
THE VILLAGE OF ROBBINS

COOK COUNTY, ILLINOIS

ORDINANCE
NUMBER 6-13-95

AN ORDINANCE AMENDING
THE ZONING ORDINANCE OF THE
VILLAGE OF ROBBINS, COOK COUNTY, ILLINOIS

DR. IRENE H. BRODIE, Village President
TYRONE HAYMORE, Village Clerk

DAVID BRYANT
WILLIE CARTER
JAMES E. COFFEY, SR.
PALMA JAMES
RICHARD WILLIAMS
GREGORY L. WRIGHT
Board of Trustees

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WHEREAS, on May 12, 1995, the Plan Board of the Village of Robbins held a public hearing, pursuant to notice, during which the proposed changes were considered and during which all interested parties were given an opportunity to be heard; and

WHEREAS, the Plan Board has recommended that the Zoning Ordinance be amended for the reasons set forth in the transcript of its public hearing of May 12, 1995; and

WHEREAS, the President and Board of Trustees have determined that amending the Zoning Ordinance would further promote the orderly and harmonious development of land within the Village, serve a corporate purpose, protect the health safety and welfare of the citizens of the Village and be in the best interests of the Village.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF ROBBINS, COOK COUNTY, ILLINOIS AS FOLLOWS:

SECTION 1

That the Village Zoning Ordinance, as amended be and the same is hereby amended to read as set forth in Exhibit "A" following, which is incorporated herein by reference:

VILLAGE OF ROBBINS

Irene H. Brodie, Mayor
Tyrone Haymore, Clerk

TRUSTEES

DAVID BRYANT
WILLIE CARTER
JAMES E. COFFEY, SR.
PALMA JAMES
RICHARD WILLIAMS
GREGORY L. WRIGHT

VILLAGE ATTORNEYS

Odelson & Sterk, Ltd.

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ORDINANCE NO. 6-13-95

SECTION I

TITLE

- A. Be it ordained by the President and Board of Trustees, of the Village of Robbins, Cook County, Illinois, that the Village Zoning Ordinance, as amended, is herewith revised and amended in its entirety by the substitution thereof of the following.
- B. This Ordinance is herewith entitled "An Ordinance providing for the regulation of the use and intensity of use of land and height and bulk of buildings." This ordinance including the Zoning District Map made a part hereof, may be referred to as the Robbins Zoning Ordinance of 1995.

SECTION II

PURPOSE AND INTENT

- A. This ordinance is adopted for the purpose of:
 - 1. promoting the public health, safety, comfort, morals, convenience, and general welfare;
 - 2. securing adequate natural light, pure air, and safety from fire and other dangers;
 - 3. lessening or avoiding the hazards to persons and damage to property resulting from the accumulation or runoff of storm or flood waters;
 - 4. lessening or avoiding congestion in the public street and highways;
 - 5. conserving the value of land and buildings throughout the Village, and
 - 6. preserving and enhancing aesthetic values throughout the Village.
- B. To these ends this ordinance is intended to accomplish certain standards and objectives by:
 - 1. dividing the entire Village of Robbins into districts and regulating herein the location, construction, reconstruction, alteration, and use of buildings, structures, and land, whether for residential, business, commercial, manufacturing, or other specified uses;
 - 2. avoiding or lessening congestion in the public streets by adequate requirements for off-street parking and loading facilities;

3. preventing the overcrowding of land by regulating and limiting the height and bulk of buildings hereafter erected;
4. establishing, regulating, and limiting the building or setback lines along streets, alleys, and property lines;
5. regulating and limiting the intensity of the use of lot areas, and regulating and determining the area of open spaces surrounding buildings;
6. establishing standards to which buildings or structures therein shall conform;
7. permitting in each zoning district only those uses, buildings and structures that are compatible with the character of each district;
8. promoting commercial and industrial development within specific zoning districts by providing modern, flexible zoning guidelines compatible with such commercial and industrial development within such districts, in order to enhance the tax base and revenues of the Village;
9. preventing additions to, and alterations or remodeling of, existing buildings or structures in such a way as to avoid the restrictions and limitations imposed under this ordinance;
10. providing controls governing the continuation of those existing uses, buildings, and structures, which are incompatible with the character of the districts in which they are located;
11. providing for the eventual elimination of structures and uses which are incompatible with the character of the districts in which they are located;
12. defining the powers and duties of the administrative officers and bodies as provided in this ordinance; and
13. prescribing penalties for the violation of the provisions of this ordinance, or of any amendment thereto.

SECTION III

INTERPRETATION

- A. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements for the promotion and protection of the public health, safety, morals, and general welfare. In addition:

1. where the conditions imposed by any provision of this ordinance upon:
 - (a) the use of land, buildings, or structures;
 - (b) heights of buildings or structures;
 - (c) floor area requirements;
 - (d) lot area and width requirements;
 - (e) yard and other open space requirements; or
 - (f) other provisions of this ordinance are either more restrictive or less restrictive than comparable conditions imposed by any other provision of this ordinance or of any other law, ordinance, resolution, rule, or regulation of any kind, the regulations which are more restrictive or which impose higher standards or requirements shall govern;
2. this ordinance is not intended to abrogate any easement, covenant, or other private agreement; provided, that where the regulations of this ordinance are more restrictive or impose higher standards of requirements than such easements, covenants, or other private agreements, the requirements of this ordinance shall govern; and
3. no building, structure, or use not lawfully existing at the time of the adoption of this ordinance, shall become or be made lawful solely by reason of the adoption of this ordinance; and to the extent that, and in any manner that said unlawful building, structure, or use is in conflict with the requirements of this ordinance, said building, structure, or use remains unlawful under the provisions of this ordinance.

SECTION IV

SEPARABILITY

- A. It is hereby declared to be the intention of the Village Board of Robbins that the several provisions of this ordinance are separable, in accordance with the following:
 1. if any court of competent jurisdiction shall adjudge any provisions of this ordinance to be invalid, such judgment shall not affect any other provision of this ordinance not specifically included in said judgment; and
 2. if any court of competent jurisdiction shall adjudge invalid the application of any provision of this ordinance to a particular property, building, or structure, such judgment shall not affect the application of said provision to any other property, building, or structure not specifically included in said judgment.

3. that all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION V

GENERAL PROVISIONS

A. CONTROL OVER USE

1. The uses of land and erection, alteration, and use of buildings or structures shall be limited to:
 - a. uses lawfully established and existing on the effective date of this Ordinance, except uses lawfully established and existing on the effective date of this Ordinance and rendered non-conforming by the provisions herein shall be subject to the applicable regulations of this Ordinance; and
 - b. uses permitted or special uses in the zoning district in which the land, building, or structure is to be located.
2. A classification of special uses is hereby established to provide for certain uses hereinafter specified that are unique in physical and operational characteristics, but are deemed desirable or necessary for public convenience and welfare within a given district or districts. Due to the unique characteristics of special uses, special standards and other conditions for the location and development are herein set forth for each special use in the district regulations. Additions or alterations to existing structures or land improvements for expansion of a use herein designated as a special use shall conform with standards and other conditions governing the special use as herein set forth for the district in which it is located.
 - a. Where a use which is classified as a special use by this Ordinance existed on June 13, 1995, it shall be considered to be a lawful special use. Any use classified as a special use in this manner will be recorded as such by the Zoning Officer, and will be exempted from any fee for special use permits required elsewhere in this ordinance.
 - b. For any expansion or alteration of such existing legal special use, a special use permit will be issued in accordance with the procedures herein set forth and appropriate fees shall be charged as provided by this Ordinance.
3. Where a building permit for a building or structure has been issued in accordance with the law prior to the effective date of this ordinance, said building or structure may be completed in accordance with approved plans on the basis of which the building permit was issued; and, further, may upon completion be occupied under certificate of occupancy by the use

originally designated, subject to the provisions of Section XX - "Non-Conforming Buildings, Structures, and Uses."

B. CONTROL OVER BULK

1. New buildings or structures shall conform with the bulk regulations established by this Ordinance for the district in which each such building or structure is located. Existing buildings or structures shall not be enlarged, reconstructed, structurally altered, converted, or relocated in such a manner as to conflict or to increase any existing conflict with the bulk regulations of this ordinance for the district in which such structures are located.
2. However, in a residential district, a lot of record under single and separate ownership on the effective date of this Ordinance and thereafter, which is unable to meet the requirements of this Ordinance as to areas and yard requirements may be used for a single-family detached dwelling, provided it shall meet all other requirements of this ordinance and other applicable Village ordinances, regulations, and codes. This exemption shall not apply, however, if any adjoining lot or tract of land is held under common ownership with such exempted tract of land subsequent to the effective date of this Ordinance, if the combined tract has a land area equal to or more than the requirement. If the combined tract of land is less than the minimum requirement, the exemption shall apply to the entire combined tract. A lot of record existing on the effective date of this ordinance - referred to above shall be as follows:
 - a. in residence districts, a lot, parcel, or, tract of land which was recorded in the office of the Recorder of Deeds of Cook County prior to the effective date of this Ordinance; and
 - b. in residence districts, a lot in a subdivision which was so recorded after the effective date of this Ordinance, provided a Preliminary Plot for such subdivision has been given tentative approval, as required by the Subdivision Regulations Ordinance of Robbins prior to the effective date of this Ordinance and a final Plat has been submitted and approved by the Village Board and thereafter recorded in the office of the Recorder of Deeds of Cook County within the time periods required by such Subdivision Regulations for filing an application for final Plat approval and for recording after approval.
3. The Zoning Officer shall issue a zoning certificate for erecting a single-family detached dwelling on a lot or record upon compliance with all of the foregoing provisions. The Zoning Officer may, when requested by the owner, approve in certain cases a reduction in side yard width requirements, but neither side yard shall have a width less than ten percent of the width of the lot.

C. NUMBER OF BUILDINGS ON A LOT

In any residence district, every single-family detached dwelling hereafter erected or structurally altered shall be located on a lot, and there shall be not more than one such dwelling on a lot.

D. LOT DIVISION

No lot containing a structure or use shall hereafter be divided in order to secure one or more additional lots for transfer of ownership and establishment of a principal use thereon, unless each lot, including also the lot containing the structure or use resulting from such division, shall have the minimum lot area and lot width as required in this ordinance for the district in which the lot is located.

E. YARDS

1. Yards and other open spaces as required by this ordinance shall be located on the same lot as the principal building, structure, or use.
2. On through lots, the front lot line shall be along the street line designated by the Zoning Officer, except that when a front line has been established on one or more lots in the same block and all have front lot lines established along the same street line, the street in designated on the front lot line for such lot or lots shall be the front lot line on all vacant through lots in such block. Only those obstructions permitted in this Ordinance in front yards shall be located in that part of a rear yard adjoining a street that is equivalent in depth to a required front yard, except where a no-access strip has been provided for such lots on the recorded plot, in which case the no-access strip will be considered part of rear yard.
3. No yards allocated to a building, structure, or use existing on the effective date of this ordinance shall be subsequently reduced or further reduced below the yard requirements of this ordinance, except a yard adjoining a street may be reduced in depth in the event and to the extent of the right-of-way width of such street adjoining such yard is subsequently increased.

F. SETBACKS ALONG STREETS

Minimum setbacks on lots abutting a street shall be as required for yards in the district in which they are located and shall be measured from the street line -- or from the proposed street line if one has been designated on the Official Map.

G. GARAGES AND OTHER ACCESSORY BUILDINGS, STRUCTURES, AND USES

1. Garages and other accessory buildings, structures, and uses shall be compatible with the principal use of the same lot and shall not be established prior to the establishment of the principal use.

2. Garages and other accessory buildings, structures, and uses shall not be used for the keeping of livestock, poultry, and/or rabbits, whether or not for profit. •
3. Except as herein otherwise required for a specific accessory use, detached accessory buildings, (but not including smoke stacks within a manufacturing district) herein permitted as obstructions in required rear yards, shall:
 - a. be not more than one story or 15 feet in height - whichever is lower;
 - b.
 1. cover not more than 30% percent of the area of the rear yard, not to exceed 528 square feet in floor area with maximum dimensions of 24 feet by 22 feet.
 2. in case a parcel on which a house is built consists of two lots of record each measuring 40 feet in width or more, a detached garaged may be built in the rear yard of such parcel, whose dimensions shall not exceed 36 feet in width and 22 feet in depth. Provided further, such garage shall have no door opening for more than 2 cars.
 - c. be located not less than 3 feet from the lot line of adjoining lots.
4. Except as hereinafter provided for an accessory building containing a dwelling unit or lodging rooms for domestic employees of the occupants of the principal dwelling, no detached building or garage accessory to a single-family detached dwelling hereafter erected or altered at any location on a lot, shall be more than one story or 15 feet in height -- whichever is lower -- nor shall it be nearer than ten feet from the principal building on the lot or nearer than 20 feet from any street curb.
5. No garage or other detached accessory building shall be nearer than three feet to the side property line or the rear property line, if the rear property line borders on an alley.

H. CONTROL OF STRUCTURAL AND USE ENCROACHMENTS IN YARDS

1. Establishment of Uses

Structural obstructions of the principal building and encroachment of accessory structures and uses are permitted, and special uses may be allowed, in yards of the various districts.

2. Temporary Buildings

Temporary buildings for construction purposes may be erected and maintained for a period not to exceed the time of such construction.

3. Allowable encroachments in yards and courts as follows:

F	Front yards and side yards adjoining streets	
S	Interior side yards	
R	Rear Yards	
C	Courts	
a.	Awnings or canopies, attached -- not more than 3 feet 6 inches in depth.	FSRC
b.	Arbors or trellises, detached.	RC
c.	Arbors or trellises, attached.	F SR C
d.	Central air-conditioning equipment and shelters.	RC
e.	Balconies -- not more than 5 feet.	RC
f.	Bay windows -- not more than 3 feet and not more than 50 percent of the width of the room of which it is a part.	F RC
g.	Chimneys, attached -- not more than 2 feet.	FSRC
h.	Eaves or gutters -- not more than 4 feet into a front and rear yard, and not more than 2 feet into a side yard or court.	FSRC
i.	Fall-out shelters or other types of emergency shelters, attached or detached -- to within 10 feet of a lot line.	R
j.	Fences	FSR
k.	Fire escapes, open or enclosed -- in front of side yards adjoining a street not more than 5 feet, and in interior side yards or courts not more than 3 feet 6 inches.	FSRC
l.	Flagpoles.	FSRC
m.	Garages or carports, attached or detached.	FSR
n.	Growing of farm and garden crops in the open.	SR

o.	Lawn furniture, such as benches, sun dials, bird baths and similar architectural features.	FSRC
p.	Loading berths, open off-street.	SR
q.	Parking spaces, open off-street -- as allowed in Section XII.	SR
r.	Ornamental light standards.	FSRC
s.	Playground and laundry-drying equipment.	RC
t.	Playhouses, pagodas, gazebos, and open-sided summer houses.	R
u.	Sheds and storage buildings for garden equipment and household items.	R
v.	Signs and nameplates.	FSRC
w.	Sills, belt courses, cornices, and ornamental features of the principal building, projecting not more than 18 inches.	F S R C
x.	Steps, open -- necessary for access to and from the dwelling or an accessory building, steps as access to the lot from the street, and in gardens or terraces, provided there are not more than 8 steps for access to and from a principal or accessory building.	FSRC
y.	Swimming pools, private -- when conforming also with other codes or ordinances of the Village.	R
z.	Terraces and patios.	SR
aa.	Outdoor fireplaces (excluding incinerators).	R
bb.	Tennis courts, private.	R
cc.	Trees, shrubs, and other plants.	FSRC
dd.	Other accessory buildings, structures, and uses as herein permitted in the district regulations as accessory to a specific permitted use.	

I. VISION CLEARANCE

On corner lots no structure or plant shall obstruct a motor vehicle driver's vision of approaching vehicles. The minimum clearance section shall be measured from a maximum height of height of 2 feet 6 inches above grade to a minimum height of 8 feet above grade within the triangular area formed by the point of intersection of the front lot lines and 2 points on the front lot lines located 35 feet from the point of intersection.

J. FLOOR AREA RATIO APPLICATION IN PARTICULAR CASES

Where a building, lawfully existing on the effective date of this ordinance exceeds the permitted maximum floor area ratio, an addition to such existing building to be constructed on an adjoining lot shall be entitled to the maximum floor area ratio permitted for the adjoining lot in the district in which the said lot is located.

K. MOBILE HOMES, TRAILERS, TRUCK CAMPERS, TENTS AND BOATS

1. Mobile Homes, Travel and Camping Trailers

- a. Truck campers and trailers shall not be permanently affixed to the ground as a principal building or accessory structure on a lot in any district.
- b. Mobile homes, truck campers, travel and camping trailers shall not be occupied for dwelling purposes nor parked or stored on any lot other than lots occupied by establishments selling or serving such trailers in conformance with other provisions of this ordinance.
- c. In residence districts, 1 truck camper mounted on a pickup truck not exceeding 3/4 ton capacity, or one travel or camping trailer having a floor area of not more than 130 square feet when hitched for travel, may be stored in the rear yard, in a garage, carport, screen shelter, or similar structure designed so as to substantially conceal the trailer or camper from the view of the adjoining property owners.

2. Temporary Parking

Temporary parking and use of trailers shall be permitted when a permit has been issued by the Zoning Officer for temporary office or storage uses incidental to and only for the period of time of construction of a building development, provided such trailers are located on the same or contiguous lots to the building developments.

