordinances of the State and County, be privileged to remain at its present location but may not be removed to another location except within the conformity of these standards. Any mobile home so situated but not in conformity with said requirements shall be brought into compliance with them on or before six (6) months from date of ordinance or shall be removed to a mobile home trailer park subdivision.

2. Except as otherwise provided herein, it shall be unlawful to occupy for sleeping or other resident purposes any mobile home or travel trailer not permanently affixed to the land unless it conforms to these standards.

- B. Certificate of Occupancy: Contemporaneous with the above permit and license requirements, the applicant should fulfill the requirements for obtaining a certificate of occupancy, as specified in Section 10-1-9 of this Title.

10-8-8: INSPECTION, ENFORCEMENT AND APPEALS: The Building Inspector shall inspect park subdivisions and transient parks at least once a year, and shall have the power and authority to enter upon the premises at any time for the purpose of enforcing the provisions relative to health, sanitation, water supply, sewage, garbage and waste disposal. Enforcement, violations, penalties and appeals procedures are governed by Title 2, Chapter 4 of this Code and Sections 10-1-6, 10-1-7, 10-1-10 and 10-1-11 of this Title.

10-8-9: DESIGN REVIEW STANDARDS:

- A. **General Design Standards:** The proposed site development plan, together with the required statement of supplementary information hereinabove specified, shall be studied by the Planning Commission and the Commission shall determine whether the proposed site development plan meets the following specified conditions:
1. Such site development plan shall be laid out and developed as a unit, in accordance with an integrated over-all design.
 2. The location and arrangement for buildings, parking areas, walks, lighting and appurtenant facilities shall be adjusted to the surrounding land uses and any part of the site not used for buildings or other structures, or for parking, or for roads or accessways, or recreation purposes, shall be landscaped with grass, trees and shrubs.
 3. No signs or displays or advertising of merchandise for sale or services offered in service shops shall be visible from outside of the building or in the open area.
 4. Reasonable additional requirements as to landscaping, lighting, screening, accessways, building setbacks and other site standards may be imposed by the Planning Commission for the protection of all residential property. Sanitary conditions as influenced by topography and drainage factors, shall be controlled so as to prevent the unhealthy accumulation of water, natural or waste, upon the site.
 5. The Planning Commission shall determine that the proposed site development plan is consistent with good planning practice, consistent with good site planning, can be operated in a manner that is not detrimental to permitted uses in the surrounding area and is designed to promote the general welfare of the area.
 6. Additions, alterations and expansions of mobile homes and travel trailers shall be completed with fire-resistant materials and be in compliance with existing building codes.
- B. **Performance Standards to be Considered:** The following performance standards for subdivisions and their design shall be developed as follows:
1. **Relation to Lot:** There shall be private open areas on the lot related appropriately to its functional areas. The lot shall be so shaped in scale as to provide for reasonable alternatives for home placements. Moving the mobile home onto the lot must, of course, be possible, but in

- B1) subdivisions the amount of movement shall be limited. In subdivisions, provisions for positioning of the unit on the lot and for moving it out are only incidental to the total subdivision design. Location of drives, parking area, carports and garages must be on individual mobile home lots or in the appropriate area. The parking areas must be easy and safe for entrance and convenience from all directions within the subdivision and from the street or highway. Driveways and car shelters shall not be located to interfere with desirable views from the mobile home or from important open areas on the site.

2. Relation of Lots to Each Other: The mobile home as well as functional areas on individual lots shall complement and supplement those on adjacent lots. Open areas shall flow onto open areas enhancing primary views. Areas on one lot where it is desirable to enclose with structures, vegetated screening or fences shall adjoin similar areas on neighboring lots. "Fronting" to the inside of a subdivision block has the definite advantages of providing a "view potential", and providing a play area for children. Facing the mobile home groupings inward improves the views, unifies pedestrian ways, and interrelates streets, drives, car storage and garbage and trash pick-up function.

Interior areas within the mobile home groupings shall be designed to encourage neighborliness. Inter-block arrangements shall include easy access from the entrances of mobile homes in the grouping.

3. General Subdivision Pattern Relation to Elements: The general subdivision, built from mobile home groupings, shall fit topography, requirements for circulation, and requirements for provision of community facilities and utilities. Areas for churches, schools, major parks and community facilities shall be located approximately with respect to the population to be served. As appropriate, residential areas shall merge into or be insulated from areas devoted to other purposes. They shall be insulated from heavy traffic, concentration of parking, noise, lights, commercial and industrial activities. They shall merge with parks or suitable areas.

The street pattern shall serve, not shape, the lots in the subdivision. Lands devoted to streets shall be held to a minimum compatible with performance of street-related functions. Minor streets shall feed at well-spaced intervals and well-designed intersections into collector streets and arteries for fast-moving traffic.

