

Title 17

ZONING

Chapters:

<u>17.04</u>	<u>Title and Purpose</u>
<u>17.08</u>	<u>Definitions</u>
<u>17.12</u>	<u>Scope and Interpretation of Regulations</u>
<u>17.16</u>	<u>Districts and Boundaries</u>
<u>17.20</u>	<u>Principal Uses and Standards of Districts</u>
<u>17.24</u>	<u>Parking</u>
<u>17.28</u>	<u>Signs</u>
<u>17.32</u>	<u>House trailers and Mobile Homes</u>
<u>17.36</u>	<u>Site Consideration Plans</u>
<u>17.40</u>	<u>Additional Regulations</u>
<u>17.44</u>	<u>Nonconforming Uses</u>
<u>17.48</u>	<u>Special Uses</u>
<u>17.52</u>	<u>Variances</u>
<u>17.56</u>	<u>Certificate of Zoning Compliance</u>
<u>17.60</u>	<u>Zoning board</u>
<u>17.64</u>	<u>Zoning Officer</u>
<u>17.68</u>	<u>Appeal Procedure</u>
<u>17.72</u>	<u>Administration</u>
<u>17.76</u>	<u>Enforcement and Penalty</u>

Chapter 17.04

Title and Purpose

Sections:

17.04.010	Title.
17.04.020	Purpose.

17.04.010 Title. This title and the accompanying zoning district map(s) shall be known as "The village of Rossville, Vermilion County, Illinois, Zoning Ordinance" and may be cited as "The Rossville Zoning Ordinance".

17.04.020 Purpose. It shall be the purpose of this title:

- A. To promote and protect the public health, safety, morals, comfort and general welfare of the people;
- B. To divide the village and that area defined in Section 17.12.010 as the extraterritorial zoning

jurisdiction of this title into zones or districts restricting and regulating therein the location, erection, construction, reconstruction, alteration and use of building, structures and land for residences, businesses, manufacturing, and other specified uses;

C. To protect the character and stability of the residential and business areas within the Village and to promote the orderly and beneficial development of such areas;

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

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

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

G. To fix reasonable standards to which building or structures shall conform therein;

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

I To prevent additions to, or alterations or remodeling of, existing buildings or structures in such a way to avoid the restrictions and limitations imposed under the title;

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

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

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

M. To conserve the taxable value of land and buildings throughout the village by providing reasonable standards for floor areas of residential structures;

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

O. To define and limit the powers and duties of the administrative officers and bodies as provided in this title.

Chapter 17.08DEFINITIONSSections:

- 17.08.010 Interpretation and construction generally.
- 17.08.020 Accessory building.
- 17.08.030 Accessory use.
- 17.08.040 Alley.
- 17.08.050 Boardinghouse and rooming house.
- 17.08.060 Building.
- 17.08.070 Dwelling.
- 17.08.080 Dwelling, multi-family.
- 17.08.090 Dwelling, one-family.
- 17.08.100 Dwelling two family.
- 17.08.110 Dwelling unit.
- 17.08.120 Family.
- 17.08.130 Garage.
- 17.08.140 Garage attached or accessory buildings.
- 17.08.150 Home occupation.
- 17.08.160 Hospital.
- 17.08.170 Lot.
- 17.08.180 Lot area.
- 17.08.190 Lot, corner.
- 17.08.200 Lot, improved
- 17.08.210 Lot, interior.
- 17.08.220 Lot line.
- 17.08.230 Lot, width of.
- 17.08.240 May.
- 17.08.250 Mobile home or trailer.
- 17.08.260 Nonconforming building.
- 17.08.270 Nonconforming use.
- 17.08.280 Outdoor advertising signs.
- 17.08.290 Person.
- 17.08.300 Professional Office.
- 17.08.310 Shall.
- 17.08.320 Street.
- 17.08.330 Structure.
- 17.08.340 Use.
- 17.08.350 Yard, front.
- 17.08.360 Yard, rear.
- 17.08.370 Yard, side.
- 17.08.380 Village Board.
- 17.08.390 Zoning Board.