3. Tents

Tents shall not be erected, used or maintained on a residential lot, except such small tents as are customarily used for recreation purposes and located on the same lot as a dwelling

or for entertainment purposes and only when the tent is located within a rear yard. Temporary use of tents for community, religious, charitable, educational, amusement, recreation, and commercial purposes shall be permitted only when a permit has been issued by the Zoning Officer in accordance with provisions set forth in Article B-9 of Section XXI.

4. Boats

In a Residence District, one boat owned by the occupant of the dwelling and which is not more than 24 feet in length may be stored or parked on a lot containing a dwelling, provided that it shall be stored in the rear yard, in a garage, carport, screen shelter, or similar structure signed so as to substantially conceal the boat from the view of adjoining property owners; and provided further that no substantial repair, disassembly or rebuilding operation are conducted thereon.

L. SEWERAGE AND WATER SYSTEMS

1. Each use hereafter established which requires sewerage and water facilities shall be served by public or community sewerage and water systems.
2. In areas served by separate sanitary and storm sewers, connection of downspouts or roof drains into the sanitary sewer systems shall be prohibited as required by the regulations set forth by the Metropolitan Sanitary District.
3. All downspouts shall be installed and maintained so that storm water shall be directed **away** from adjacent property lines.

M. FLOOD-PLAIN AREA

The ground floor including also a cellar or crawl space floor of any building hereafter erected, structurally altered, enlarged, or moved to a flood-plain area shall have an elevation that is equal to or above flood crest level, or the distance above flood crest level that may be required by the Zoning Officer for specific locations.

N. STORAGE OF JUNK, REFUSE, AND DISABLED OR DAMAGED MOTOR VEHICLES

1. The open storage of junk, refuse, and scrap is prohibited beyond seven days in all districts, except in the extent such storage is an integral part of a particular manufacturing process within a manufacturing district, provided that such storage is confined to specific areas attached to or adjacent to such manufacturing processes in a manufacturing district.
2. The open storage of disabled or damaged motor or recreational vehicles, or similar items, whether awaiting repair or not, is prohibited beyond a 72-hour period in all districts, except in B-1 District. disabled or damaged motor vehicles may be stored in Automotive Service Stations awaiting repair or removal, for a period not to exceed 30 days.

0. BUILDING HEIGHT

No building shall be erected, converted, enlarged, reconstructed, or structurally altered to exceed the height limit herein established for the district in which the building is located, except that penthouses or roof structures for the housing of elevators, stairways, tanks, ventilating fans, or similar equipment required to operate and maintain the building and fire or parapet walls, skylight, towers, steeples, flagpoles, chimneys, smokestacks, radio and television aerials, wireless masts, water tanks, silos, storage hoppers, elevators, or similar structures may be erected above the height limits herein prescribed to the limitation of an additional 20 feet. Except on land bordering, adjacent to, or in the vicinity of an airport, no building or structure shall be erected, converted, enlarged, reconstructed, or structurally altered to exceed the height limits for the area in which it is located, which now are or shall hereafter be established under the Airport Approach Plan prepared by the State of Illinois, or the maximum height limit herein required for the district -- whichever is the lower height. A copy of the Airport Approach Plan shall be maintained in the office of the Zoning Officer as a public record.

P. UTILITY EXEMPTIONS

The following public utility uses are permitted in any district: wires, cables, conduits, vaults, laterals, pipes, mains, and valves or other similar distributing equipment, provided that the installation and location shall conform with the rules and regulations of applicable administrative authorities.

0. RETAINING WALLS

In cases where the Zoning Officer so deems necessary, because of topography, a concrete retaining wall, not less than 8 inches thick, and not less than 30 inches below grade, with above-grade dimension to be determined by the Zoning Officer based on adequate retaining and drainage factors applicable to the particular situation, will be required.

SECTION VI

ZONING DISTRICTS

A. ESTABLISHMENT OF DISTRICTS

In order to carry out the purposes and provisions of this ordinance, the Village of Robbins is hereby divided into the following districts:

- R1 Single-family Detached Residential District
- R2 Single-family Attached and Two-family Residential District
- R3 Multiple-family Residential District
- R4 Multiple-family Residential District
- B1 Neighborhood Shopping District

B2 Central Shopping District
M1 Manufacturing District

B. ZONING DISTRICT MAP AND BOUNDARIES OF DISTRICTS

1. Zoning District Map

The Zoning Districts and their boundaries are as shown upon the zoning district map entitled "Zoning District Map, Village of Robbins, Illinois, dated September 25, 1973, which map and all amendments thereto and all notations, references, and other information shown thereon are hereby incorporated into and made a part of this Ordinance, with the same force and effect as if fully set forth in this Ordinance. The original zoning district map, properly attested to, is on file with the Village Clerk.

2. Boundaries of Districts

Where uncertainty exists with respect to the boundaries of the various zoning districts as shown on the zoning district map, the following rules apply:

- a. A zoning district boundary line following a street, alley, or extension thereof shall be construed to be the centerline of such street, alley, or extension thereof.
- b. Where the zoning district boundaries are not otherwise indicated, and where the property has been or may hereafter be divided into blocks and lots, the district boundaries shall be construed to be the lot lines, unless the boundaries are otherwise indicated on the map. Within unsubdivided property, the district boundary lines on the zoning district map shall be in accordance with dimensions as designated on the map.
- c. ANNEXED TERRITORY

On land hereafter annexed to the Village, no structures shall be erected, enlarged, or moved and no change in use of land or existing structures shall be made until an amendment to this ordinance designating the zoning district classification of such annexed land is duly adopted by the Village Board; provided that if no such ordinance has been so adopted within 120 days after such land is annexed, the annexed land shall be automatically classified as R1 Single-family Detached Residence District. The Plan Commission shall, either before or not later than 60 days after any land is annexed, file in the office of the Village Clerk an application for an amendment to this ordinance establishing zoning district classifications for such land.

1. Procedure

Any person, firm, or corporation desiring to annex land to the Village shall file with the Village Clerk a verified petition containing the following information:

- a. The name of the recorded owner of the real estate, and if the real estate is subject to a contract of sale, the names of all contract purchasers.
 - b. A legal description of the real estate desired to be annexed.
 - c. The names of all electors residing on the real estate and a written consent signed by all such electors. If there are no electors residing on the property, a statement showing that fact.
 - d. A statement that the property is contiguous to the existing corporate limits of the Village.
2. The Plan Commission shall publish a notice of the hearing date before the Plan Commission in a newspaper of general circulation in the Village not less than 15 days nor more than 30 days prior to the date of the hearing.
3. The Plan Commission after holding its hearing required by this Section shall file its written recommendations with the Village Clerk and recommend appropriate Village Board action. These recommendations along with the petition to annex shall be presented to the Village Board at its next regular meeting following the hearing date.

SECTION VII

RESIDENTIAL DISTRICTS

RESIDENTIAL DISTRICT PROVISIONS

Unless otherwise provided in the regulation of this ordinance, the following provisions shall apply to all residential districts:

- A. Signs -- in accordance with the provision of Section XVIII.
- B. Home Occupants

In all residential districts, any customary home occupation shall be permitted provided:

1. it is conducted entirely within the dwelling and only by the owner of the dwelling and 1 additional employee and only when such home occupation is incidental and secondary to the use of the dwelling for dwelling purposes;
2. it is not conducted from a detached or attached accessory building nor does it require internal or external alteration, or involve construction features or use of equipment not customary in a dwelling, and the entrance to the space devoted to such occupation shall be from within the dwelling and not more than one-fourth of the floor area of a story including also a cellar of the dwelling is devoted to such home occupation;
3. there is no display or activity that will indicate from the exterior of a dwelling that it is being used in whole or in part for any use other than a dwelling, except 1 nameplate, nor more than 1 square foot in area which contains only the name of the occupant of the dwelling and the home occupation conducted therein and is attached to the dwelling and not illuminated shall be permitted;
4. no mechanical equipment is used, except such as is customarily used for purely domestic or household purposes;
5. stock in trade, including that which is produced on the premises, shall not require receipt or delivery of merchandise, goods, or equipment other than by United States letter carrier mail, similar parcel delivery service, or by private passenger automobile;
6. academic or religious instruction may be given to not more than 3 persons at the same time, and other instruction may be given to not more than one person at the same time; and
7. Off-street Parking and Off-street Loading shall be in accordance with the provisions of Section XVII except that no truck or other type of commercial motor vehicle shall be parked or stored in the open on a lot in a residential district.

SECTION VIII

R1 SINGLE-FAMILY RESIDENTIAL DISTRICT

A. PREAMBLE

The R1 Single-Family Residential District is intended to provide regulations which will maintain the character and stability of single-family residential neighborhoods in the Village, having lots not less than 5,000 square feet (by way of illustrations - 40' x 125') in area.

B. PERMITTED USES

1. Single-family detached dwellings,

2. Public libraries,
3. Churches and temples,
4. Public Schools,
5. Police and fire department stations,
6. Public parks, playground, forest preserves, and recreational areas,
7. Temporary buildings for construction purposes for a period not to exceed such construction, and
8. Accessory uses.

C. SPECIAL USES

1. Residential planned developments in accordance with Subsection L of Section XXL
2. Public utility and governmental service uses on lots having areas, widths, yards, and other conditions as approved by the Village Board.
 - a. Electric substations and booster stations,
 - b. Filtration plants, pumping stations, water reservoirs, and wells,
 - c. Gas regulator stations,
 - d. Telephone exchange and microwave relay towers,
 - e. Other governmental uses.
3. Seminaries, convents, monasteries, and similar religious institutions on a lot not less than 5 acres in area and provided no building or structure shall be located less than 100 feet from a lot line.

D. LOT AREA

1. Single-family detached dwellings -- not less than 5,000 square feet except as herein otherwise required for a specific permitted or special use.
2. Non-residential uses -- not less than 15,000 square feet unless otherwise specified.

E. LOT WIDTH

1. Single-family detached dwellings -- not less than 40 feet.
2. Non-residential uses -- not less than 120 feet.

F. BUILDING HEIGHT

Residential -- shall not be more than 26 feet in height.

Non-residential -- shall not be more than 35 feet in height.

G. FLOOR AREA RATIO

1. Single-family detached dwellings -- not applicable.
2. Non-residential uses -- not more than 0.25 feet.

H. YARDS

1. Front Yard

Not less than 25 feet in depth as measured from the front wall of the building.

2. Side Yards

A side yard on each side of the lot of not less than 10 percent of the lot width; provided, however, that such side yard shall not be less than 4 feet in width; but need not exceed 6.5 feet in width, except on corner lots, the side yard adjoining a street shall be not less than 5 feet in depth. For lots of record of less than 40 feet prior to annexation a side yard of 10 percent of the width of the lot is required on each side.

3. Rear Yard

A rear yard shall have a depth of not less than 35 feet, of which 300 square feet must be open to the sky and not covered with concrete or other non-porous materials.

4. Yards, General -- non-residential uses

For buildings more than 26 feet in height, each front, side and rear as required above shall be increased in width or depth by one foot for each additional one foot of building height over 26 feet.

SECTION IX

**R2 SINGLE-FAMILY ATTACHED AND
TWO FAMILY RESIDENTIAL DISTRICTS**

A. PREAMBLE

The R2 Residential District is intended to provide regulations which will tend to develop and maintain the character and stability of the townhouse (single-family attached and semidetached), and apartment type (low density two-family dwellings) parts of the Village and which, generally, have apartment buildings or townhouses containing not more than two dwellings in a structure, and which do not exceed twenty-six (26) feet in height, and average adensity of not more than twenty-two (22) units per net acre.

B. PERMIITTD USES

1. As in R1 District.
2. Institutions of an education !, or philanthropic nature.
3. Semidetached dwelling.
4. Two-family detached dwellings.

C. SPECIAL USES

1. As in R1 District.
2. Religious, educational or philanthropic institutions (except penal and mental institutions), hospitals, clinics (except animal and mental hospital and clinics).

D. LOT AREA

1. Detached dwelling (single-familyresidence) and two-family detached dwelling -- not less than 5,000 square feet (40' x 125').
2. Semidetached dwelling (townhouse) - not less than 4,000 square feet per dwelling unit.
3. Non-residential uses -- not less than 10,000 square feet unless otherwise specified.

E. LOT WIDTH

1. Detached dwelling and two-family detached dwelling -- not less than 40 feet.
2. Semidetached dwelling -- not less than 60 feet.

F. BUILDING HEIGHT

No building or structure shall be erected or structurally altered to exceed the following heights:

1. Detached dwellings and semi-detached dwellings, shall be no more than 26 feet in height.
2. Non-residential buildings shall be no more than 35 feet in height.

G. FLOOR AREA RATIO

1. Residential dwellings -- not applicable.
2. Non-residential, permitted and special uses -- not more than 0.4 feet.

H. YARDS

No building shall be erected or enlarged unless the following yards are provided:

1. Single-family detached, two-family detached dwellings and semi-detached dwellings:
 - a. Front yard - not less than 25 feet in depth.
 - b. Side yard - not less than 10 percent of the total lot in width.
 - c. Rear yard - not less than 35 feet in depth of which 300 square feet must be open to the sky and not covered with concrete or other non-porous materials.

SECTION X

R3 MULTIPLE-FAMILY RESIDENTIAL DISTRICT

A. PREAMBLE

The R3 Multiple-Family Residential District is intended to provide for construction of a residential environment in an area subject to economic and population pressures which cannot be alleviated by existing single-family or two-family residential zoning.

B. PERMITTED USES

1. As in R2 District.
2. Multiple-family dwellings -- provided that the lot area is not less than 7,500 square feet (by way of illustration 60' x 125'), and the sum of 1 bedroom and efficiency units are not in excess of 50 percent of all the units built on 1 lot, and provided further, the number of dwelling units contained in any one structure does not exceed 3.

C. SPECIAL USES

1. As in R2 District.
2. Whenever R3 property is adjacent to, contiguous with or directly across the street from B1 property, which is owned by the same Individual who owns the R3 property and when the corporate authorities have determined that it is in the best interest of the Village to grant the requested special use.

D. LOT AREA

As in R2 District -- except multiple-family dwellings as follows:

<u>Type of Dwelling Unit</u>	<u>Minimum Lot Area Per Dwelling Unit in Square Feet</u>
3 bedroom	2,500
2 bedroom	2,000
1 bedroom and efficiency	1,500

E. PRECEDENCE OVER ALLOWABLE NUMBER OF DWELLING UNITS

The requirements of yards, usable open space, and parking shall take precedence over total number of units allowed on any given parcel of land.

F. LOT WIDTH

Multiple-Family - not less than 60 feet.

G. BUILDING HEIGHT

Not more than 35 feet.

H. FLOOR AREA RATIO

Not more than 0.4 feet.

I. YARDS

As in R2 District.

SECTION XI

R4 MULTIPLE FAMILY RESIDENTIAL DISTRICT

A. PREAMBLE

The R4 Multiple-Family Residential District is intended to provide for construction of a residential environment in an area under high economic pressure, requiring high intensity uses, which cannot be alleviated by R3 multiple-family residential zoning.

B. PERMITTED USES

1. Multiple-family dwellings -- provided that the lot area is not less than 15, 000 square feet and the sum of one-bedroom and efficiency units is not in excess of 50 percent of all the units built on 1 lot, and provided further, the number of dwelling units contained in any one structure does not exceed 18 dwelling units.
2. Institutions of an educational, philanthropic or charitable nature.
3. Hospital for other than contagious diseases on a lot not less than 5 acres in area.

C. SPECIAL USES

1. Public utility and governmental service uses on lots having areas, widths, yards, and other conditions as approved by the Village Board.
 - a. Electric substations and booster stations.
 - b. Filtration plants, pumping stations, and water reservoirs.
 - c. Gas regulator stations.
 - d. Telephone exchange and microwave relay towers.
 - e. Other governmental uses.

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2. Multiple-family dwellings having more than 18 units in 1 structure, and exceeding 35 feet in height, provided the lot area shall be not less than 22,500 square feet and provided further such buildings exceeding the height limits provided in section G of this article will only be processed as a Planned Development as provided in Subsection L of Section XXL

3. Private Clubs.

D. LOT AREA

The lot area shall not be less than 15,000 square feet unless otherwise specified.

E. PRECEDENCE OVER ALLOWABLE NUMBER OF DWELLING UNIT

The requirements of yards, usable open space, and parking shall take precedence over total number of units allowed on any given parcel of land.

F. LOT WIDTH

Lot width shall not be less than 120 feet.

G. BUILDING HEIGHT

No building or structure shall be erected or structurally altered to exceed more than 35 feet

H. FLOOR AREA RATIO

Multiple-family and non-residential permitted and special uses -- not more than 0.8 feet.

I. YARDS

As in R2 district.

J. USABLE OPEN SPACE

For each multiple-family dwelling unit not less than:

1. One bedroom and efficiency -- 300 square feet
2. Two bedroom -- 500 square feet
3. Three and four bedroom -- 750 square feet.

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SECTION XII
CONDOMINIUMS

A. **APPLICABILITY**

This chapter shall apply to all divisions of land or property into residential and commercial condominium units.

B. **DEFINITIONS**

The terms and words used shall have the definitions set forth in the Condominium Property Act of Illinois.

C. **SUBDIVISION PLAT OF CONDOMINIUMS**

A subdivision plat of any conversion into or construction of condominium units shall require a public hearing using the procedures set forth in the Robbins subdivision regulations.