General site planning shall adapt to individual site conditions, the type of market to be served, reflect advances in site planning techniques, and be adapted to the trends and designs of the mobile home trailer. A site plan which conforms to and preserves terrain, existing trees, shrubs and rock formation is highly preferred.

- C. Conditions of Approval: The proposed site development plan for a mobile home trailer park subdivision or travel trailer transient park shall be studied by the Planning Commission and must be found to conform to (1) the specified minimum site standards, (2) the requirements for utilities, permanent facilities and resident services, and (3) the design review standards as specified in this Title. The Planning Commission must make a determination that the proposed site development plan meets all of the preconditions and design standards in this Title prior to the issuance of a building permit by the Building Inspector, and that all of the required facilities and utilities have been installed by the park subdivision or transient trailer park developer prior to the issuance of a certificate of occupancy. (Ord., 1-7-74)

10-9-1

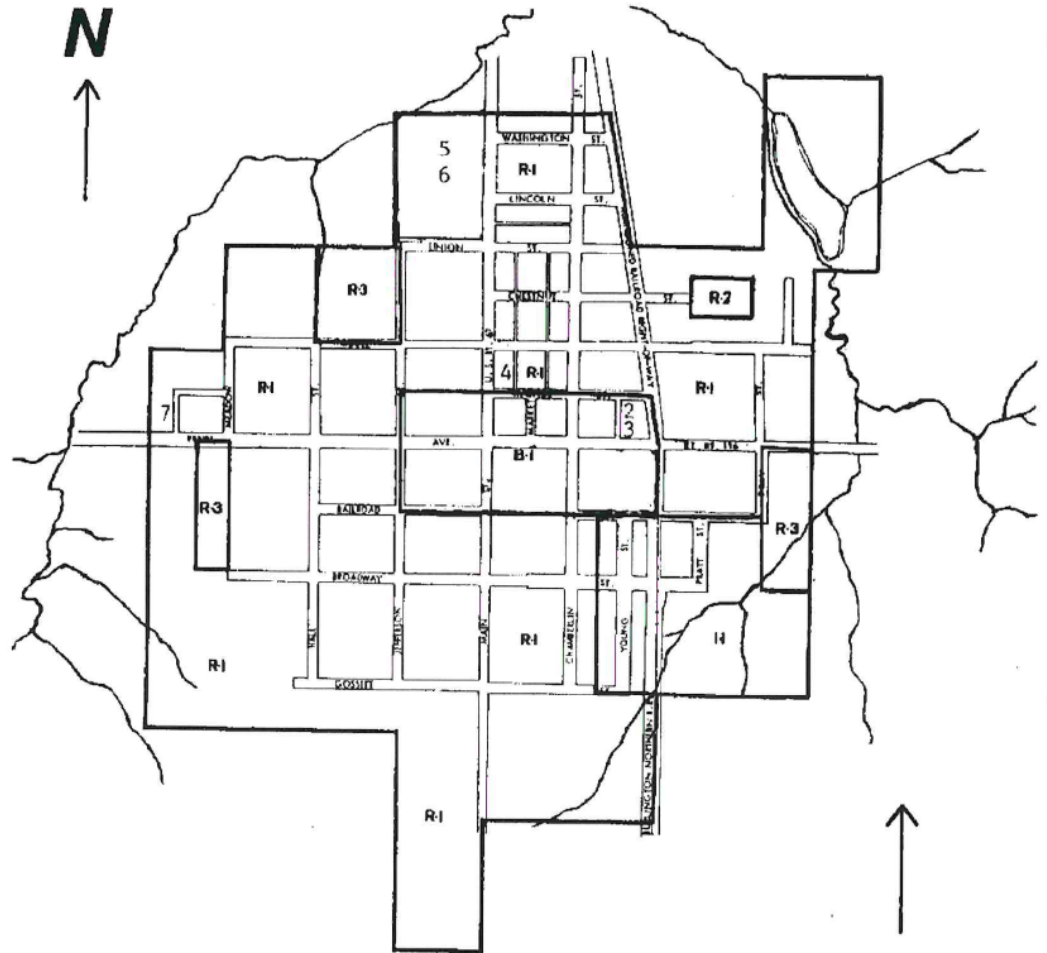
10-9-1

CHAPTER 9
ZONING MAPS AND DESCRIPTIONS

SECTION:

10-9-1: Zoning Map
10-9-2: Supplemental Zoning Descriptions

10-9-1: **ZONING MAP:** See following page for Map of Roseville Zoning Districts.



