ORDINANCE NO. 66-4

AN ORDINANCE PROVIDING FOR GENERAL AMENDMENTS TO THE ZONING ORDINANCE OF KENDALL COUNTY, ILLINOIS, ADOPTED JANUARY 16, A.D. 1940, AS AMENDED

WHEREAS, the Board of Supervisors of Kendall County, Illinois has heretofore proposed various general amendments to the Zoning Ordinance of Kendall County, adopted January 16th, 1940 and as thereafter amended; and

WHEREAS, pursuant thereto the Zoning Board of Appeals of said County did hold public hearings on said proposed general amendments after due publication of notice thereof, in the manner and within the time provided by said Ordinance and the Statutes of the State of Illinois; and

WHEREAS, said Zoning Board of Appeals has by its report recommended that the proposed general amendments be adopted by the said Board of Supervisors.

NOW, THEREFORE, BE IT ORDAINED by the Board of Supervisors of Kendall County, Illinois, that the Zoning Ordinance of Kendall County, Illinois, adopted January 16 A.D. 1940, as amended, be, and the same is hereby amended in the various sections thereof as hereinafter set forth:

SECTION 3.2 DEFINITIONS shall be amended by adding in the appropriate alphabetical order and substituting new definitions, in such instances where the word has already been defined, the following definitions:

"BUILDABLE AREA. The space remaining on a building lot after the minimum yard requirements of this Ordinance have been complied with.

"COUNTY BOARD. The County Board shall mean the Kendall County Board of Supervisors.

"DWELLING, ATTACHED. A dwelling joined to two other dwellings by party walls, or vertical cavity walls, and above ground physically unifying horizontal structural elements."
"DWELLING DETACHED. A dwelling which is surrounded on all sides by open space on the same lot.

"DWELLING, SEMI-DETACHED. A dwelling joined to one other dwelling by party wall, or vertical cavity wall and above-ground physically unifying horizontal structural elements.

"FLOOR AREA-FOR DETERMINING FLOOR AREA RATIO. The sum of the gross horizontal areas of the several floors including also the basement floor of a building, measured from the exterior faces of the exterior walls, or from the center lines of walls separating two buildings. The "floor area" shall also include the horizontal areas on each floor devoted to:

(a) elevator shafts and stairwells;

(b) mechanical equipment, except if located on the roof, when either open or enclosed, i.e., bulkheads, water tanks and cooling towers;

(c) habitable attic space as permitted by the Building Code of Kendall County;

(d) interior balconies and mezzanines;

(e) enclosed porches;

(f) accessory uses.

The "floor area" of structures used for bulk storage of materials, i.e., grain elevators, petroleum tanks, shall also be included in the "floor area" and such "floor area" shall be determined on the basis of the height of such structures with one floor for each ten feet of structure height and if such structure measures less than ten feet but not less than five feet over such floor height intervals, it shall be construed to have an additional floor. The horizontal area in each floor of a building devoted to off-street parking and off-street loading facilities and the horizontal area
of a cellar floor shall not be included in the "floor area".

FLOOR AREA, UNABLE. Any floor area within outside walls of a residential building exclusive of areas in cellars, basements, unfinished attics, garages, open porches and accessory buildings, but including any area "roughed in" but not completed which is designed and intended for human occupancy.

FLOOR AREA RATIO. The numerical value obtained by dividing the floor area within a building or buildings on a lot by the area of such lot. The floor area ratio as designated for each district when multiplied by the lot area in square feet shall determine the maximum permissible floor area for the building or buildings on the lot.

MOBILE HOME. A trailer designed and constructed for dwelling purposes which contains cooking, sanitary and electrical facilities and has a gross area of 220 square feet or more;

TRAILER. Any vehicle or portable structure constructed so as to permit occupancy thereof, for lodging or dwelling purposes or for use as an accessory building or structure in the conduct of a business, trade or occupation and which may be used for a conveyance on streets and highways by its own or other motive power.

TRAILER, CAMPING. A trailer designed and constructed for temporary dwelling purposes which does not contain built-in sanitary facilities and has a gross floor area of less than 130 square feet.