D. **CONDOMINIUM PLAT APPROVAL: RECORDING**

No condominium plat shall be recorded without the prior approval of the Village, nor permits issued for the construction or conversion of the same without said approval. No plat of condominium shall be recorded without complying with the requirements of this section.

E. **CONDOMINIUM REQUIREMENTS**

All conversions into condominiums or new condominiums shall follow the regulations set forth in the Condominium Property Act and, in addition, shall comply with the following:

1. No unit in any condominium may be sold or transferred after the effective date of this Chapter unless a certificate of inspection has been issued by the Building Commissioner stating that said condominium unit complies with the conversion element provisions of this Chapter. For that purpose, the applicant shall submit "as-built" drawings of the architect and site development certified by a registered architect.
2. No certificate of inspection shall be issued, no sale of a unit shall be made, and no condominium plat approved where the requirements of any ordinance of the Village concerning any zoning, building, or subdivision provisions are currently not being complied with by the building located on the property and by the common area.
3. No building or land previously granted a variation to any zoning, building or subdivision ordinance shall be converted into condominiums unless the current requirements of the applicable ordinance are met.

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4. All condominiums shall comply with the current regulations, including open space and parking requirements for the land use zone in which they are located.
 5. All residential condominiums shall contain a minimum storage space of three hundred twenty (320) cubic feet for each efficiency or one-bedroom unit, plus an additional storage space of one hundred sixty (160) cubic feet for each additional bedroom. All storage areas are to be located in areas other than the condominium unit.
 6. A separate gas, electric, and water meter and shut-off valve shall be provided for each unit. In a residential condominium, a common water meter may be provided for each building. Each unit shall have a separate hot water heater, furnace, and if provided, air conditioning system.
 7. All walls, ceilings and floors separating the units shall be soundproof.
 8. Common garbage and trash disposal containers shall be provided in a location screened from view in an area to avoid a minimum of noise and smell. Pickup shall be at least twice a week for all structures containing twelve (12) or more units.
 9. All residential condominium buildings shall provide a recreational or assembly area of not less than eighth hundred (800) square feet for four (4) units or less and an additional one hundred (100) square feet for each unit over four (4).

F. COMMON ELEMENTS

All condominium associations shall be responsible for traffic and parking control, snow removal, signing, sewers, water lines and lighting. The city shall have the right of easement to enter such common areas for the purpose of emergency for fire, police and enforcement of its ordinances and the plat shall so provide. Such common area shall remain the property of the condominium, and the Village shall not accept a dedication of these elements or the responsibility of maintenance. The association shall maintain the public area and parkway in a clean condition, free of debris, leaves and trash.

G. CERTIFICATE OF INSPECTION

Once a certificate of inspection has been issued, no new certificate of inspection need be secured for the resale of any unit for which a certificate of inspection has been previously issued, or to the sale or resale of any unit which was originally designed and sold under the Condominium Property Act if a certificate of occupancy has been issued with respect thereto, unless one is requested by an owner or the Village.

H. INSPECTION FEES

The fees for inspection shall be paid by the applicant or the owner association, or owner, if the Village is compelled to inspect to insure compliance with this chapter. The fee shall be one hundred dollars (\$100.00), plus thirty dollars (\$30.00) for each unit.

SECTION XIII

BUSINESS DISTRICTS - GENERAL PROVISIONS

A. PREAMBLE

Business district regulations are intended to govern the locations and uses of a full range of business and commercial establishments need to serve the citizens of Robbins and its trade **area**. The regulations of the various business districts are designed to provide for groupings of business and commercial establishments that are compatible in scope of services and method of operations.

B. BUSINESS DISTRICTS' PROVISIONS

1. Dwelling Units

Dwelling units and lodging rooms are not permitted on the ground floor level in any business district except in a permitted hotel, motel, resort, convent, monastery, parsonage, or rectory; as a special use in the B1 District; or within a structure existing on the effective date of this Ordinance.

2. Enclosure of Operations

All business, servicing, or processing shall be conducted within completely enclosed buildings except:

- a. off-street parking or loading;
- b. drive-in type of operations and open sales lots when conducted as a special use in the B2 District.

3. Parking Limitations

- a. Parking of trucks when accessory to the conduct of a permitted use shall be limited to vehicles having not over one and one-half tons capacity, except for pick-up or delivery services during normal business hours. •

- b. Trucks in excess of one and one-half tons capacity shall not be parked in the open within 150 feet of a residence district boundary line.

4. Scope of Operations

All business establishments shall be retail trade or service establishment dealing directly with consumers, and all goods produced on the premises shall be sold on the premises where produced except for specific uses in the B2 District where processing and fabricating or wholesale sales are permitted.

SECTION XIV

B1 BUSINESS DISTRICT

A. PREAMBLE

The B1 District regulations are intended to provide areas and govern uses therein for a range of shopper and personal service types of establishments in order to serve the general shopping needs of a consumer population that is located in one or more of the neighborhoods adjoining or in the vicinity of the shopping district.

A. PERMITTED USES

1. Art and school supply stores
2. Bakeries
3. Banks and/or savings and loan institutions
4. Barber shops and beauty parlors
5. Business or commercial schools or colleges
6. Book and stationery stores
7. Camera/photographic supply stores
8. Candy and ice cream stores
9. Catering establishments
10. China/glassware stores

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11. Clothes pressing establishments
 12. Clothing stores
 13. Clubs or lodges -- private, fraternal, religious or charitable when located above the ground floor
 14. Drug stores
 15. Dry-cleaning and laundry receiving stations -- including self-service coin-operated equipment
 16. Electrical appliance repair shops
 17. Employment agencies
 18. Fast food stores
 19. Flower shops
 20. Food stores. meat and fish markets, and delicatessens
 21. Garden supply stores
 22. Gift shops
 23. Grocery stores or supermarkets
 24. Haberdashery stores
 25. Hardware stores
 26. Hobby shops - for retailing of items to be assembled or use away from the premises
 27. Insurance offices
 28. Jewelry stores
 29. Laboratories
 30. Launderettes and hand laundries
 31. Library
 32. Liquor stores, package goods only

- 33. Locksmith shops
- 34. Medical and dental clinics -- including laboratories incidental thereto
- 35. Messenger or telegraph service stations
- 36. Millinery shops
- 37. Music stores, records and sheet music
- 38. Newspaper offices -- not including printing
- 39. Office supply store
- 40. Offices - professional, business public or institutional
- 41. Painting and decorating shops
- 42. Photograph galleries
- 43. Plumbing shops
- 44. Post Offices
- 45. Print Shops
- 46. Recreation buildings
- 47. Restaurants
- 48. Sales or show rooms
- 49. Shoe and hat repair stores
- 50. Shoe stores
- 51. Sporting goods stores
- 52. Studio parlors
- 53. Tailor shops
- 54. Telephone booths and exchanges

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55. Temporary buildings for construction purposes -- for a period not to exceed the duration of such construction.
 56. Tobacco shops
 57. Toy stores
 58. Travel agencies
 59. Upholstering shops
 60. Variety stores
 61. Vending machine structures (housing)
 62. Video rentals
 63. Accessory uses to the above permitted uses -- including but not limited to off-street parking, off-street loading, and business signs as herein regulated

C. SPECIAL USES

1. Other business uses similar to permitted uses listed above.
2. Automotive Service Stations may be permitted as special uses provided no tank container, pump, pipe, or other equipment for storage and handling of gasoline or any other flammable liquids shall be installed within 300 feet of the nearest boundary of any lot or plot of ground used for a school, hospital, church or theater; or within 600 feet of the nearest boundary of any lot or plot of ground used for an existing automotive service station or for gasoline storage tank or tanks.
3. Public utility and governmental service uses -- the location, width, and lot area of each use shall be as recommended by the Plan Commission and approved by the Village Board.
4. Schools, nursery, non-boarding -- on a lot not less than 120 feet in width and not less than 15,000 square feet in area.
5. Indoor theaters.
6. Undertaking establishments and funeral parlors -- on a lot not less than 120 feet in width and not less than 30,000 square feet in area.
7. Accessory uses to the above conditional uses -- including but not limited to off-street parking and off-street loading, and business signs.

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D. FLOOR AREA RATIO

1. For commercial uses -- 0.5
2. For residential uses
 - a. 0.6 for an interior lot
 - b. 0.7 for a corner lot

E. YARDS

1. Front

None required, except when adjacent to a residential front yard the requirement of the adjoining district shall apply in full, and if there is an intervening alley, 50 percent of the requirement shall apply.

2. Side

None required, except that if a yard is provided it shall be not less than 5 feet in depth, and when adjacent to a residential side yard, the requirement of the adjoining district shall apply in full; if there is an intervening alley, 50 percent of the requirement shall apply.

3. Rear

Not less than 25 feet.

F. BUILDING HEIGHT

No building hereafter erected shall exceed 35 feet in height.

SECTION XV

B2 CENTRAL SHOPPING DISTRICT

A. PREAMBLE

The 82 Central Shopping District regulations are designed to accommodate prime retail trade activities of city-wide and regional significance, located primarily within the core of Robbins downtown area. Regulations provide for a wide variety of related shopper type business establishments along with personal services and other complementary uses characteristic of major shopping center.

B. PERMITTED USES

1. Antique shops
2. Any of the permitted uses in the B1 District
3. Art galleries
4. Automobile accessory stores when there are no driveways across the street or sidewalk into the principal or accessory building
5. Banks and/or savings and loan institution
6. Bowling alleys
7. Business machine, sales and service
8. Carpet and rug stores
9. Catalog sales offices
10. Coin and philatelic stores
11. Currency exchanges
12. Department stores
13. Dry good stores
14. Fraternal, philanthropic, and charitable institutions -- when located above the ground floor
15. Frozen food stores -- including locker rental in conjunction therewith
16. Furniture stores
17. Furrier shops -- including the incidental storage and conditioning of furs
18. Hotels and motels -- including dining and meeting rooms
19. Household appliance stores -- including radio and television sales with incidental repair facilities

20. Interior decorating shops -- including upholstery and making of draperies, slip covers, and other similar articles when conducted as part of the retail operations and secondary to the principal use
21. Laboratories, medical, dental, or optical, when located above the first story or as accessory to a principal use occupying the first story.
22. Leather goods and luggage stores
23. Libraries, public or private
24. Loan offices •
25. Lumber yards
26. Mail order service stores
27. Musical instrument sales and repair
28. Paint and wallpaper stores
29. Photography studios -- including developing and printing of photographs when conducted on the premises
30. Post offices
31. Radio and television broadcasting studios
32. Restaurants
33. Cocktail lounges
34. Accessory uses customarily incidental to the above permitted uses, including but not limited to off-street parking, off-street loading, and business signs as herein regulated.

C. SPECIAL USES

1. As in B1 District
2. Other uses similar to permitted uses in this district
3. Automobile sales establishments only for authorized new passenger automobile sales agencies and accessory open sales lots and public garage, provided vehicular access to open sales lot and public garage is from an alley or service drive at the rear lot line

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4. Catering establishments when located above the ground floor
 5. Churches, temples, and synagogues on a lot not less than two acres in area and not less than 150 feet in width
 6. Clubs or lodges, private, fraternal, or religious -- when located above the first floor
 7. Convents, monasteries, rectories, or parsonages, as accessory to churches, temples, and synagogues
 8. Lodging rooms and dwelling units located above first floor of a permitted use
 9. Meeting halls -- when located above ground floor
 10. Printing and publishing -- when a principal use or accessory use provided printing and storage operations are in the principal building but located above the ground floor or -- not less than 50 feet from the front lot line on the ground floor and occupy not more than 3,000 square feet of the floor area
 11. Restaurants -- including live entertainment and dancing
 12. Restricted production and repair, limited to the following: needlework; clothing, such as custom manufacturing and alterations; jewelry from precious metals; watches; dentures; and optical lenses -- when located above the ground floor
 13. Schools, commercial or trade -- including those teaching music, dancing, business, commercial, or technical subjects when operations do not involve danger of fire and explosion, and objectionable noise, vibration, smoke, dust, odor, glare, heat, or other similar influences
 14. Accessory uses to the above uses -- including but not limited to off-street parking and off-street loading, drive-in facilities, and business signs

D. BUILDING HEIGHT

Not to exceed 35 feet.

E. FLOOR AREA RATIO

Not to exceed 2.5 feet, except where open areas as described below are provided on the lot in excess of ten percent of the area of the lot, the floor area ratio may be increased by 0.5 feet for each additional five percent of the lot devoted to usable open space.

F. YARDS

1. FRONT

None required, except when adjacent to a residential front yard. The requirement of the adjoining district shall apply in full, and if there is an intervening alley, 50 percent of the requirement shall apply.

2. SIDE

None required, except that if a yard is provided, it shall not be less than 5 feet in depth, and when adjacent to a residential side yard, the requirement of the adjoining district shall apply in full; if there is an intervening alley, 50 percent of the requirement shall apply.

3. REAR

Not less than 25 feet.

G. BUILDING BULK PREMIUM

For each automobile that is stored inside or on the roof of the principal building 600 square feet of floor area may be added to the floor area allowance under the floor area ratio formula.

SECTION XVI

MANUFACTURING DISTRICTS

A. PREAMBLE

The regulations for manufacturing districts are designed to provide for the establishment of a full range of industrial and allied activities and to govern their operations in a manner that will not have a deleterious effect on residential and business areas. It is essential that adequate provisions be made for the expansion of industry, both those existing today and for attracting a diversification of new industry. Adequate industrial sites and industrial expansion will create growth and development of the Village's economic and tax base and provide a variety of employment for its labor force.

The M1 Manufacturing District is designed to provide an environment suitable for industrial activities that require a pleasant and nuisance-free environment and will be compatible with adjacent residential and business uses.

B. MANUFACTURING DISTRICTS PROVISIONS

1. Operations Within Enclosed Buildings

M1 Manufacturing District

All activities involving the manufacturing, fabricating, processing, assembling, disassembling, separating, repairing, cleaning, servicing, testing, and storing of materials (including refuse, scrap and junk), products, and goods shall be conducted within completely enclosed buildings, except that materials may be stored, loaded and processed outside of such enclosed spaces if conducted in accordance with applicable law.

2. Performance Standards

Performance standards for noise, vibration, smoke and particulate matter, toxic matter, odorous matter, fire and explosion hazards, heat, glare and radiation hazards shall be the same as those established by the Illinois Environmental Protection Agency.

C. M1 MANUFACTURING DISTRICT

1. Permitted Uses

- a. Any establishment the principal use of which is manufacturing, fabricating, processing, assembling, disassembling, repairing, cleaning, servicing, testing, and storing of materials, products, and goods provided operations conform with the performance standards and other general requirements applicable to an M1 District.
- b. Building material sales and storage including milling, planning, jointing, or manufacturing of millwork.
- c. Contractors' offices and shops
- d. Dwelling units for watchmen and operating personnel and their families when the nature of operations require such personnel to reside on the premises where they are employed.
- e. Offices, general.
- f. Parking lots and storage garages.
- g. Printing and publishing establishments.
- h. Public garages.

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- i. Public open space.
 - j. Public utility, governmental service, and similar uses as follows:
 - 1. Bus transit facilities, including shelters, passenger stations, parking areas, and service buildings.
 - 2. Public utility and governmental service establishments, other --including offices, storing, testing, repairing, and servicing.
 - 3. Radio and television towers.
 - 4. Telephone exchanges, microwave relay towers and telephone transmission equipment and other such service buildings.
 - 5. Water-filtration plants, pumping stations, reservoirs, wells, and **sewage-**treatment plants and lift stations -- public or community.
 - k. Research laboratories
 - l. Resource recovery or co-generation facilities for the processing of refuse, generation of steam, production of electricity and related uses and any greenhouse or other facility constructed to accept steam from said resource recovery or co-generation facility.
 - m. Schools, commercial or trade
 - n. Training centers, engineering or sales
 - o. Warehouses
 - p. Wholesale establishments
 - q. Accessory uses to the above permitted uses.
2. Yards

Except as required herein under regulations along residence district boundary lines, and applicable M1 District performance standards, yards shall be provided in accordance with the following:

- a. Front Yard

Not less than 10 feet in depth.

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- b. Side Yards
 - 1. Not less than 20 feet wide when adjoining a street or residence district.
 - 2. Not less than 5 feet wide when adjoining an interior lot line.
 - c. Rear Yards
 - 1. not less than ten percent of the depth of the lot, however, such rear yard need not be more than 10 feet.
 - 2. • Adjoining a residence district -- not less than 35 percent of the depth of the lot, however, such rear yard need not exceed 35 feet.
 - 3. Building Height

No building hereafter erected shall exceed 35 feet in height.
 - 4. Floor Area Ratio
 - a. For manufacturing uses -- 0.55 feet

SECTION XVII

OFF-STREET PARKING AND OFF-STREET LOADING

A. SCOPE OF REGULATIONS

The off-street parking and off-street loading provision of this ordinance shall apply as follows:

- 1. Accessory off-street parking and off-street loading facilities shall be provided as required by the regulations of this section for all buildings and structures erected, altered, or enlarged and all uses of land established in each district.
- 2. When the intensity of use of any building, structure, or premises shall be increased through the addition of dwelling units, gross floor area, seating capacity, or other units of measurement in the amount specified herein requiring parking and loading facilities, such required parking or loading facilities for only the addition shall be provided.
- 3. Whenever the existing use of a building or structure shall hereafter be changed to anew use, parking or loading facilities shall be provided as required for such new use. However, if the said building or structure was erected prior to the effective date of this ordinance, additional parking or loading facilities are mandatory only in the amount by which the requirements for

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the new use would exceed those for the existing use, if the latter were subject to the parking and loading provisions of this ordinance.