17.08.010 Interpretation and construction generally.

For the purpose of this title, certain words or phrases are defined as follows in this chapter. When not inconsistent with the content, words used in the present tense include the future; words in the singular number include the plural number; words in the plural number include the singular and the masculine includes the feminine.

17.08.020 Accessory building. "Accessory building"

means a detached subordinate building, the use of which is customarily incidental to that of the main building or to the main use of the land and which is located on the same lot with the main building or use.

17.08.030 Accessory use. "Accessory use" means a use

naturally and normally incidental to, subordinate to, and devoted exclusive to the main use of the premises.

17.08.040 Alley. "Alley" means a minor public

thoroughfare upon which the rear of building lots generally abut and which is generally used for service purposes.

17.08.050 Boardinghouse and rooming house.

"Boardinghouse" and "rooming house" means a building or portion thereof, which is principally used to accommodate for compensation, five or more boarders, or roomers, not including members of the occupant's immediate family who might be occupying such building. The "compensation" includes compensation in money, services or other things of value.

17.08.060 building. "Building" means any permanent

structure built for the shelter or enclosure of persons, animals, chattels or property of any kind, and not including advertising sign boards or fences.

17.08.070 Dwelling. "Dwelling" means any building or

portion thereof which is used as the private residence or sleeping place of one or more human beings, but not including hotels, motels, tourist courts, resort cabins, clubs, hospitals, or similar uses.

17.08.080 Dwelling, multiple-family. "Multiple family dwelling" means a building or portion thereof, designed for or occupied by three or more families living independently of each other.

17.08.090 Dwelling, one-family. "One-family dwelling" means a detached building designed exclusively for occupancy by one family.

17.08.100 Dwelling, two-family. "Two-family dwelling" means a detached building designed exclusively for occupancy by two families living independently of each other.

17.08.110 Dwelling unit. "Dwelling Unit" means one or more rooms in a dwelling, apartment house or apartment hotel designed for occupancy by one family for living or sleeping purposes and having not more than one kitchen.

17.08.120 Family. "Family" means an individual or two or more persons related by blood or marriage or a group of unrelated persons, not to exceed five persons, (excluding servants) living together as a single housekeeping unit in a dwelling unit.

17.08.130 Garage. "Garage means a building or portion thereof used for housing or care of vehicles.

17.08.140 Garage attached or accessory building. "Garage attached or accessory building" means any garage or accessory buildings subordinate to the main use of the premises having at least one common wall with the main building.

17.08.150 Home occupation. "Home occupation" means a use that is clearly incidental and secondary to the use of the structure as a dwelling and includes but is not limited to, the following types of home occupation uses: art studio, dressmaking or millinery work, office for professional services, office for insurance sales or real estate sales, and teaching.

17.08.160 Hospital. "Hospital" means any building or portion thereof used for the accommodation and medical care of sick, injured or infirm persons, and including sanitariums, but not including clinics, rest homes and convalescent homes.

17.08.170 Lot. "Lot" means a portion or parcel of land (whether a portion of a platted subdivision or otherwise) occupied or intended to be occupied by a building or use and its accessories, together with such yards as are required under the provisions of this title, having not less than the minimum area, width and depth required by this title for a lot in the zoning district in which such land is situated, and having frontage on a street or avenue or on such other means of access as permitted in accordance with the provisions of this title.

17.08.180 Lot area. "Lot area" means the total horizontal area within the lot lines of a lot.

17.08.190 Lot, corner. "Corner Lot" means a lot situated at the junction of two or more streets, and/or avenues, but not including a "reversed corner lot" as defined herein.

17.08.200 Lot, improved. "Improved Lot" means land occupied by a building and its accessory buildings, together with such open spaces as are provided for in this title.

17.08.210 Lot, interior. "Interior lot" means a lot other than a corner lot.

17.08.220 Lot line. "Lot line" means the lines bounding a lot as defined in this chapter.

17.08.230 Lot, width of. "Width of lot" means the distance parallel to the front lot line measured between side lot lines through that part of the building or structure where the lot is narrowest.

17.08.240 May. The word "may" is always permissive.

17.08.250 Mobile home or trailer. "Mobile home or trailer" means a vehicle or similar portable structure intended for use for residential purposes, having been constructed with wheels (whether or not such wheels have been removed), and designed and constructed for such living, sleeping and general residential purposes.