TRAILER, TRAVEL. A trailer designed and constructed for dwelling purposes which may contain cooking, sanitary and electrical facilities and has a gross floor area of 130 square feet or more but less than 220 square feet.

The definition of "floor area, gross" and of "trailer house or mobile home" shall be deleted.
SECTION 4.4(c) shall be revised to read as follows:

"(c) Location of required open space or yards or courts and other open space allocated to a building or dwelling group shall be located on the same zoning lot as such building or dwelling group, except as otherwise permitted in planned development and planned open spaces".

SECTION 4.8 Re-zoning of public and semi-public areas shall be deleted and in its place and stead the following shall be inserted as Section 4.8 (2):

4.8 (1) MOBILE HOMES, TRAVEL TRAILER AND CAMPING TRAILERS.

(a) Trailers shall not be permanently affixed to the ground as a principal or accessory structure on a lot in any district.

(b) Mobile homes, travel trailers, or camping trailers shall not be occupied for dwelling purposes except in lawfully established mobile home parks or tourist camps. Mobile homes or travel trailers shall not be parked or stored on any lot other than in a lawfully established mobile home park, travel camp or trailer sales or manufacturing establishment, except that, in a Residence District, one travel trailer may be stored within an enclosed structure on a lot. No more than one camping trailer may be parked or stored in the open on a lot in a Residence District, and only when it is not located within a required yard.

4.8 (2) TEMPORARY PARKING. Temporary parking and use of trailers shall be permitted when a permit has been issued by the Zoning Administrator for the following purposes:

(a) Parking in the open and use of a mobile home or travel trailer for lodging purposes on the lot containing a dwelling, provided it is not parked or used thereon more than a thirty day period.
(b) Parking and use of trailers for temporary offices or storage uses incidental to and only for the period of time of construction of a building, provided such trailers are located on the same or contiguous lot as the building being constructed.

4.8(3) TENTS. Tents shall not be erected, used or maintained on any lot, except such small tents as are customarily used for recreational purposes and located on the same lot as a dwelling. Temporary use of tents for religious, amusement and recreation, business or manufacturing purposes shall be permitted when a permit has been issued for such use by the Zoning Administrator.

4.8(4) BOATS. Boats may be parked or stored in the open when in the operation of a lawfully established principle use, and one boat may be stored or parked on a lot containing a dwelling, provided that it shall be located within the buildable area or in a rear yard and no major repair, disassembly, or rebuilding operations are conducted thereon.

SECTION 7-AGRICULTURAL DISTRICT-A shall be amended to read as follows:

7.1 PERMITTED USES. The following uses are permitted:

(a) Agriculture—on a lot not less than 20 acres in area, except the following uses, either as a dominant or accessory use, in pursuit of agriculture, shall not be established, or structures for such following uses shall not be structurally altered or enlarged:

(1) Commercial livestock feed lots on lots less than 80 acres in area; and

(2) Farms operated publicly or privately for the disposal of garbage, sewage, rubbish or offal.
The existing permitted uses in Section 7 Agricultural District-A designated from (a) through (k) shall be retained by re-lettering said paragraphs from (b) to (l). There shall be added to Section 7.1 PERMITTED USES, the following permitted uses:

"(m) Cemeteries, including crematories and mausoleums in conjunction therewith, if not located within 500 feet of any dwelling.

(n) Private recreational areas or camps, when not operated for profit.

(o) Rest homes, nursing homes, hospitals, sanitariums, institutions for the aged and for children, for human beings only; provided the lot used for any such purposes shall not be less than five acres in area.

(p) Dog kennels, provided that such use shall not be operated on a lot less than ten acres in area.

(q) Green houses, wholesale and retail.

(r) Milk depots."

SECTION 7.2 SPECIAL USES, shall be amended by eliminating therefrom subparagraphs (d),(e),(j),(k),(n),(s) (t) and (u) and that the section with such deletions be re-lettered.

Section 7.3 LOT SIZE shall be amended to read as follows:

"7.3 LOT SIZE. Not less than two acres for any permitted use unless otherwise specified."