8. PERMISSIVE PARKING AND LOADING FACILITIES

Nothing in this ordinance shall be deemed to prevent the voluntary establishment of off-street parking and loading facilities to serve any existing use of land or buildings, provided that there is adherence to all regulations herein governing the location, design, and operation of such facilities.

C. DAMAGE OR DESTRUCTION

When any conforming or non-conforming building or use which is in existence on the effective **date** of this ordinance, which is restored and continued in operation after being damaged or destroyed by fire, collapse, explosion, or other cause, to the extent that the cost of restoration does not **exceed** 60 percent of the assessed value, there may be provided only the off-street parking or loading facilities equivalent to any maintained at the time of such damage or destruction. However, in no case shall it be necessary to restore or maintain parking or loading facilities in excess of those required by this ordinance for equivalent new uses or construction.

D. OFF-STREET PARKING

1. Existing Parking Facilities

Accessory off-street parking facilities in existence on the effective date of this ordinance and located on the same lot as the building or use served shall not hereafter be reduced below, or if already less than, shall not be further reduced below the requirements for a similar new building or use under the provisions of this ordinance.

2. Location

Required accessory off-street parking spaces shall be located on the same lot as the use served, except when the Plan Commission recommends and the Village Board authorizes, for a specific use, the location of all or a part of the required off-street parking spaces on a lot that does not contain the principal use or structure.

Unless such permitted off-street parking spaces are provided by the permitted collective use of accessory off-street parking spaces for another use, they shall be located in a district where parking lots or storage garages are allowable principal uses. However, there shall be compliance with regulations set forth in Paragraph D 10 of this section for required accessory parking spaces not located on the same lot as the principal use or structure.

3. Size

A required off-street parking space shall be an area of not less than 162 square feet (9' x 18'). Under any circumstances parking spaces shall have a gross area of 324 square feet per car, including actual parking area and access ways. All parking area design will be in accordance with standards set forth in Appendix A of this ordinance, and shall be reviewed and approved by the Zoning Officer. Enclosed parking spaces shall have a vertical clearance of at least 7 feet.

4. Access

Each required off-street parking space shall open directly upon an aisle or driveway. All off-street parking facilities shall be provided with appropriate means of vehicular access to a street or alley.

5. Use

Accessory off-street parking facilities required as accessory to uses listed herein, shall be solely for the parking of automobiles of patrons, occupants, or employees. When bus transportation is provided for patrons, occupants, or employees and trucks waiting to load or unload materials at a facility within a manufacturing district, set forth in § 12 below, of specific establishments, additional open or enclosed off-street parking spaces for each bus to be parked on the premises shall be provided in accordance with regulations herein for access, in yards, design and maintenance, and area applicable to accommodating such buses.

6. Computation

When determination of the number of off-street parking spaces required by this ordinance results in a requirement of a fractional space, any fraction of one-half or less may be disregarded while a fraction in excess of one-half shall be counted as one parking space.

7. In Yards

a. Residential Districts

All off-street parking spaces, open to the sky, may be located in required interior yards and rear yards and shall not be less than ten percent from the nearest lot line.

b. Business Districts

Required off-street parking may be located in a front, side, or rear yard not less than 15 feet from a property line adjoining a street, except when abutting a residential

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district not less than 25 feet from the property line, which shall be maintained as landscaped area.

c. Manufacturing Districts

No off-street parking shall be permitted on any front yard or side yard fronting a street, except for trucks waiting to load or unload materials as set forth in § 12 below.

8. Design and Maintenance

a. Surfacing

All open off-street parking areas, and access driveways to such areas, shall be paved with hard durable, plant mix, asphaltic paving at least 2 inches thick after compaction or with portland cement paving at least 4 inches thick. All such areas shall have appropriate bumper guards, wheel stops, steel posts, walls, curbs, suitable landscaping or other installations adequate to prevent vehicles from parking or maneuvering on those portions of a lot upon which a driveway or parking **area is** prohibited or into a public right-of-way or where such portions of a lot are needed to prevent encroachment on walkways or adjoining properties.

b. Screening

All open off-street parking areas containing more than four parking spaces, located less than 40 feet from the nearest property line of a lot in a residential district shall be effectively screened on each side adjoining or fronting on such property line by maintaining one or more of the following:

1. A chain type, basket weave fence, not less than 5 nor more than 7 feet in height, with concrete encased fenceposts, not less than 3 feet in depth.
2. A brick wall of 5 feet in height and 8 inches thick, laid on a concrete foundation not less than 3 feet in depth.

c. Improvements

When a parking lot is accessory to a principal use, a building or buildings which are located in R3, R4, B1, B2, or M1 zones, and said lot is used for a public or private parking area for more than 20 vehicles, at least 4 percent of the parking areas shall be devoted to improvements as follows:

1. One-fourth of the required four percent of improvement shall be credited for street trees planted in accordance with the plans approved by the Zoning

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Officer. Approval shall be granted for any plan which complies with the Master Plan for street trees. Existing street trees shall be considered in satisfying this provision;

2. Up to and including three-fourths of the present improvements shall be credited for landscaped setback areas, provided that the total of said setback area is equal to the percent of the total parking area credited;
3. Up to and including three-fourths of the 4 percent improvement shall be credited for interior landscaping, provided that the total of such landscaped area is equal to that percent of the total parking area being credited;
4. On lots having no street frontage, 4percent improvement shall be credited for interior landscaping provided the total of such landscaped area is equal to that percent of the total parking area being credited.

d. Landscaping

1. Where a lot is used for a public parking area for more than 4 vehicles, those portions of the lot adjacent to the parking area and on which automobile parking is prohibited by any section of this Ordinance, shall be fully landscaped with lawn, trees, shrubs, or suitable ground cover, and no portion except the access driveways shall be paved.
2. Where a wall is not required along any lot line of an open sales area abutting a street, said sales area shall incorporate landscaped area or areas in the amount of at least three percent of said sales area.
3. All landscaping required by the provisions of this Subsection or provided in compliance with any other section of this Ordinance shall be installed in accordance with a plan approved by the Plan Commission. Approval shall be granted for any plan wherein the design and materials proposed therein are reasonably appropriate for the use and appearance of the parking area. Such landscaped areas shall be maintained free of weeds and debris.

e. Lighting

Any lighting used to illuminate off-street parking areas shall be arranged so as not to reflect direct rays of light into streets or adjacent residence districts, and in a parking area containing more than four parking spaces.

f. Repair and Service

No motor vehicle repair work and service of any kind shall be permitted in off-street parking areas. No gasoline or motor oil shall be sold in conjunction with any accessory parking facilities.

g. Storm Water

Adequate storm water drainage facilities shall be installed and connected with the storm sewers in order to insure that storm water does not flow onto abutting sidewalks, and any adjoining property in such a way or quantity that would cause property damage or inconvenience. The Zoning Officer shall approve all such facilities.

9. Control of Off-Site Parking Facilities

In cases where parking facilities are permitted on a lot other than the lot on which the structure or use served is located, the owner of record of such lot shall be the same as the owner of record of the lot occupied by the structure or use in which the parking facilities are accessory. A covenant running with the land must be recorded in the Office of the Recorder of Deeds of Cook County, Illinois, on the lot upon which the accessory off-street parking is located which prohibits any other use on that lot, and a copy of the recorded covenant certified by the Recorder of Deeds of Cook County, Illinois, must be deposited with the Building Inspector. The covenant shall not be released until such time as either one of the following conditions occur:

- a. The structure on the lot containing the principal use is removed and the principal use terminated, or
- b. Another lot of the required size within the required distance is properly developed and used for the required accessory off-street parking in place of and in lieu of the initial lot used for accessory off-street parking with the same requirements, covenants, and conditions attaching to such substitute accessory use lot as approved by the same authority as required for approval of such initial lot.

10. Employee Parking

Parking spaces required on an employee basis shall be based on the maximum number of employees on duty or residing, or both, on the premises at any one time.

11. Required Spaces

There shall be provided for each building, structure, and use hereafter erected, structurally altered, or enlarged, the minimum number of accessory off-street parking spaces in accordance with the following:

a. Dwelling and Lodging Uses

1. Hotels and Motels

One parking space for each room or suite of rooms comprising a lodging

- unit, one parking space for each 2 employees, and one parking space for each 100 square feet of retail sales and dining area.

2. Lodging Houses and Apartment Hotels

One parking space for each lodging room and one parking space for each dwelling unit, and one parking space for each 2 employees.

3. Multiple-family dwellings

Two parking spaces for each dwelling unit.

4. Single-family Dwelling

One parking space for each dwelling, but not more than 4 parking spaces.

5. Single-family Semidetached or Attached Dwellings

One, but not more than 3 parking spaces for each dwelling.

6. Two-family dwellings

Two parking spaces, but not more than 3 for each unit.

b. Schools, Institutions and Auditoriums or Other Places of Assembly

1. Auditoriums, and auditoriums as accessory to churches, schools, and other institutional establishments.

One parking space for each 5 seats, or for each 90 lineal inches

2. Churches, Chapels, Temples, and Synagogues

One parking space for each 5 seats, or for each 90 lineal inches of seating space.

3. Colleges, Junior Colleges, and Universities •

One parking space fore each 6 students, based upon the maximum number of students that can be accommodated in accordance with design capacity plus one parking space for each 2 employees.

4. • Gymnasiums, Stadiums, Grandstands, Meeting Halls, Convention Halls, and Exhibition Halls

One parking space for each 5 seats or for each 90 lineal inches of seating space. When such facilities for public assembly are accessory to a school, and when approved by the Plan Commission, the required number of parking spaces may be reduced by the number of spaces provided, as required herein for the applicable school.

5. Hospitals

One parking space per bed for 100 beds or less; 1.1 parking spaces per bed for 101 to 300 beds; 1.2 parking spaces per bed for 301 to 500 beds; and 1.3 parking spaces per bed for over 500 beds.

6. Libraries, Museums, Art Galleries, and Aquariums

One parking space for each 800 square feet of floor area.

7. Nursing Homes and Similar Types of Establishments

One parking space for each 4 beds, plus 1 parking space for each 2 employees.

8. Private Clubs and Lodges

One parking space for each lodging room and 1 parking space for each 5 seats in accordance with design seating capacity of the main meeting room.

9. Schools

When a number of parking spaces as required herein is provided for an auditorium or other places of public assembly to a school, and when

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approved by the Plan Commission, additional parking spaces need not be provided when the number of parking spaces for such auditorium or other places of public assembly is equal to or in excess of the applicable requirements set forth in a, b, or c below:

a. Commercial or Trade, Music, Dance-, or Business

One parking space for each 2 employees, plus 1 space for each three students, based on the maximum number of students that can be accommodated in accordance with design capacity.

• b. High School - Public or Private

One parking space for each 7 students based on the maximum number of students that can be accommodated in accordance with design capacity.

c. Nursery, Elementary, or Junior High - Public or Private

One parking space for each faculty member and each other full-time employee.

c. Recreational Uses, Commercial or Non-Commercial

1. Bowling Alleys

Seven parking spaces for each lane plus such additional spaces as may be required herein for affiliated uses such as restaurants and the like.

2. Health Salons, Swimming Pools, Skating Rinks, and dance Halls, Commercial

One parking space for each 2 person, based upon the maximum number of persons that can be accommodated at the same time in accordance with such design capacity, and 1 parking space for each 2 employees.

3. Parks, Recreation Areas, and Community centers: Private, Semipublic, or Public

One parking space for each 2 employees, plus spaces in adequate number as determined by the Plan Commission to serve the visiting public.

4. Theaters

One parking space for each 4 seats up to 400 seats, plus one parking space for each 6 seats over 400.

d. Business, Commercial and Industrial Uses

1. Automobile Laundries

One parking space for each 1.5 employees, and in addition reserve parking spaces to accommodate automobiles awaiting entrance to the automobile laundry equal in number to 10 times the maximum capacity of the automobile laundry. Maximum capacity, in this instance, shall mean the greatest possible number of automobiles undergoing some phase of laundering at the same time.

2. Automobile Service Stations

One parking space for each island of gasoline pumps, plus 2 for each **service** bay.

3. Banks and other Financial Institutions

One parking space for each 300 square feet of floor area.

4. Barber Shops and Beauty Parlors

One parking space for each 200 square feet of floor area.

5. Restaurants - Not Including Drive-In Establishments

One parking space for each 50 square feet of gross floor area in the building.

6. Restaurants, drive-in with seating space and convenience food service, or combination thereof.

One parking space for each 60 square feet of gross floor area in the building.

7. Restaurants, drive-in and convenience food services without seating area.

One parking space for each 80 square feet of gross floor area or a minimum of 10 parking spaces, whichever is greatest.

8. Furniture and Appliance Stores, Motor Vehicle Sales Establishments, and Establishments for Repair of Household Equipment or Furniture.

One parking space for each 400 square feet of floor area.

9. Manufacturing, Fabricating, Processing, Storing, Cleaning, Testing, Assembling, Repairing, or Servicing of Establishments as Permitted in the Manufacturing Districts.

One parking space for each 1.5 employees as related to the working period when the maximum number of person are employed on the premises, or one for each 800 square feet of floor area, whichever is greater.

10. Medical and Dental Clinics.

Two parking spaces for each office, examining room and treatment room, plus 1 space for each 50 square feet of floor area contained in the reception room or waiting lobby.

11. Offices: Business, Professional and Public Administration, or Service Office Buildings.

One parking space for each 250 square feet of floor area.

12. Undertaking Establishments and Funeral Parlors

One parking space for each 100 square feet of floor area, plus 1 parking space for each of the funeral parlor's official vehicles.

13. Warehouse, Storage, Wholesale, and Mail Order establishments

Four parking spaces plus one parking space for each 1,500 square feet of floor space over 4,500 square feet or when the number of employees is specifically indicated, 1 parking space for each 1.5 employees employed on the premises at a given time.

14. Public Utility and Public Service Uses.

One parking space for each 2 employees.

15. All other Business and Commercial Establishments

One parking space for each 200 square feet of floor area.

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e. Other uses

Parking spaces for other permitted uses not listed above shall be provided in accordance with requirements designated by the Plan Board.

Commission and in the case of conditional uses; as recommended by the Plan Commission and required by the Village Board.

12. Off-Street Loading

There shall be provided off-street loading spaces not less than the minimum requirements specified in this Section in connection with any building, structure, or use which is to be erected or substantially altered, and which requires the receipt or distribution of materials or merchandise by trucks or similar vehicles in accordance with the following:

a. Location

Accessory off-street loading spaces shall be located on the same lot as the principal use. Open off-street loading spaces which abut a Residence District boundary line shall be completely screened therefrom by a fence, wall, or door, or any combination thereof, of an architectural design approved by the Zoning Officer, not less than five feet nor more than seven feet in height, and as provided by Subsection D-9c of Section XVII.

No permitted or required loading space shall be located within 40 feet of the nearest point of intersection of any 2 streets. No loading space shall be located in a front or side yard adjoining a street and any loading space located in a required rear yard shall be open to the sky.

b. Size

Unless otherwise specified in this ordinance, a required off-street loading space shall be at least 14 feet in width and at least 55 feet in length, exclusive of access drives, aisles, ramps, maneuvering space, columns, and work areas, and shall have vertical clearance of not less than 15 feet.

c. Access

Each required off-street loading space shall be designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movements. Access drives and intersection of driveways with streets shall be in accordance with regulations set forth in Appendix B of this Ordinance.

d. Surfacing

All open off-street loading spaces, access drives, aisles, and maneuvering space shall be improved with a compacted base and a permanent wearing surface as approved by the Village Zoning Officer.

e. Repair and Service

No storage of any kind nor motor vehicle repair work or service of any kind shall be permitted within any required loading space.

f. Utilization

Space allocated to any off-street loading spaces shall not be used to satisfy the space requirements for any off-street parking facilities or portions thereof.

g. Storm Water Drainage

Adequate storm water drainage facilities shall be installed and connected with the storm sewers in order to insure that storm water does not flow onto abutting sidewalks and any adjoining property in such a way or quantity that would cause property damage or inconvenience. The Zoning Officer shall approve all such facilities.

h. Off-Street Loading Space Requirements

The minimum number of off-street loading spaces accessory to buildings, structures, and uses hereafter erected, structurally altered, or enlarged in all business and manufacturing districts shall be in accordance with the following schedule:

<u>Gross Floor Area of Establishments</u>	<u>Required Number</u>
5,000 to 10,000	1
10,000 to 25,000	2
25,000 to 40,000	3
40,000 to 100,000	4

For each additional 100,000 square feet of gross floor area, or fraction thereof over 100,000 square feet of gross floor area: one additional loading space.

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SECTION XVIII SIGNS

A. PREAMBLE

There is a significant relationship between the manner in which signs are displayed and value and economic stability of adjoining property. The reasonable display of signs is necessary **as a** public service and to the conduct of competitive business enterprise. The regulations in this Section establish minimum standards for the display of signs in direct relationship to the functional use of property and to the intensity of development as permitted within the zoning districts which are provided in this Ordinance.

B. APPLICABILITY OF SIGN REGULATIONS TO SPECIFIC USES AND DISTRICTS

1. In this Ordinance signs are grouped, according to their function, into the following classifications: (Also, see definitions of signs)

- a. identification signs,
- b. business signs
- c. advertising signs, and
- d. special signs and devices, as specified.