**ROSEVILLE
WARREN COUNTY
ILLINOIS
ZONING DISTRICTS**

- | | | | |
|-----|--------------------------------|-----|--------------------------------|
| R-1 | One-Family Dwelling District | B-2 | Highway Business District |
| R-2 | Multi-Family Dwelling District | I-1 | Light Industrial District |
| R-3 | Mobile Home Dwelling District | S-1 | Slope District |
| B-1 | Central Business District | S-2 | Commercial-Recreation District |

(For #2 through #7, see descriptions in this Chapter – location and identification which are zoned B-1 - Central Business District)

10-9-2: SUPPLEMENTAL ZONING DESCRIPTIONS:**EXHIBIT 2**

A tract of land commencing at a point Eight (8) rods West of the Southeast corner of Lot Ten (10) in Block Nine (9) of Morford's Second Addition to the Village of Roseville, Warren County, Illinois, running thence North Five (5) rods and Six (6) feet, thence West Five (5) rods, thence North to a point which is One Hundred Fifty (150) feet North of the South Line of Lot Nine (9) in said Block, thence West along a line parallel with the South line of said Block to the East line of Lot Eight (8) in said Block, thence South along the East line of the said Lot Eight (8) to the Southeast corner of said Lot Eight (8), thence East along the South line of said Block to the point of beginning all being situated in the Village of Roseville, Warren County, Illinois.

EXHIBIT 3

Commencing at a point on the East line of Lot Eight (8) One Hundred Fifty (150) feet North of the Southeast corner of said Lot Eight (8) in Block Nine (9) in Morford's Second Addition to the Village of Roseville in Warren County, Illinois, running thence West parallel with the South line of said Lot Eight (8) to the West line of Lot Eight (8), thence South along the West line of Lot Eight (8) to the Southwest corner of said Lot Eight (8), thence East along the South line of said Lot Eight (8) to the Southeast corner of said Lot Eight (8) thence North along the East line of said Lot Eight (8) to the place of beginning, situated in the County of Warren in the State of Illinois.

Commencing at a point on the East line of Lot 9 in Block 9 of Morford's Second Addition to the Village of Roseville, Illinois, 150 feet North of the Southeast corner of said Lot 9, and running thence North on said East line to the Northeast corner of said Lot 9, thence West along the North lines of Lots 9 and 8 in said Block 9 of said Addition, to the Northwest corner of said Lot 8, thence South along the West line of said Lot 8 to a point which is 150 feet North of the South line of said Lot 8, thence East to the point of beginning -- all situated in Lots 8 and 9 of Block 9 of Morford's Second Addition to the Village of Roseville, Warren County, Illinois.

EXHIBIT 4

Beginning at the Southwest corner of Block Three (3) of Morford's First Addition to the Village of Roseville, running thence North eighty-nine (89) feet, thence East one hundred thirty-two (132) feet, thence South eighty-nine (89) feet, thence West one hundred thirty-two (132) feet to the place of beginning; the same being Lots Two (2) and Three (3) of the Subdivision of Lots Three (3)

and Four (4) of said Block Three (3) in Morford's First Addition to the Village of Roseville, all situated in the County of Warren, in the State of Illinois.

EXHIBIT 5

Commencing at a point on the West line of a certain strip of land conveyed to the State of Illinois for public highway purposes by deed recorded in Book 136 of Deeds at Page 98 in the Deed Records in the Recorder's Office of Warren County, State of Illinois, which said point of beginning is Two Hundred Twenty (220) feet, more or less, North of the South line of Lincoln Street or Lincoln Street produced in the Village of Roseville, Warren County, State of Illinois, thence running North along the West side of the said public highway a distance of One Hundred Ninety-one (191) feet, thence West a distance of One Hundred Sixty (160) feet, thence running South a distance of One Hundred Ninety-one (191) feet, more or less, to a point which lies One Hundred Sixty (160) feet, more or less, West of the place of beginning, thence running in an Easterly direction, a distance of One Hundred Sixty (160) feet, more or less, to the place of beginning, all situated in the Village of Roseville, Warren County, State of Illinois.

EXHIBIT 6

A certain tract of land in the Southwest Quarter of Section Thirty (30) in Township Nine (9) North, Range Two (2) West of the Fourth Principal Meridian in Warren County, Illinois, more particularly described by metes and bounds as follows, to-wit: Commencing at a point Eighty (80) feet North of the Northeast corner of Block Eight (8) of the Original Town Plat of the Village of Roseville as shown by the plat thereof recorded in Volume 57 of Deeds on Page 45 in the Office of the Warren County, Illinois, Recorder of Deeds; thence North along the West line of Main Street and the West line of that strip of land conveyed to the State of Illinois for a public highway by deed recorded in Book 136 of Deeds on Page 98 for a distance of One Hundred and Forty (140) feet; thence West One Hundred and Sixty (160) feet; thence South for a distance of One Hundred and Forty (140) feet; thence East for a distance of One Hundred and Sixty (160) feet to the point of beginning, situated in the County of Warren and State of Illinois.

EXHIBIT 7

Lots Nine (9) and Ten (10) of the Smith Eldridge Addition to the Village of Roseville, situated in the Village of Roseville, County of Warren and State of Illinois. (Ord., 1-7-74)