Section 8.2-3(a) LOT SIZE shall be amended to read as follows:

"8.2-3(a) LOT SIZE.

(a) Every one family detached dwelling hereinafter erected shall be located on a tract of land having an area of not less than one acre and a width at the established building line of not less than 150 ft; provided however where approved public or community water or sanitary sewer services are installed"
and operated as a public utility, the minimum lot size may be reduced to 20,000 square feet with a minimum width at the established building line of not less than 100 feet; provided further where approved that public or community water and sanitary services are installed and operated as a public utility the minimum lot size may be reduced to 15,000 square feet with a minimum width at the established building line of not less than 90 feet."

That SECTION 8.4R-4 TWO FAMILY RESIDENCE DISTRICT be amended to read as follows:

"8.4R-4 SINGLE-FAMILY ATTACHED AND MULTIPLE-FAMILY RESIDENCE DISTRICT.

8.4-1 PERMITTED USES. The following uses are permitted:

(a) Any of the permitted uses in the R-3 Residence District.

(b) Multiple-family dwellings.

(c) Single-family semi-detached dwellings.

(d) Single-family attached dwellings but not more than six such dwellings in addition to the two single-family semi-detached dwellings shall be contained within a detached building.

(e) Two-family detached dwellings.

8.4-2 SPECIAL USES. The following uses may be allowed by special use permit in accordance with the provisions of Section 13.7.

(a) Any of the special uses permitted in the R-3 Residence District.

(b) Boarding and lodging houses.

(c) Mobile home park, on a lot not less than ten acres in area.

(d) Multiple-family dwelling over two stories in height."
(e) Tourist homes having not more than five rooms for transient guests.

8.4-3 LOT AREA PER DWELLING.

(a) Every single-family detached dwelling and every two-family detached dwelling shall be on a lot conforming with the area requirements for a single-family detached dwelling in the R-3 Residence District.

(b) Single-family semi-detached dwelling. Not less than 5,500 square feet per dwelling unit.

(c) Single-family semi-detached dwelling having a party wall common with a single-family attached dwelling, and multiple family dwelling as follows:

<table>
<thead>
<tr>
<th>Type of Dwelling Unit</th>
<th>Minimum Lot Area Per Dwelling Unit in Square Feet</th>
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<tbody>
<tr>
<td>4 bedroom and over</td>
<td>4,000</td>
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<tr>
<td>3 bedroom</td>
<td>3,500</td>
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<tr>
<td>2 bedroom</td>
<td>3,000</td>
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<tr>
<td>1 bedroom</td>
<td>2,000</td>
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(d) All non-residential principal uses permitted in this Section shall be located on a lot having an area of not less than fifteen thousand (15,000) square feet and with a width of not less than one hundred (100) square feet at the building line.

(e) Special Uses: Minimum lot size and dimensions shall be specified with the granting of a Special Use permit.

(f) All residential special uses permitted in this District shall be served by an approved water and sanitary sewer system.

8.4-4 LOT WIDTH.

(a) Single-family detached dwelling, not less than 70 feet.

(b) Two-family detached dwelling not less than 70 feet.
(c) Single-family semi-detached dwelling, not less than 70 feet and not less than 35 feet for each dwelling.

(d) Two single-family semi-detached dwellings, and one single-family attached dwelling not less than 88 feet, and in addition thereto not less than 20 feet of additional width for each additional single-family attached dwelling in a building.

(e) Multiple-family dwelling, not less than 90 feet.

8.4-5 LOT COVERAGE. The same regulations shall apply for one and two-family detached dwellings as are permitted or required for single-family detached dwellings in the R-3 Residence District.

8.4-6 FLOOR AREA RATIO

(a) Not applicable for dwellings, except multiple-family dwellings.

(b) Multiple-family dwelling and non-residential uses:

(1) For one-story structures, not more than 0.3; and

(2) For structures having two stories or more, not more than 0.5.

8.4-7 MAXIMUM BUILDING HEIGHT. No building or structure shall be erected or structurally altered to exceed the following heights:

(a) Single-family detached dwellings and permitted non-residential buildings and structures. The same regulations shall apply as provided in the R-1 Residence District.