Identification signs are further classified in this Ordinance by the principal use of the lot on which they are located, and all other signs are further classified by specified types.

2. No sign shall be permitted on a lot unless:

- a. advertising signs are listed as a permitted or conditional use in the district in which the lot is located,
- b. for signs, other than advertising signs, it is accessory to lawfully established use and permitted within the district as an accessory use, and
- c. the sign is erected, constructed and displayed in conformance with the provisions of this Section and other applicable provisions of this Ordinance.

C. PERMITS REQUIRED

No person shall erect, repair, alter, relocated or maintain within the Village any sign or other advertising structure or device without first obtaining a zoning certificate from the Zoning Officer and making payment of the fee required herein.

D. UNSAFE AND UNLAWFUL SIGNS

If the Zoning Officer shall find that any sign is unsafe or insecure, or is a menace to the public, or has been constructed or erected or is being maintained in violation of the provision of this Section, he shall give written notice to the person to whom the zoning certificate had been issued. If such person fails to remove or alter the sign so as to comply with the standards set forth in this Ordinance within ten days after such notice, such sign may be removed or altered to comply by the Zoning Officer at the expense of the zoning certificate issuee or owner of the property upon which it is located. The Zoning Officer shall refuse to issue a zoning certificate to any such issuee or owner who refuses to pay costs so assessed. The Zoning Officer may cause any sign which is an immediate peril to persons or property to be removed summarily and without notice.

E. REMOVAL OF CERTAIN SIGNS

Any sign which does not advertise a bona fide business conducted, or a product sold, shall be taken down and removed by the owner, agent or person having the beneficial use of the structure upon which such sign may be found within 10 days after written notification from the Zoning Officer, and upon any failure to comply with such notice within the time specified in such order, may cause removal of such sign, and any expense incident thereto shall be paid by the owner of the structure to which such sign was attached.

F. GENERAL PROVISIONS

1. Only 1 identification sign shall be permitted on a lot, except on a corner lot 2 signs 1 facing each street shall be permitted and each such sign may have an area equal to the permitted maximum gross surface area.
2. On corner lots, where business signs are permitted, the maximum gross surface area of signs may be applied to each street frontage.
3. The standards established in Subsection G of this Section for identification signs accessory to business uses, shall be applicable only in districts where business signs are not permitted.
4. Signs affixed to a building wall shall not project above the structure wall more than one-fifth of the total height of the wall.
5. Signs shall not be located on the roof of a building, except those normally required for aviation direction or safety.

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6. Signs shall not be painted on the wall of a structure or adhered to the wall of a structure with glue or mastic, except business signs normally affixed in such a manner to the windows of business establishments, in which event they shall not exceed 25 percent of the surface area of such windows.
 7. On corner lots, permitted ground signs shall not be located within 35 feet of the intersection of the street front lot lines, and otherwise permitted projecting signs, awnings or marquees shall not project into the required front yard or side yard adjoining a street, below a height of 10 feet.
 8. New development advertising and business signs shall be removed within 9 months following the time when 10 percent of the total number of dwelling units within the development remain unsold or unoccupied or 9 months after the cessation of sales effort for which the sign was intended, whichever is sooner; this time may be extended upon mutual agreement between the Village Board and the owner or developer.
 9. Special event posters shall not be displayed for longer than 60 days prior to or 5 days after the advertised event.
 10. Where reflecting, radiating or other illumination of signs is permitted:
 - a. light shall not be projected toward or onto properties located in a residence district, and intrinsic brightness shall not exceed 50 candles per square inch or 10 candles if visible from a residence district;
 - b. the illumination level of a lot or any portion thereof in a residence district shall not exceed one-tenth of a foot candle; and
 - c. any such illumination in the line of vision of approaching vehicular traffic shall not be red, amber or green.
 11. No advertising sign shall be located within 150 feet of a residence district boundary line.
 12. Where the maximum gross surface area of permitted signs is specified as a ratio of building facade, the permitted sign area of open sales lots shall equal one-half that specified times the width of the lot in feet.
 13. In addition to the permitted signs specified, a subdivision containing more than 25 lots, and a unified business development of 3 acres or more in area, may display 1 additional ground sign not more than 150 square feet in area which designates the name of the development and other relevant information.
 14. Where permitted, awnings shall have a vertical clearance of 8 feet measured from the sidewalk grade.

15. Where permitted, marquees and canopies shall be erected only when approved by the Village Board after a finding that the marquee or canopy either:
 - a. is uniform in design and extends continuously along the facade of a group of retail establishments; and
 - b. is accessory to a use such as a hotel, theater, restaurant, transportation terminal or office building which by the nature of its operations is likely to have a high frequency of customers dropped off or picked up by private passenger vehicle or taxi, and where a "no-parking zone" to facilitate this movement is located in front of the canopy or marquee.
16. No sign shall be erected or maintained so as to prevent free ingress to or egress from any door, window or fire escape, and no sign of any kind shall be attached to a stand pipe or fire escape.
17. All ground signs shall be securely built, constructed and erected upon posts and standards sunk at least four feet below the natural surface of the ground, and shall be supported and braced by timbers, or metal rods in the rear thereof, extending from the top thereof to a point in the ground at least a distance equal to one-half the height of such sign, measured along the ground, from the posts or standards upon which the same is erected, or as approved by the Zoning Officer.
18. All posts, anchors and bracing of wood shall be treated to protect them from moisture by methods approved by the Zoning Officer when they rest upon or enter into the ground.
19. All ground signs shall conform to the requirements of the Zoning Officer with respect to wind pressure and dead load.
20. All ground signs and the premises surrounding the same shall be maintained by the owner thereof in a clean, sanitary and inoffensive condition, and free and clear of all obnoxious substances, refuse, rubbish and weeds.

G. AREA, DISPLAY, ILLUMINATION AND CONTENT OF SIGNS

Signs which are permitted in any zoning district shall be in accordance with the standards listed in Appendix C.

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SECTION XIX FENCES

A. PERMIT REQUIRED

Prior to the construction of a new fence, or the repair or rebuilding of an existing fence, a permit must be obtained. To obtain a permit, the property owner must submit a plat of survey of the property along with a description of the proposed fence, the placement of fence on said property and the name and address of the person or company erecting said fence.

B. RESIDENTIAL DISTRICTS

1. Open fences. An open fence, not more than 6 feet in height, is permitted in the back yard, along the sides of the yard and across the back property line. Front yard fences not more than 4 feet in height are permitted.
2. Solid fences. A solid fence, not more than 6 feet in height, is permitted adjoining to or immediately adjacent to a paved patio or terrace area and/or swimming pool. Such fence shall not be less than 5 feet from the nearest property line. A solid fence is also permitted along no-access strips; and on lots backing to thoroughfares or alleys, said fence may be 6 feet in height.
3. Maintenance. Fences, where permitted, must be kept in good condition at all times, and repaired or replaced when necessary according to the direction of the building commissioner of the Village of Robbins, upon receipt of a fence permit for same.

C. BUSINESS AND MANUFACTURING DISTRICTS

1. Open fences. An open fence is permitted, not more than 7 feet in height, abutting a residential district, across the back or side of the property. No front yard fences are permitted.
2. Solid fences. A solid fence is permitted, not more than 7 feet in height, abutting a residential district, across the back or side of the property. No front yard fences are permitted.
3. Maintenance. Fences, where permitted, must be kept in good condition at all times, and repaired or replaced when necessary according to the direction of the Building Commissioner of Robbins, upon receipt of a fence permit for same.

D. NOT TO BLOCK INGRESS OR EGRESS

No fence shall be allowed that would block ingress or egress of driveways, alley lines or public thoroughfares.

E. LOCATION OF FENCEPOSTS

All new fenceposts shall be placed 3 inches off of the lot line.

F. BARBED WIRE FENCES PROHIBITED

It shall be unlawful for any person to build or construct, or cause to be built or constructed, any barbed wire fence or fences of which any part is barbed wire, along any street, alley or public walk or drive, or through or along any public park or around any residential, business or manufacturing district.

SECTION XX

NON-CONFORMING BUILDINGS, STRUCTURES, AND USES

A. PREAMBLE

The purpose of this section is to provide for the regulation of non-conforming uses, buildings, and structures, and to specify those circumstances and conditions under which certain buildings, structure and uses which are deemed incompatible with the character or adjacent property in the district in which they are located, and with that of the Village as a whole, shall be gradually eliminated in accordance with the authority vested in it by the applicable provision of the Illinois Municipal Code.

B. AUTHORITY TO CONTINUE NON-CONFORMING BUILDING, STRUCTURES, AND USES

Any building, structure, or use which existed lawfully at the time of the adoption of this Ordinance, and which becomes non-conforming upon the adoption of this Ordinance for of any subsequent amendment thereto, may be continued only in accordance with the following regulations:

1. Repairs and Alterations

Ordinary repairs and alterations may be made to a non-conforming building or structure, provided that no structural alterations shall be made in or to such building or structure, all or substantially all of which is designed or intended for a use not permitted in the district in which it is located, except those required by law, or except to make the building or structure and use thereof conform to the regulations of the district in which it is located. Ordinary repairs and alterations shall be determined by the Zoning Officer and shall include among other things, the replacement of storage tanks where the safety of operation of the installation require such replacement.

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2. Additions and Enlargements

- a. A non-conforming building or structure all or substantially all of which is designed or intended for a use not permitted in the district in which it is located shall not be added to or enlarged in any manner unless such non-conforming building or structure use thereof, including all additions and enlargement thereof, is made to conform to all the regulations of the district in which it is located.
- b. A non-conforming building or structure which is non-conforming only as bulk, may be added to or enlarged, provided such additions or enlargement conform to all regulations of the district in which it is located.

3. Moving

No non-conforming building or structure shall be moved in whole or in part to any other location unless every portion of such building or structure, and the use thereof, is made to conform to all regulations of the district in which the moved building is to be located.

4. Restoration of Damaged Non-Conforming Buildings or Structures

A non-conforming building or structure, or portion thereof, which is destroyed or damaged by fire or other casualty or act of God to the extent that the cost of restoration to the condition in which it was before the occurrence will exceed 60 percent of the total cost of reconstructing the entire building or structure, shall not be restored unless said building or structure and the use thereof shall conform to all regulations of the district in which it is located. In the event that such damage or destruction less than 60 percent of the cost of reconstructing the entire building or structure, no repairs or construction for restoration shall be made unless such work is started within one year from the date of the partial destruction and is diligently prosecuted to completion.

5. Discontinuance of Use in Non-conforming Building or Structure

A non-conforming building or structure, or portion thereof, in which the use has ceased by discontinuance or abandonment, on the effective date of this Ordinance or thereafter, or which is abandoned and remains unoccupied, or is not used for a continuous period of one year, shall not thereafter be occupied or used, except by a use which conforms to the use regulations of the district in which it is located.

6. Change of Use in Non-Conforming Building or Structure

The non-conforming use of a building or structure, or portion thereof, may be changed to a use permitted in the district in which the building or structure is located, or the non-conforming uses of a part of such a building may be extended to the remaining parts of the building but no change or extension of use shall extend or otherwise modify any provision

made in this Ordinance for elimination of such non-conforming building or structure and the use thereof. However, once a use is changed to a conforming use, such building or structure shall not thereafter be used for a non-conforming use or purpose.

7. Non-Conforming Use of Conforming Buildings or Structures

The existing non-conforming use of a part or all of a conforming building or structure may be continued subject to the following provisions:

- a. The non-conforming use of a part of such building or structure shall not be expanded or extended into any other portion of such building or structure, nor changed to any other non-conforming use.
- b. If a non-conforming use of such building or structure is discontinued, or abandoned for a period of 6 consecutive months, it shall not be renewed, and any subsequent use of such building or structure shall conform to the use regulations of the district in which the premises are located.
- c. Any lawful non-conforming use in a conforming building or structure existing in a residence district on the effective date of this Ordinance or any amendment thereto which is permitted in this Ordinance as a permitted or conditional use only in a business or manufacturing district, shall be entirely discontinued within 10 years from the effective date of this Ordinance or any amendments thereto.

8. Non-Conforming Use of Land

The non-conforming use of land not involving a building or structure, or in connection with which any building or structure thereon is incidental or accessory to the principal use of land, may be continued subject to the following provisions:

- a. Such non-conforming use shall not be expanded or extended beyond the area it occupies.
- b. If such a non-conforming use of land is discontinued or abandoned for a period of 6 consecutive months, it shall not thereafter be renewed, and any subsequent use of such land shall conform to the regulations of the district in which the land is located.
- c. No non-conforming use of land shall be changed to another non-conforming use.
- d. Where the non-conforming use of land is accessory to the non-conforming use of a building or structure, it shall be discontinued on the same date on which the non-conforming use of the building or structure is discontinued.

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- e. The outdoor or exposed storage of construction materials in yards shall be discontinued within ten year sof the effective date of this comprehensive amendment, and within 1 year such exposure shall be eliminated by fencing or dense planting screens.

9. Condemnation of Non-Conforming Structure

The Village, at any time, and from time to time, by ordinance duly enacted may:

- a. Acquire by purchase, condemnation or otherwise any non-conforming structure and all land which is necessary or appropriate for the rehabilitation or redevelopment of the area blighted by such non-conforming structure,
- b. Remove or demolish all such non-conforming structures so acquired,
- c. Hold and use any remaining property for public purposes, and
- d. Sell, lease or exchange such property as is not required for public purposes, subject to the regulations of the district in which it is located.

No such acquisition shall be made until such time as the Plan Commission, at the request of the Village Board, or upon its own initiative, has made a study of the area within which such non-conforming structure is located and has filed a written report on such study with the Village Board.

10. Non-Conforming Due to Amendments

The foregoing provisions of this Article shall apply to structures and uses hereafter becoming non-conforming as a result of future reclassification of districts or of other amendments to this comprehensive amendment.

SECTION XXI

ADMINISTRATION AND

A. ORGANIZATION

ENFORCEMENT

The administration of this Ordinance is hereby vested in:

- 1. The Zoning and Building Administrator.
- 2. The Zoning Board of Appeals.

3. The Plan Commission.

4. The Village Board.

B. THE ZONING AND BUILDING ADMINISTRATOR

The Zoning and Building Administrator shall enforce this Ordinance and in furtherance of his authority shall:

1. Determine conformance of applications for zoning certificates with regulations of this Ordinance.
2. Issue all certificates, following approval as required in this Ordinance, and maintain records thereof.
3. Issue all certificates of occupancy, and maintain records thereof.
4. Conduct inspections of buildings, structures, and uses of land to determine compliance with the terms of this Ordinance.
5. Receive, file, and forward to the Zoning Board of Appeals for consideration all applications for variations, or for other matters on which the Board is required to act under this Ordinance.
6. Receive, file and forward to the Plan Commission all applications for amendments, special uses or for other matters on which the Plan Commission is required to act under this Ordinance.
7. Maintain permanent and current records of the administration and enforcement of this Ordinance, including, but not limited to, all maps, amendments, variations, appeals, and applications therefore and records of hearing thereon, and designate on the zoning district map each amendment thereto.
8. Decide to make recommendations on all other matters under this Ordinance upon which the Zoning Officer is required to act.
9. Upon the approval of the Village Board being first obtained, issue permits regulating the erection and use of tents for specific periods of time or purposes such as: temporary carnivals, churches, voluntary organizations such as Boy Scouts and Girl Scouts, charitable uses, revival meeting or similar uses, provided, however, that said tents and uses thereof are in conformance with all other ordinances and codes of the Village.
10. Receive from the Village Clerk all notices of petitions for appeals, variations, amendments, and special use permits which have been referred by the Village Clerk to the Zoning Board of Appeals or other appropriate reviewing body.

11. Provide and maintain public information facilities relative to all matters pertaining to this Ordinance.
12. The Building Commissioner shall be known as the Zoning and Building Administrator upon passage of this Ordinance, and shall hereinafter be referred to as the zoning officer.

C. ZONING CERTIFICATES

1. No permit pertaining to the use of land or buildings shall be issued by any officer, department, or employee of the Village, unless the application for such permit has been examined by the Zoning Officer and has affixed to it a certificate of the Zoning officer that the proposed building or structure and uses complies with all the provisions of this Ordinance. Any certificate issued in conflict with the provisions of this Ordinance shall be null and void.
2. An application for a zoning certificate for a use of land, buildings, or structures, which requires compliance with performance standards herein set forth in Manufacturing District regulations, shall have affixed to it a certification of a professional engineer, licensed by the State of Illinois, whose qualifications pertinent to the engineering aspects of the various performance standards regulations have previously been approved by the Village Board. The Zoning Officer shall upon receipt of such application approve and authorize the issuance of a zoning certificate, provided there is compliance with all other provisions of this Ordinance. Within 15 days after the date of issuance of such zoning certificate, the Zoning Officer shall examine said application and if he finds the proposed use of land, building, or structure does not comply with such performance standards or other applicable regulations of this Ordinance, he shall notify the professional engineer and person filing the application, in writing, of his finding. Failure of the professional engineer to show that such application is in compliance or for the applicant to submit a revised application which shows compliance within 30 days of such notification shall be cause for revocation of the zoning certificate.

D. FILING PLANS

All applications for zoning certificates shall be accompanied by plans in triplicate, drawn to scale, showing the actual shape, area, and dimensions of the lot to be built upon, the exact size and location on the lot of the existing buildings and accessory buildings, and the lines within which the new buildings and structures shall be erected, the existing and intended use of each building or structure, the number of dwelling units or lodging rooms a building is designed to accommodate, location and number of off-street parking and off-street loading spaces, and such other information with regard to the lot and neighboring lots and performance standards as may be necessary to determine and provide for the enforcement of this Ordinance. One copy of such plans shall be returned to the owner when such plans have been approved by the Zoning Officer. The lot and location of the building thereon shall be staked out on the ground before construction is started.

E. CERTIFICATE OF OCCUPANCY

1. No land shall be occupied or used in a manner different from that existing on the date of the passage of this Ordinance, and no building or structure hereafter erected or altered shall be occupied or used in whole or in part for any purpose whatsoever until a certificate of occupancy shall have been issued by the Zoning Officer stating that the building, structure or land improvement complies with all the building and health laws and ordinance, and with the provisions of this ordinance. No change of use shall be made in any building, structure, or land improvement or part thereof, now or hereafter erected or altered, without an occupancy permit having been issued by the Zoning Officer, and no permit shall be issued to make such change unless it is in conformity with the provisions of this Ordinance and amendments thereto. Nothing in this section shall prevent the continuance of the present occupancy or use of any existing building, structure, or land improvement, except as may be necessary for the safety of life and property.
2. No certificate of occupancy permit for a change of use in an existing building, structure, or land improvement shall be issued until the premises have been inspected and certified by the Zoning Officer to be in compliance with the applicable requirements for the Zoning District in which it is located.
3. Application for a certificate of occupancy shall be made coincident with the application for a zoning certificate and shall be issued within ten days after the erection or alteration of the structure has been completed. A record of all certificates of occupancy shall be kept on file in the Office of the Zoning Officer and copies shall be furnished on the request to any person having proprietary or tenancy interest in the land, building, or structure affected. A fee shall be charged for each original certificate, and for each copy thereof as provided in Section XXIII of this Ordinance.
4. Pending the issuance of a regular certificate of occupancy, a temporary permit may be issued to be valid for a period not to exceed 6 months from its date, during the completion of any building, structure, or land improvement, or during partial occupancy thereof. Application for a temporary permit shall be accompanied with a statement covering the items of work to be completed and the reasons the temporary permit is requested.

F. ZONING BOARD OF APPEALS

1. Creation

The Zoning Board of Appeals of the Village of Robbins is hereby created in accordance with Illinois Statutes.

2. Membership and Term of Office

The Village President shall appoint a Zoning Board of Appeals consisting of 7 members shall be confirmed by a majority vote of the members of the Village Board present and voting thereon. The members appointed shall serve respectively for the following terms: 1 for 1 year, 1 for 2 years, 1 for 3 years, 1 for 4 years, 1 for 5 years, 1 for 6 years, 1 for 7 years; the successor to each member so appointed to serve a term of 5 years. One of the

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members so appointed shall be named as chairman at the time of his appointment, and in case of vacancy, the Village President shall designate a chairman which shall be confirmed by a majority vote of the Village Board present and voting thereon. The Village President shall have the power to remove any member of the Zoning Board of Appeals for cause, after public hearing. Vacancies on the Zoning Board of Appeals shall be filled, for the unexpired term of the member whose place has become vacant, in the manner herein provided for the appointment of such a new member.

3. Jurisdiction

The Zoning Board of Appeals is hereby vested with the following jurisdiction and authority:

- a. To hear and decide on appeal from any order, requirement, decision, or determination made by the Zoning Officer or other authorized official of the Village having jurisdiction under this Ordinance.
- b. To hear applications for variations from the terms provided in this Ordinance in the manner subject to the standards set forth in this Section.
- c. To hear and decide upon all matters referred to it upon which it is required to pass under this Ordinance, in accordance with applicable Illinois Statutes.

4. Meetings and Rules

Regular meetings of the Zoning Board of Appeals shall be held at least once a month at the call of the Chairman and at such times and places within the Village as the Zoning Board of Appeals may determine. All testimony by witnesses at any hearing provided for in this Zoning Ordinance shall be given under oath. The Chairman, or in his absence, the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the Zoning Board of Appeals shall be open to the public. The Zoning Board of Appeals shall keep minutes of its proceedings, showing the vote of each member upon every question, or if absent or failing to vote, indicating such fact, and shall also keep records of its examinations and other official actions. The concurring vote of 4 members of the Zoning Board of Appeals shall be necessary to reverse any order, requirement, decision, or determination of the Zoning Officer or to decide in favor of the applicant on any matter which is authorized by this Ordinance to render a decision. Every rule, regulation, repeal, and every order, requirement, decision, or determination of the Zoning Board of Appeals shall immediately be filed in the Office of the Zoning Board of Appeals and shall be a public record.

In the performance of its duties, the Zoning Board of Appeals may incur such expenditures as shall be authorized by the Village Board. Each member, and the secretary shall be compensated at a rate as authorized from time to time by the Village Board by Ordinances.

G. VARIATIONS

1. Authority

The Village Board shall decide all applications for variations of the provisions of this Ordinance after a public hearing held before the Zoning Board of Appeals. The Zoning Board of Appeals shall hold public hearings upon all applications for variations and shall report its recommendations to the Village Board. The Zoning Board of Appeals shall recommend a variation only after they have made a finding of fact specifying the reason or reasons for recommending the variation. Such findings shall be based upon the standards prescribed in Subsection G4 of this Section. No variation shall be granted by the Village Board without such findings of fact. When the Zoning Board of Appeals fails to recommend a variation, it can only be adopted by an ordinance with the favorable vote of two-thirds of the Village Board.

2. Initiation

An application for a variation may be made by any governmental office, department, **board**, bureau, or commission or by any person, firm, or corporation having a fee simple interest in the property for which the variation is sought.

3. Application for Variation and Notice of Hearing

An application for a variation shall be filed with the Village Clerk, who shall forward a copy of same to the Zoning Board of Appeals without delay. The application shall contain such information as the Zoning Board of Appeals may from time to time by rule provide. No more than 90 days after the filing of such application, a hearing shall be held on the application. The Village Clerk shall cause notice of such hearing to be published at least once, not more than 30 days, nor less than 15 days before the hearing, in a newspaper of general circulation within the Village of Robbins. The published notice may be supplemented by such additional form of notice as the Village Board may by rule provide.

4. Standards for Variations

The Zoning Board of Appeals shall not recommend a variation of the regulations of this Ordinance as authorized herein unless it shall have made findings of fact based upon the evidence presented to it in each specific case that:

- a. the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located;
- b. the plight of the owner is due to unique circumstances;
- c. the variation, if granted, will not alter the essential character of the locality; and
- d. for the purpose of implementing the above rules, the Zoning Board of Appeals shall also, in making its determination whether there are practical difficulties or particular

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hardships, take into consideration the extent to which the following facts favorable to the applicant have been established by the evidence:

1. the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out;
 2. the conditions upon which the petition for variation is based would not be applicable, generally to other property within the same zoning classification;
 3. the purpose of the variation is not based exclusively upon a desire to make more money out of the property;
 4. the alleged difficulty or hardship has not been created by the owner of the property, or by a previous owner;
 5. the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; and
 6. the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.
- e. The Zoning Board of Appeals may recommend and the Village Board may require such conditions and restrictions upon the premises benefitted by a variation as may be necessary to comply with the standards set forth in this Section to reduce or minimize the injurious effect of such variation upon other property in the neighborhood, and to better carry out the general intent of this Zoning Ordinance.

5. Authorized Variations

Variations from the regulations of this Zoning Ordinance shall be granted by the Zoning Board of Appeals only in accordance with the standards set forth in Subsection G4 of this Section and may be granted only in the following instances, and in no others:

- a. to permit any yard or setback less than a yard or setback required by the applicable regulations;
- b. to permit an increase in building height and floor area ratio requirements;
- c. to permit the use of a lot or lots of record on the effective date of this ordinance for a use otherwise prohibited solely because of insufficient area or width of the lot or lots;

- d. to permit an increase in the gross surface area of signs;
- e. to permit the same off-street parking facility to qualify as required facilities for 2 or more uses, provided that substantial use of such facility by each user does not take place at approximately the same hours of the same days of the week;
- f. to reduce the applicable off-street parking or loading facilities requirements;
- g. to permit any other variation of the technical provisions of this Ordinance.

H. APPEALS

Scope of Appeals

An appeal to the Zoning Board of Appeals may be made by any person, firm, or corporation, or by any office, department, board, or bureau aggrieved by a decision of the Zoning Officer under this Ordinance in accordance with Illinois Statutes and the following:

1. An application for an appeal shall be filed with the Village Clerk within 20 days of the date of the action from which the appeal is being filed, and thereafter the Village Clerk shall forward such application to the Zoning Board of Appeals for processing. The Village Clerk shall forward to the Zoning Officer a notice of appeal specifying the grounds thereof and he shall forthwith transmit to the Zoning Board of Appeals all the papers constituting the record upon which the action appealed from was taken.
2. An appeal stays all the proceedings the furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies as to the Zoning Board of Appeals, after the notice of appeal has been filed with him, that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property in which case proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Zoning Board of Appeals or by a court of record on application, on notice to the officer from whom the appeal is taken and on due cause shown.
3. The Zoning Board of Appeals shall fix a reasonable time, not to exceed 90 days, for the hearing of the appeal and give due notice thereof to the parties and decide the same within a reasonable time. The Zoning Board of Appeals may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination as in its opinion ought to be made on the premises and to that end shall have all the powers of the officer from whom the appeal was taken.
4. Rules and Procedure
 - a. Upon the filing of the petition for appeal the petitioner shall secure a date for hearing.
 - b. Each petition shall contain the following:

1. The names of the record owner of the real estate, and of the name or names of all contract purchasers.
2. A legal description of the property and a description of the same location of the real estate using such common landmarks as streets or highways.
3. A statement as to the present zoning classification of the real estate.
4. The relief requested and the reason therefore.
5. The name and address of the petitioner, or if represented by an attorney, the name and address of the attorney should appear in the lower left-hand corner of the last page of the petition.

c. Order of hearing:

1. The call to order.
2. Reading of the petition.
3. Recitation of appearances for the petitioner including Village Board for the petitioner and all witnesses in his behalf.
4. Recitation of appearance for the objectors including Village Board for the objectors and all persons expecting to testify in the hearing.
5. Petitioner shall proceed with evidence in support of his petition and at the close of his proof the objectors may proceed with evidence. No person may testify or address the Zoning Board of Appeals in his behalf or in opposition to the petition unless he has been first duly sworn under oath.
6. Village Board - either petitioner or the objector may be represented by the Village Board provided, however, that Village Board for the objectors must file a written appearance with the Zoning Board of Appeals not less than 5 days prior to the hearing on the petition together with proof of service of a copy thereof upon the petitioner or his attorney

Failure to serve the appearance to the attorney of the objector shall entitle the petitioner to a continuance of the hearing.

7. That at the close of all evidence and oral argument in behalf of or in opposition to the petition the hearing shall adjourn. The Zoning Board of Appeals shall deliberate upon the petition and the evidence thereon within 15 days of the date of the hearing, the Board of Appeals may, upon notice to all interested parties postpone all decisions for another 30 days but no longer.

I. AMENDMENTS TO ZONING ORDINANCE AND ZONING MAP

1. Authority

The regulations imposed and the districts created under the authority of this ordinance may be amended, from time to time, by ordinance in accordance with applicable Illinois Statutes. An amendment shall be granted or denied by the Village Board only after a public hearing before the Plan Commission and a report of its findings and recommendations has thereafter been submitted to the Village Board.

2. Initiation of Amendments

An application for an amendment may be made by any governmental office, department, board, bureau or commission, or by any person, firm or corporation holding a fee simple interest in the property for which the amendment is sought.

3. Processing

- a. An application for an amendment shall be filed with the Village Clerk, and thereafter entered into the records of the first meeting thereafter of the Village Board.
- b. A copy of such application shall thereafter be forwarded by the Village Clerk to the Plan Commission with a request to hold a public hearing and submit to the Village Board a report of its findings and recommendations. Upon being advised of the date of hearing, the Village Clerk shall cause notice of the hearing to be published in a newspaper of general circulation in the Village not less than 15 days nor more than 30 days prior to said hearing.

4. Decisions

- a. The Village Board, upon report of the Plan Commission without further public hearing, may grant or deny any proposed amendment in accordance with the applicable laws or ordinances, or may refer it back to the Plan Commission for further consideration.
- b. In case a written protest against any proposed amendment signed and acknowledged by owners of 20 percent of the frontage proposed to be altered, or by the owners of 20 percent of the frontage immediately adjoining or across the alley therefrom, or by owners of 20 percent of the frontage directly opposite the frontage to be altered, is filed with the Village Clerk, the amendment cannot be passed except on the favorable vote of two-thirds of all members of the Village Board.

5. Procedures

The procedures for amendments shall be the same as the procedures for variation and reclassification except that the petition shall contain the name and address of each petitioner and shall set forth verbatim the proposed amendment to the ordinance.

J. SPECIAL USES

1. Purpose

The formulation and enactment of a comprehensive ordinance is based on the division of the entire Village into districts in each of which are permitted 'Specified uses that are mutually compatible. In addition to such permitted, compatible, uses, however, it is recognized that there are other uses which it may be necessary or desirable to allow in a given district but which on account of their potential influence upon neighboring uses or public facilities need to be carefully regulated with respect to the location or operation for the protection of the community. Such uses are classified in this ordinance as "Special Uses" and fall into three categories.

- a. uses either municipally operated by public regulated utilities, or uses traditionally affected by public interest;
- b. uses entirely private in character which, on account of their peculiar locational need, the nature of the service they offer to the public, and their possible damaging influence on the neighborhood, may have to be established in a district or districts in which they cannot reasonably be allowed as an unrestricted permitted use under the zoning regulations;
- c. planned developments as set forth in Subsection L of this Section;

2. Initiation

Special uses may be proposed by the Village Board, Plan Commission, and by any person, firm, or corporation having a fee simple interest in the property for which the special use is sought.

3. Processing

- a. An application for a special use permit shall be filed with the Village Clerk and thereafter entered into the records of the first meeting thereafter of the Village Board.
- b. A copy of such application shall thereafter be forwarded by the Village Clerk to the Plan Commission with a request to hold a public hearing and submit to the Village Board a report of its findings and recommendations. Such public hearing shall be held upon such notice similar to that required in Subsection 1-3c of this section.

4. Procedures

The procedures and rules of order for the allowance of a Special Use and the issuance of a Special Use Permit shall be the same as the procedure and rules of orders prescribed for petitions for variation by terms of this ordinance or to reclassify the use of any real estate.

5. Decisions

- a. The Village Board upon report of the Plan Commission and without further public hearing, may grant or deny any proposed special use in accordance with the applicable laws or ordinances, or may refer it back to the Plan Commission for further consideration.
- b. In case of a written protest against any proposed special use signed and acknowledged by owners of at least 20 percent of the frontage proposed to be altered, or by the owners of at least 20 percent of the frontage immediately adjoining or across the alley therefrom or by owners of at least 20 percent of the frontage directly opposite the frontage to be altered, is filed with the Village Clerk, the special use cannot be passed except on the favorable vote of two-thirds of all members of the Village Board.

K. THE PLAN COMMISSION

Jurisdiction of the Plan Commission with Respect to Zoning

The Plan Commission shall have the following duties under this ordinance:

1. to receive all applications for proposed amendments and thereafter to hold public hearings and submit recommendations thereon to the Village Board of Trustees;
2. to receive all applications for zoning certificates filed for special uses and hold public hearings thereon; and
3. to initiate, direct, and review, from time to time, a study of the provisions of the text and the map comprising this zoning ordinance, and to make reports of its recommendations to the Village Board not less frequently than annually;
4. to hear and decide upon all matters referred to it upon which it is required to pass under this Ordinance, or Illinois Statutes.

In the performance of its duties, the Plan Commission may incur such expenditures as shall be authorized by the Village Board. Each member, and the Secretary, shall be compensated at a rate as authorized from time to time by the Village Board.

L. PLANNED DEVELOPMENTS

Planned developments are intended to allow greater design flexibility than is permitted by the standard district regulations for tracts of and where the planned development would better utilize the topographic and natural character of the site and would produce a more economical and stable development. It is intended that these regulations will facilitate developments which are consistent with the spirit and intent of this ordinance, in conformity with the general character of the Village or immediate neighborhood than development under strict conformity with the district regulations. Planned developments are of such substantially different character from other special uses that the

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following standards are established to guard against use of the planned development technique solely as a means to intensify the use of land, and to provide flexibility that will encourage sound and imaginative design.

1. Procedure

a. Pre-Petition Conference

Prior to official submittal of an application for consideration of a planned development, the petitioner shall meet with the Plan Commission for a preliminary discussion as to the scope and nature of the proposed development.

b. Application

Following the preliminary consultation with the Plan Commission, application may be made in accordance with the procedures set forth in Subsection J, Special Uses. A fee shall accompany the application as provided by Section XXI of this ordinance.

c. Agreement with Village

When a planned development is approved by the Village Board, the developer shall enter into an agreement with the Village to guarantee the implementation of the development according to the terms of the conditions established as part of the development plan. Any subsequent change or addition to an approved plan shall first be submitted for approval to the Plan Commission and if in the Plan Commission's opinion such change or addition is not substantial it may recommend its approval to the Village Board without a new public hearing. If such change or addition is construed to be substantial, a public hearing shall be held prior to such recommendation. Failure to comply with conditions and regulations as herein established and as specifically made applicable to a specific project development shall be cause for termination of the approval for said project. At least 15 days notice shall be given to the developer to appear before the Plan Commission and answer any such charge of non-compliance. If the Plan Commission finds the charges substantiated, they may recommend termination of the project approval if the situation is not satisfactorily adjusted within a specified period.

d. Zoning Map

Approved planned developments shall be delineated and designated by number on the zoning map.