(b) All other dwelling types, not more than two stories or 24 feet, whichever is lower.

8.4-8 YARD AREAS. No building shall be erected or enlarged unless the following yards are provided and maintained.

(a) For single-family detached dwellings:
(1) Front yard, not less than 30 feet.

(2) Side yard. A side yard on each side of the zoning lot of not less than 10% of the lot width, except where a side yard adjoins a street, the minimum width shall be not less than 30 feet. As to an accessory building located more than thirty feet back of the required front yard setback, there shall be a side yard on each side of the zoning lot of not less than three feet.

(3) Rear yard, not less than 30 feet.

(b) For two-family detached dwellings:

(1) Front yard, not less than 30 feet.

(2) Side Yard. A side yard on each side of the zoning lot of not less than 10% of the lot width, except where a side yard adjoins a street, the minimum width shall be not less than 30 feet. As to an accessory building located more than 30 feet back of the required front yard setback, there shall be a side yard on each side of the zoning lot of not less than three feet.

(3) Rear yard, not less than 30 feet.

(c) For multiple-family dwellings:

(1) Front yard, not less than 25 feet.

(2) Side yard. Two side yards each not less than 12 feet in width, except a side yard adjoining a street shall not be less than 30 feet in width and for structures more than 30 feet in length measured perpendicularly to the front lot line, an interior side yard shall be increased in width by ½ foot for each foot the building exceeds 30 feet in length.

(3) Rear yard, not less than 40 feet in depth.
(d) For single-family detached dwellings:
   (1) Front yard, not less than 25 feet in depth.
   (2) Side yard. One side yard not less than ten feet in width, except a side yard adjoining a street shall be not less than 30 feet in width.
   (3) Rear yard, not less than 40 feet in depth.

(e) For single-family attached dwellings:
   (1) Front yard, not less than 25 feet.
   (2) Side yard, not applicable.
   (3) Rear yard, not less than 40 feet in depth.

8.4-9 SPACING BETWEEN STRUCTURES

When two or more structures which contain single-family detached dwellings, single-family attached dwellings, single-family semi-detached dwellings, or two or more multiple-family dwelling structures, or combinations thereof, are on a lot or on contiguous lots comprising a unified development under the same ownership or control, the distance between the structure walls shall be as follows:

(a) When the front wall of a structure faces the front wall or rear wall of the nearest building, the distance between the two structure walls shall be not less than 60 feet.

(b) When the rear wall of a structure faces the rear wall of the nearest structure, the distance between the two structure walls shall be not less than 50 feet.

(c) When the side wall of a structure faces the front or rear wall of the nearest structure the distance between the two structure walls shall be not less than 40 feet, except when the side wall contains more than two windows on a floor, that are not from bathrooms or storage rooms, such distance between structures shall be not less than 50 feet, or 60 feet if a main entrance
doorway is in such side wall.

(d) When the side wall containing not more than two windows on a floor, that are not from bathrooms or storage rooms, faces such side wall of the nearest structure, the distance between the two structure walls shall be not less than 20 feet. When the facing side walls of either of such structures contain more than two such window openings on a floor the distance between the two structures shall not be less than 50 feet, except when either side wall contains a main entrance doorway such distance shall be not less than 60 feet.

(e) A wall of a structure forming the end of a court shall not be less than ten feet from the nearest wall of a structure forming the sides of the court, and a structure forming the end of the court may be attached to one or both of the structures forming the sides of the court, provided the distance between facing walls of the structures forming the sides of the court is not less than the applicable requirements as set forth above.

(f) Where structures are not parallel to each other the required spacing shall be measured at the midpoint of the distance along which they face each other, however, the spacing between the structures at the narrowest point shall in no event be less than one-half of the required distance.

8.Off-Street Parking and Off-Street Loading.

All in accordance with regulations set forth in Section 11 of this Ordinance."

Section 9.1-1 shall be amended to read as follows:

"9.1-1 FLOOR AREA RATIO, not more than 0.8."
Section 9.1-5 shall be added as follows:

"9.1-5 OFF-STREET PARKING AND LOADING.