2. General Standards

a. All plans, designs, or proposals for a planned development shall be in general conformance with the Comprehensive Plan.

b. Use Exceptions

Uses permitted by exception shall be necessary or desirable and appropriate with respect to the primary purpose of the development, and not of such a nature, or so located, as to exercise a detrimental influence on the surrounding neighborhood.

c. Bulk Exceptions

Exceptions in the bulk regulations of the prevailing district shall be solely for the purpose of promoting an integrated site plan no less beneficial to the residents or occupants of such development, as well as the neighboring property, than the bulk regulations of this ordinance for structures developed on separate lots.

d. Development Plan and Specifications

The design features and standards of developments with the planned developments shall, in addition to the regulations set forth in this Ordinance, conform to a development plan, including details and specifications as may be required, which is approved by the Village Board. The development plan shall include, as a minimum, the following:

1. An accurate topographic and boundary line map of the project area and a location map showing its relationship to surrounding properties.
2. The pattern of public and private roads, driveways, and parking facilities, and intended design standards.
3. The size, arrangement, and location of lots or of proposed building groups.
4. Location, type, and size of proposed landscaping.
5. The use, type, size, and location of structures.
6. The location of sewer and water facilities.
7. Architectural drawings and sketches illustrating the design and character of proposed structures.
8. The location of recreational and open space areas and areas reserved or dedicated for public uses such as school and park sites, and open space to be owned and maintained by a property owners' association.
9. Existing topography and storm drainage pattern and proposed storm drainage system showing basic topographic changes.

10. Statistical data on total size of project area, density computation, proposed number of residential units by type, and any other similar data pertinent to a comprehensive evaluation covenants, and provision of services.

Aspects of the maintenance of common open space areas and of the provision related to the future use of private property (additions, expansions, changes in use, *et cetera*, shall be fully set forth in such documents.

SECTION XXII RULES AND DEFINITIONS

In the construction of this ordinance the following rules and definitions shall be observed and applied, except when the context clearly indicates otherwise.

A. RULES

1. Words used in the present tense shall include the future tense, and the future the present.
2. The singular number shall include the plural number and the plural number shall include the singular number.
3. The word "building" shall include the word "structure".
4. The word "shall" is mandatory and not directory.
5. The word "may" is permissive.
6. The provision under each caption heading in this comprehensive amendment shall be construed and limited in a manner consistent with applicable captions or headings and subheadings.
7. Any words not defined as follows shall be construed in their generally accepted meaning as defined in the most recent publication of Webster's New Word Dictionary, College Edition.

B. DEFINITIONS

Abuts, Abutting: To have a common property line or district line.

Accessory Building: A subordinate building or a portion of a principal building, the use of which is incidental and customary to that of the principal building. an accessory building shall comply in all respects with the requirements of this ordinance applicable to the principal building.

Accessory Use: See Use, Accessory.

Adjacent: Lying near or close to in the vicinity of.

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Adjoining: Touching or contiguous, as distinguished from lying near.

Airport: Any area of land which is used or intended for the landing and take-off of aircraft, together with all structures located thereon.

Alley: A right-of-way, which affords a secondary means of vehicular access to abutting properties.

Alteration: A change in site, shape, character or use of a building or structure.

Animal Hospital: A building or portion thereof designed or used for the care, observation, or treatment of domestic animals.

Automobile: A motor vehicle designed or conveyance of persons.

Automobile Laundry: A business establishment containing facilities for simultaneously washing more than 2 motor vehicles, using production-line methods.

Automobile Service Station: A building or portion thereof, or lot used for offering for sale at retail to the public, fuels, oils, and accessories for motor vehicles and repair service, where no storage or parking space is offered for rent, and where no motor vehicles, trailers, or boats are offered for sale or rent. When such dispensing, sale, or offering for sale is incidental to the conduct of a public garage, the premises are classified as a public garage.

Automobile Wrecking Yard: An area of land where 3 or more motor vehicle, or vehicles, machinery, or equipment drawn or operated by attaching to motor vehicles or other mechanical units - not in or being restored to running or operable condition - or parts thereof are stored in the open, and any land, building, or structure used for wrecking or storing prior to wrecking of such motor vehicles, vehicles, machinery, or equipment or parts thereof.

Awning: a roof-life mechanism, retractable in operation, which projects from the wall of a building.

Basement (A): A story having part but not more than one-half its floor to ceiling height below grade. Such a basement is counted as a story for the purpose of height regulation and if subdivided and used for dwelling purposes.

Basement (8): A story having more than one-half of its floor to ceiling height below grade. Such a basement is not included in computing the number of stories for the purpose of height measurement, and cannot be used for dwelling purposes.

Block: A tract of land bounded by streets, or by a combination of streets, public parks, railroad rights-of-way, or other lines of demarcation.

Boarding House: A residential building, or portion thereof - other than a motel, apartment hotel, or hotel - containing lodging rooms for accommodation of 3, but not more than 5 persons who are not members of the keeper's family and where lodging or meals or both are provided.

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Building: A structure, having a roof and which is permanently affixed to the land, and built for the enclosure, shelter, or protection of persons, animals, chattels, or movable property of any kind. When any portion thereof is completely separated from every other portion thereof by a party wall, then such portion shall be deemed to be a separate building.

Building Accessory: See Accessory Building.

Building, Principal: A non-accessory building in which is conducted the principal use of the lot.

Building, Completely Enclosed: A building with a permanent roof separated on all sides from the adjoining open space, or from other buildings or structures, by exterior or party walls, pierced only by windows and normal entrance and exit doors.

Building, Detached: A building surrounded by open space on the same lot.

Building Height The vertical distance from grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or the mean height level between eaves and ridge for gable, hip, or gambrel roofs.

Building Inspector: The Zoning Officer of Robbins, Illinois, or his duly authorized representative.

Bulk: The term used to indicate the size and setback of buildings or structures, and the location of same with respect to one another, and includes the following: (a) size and height of buildings; (b) location of exterior walls; (c) floor area ratio; (d) open space allocated to buildings; and (e) lot area and lot width provided per dwelling unit.

Business: An occupation, employment, or enterprise which occupies time, attention, labor, and materials; or wherein merchandise is exhibited or sold, or where services are offered.

Carport: A roofed automobile shelter, with 2 or more open sides.

Cellar: An area having more than one-half of its floor to clear ceiling height below grade and which is not counted as a story.

Clinic, Medical or Dental: A building or portion thereof, the principal use of which is for officers or physicians or dentists or both, for the examination and treatment of persons on an outpatient basis.

Club or Lodge, Private: A non-profit association whose facilities are restricted to persons who are bona fide members and their guests. Food and alcoholic beverages may be served on the premises provided they are secondary and incidental to the principal use that any other requisite licenses are secured.

Comprehensive Plan: The Official Comprehensive Plan of the Village.

Conforming Building or Structure: A building or structure which: (a) complies with all the regulations of this ordinance or of any amendment thereto governing bulk of the district in which said building

or structure is located; and (b) is designed or intended for a permitted or conditional use as allowed in the district in which it is located. •

Court: An open unoccupied space other than a yard on the same lot with a building or group of buildings and which is bounded on two or more sides by such building or buildings.

Court, Inner: An open unoccupied space other than a yard on the same lot with a building and which is bounded on all sides by that building.

District: A portion of the Village within which, on a uniform basis, certain uses of land and buildings are permitted and certain other uses of land and buildings are prohibited as set forth in this Ordinance, or within which certain yards and other open space are required, or within which certain lot areas, dwelling sizes and density requirements are established, or within which a combination of such aforesaid regulations are applied.

Drive-in Establishment: An establishment or part thereof in which are provided facilities **where** servicing or consuming commodities or both are intended to occur primarily in patrons' automobiles parked on the premises.

Dwelling: A building, or portion thereof, designed or used exclusively for residential purposes, including single-family, two-family, and multiple-family dwellings, but not including mobile homes or other trailers, or lodging rooms in hotels, motels, or lodging houses.

Dwelling, Attached: A dwelling joined to 2 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, Semidetached: A dwelling joined to one other dwelling by a party wall, or vertical **cavity** wall, and above-ground physically unifying horizontal structural elements.

Dwelling, Single-Family: A dwelling containing 1 dwelling unit.

Dwelling, Two-Family Detached: A dwelling located in a structure containing 2 dwelling units.

Dwelling, Multiple Family: A dwelling located in structure containing 3 or more dwelling units.

Dwelling Unit: One or more rooms which are arranged, designed, or used as living quarters for 1 family only. Individual bathrooms and complete single kitchen facilities, permanently installed to serve the entire family, shall always be included within each "Dwelling Unit".

Efficiency Unit: A dwelling unit consisting of 1 principal room exclusive of bathroom, kitchen, hallway, closets, or dining alcove directly off the principal room.

Electric Distribution Center: A terminal at which electric energy is received from the transmission system and is delivered to the distribution system only.

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Electric Substation: A terminal at which electric energy is received from the transmission system and is delivered to other elements of the transmission system and, generally, to the local distribution system.

Establishment Business: A structure, or lot used in whole or in a part as a place of business, the ownership or management of which is separate and distinct from the ownership or management of any other place of business located on the same or other lot.

Fallout Shelter: An accessory building and use which incorporates the fundamentals for fallout protection -- shielding mass, ventilation, and space to live -- and which is constructed of such materials and in such a manner as to afford to the occupants substantial protection from radioactive fallout.

Family: One or more persons each related to the other by blood, marriage, legal adoption, or foster children, maintaining a common household in a dwelling unit.

Fence: A structure, including gates, or tree or shrub hedge which is a barrier and used as a boundary or means of protection or confinement.

Fence, Open: A fence which has over its entirely at least 50 percent (50%) of the surface area in open space as viewed at right angles from the fence, except that the required open space in louver-type fences may be viewed from any angle.

Fence, Solid: A fence which conceals from view from adjoining properties, streets, or alleys, activities conducted behind it.

Flood-Crest Elevation: The elevation of the highest flood level that has been or may be subsequently designated by the Village Engineer. The flood-crest elevation designated by the Village Engineer shall be based upon a Storm Water Drainage Map showing flood-crest elevations of appropriate locations as approved by the Village Board.

Flood-Plain Area: That continuous area adjacent to a stream or stream bed, or any storm water retention area and its tributaries, whose elevation is equal to or lower than the flood-crest elevation including also land having an elevation higher than the flood-crest elevation but less than 10 acres in area and surrounded by land in a flood-plain area or an area of such elevation secured by land fill projecting into a flood-plain area.

Any point shall be deemed to be within the flood-plain area if it falls below the elevation of a high-water mark, as the elevation of the mark is projected in horizontal directions perpendicular to the flow of the stream and thence to intersections at an equal elevation with the land on either side of the stream. Any point between the aforescribed projections of any 2 high-water marks shall be deemed within the flood-plain area if it is at an elevation equal to or lower than similar projections of the interpolated flood-crest elevation. The interpolated flood-crest elevation is the calculated elevation of the flood crest at the center line of the stream between two known flood crests of the nearest upstream and downstream high-water marks; and the difference in elevation between the flood crest at this location and at either of the high-water mark projections is directly proportional to the difference in stream center line distance between the 2 high-water mark projections.

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: (1) elevator shafts and stairwells; (b) mechanical equipment, except if located on the roof, when either open or enclosed -- e.g., bulkheads, water tanks, and cooling towers; (c) habitable attic space as permitted by the Building Code of Robbins, Illinois; (d) interior balconies and mezzanines; (3) enclosed porches; and (f) accessory uses. The "floor area" of structures used for bulk storage of materials -- e.g., 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 10 feet of structure height and if such structure measures less than 10 feet but not less than 5 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 -- For Determining Off-Street Parking and Off-Street Loading Requirements: "Floor area" when prescribed as the basis of measurement for off-street parking spaces and off-street loading spaces for any use shall be the sum of the gross horizontal area of the several floors of the building, excluding areas used for accessory off-street parking facilities and the horizontal areas to the basement and- cellar floors that are devoted exclusively to uses accessory to the operation of the entire building. All horizontal dimensions shall be taken from the exterior of the walls.

Floor Area Ratio: The numerical value obtained by dividing the "floor area" within a building or buildings on a lot by the area by 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).

Foot Candle: A unit of illumination, equivalent to the illumination at all points which are 1 foot distant from a uniform point source of one candle power.

Foot Lambert: A unit of brightness, usually of a reflecting surface. A diffusion surface of uniform brightness reflecting or emitting the equivalent of the light from 1 candle at 1 foot distant over 1 square foot has a brightness of 1 foot-lambert.

Garage, Private: An accessory building designed and used for the storage of motor vehicles owned and used by the occupants of the building to which it is accessory and in which no occupation or business for profit is carried on. Not more than 1 of the motor vehicles may be a commercial vehicle of not more than 1½ tons capacity.

Garage, Public: A building or portion thereof other than a private or storage garage, designed or used for equipping, servicing, or repairing motor vehicles. Hiring, selling, or storing of motor vehicles may be included.

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Garage, Storage, or Off-Street Parking: A building or portion thereof designed or used or land used exclusively for storage of motor vehicles, and in which motor fuels and oils are not sold, and motor vehicles are not equipped, repaired, hired, or sold.

Grade: The established grade of the street or sidewalk. Where no such grade has been established, the grade shall be the elevation of the sidewalk at the property line: Where no sidewalks exist, the grade shall be the average elevation of the street adjacent to the property line, except in cases of unusual topographic conditions as determined by the Building Inspector grade shall be the average elevation of the finished surface of the ground adjoining the exterior walls of a building at the base of a structure.

Gross Density: The ratio between total number of dwelling units on a lot and total lot area in acres. The area to include local streets, school and parking sites, and is computed as 130 percent of the land actually dedicated to residential use.

Ground Floor Area: The lot area covered by a principal building, measured at highest ground grade, adjacent to building, from the exterior faces of the exterior walls, but excluding open porches or terraces, and garages or carports.

Guest, Permanent: A person who occupies or has the right to occupy a lodging house, rooming house, boarding house, hotel, apartment hotel, or motel accommodation as his domicile and place of permanent residence.

Home Occupation: Any gainful business, occupation, or profession conducted within the dwelling unit by a member of the family residing in the dwelling unit which is incidental and secondary to the use of the dwelling unit for dwelling purposes.

Hotel: An establishment containing lodging rooms, for occupancy by transient guests in contradistinction to a lodging house, boarding house, or a rooming house, and which provides customary hotel service such as: maid, telephone and secretarial, bellboy and desk services; and the use and upkeep of furnishings and laundry of linens with no lodging rooms having direct pedestrian ingress or egress from outdoors.

Hotel, Apartment: A hotel in which at least 80 percent of the hotel accommodations are occupied by permanent guests.

Inner Court: See Court, Inner.

Institution: A building occupied by a not-for-profit corporation wholly for public or private uses.

Junk Yard: A lot, and any accessory building or structure thereon which is used primarily for buying, selling, exchanging, storing, baling, packing, disassembling, or handling waste or scrap materials, including vehicles, machinery and equipment not in operable condition or parts thereof, and other metals, paper, rags, rubber tires, and bottles. A "junk yard" includes an automobile wrecking yard, but does not include an establishment, located in the applicable Manufacturing District, engaged exclusively in processing of scrap iron or other metals to be sold only to establishments engaged in manufacturing of steel or metal alloys.

Kennel: Any premises or portion thereof on which more than 3 dogs, cats, or other household domestic animals over 1 year of age are kept, or on which more than 2 such animals are maintained, boarded, bred, or cared for, in return to remuneration, or are kept for the purpose of sale.

Laboratory: See Research Laboratory.

Launderette: A business that provides coin operated self-service type washing, drying, dry-cleaning, and ironing facilities, providing that: (a) not more than 4 persons, including owners, are employed on the premises; and (b) no pick-up or delivery service is maintained.

Loading Space: A space within the principal building or on the same lot as the principal building, providing for the standing, loading, or unloading of 1 truck, and with access to a street or alley.

Lodging House: A building originally designed for and used as a single-family dwelling, all or a portion of which contains lodging rooms which accommodate persons who are not members of the keeper's family. Lodging, or meals, or both are provided for compensation for 5, but not more than 20 persons.

Lodging Room: A room or suite of rooms rented as sleeping and living quarters, but without cooking facilities and with or without an individual bathroom. In a suite of rooms, each room which provides sleeping accommodations shall be counted as one "lodging room" for the purpose of this Ordinance.

Lot: A tract of land which is designated by its owner or developer as a tract to be used, developed, or built upon as a unit, under unified ownership or control. Therefore, a lot may or may not coincide with a lot of record.

Lot Area: The area of the horizontal plan bounded by lot lines.

Lot. Corner: A lot of which at least 2 adjacent sides abut for their full length upon streets, provided that the interior angle at the intersection of such 2 sides is less than 135 degrees.

Lot Depth: The mean horizontal distance between the front lot line and the rear lot line of a lot measured within the lot boundaries.

Lot Coverage: The area of a lot occupied by the principal and accessory structures.

Lot. Interior: A lot that is not a corner lot.

Lot Line: The property line bounding a lot.

Lot Line Front: The boundary of a lot abutting a street. On a corner lot, either lot line may be construed to be the front lot line.