All in accordance with regulations set forth in Section 11 of this Ordinance."

Section 9.2-1(b) shall be amended by deleting therefrom "hotels and motels, including restaurants and meeting rooms, boarding and lodging houses," and amending said permitted use to read "hotels, including restaurants and meeting rooms, boarding and lodging houses".

Section 9.2-4 shall be deleted and in its place and stead the following shall be inserted:

"9.2-4 FLOOR AREA RATIO not more than 1.0."

Section 9.2-6 be added thereto to read as follows:

"9.2-6 OFF-STREET PARKING AND LOADING.

All in accordance with regulations set forth in Section 11 of this Ordinance."

Section 9.3-2 shall be amended to delete therefrom subparagraph (f) thereof.

Section 9.3-4 shall be deleted and in its place and stead shall be substituted the following:

"9.3-4 FLOOR AREA RATIO not more than 1.2."

Section 9.3-6 shall be added thereto as follows:

"9.3-6 OFF-STREET PARKING AND LOADING.

All in accordance with regulations set forth in Section 11 of this Ordinance."

Section 9.4-4 shall be deleted and in its place stead shall be substituted the following:

"9.4-4 FLOOR AREA RATIO not more than 0.8."

Section 9.4-6 shall be added thereto as follows:

"9.4-6 OFF-STREET PARKING AND LOADING.

All in accordance with requirements set forth in Section 11 of this Ordinance."
Section 10.1-2(a) shall be deleted and the following substituted in its place and stead:

"10.1-2(a) Retail and services as follows:

Automobile service station for the retail sale of gasoline and oil for motor vehicles, for minor services which may be conducted out of doors.

Contractor or construction such as: building, cement, electrical, refrigeration, masonry, building, plumbing, roofing, air-conditioning, heating and ventilating, fuel oil, with a storage of fuel oils, gas and other flammable products limited to 120,000 gallons per tank, with total storage on zoning lot not to exceed 500,000 gallons.

Section 10.1-6 shall be deleted therefrom and in its place and stead the following substituted:

"10.1-6 FLOOR AREA RATIO of not more than 0.8."

Section 10.2-6 shall be deleted and in its place and stead the following substituted:

"10.2-6 FLOOR AREA RATIO not more than 0.85."

Section 10.3-6 shall be deleted and in its place and stead the following substituted:

"10.3-6 FLOOR AREA RATIO 0.85."

Section 11.7 SCHEDULE OF LOADING REQUIRED shall be amended by adding thereto:

o) Multiple-family dwellings 1½ spaces for each dwelling unit.

p) Single-family dwellings One parking space for each dwelling.

q) Two-family dwellings 1½ spaces for each dwelling unit.

Section 12.4-1(c) shall be deleted and in its place and stead the following substituted:

"12.4-1(c) The gross area in square feet of all signs on a zoning lot shall not exceed ¼ square feet per lineal foot of building facade."
Section 13-1 ADMINISTRATIVE OFFICERS shall be amended by adding thereto a new Section 13.1-3 KENDALL COUNTY REGIONAL PLANNING COMMISSION as follows:

"Section 13.1-3. KENDALL COUNTY REGIONAL PLANNING COMMISSION.

The Planning Commission shall have the following duties under this Ordinance:

(a) To receive from the Zoning Administrator copies of all applications for amendments to this Ordinance, petitions, variations hereunder and for special use, permits at least fifteen days prior to the public hearing and report thereon with its recommendations to the Zoning Board of Appeals on or before the public hearing;

(b) To hold conferences in regard to proposed plan developments under this Ordinance and submit to the Zoning Board of Appeals a written report with its recommendations on or before the date of public hearing;

(c) To initiate, direct and review a study of the provisions of this Ordinance and the zoning map attached hereto and to make reports of its recommendation to the County Board of Supervisors not less frequently than annually.

PASSED this ___8th___ day of ___February___, A.D. 1966.

APPROVED this ___8th___ day of ___February___, A.D. 1966.

[Signature]
Chairman. Board of Supervisors

ATTEST: ________________________________
County Clerk