Lot Line, Interior: A lot line which does not abut a street except for that boundary of a through lot which abuts a second street.

Lot Line, Rear: An interior lot line which is most distant from and is almost parallel to the front lot line, and in the case of an irregular -- or triangular -- shaped lot, a line of 10 feet in length within the lot which is parallel to and at maximum distance from the front lot line.

Lot Line, Side: Any boundary of a lot which is not a front lot or a rear lot line.

Lot of Record: A single lot which is part of a subdivision, the plat of which has been recorded in the office of the Recorder of Deeds of Cook County, Illinois.

Lot, Reversed Corner: A corner lot, the street side lot line of which is substantially a continuation of the front lot line of the first lot to its rear.

Lot, Through: A lot having a pair of opposite lot lines along two more or less parallel streets, and which is not a corner lot. Both street lines shall be deemed front lot lines.

Lot Width: The minimum horizontal distance between the side lot lines of a lot measured at the narrowest width within the 30 feet of depth immediately in back of the front yard line.

Manufacturing Establishment: An establishment, the principal use of which is manufacturing, fabricating, processing, assembly, repairing, storing, cleaning servicing, or testing of materials, goods, or products.

Marquee or Canopy: A roof-like structure of a permanent nature which projects from the wall of a building.

Mobile Home: A trailer designed and constructed for dwelling purposes which contains cooking, sanitary, and electrical facilities and has gross floor area of 250 square feet or more.

Motel: An establishment consisting of a group of attached or detached lodging rooms with bathrooms, having direct pedestrian ingress or egress from outdoors and where more than 50 percent of the lodging rooms are occupied or designed for occupancy by transient automobile tourists. A "motel" furnishes customary hotel services such as maid service and laundering of linen, telephone, secretarial and desk service, and the use and upkeep of furniture. One dwelling unit may be included for occupancy by the owner or manager of the motel.

Motor Vehicle: A passenger vehicle, truck, truck-trailer, trailer, or semi-trailer propelled or drawn by mechanical power.

Nameplate: A sign indicating the name and address of a building, or the name of an occupant thereof, and the practice of a permitted occupation therein.

No-Access Strip: A strip of land within and along a rear lot line of a through lot adjoining a street which is designated on a recorded subdivision plat or property deed as land over which motor vehicular travel shall not be permitted.

Non-Conforming Building or Structure: Any building or structure lawfully established which: (a) does not comply with all the regulations of this Ordinance or of any amendment hereto governing bulk of

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the district in which such building or structure is located, or (b) is designed or intended for a non-conforming use.

Non-Conforming Use: Any building or structure and the use thereof or the use of land that does not conform with the regulations of this Ordinance or any amendment thereto governing use in the district in which it is located, but conforming with all the codes, ordinances and other legal requirements applicable at the time such building or structure was erected, enlarged, or altered, and the use thereof or the use of land was established.

Noxious Matter or Material: A material which is capable of causing injury to living organisms by chemical reaction, or is capable of causing detrimental effects of the physical or economic well-being of individuals.

Nursery School: An establishment for the part-time care of 5 or more children of pre-elementary school age in addition to shelter for a supervisory staff or family residing therein.

Nursing Home: An institution for the care of children or the aged, chronically ill, infirm, or incurable persons, or a place of rest for those persons suffering bodily disorders, in which 3 or more persons not members of the family residing on the premises are received, and provided with food, shelter, and care, but not including hospitals, clinics or similar institutions devoted primarily to the diagnosis and treatment of disease or injury, maternity cases or mental illness.

Off-Street Parking Facility: Land which is improved and used, or a structure which is designed and used for the storage of passenger motor vehicles.

Open Sales Lot: Land used or occupied for the purpose of buying, selling, or renting merchandise stored or displayed out-of-doors prior to sale. Such merchandise includes automobiles, trucks, motor scooters, motorcycles, boats, or similar commodities.

Owner: The applicant or petitioner for an amendment, variance, appeal or special use including any person, firm or corporation having a freehold interest, a possessory interest entitled to exclusive possession, a contractual interest which may become a freehold interest, an option to purchase or any exclusive possessory interest which is especially enforceable on the land which is described in the application.

Parking Space: An area, enclosed or unenclosed, reserved for the parking of one motor vehicle and which is accessible to and from a street or alley.

Parking Space, Reservoir: Those off-street parking spaces allocated for temporary standing of automobiles awaiting entrance to a particular establishment.

Party Wall: A common wall which extends from its footing below grade to the underside of the roof and divides buildings. It may be a vertical cavity wall or one with above-ground physically unifying horizontal structure elements.

Patio: A recreation area that adjoins a dwelling, is often paved, and is adapted especially for outdoor dining.

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Performance Standard: A criteria established to control smoke and particulate matter, noise, odorous matter, toxic matter, vibration, fire and explosion hazards, glare, and radiation hazards generated by or inherent in uses of land or buildings.

Plan Commission: The Plan Commission of Robbins, Illinois.

Planned Development: A lot, initially under unified ownership or control, which is the site for a unified development, and where the regulations of this Ordinance may be modified.

Public Open Space: Any publicly-owned open area; including, but not limited to, the following: park, playground, forest preserves, waterways, parkways, and streets.

Refuse: All waste products resulting from human habitation or industry, except sewage.

Research Laboratory: A building or groups of buildings in which are located facilities for scientific research, investigation, testing, or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory.

Resource Recovery Facility: A facility for the processing of refuse, generation of steam, production of electricity and related uses.

Restaurants: Not including drive-in establishments.

A restaurant is an eating establishment which serves its food to be consumed only at seating **areas** so designated whether inside or outside the building, including serving its food in carry-out containers but not to be consumed in vehicles parked on the premises.

Restaurants: Drive-in

See: Drive-in Establishments.

Restaurants: Convenience food service establishment.

A convenience food establishment or restaurant is an eating establishment which serves its food or substantial amount of its food on trays to be consumed at seating areas, or in carry-out containers to be consumed in motor vehicles parked on the premises. A convenience food establishment or restaurant is one that operates only on self service basis.

Roadway: That portion of a street which is used or intended to be used for the travel of motor vehicles.

Setback: The minimum horizontal distance between a street line and the nearest wall of a building, or side of a structure facing such street line, or edge of the area of operation of a principal use when no building or structure is involved.

Setback, Established: When 40 percent or more of the lots fronting on one side of a street **within** a block are improved, the existing setback of such improved lots shall be the "established setback"

for determining the depth of the required front yards for the remainder of the lots along such street frontage, as regulated in this Ordinance.

Sign: A name, identification, description, illustration, display, or device which is affixed to, painted, or represented upon a building, structure, or device which attracts attention to a product, place, activity, person, institution, or business. A sign shall not include a display of a court, public or official notice, nor shall it include the flag, emblem, or insignia of a nation, political unit, school, religious, or charitable institution or organization. A sign shall also include a permanent sign located within an enclosed building in such a manner as to be viewed or intended for view primarily from the exterior of the building.

Sign. Advertising or Billboard: A sign on which is portrayed information which directs attention to a business, commodity, service, or entertainment, or other activity not necessarily related to uses on the lot upon which the sign is located.

Sign. Business: A sign which directs attention to a business, commodity, service, entertainment, or other activity conducted on the lot upon which such sign is located.

Sign. Flashing: An illuminated sign on which the artificial light is not maintained constant or stationary in intensity or color at all times when such sign is in use. For the purpose of this Ordinance, a revolving sign, or any advertising device which attracts attention by moving parts, operated by mechanical equipment or movement caused by natural sources, whether or not illuminated with artificial lighting, shall be considered a flashing sign.

Sign. Gross Surface Area of: The entire area within a single continuous perimeter enclosing the extreme limits of a sign.

Sign. Ground: A sign which is supported by one or more uprights or braces in or upon the ground.

Sign. Projecting: A sign which is affixed to any building wall or structure and extends beyond the building wall or parts thereof or structure more than 12 inches.

Sign. Roof: A sign erected, constructed, and maintained above the roof of any building.

Sign. Wall: A sign which is affixed to an exterior wall of any building, and shall project not more than 12 inches from the building wall or parts thereof.

Smoke: The visible discharge from a chimney, stack, vent, exhaust, or combustion process which is made up of particulate matters.

Story: That portion of a building, other than a cellar, included between the surface of any floor and the surface of the floor next above it or, if there be no floor above it, then the space between the floor and the ceiling next above it. The floor of a story may split levels provided that there are not more than 4 feet difference in elevation between the different levels of the floor. A basement shall be counted as a story, except when used for storage, garages for use of occupants of a building or other facilities common for the rest of the building. A mezzanine floor shall be counted as a story

when it covers over one-third the area of the floor next below it, or if the vertical distance from the floor next below it to the floor next above it is 24 feet or more.

Story. Half: A partial story under a gable, hip, mansard, or gambrel roof, the wall plates of which on at least 2 opposite exterior walls are not more than 3 feet above the floor of such story, except that any partial story used for residence purposes, other than for a janitor or caretaker or his family, or by a family occupying the floor immediately below it. shall be deemed a full story.

Street: A public or private right-of-way or easement which is designated as a permanent right-of-way or easement for common use as the primary means of vehicular access to properties abutting on it.

Street. Frontage: All of the property fronting on one side of a street between 2 intersecting streets, or in the case of a dead-end street, all of the property along 1 side of the street between an intersecting street and the end of such dead-end street.

Street Line: The street right-of-way line abutting a property line of a lot.

Structural Alteration: Any change in the supporting members of a building or structure such as bearing walls, columns, beams, or girders, or any substantial change in the roof or in the exterior walls, excepting such repair or replacement as may be required for the safety of the building or structure.

Structure: Anything constructed or erected, the use of which requires more or less permanent location on the ground or attached to something having a permanent location on the ground, including, but without limiting the generality of the foregoing, advertising signs, back stops for tennis courts, and pergolas.

Tavern: A business establishment where liquors are sold to be consumed on the premises but not including restaurants where the principal business is the serving of food.

Trailer. Camping: A trailer designed and constructed as a temporary dwelling primarily for travel, recreational and vacation purposes which may be used as a conveyance on streets and highways by way of motive power furnished by another vehicle.

Tailer. Travel: A trailer designed and constructed to be used as a temporary dwelling for travel, recreational and vacation purposes which may be used as a conveyance on streets and highways by its own motive power.

Truck Camper: A trailer designed and constructed as a temporary dwelling primarily for travel, recreational and vacation purposes and which does not have its own wheel or motive power, but which is designed to be mounted on the back of trucks to convert such vehicles into travel trailers.

Usable Open Space: Ground area of a lot, landscaping and recreational facilities may qualify as usable open space provided that it is an area unobstructed from the ground to the sky and which:

1. Is not devoted to public or private roadways or driveways, and open off-street parking or loading.

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2. Is accessible and available only to occupants of dwelling units on the premises -- except balconies.
 3. Is not covered by buildings -- except not more than 5 percent of the required usable open space may be recreational facilities enclosed within a building for the use of occupants of the dwelling units on the premises. •
 4. Has not less than 10 feet at its narrowest dimension between either a lot line -and area not qualifying as usable open space.
 5. Is developed, landscaped and maintained suitable for pedestrian, recreational and leisure use.

Use: The purpose or activity for which the land, or building thereon, is designed, arranged, or intended, or for which it is occupied or maintained, and shall include any manner of performance of such activity with respect to the performance standards of this Ordinance.

Use, Accessory: An accessory use is one which is incidental to the dominant use of the premises.

Use, Special: A use that has unusual operational, physical, or other characteristics that maybe different from those of the predominant permitted uses in a district, but which is a use that complements and is otherwise, or can be made, compatible with the intended over-all development within a district. Compliance with special standards not necessarily applicable to other permitted or special uses in the district shall be required as regulated in this Ordinance.

Use, Lawful: The use of any building, structure, or land that conforms with all of the regulations of this Ordinance or any amendment thereto and which conforms with all of the codes, ordinances, an other legal requirements, as existing at the time of the enactment of this Ordinance or any amendment thereto, for the structure or land that is being examined.

Use, Permitted: Any use which is or may be lawfully established in a particular district or districts, provided it conforms with all requirements, regulations, and when applicable, performance standards of this Ordinance for the district in which such use is located.

Use, Principal: The dominant use of land or building as distinguished from•a subordinate or accessory use.

Vending Machine: A machine for dispensing merchandise or services designed to be operated by the customer.

Village: The Village of Robbins, Illinois.

Village Board: The Board of Trustees of Robbins, Illinois.

Village Clerk: The Village Clerk of Robbins, Illinois.

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Village Engineer: A professional engineer, registered In the State of Illinois who has been duly appointed as the Village Engineer of the Village of Robbins, or who has been hired by the Village as its consulting engineer.

Yard: An open area on a lot which is unobstructed from its lowest level to the sky, except as otherwise provided in this Ordinance.

Yard, Front: A yard which is bounded by the side lot lines, front lot line, and the front yard line.

Yard Line: A line in a lot that is parallel to the lot line along which the applicable yard extends and which is not nearer to such lot line at any point than the required depth or width of the applicable yard. A building, structure, or other obstruction shall not encroach into the area between the "yard line" and such adjacent lot line, except for such permitted obstruction in yards as are set forth in this Ordinance.

Yard, Rear: A yard which is bounded by side lot lines, rear lot line, and the rear yard line.

Yard, Side: A yard which is bounded by the rear yard line, front yard line, side yard line, and side lot line.

Yard, Side -- Adjoining a Street: A yard which is bounded by the front lot line, side yard adjoining a street line, and rear lot line.

Yard, Interior Side: A side yard which adjoins another lot or an alley separating such side yard from another lot.

Zoning Board of Appeals: The Zoning Board of Appeals of Robbins, Illinois.

Zoning Districts: The districts into which the Village of Robbins, Illinois, has been divided for zoning regulations and requirements as set forth on the zoning district map.

Zoning District Map: The Zoning District Map of the Village of Robbins, Illinois.

Zoning Officer: The official of the Village, duly appointed and designated to administer and enforce the building code and zoning ordinance, or his duly authorized representative.

SECTION XXIII

FEES

A fee payable to the Village Clerk by certified check shall accompany an application form for an appeal, variation, amendment, special use, zoning certificate, or occupancy permit as follows:

	Minimum	Maximum
1. Appeal	\$175.00	\$300.00

		Minimum	Maximum
2.	Variation	175.00	300.00
3.	Amendments:		
	A. to text	175.00	500.00
	B. to district map	250.00	500.00
	C. to text and district map	250.00	500.00
4.	Special Use: Non-planned development	250.00	500.00
5.	Special Use: Planned development for application containing 230 dwelling units or less; or 100,000 square feet of office and/or business floor area or less; or a weighted combination thereof.	500.00	2,500.00
6.	Special Use: Planned development for applications containing over 230 and through 500 dwelling units; or over 100,000 and through 500,000 square feet office and/or business floor area; or a weighted combination thereof.	500.00	5,000.00
		plus \$10.00 per dwelling unit in excess of 100 units; or \$500.00 plus \$1.00 for each 100 square foot of office and business floor area in excess of 50,000 square feet.	
7.	Special Use: Planned development for applications containing over 500 dwelling units, or 500,000 square feet of office and business floor area; or a weighted combination thereof.	\$15,000.00	
8.	Change in the initial application on petition for a variation, amendment, special use, (non-planned development) after approval.	No charge	No charge
9.	Change in the initial application petition for planned development after approval.	One-half of initial minimum fee.	None

	Minimum	Maximum
10. Zoning certificate		
a. single-family	\$ 10.00	\$ 10.00
b. all others	25.00	25.00
11. Certificate of occupancy		
a. single-family	\$ 25.00	\$ 25.00
b. all others	150.00	150.00

The minimum fees are established to cover the expenses that may be incurred due to staff time plus consultant's time required to review and process such application, and other expenses such as printing and publication of notices, postage, and other costs. The minimum fees are payable at the time of filing of application for any request covered in items 1 through 11 above.

The maximum fees are established to reimburse the Village for charges incurred over and above the minimum fees due to the complexity of the project to be reviewed and also due to studies that may be needed in addition to those provided by the petitioner. The maximum fees are payable upon receipt of an invoice from the Village during the course of processing the petition. The Village shall invoice the petitioner for expenses in excess of the minimum fees already paid at the time of submission. The petitioner shall not be invoiced more than once a month. The total sum of the fees charged to the petitioner shall not exceed the amount stated as maximum fee.

Payment to all consultants retained by the Village in any capacity connected with the application shall be based on fixed hourly rate contracts formally authorized by the Village Board. The computation of the Village's staff time shall be based on salaries of the Village personnel involved plus 50 percent to cover overhead and administration.

At no time shall there be any transfer of funds from any petitioner directly to any consultant or Village staff personnel. All payments to consultants shall be executed only under the conditions specified in the paragraph above, and the petitioner shall be invoiced directly and solely by the Village of Robbins.

SECTION XXIV VIOLATION.

PENALTY, ENFORCEMENT

- A. Any person, firm, or corporation who violates, disobeys, omits, neglects, refuses, to comply with, or who resists enforcement of any of the provisions of this Ordinance shall upon conviction be fined not less than \$25.00 nor more than \$500.00 for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.
- B. The Zoning Officer is hereby designated and authorized to enforce this Ordinance. However, it shall also be the duty of all officers, citizens, and employees of the Village, particularly of all members of the police and fire departments, to assist the Zoning Officer by reporting to him any new construction, re-construction, improved land uses, or upon any seeming violation.