17.08.260 Nonconforming building. "Nonconforming building" means a building or structure or portion thereof, conflicting with the provisions of this title applicable to the zone in which it is situated.

17.08.270 Nonconforming use. "Nonconforming use" means the use of a structure or premises conflicting with the provisions of this title as to uses permitted.

17.08.280 Outdoor advertising signs. "Outdoor advertising signs" means any card, cloth, paper, metal, painted, wooden, glass, plaster, stone, or other sign of any kind, placed for outdoor advertising purposes in the ground or on any tree, wall bush, rock, post, fence, building, structure or thing whatsoever.

17.08.290 Person. "Person" means and also includes association, firm, copartnership, or corporation.

17.08.300 Professional office. "Professional office" means an office for professionals such as physicians, others who through training are qualified to perform services of a professional nature and where no storage or sale of merchandise exists.

17.08.310 Shall. The word "shall" is always mandatory.

17.08.320 Street. "Street means a public thoroughfare which affords the principal means of access to abutting property.

17.08.330 Structure. "Structure" means anything constructed or erected, which requires location on the ground or attached to something having a location on the ground, but not including fences or walls used as fences less than six feet in the height, poles, lines, cables, or other transmission or distribution facilities of public utilities.

17.08.340 Use. "Use" means the purpose for which land or building is designated, arranged or intended, or for which either is or may be occupied or maintained.

17.08.350 Yard, front. "Front yard" means and is an open space on the same lot with a building, unoccupied except as otherwise may be provided in this title, extending the full width of the lot and situated between the front lot line and the nearest line or point of the building thereon. The "front lot line" shall be considered to be that property line dividing a lot from a street or avenue, and on a corner lot; except as otherwise provided in this title, only one street or avenue line shall be considered as the front lot line and the shorter lot line coincident with a street or avenue line shall be considered the front lot line.

17.08.360 Yard, rear. "Rear yard" means and is an open space on the same lot with a building, unoccupied except as may be provided in this title, extending the full width of the lot and situated between the rear line of any lot and the rear line of any dwelling and projected to the side line of the lot.

17.08.370 yard, side. "Side yard" means a yard between the dwelling and the sideline of the lot and extending from the street or avenue to the rear of the lot.

17.08.380 Village board. "Village board" means the board of trustees of the Village of Rossville, Illinois.

17.08.390 Zoning Board. "Zoning board" means the Village of Rossville zoning board of appeals.

Chapter 17.12

SCOPE AND INTERPRETATION OF REGULATIONS

Sections:

- 17.12.010 Area encompassed by title.
- 17.12.020 Compliance required.
- 17.12.030 Evasion of area, yard, and parking regulations.
- 17.12.040 Principal accessory uses.
- 17.12.050 Applicability to existing uses, agricultural uses and public utilities.
- 17.12.060 Intent and interpretation in case of conflict.

17.12.010 Area encompassed by Title. The regulations of this title shall cover all land within the corporate limits of the village of Rossville, Vermilion County, Illinois, and an area of unincorporated land which shall be known as and referred to as the extraterritorial zoning jurisdictional area of this, all land encompassed within Sections 1, 2, 3, 10, 11, 12, 13, 14, and the N ½ of Sections 23 and 24 all in T22N, R12W and Section 7 in T22N, R11W, except that land situated in Grant Township located within the subdivisions known and recorded as Duchette Country Club Estates 1 and 2 and any land lying north of property known as Hubbard Trails Country Club, all of which shall encompass the extraterritorial zoning jurisdictional area of the zoning ordinance codified in this title.

17.12.020 Compliance required. It is unlawful to do or perform any one or more of the following acts, except in compliance with the provisions of this title:

- A. To erect a new building or structure;
- B. To erect more than one main building on a Lot;
- C. To excavate
- D. To relocate, convert, enlarge, or structurally alter or reconstruct any building or structure;
- E. To establish, expand, enlarge, relocate or change any use or building of land;
- F. To establish, expand, enlarge, relocate or change any nonconforming use.

17.12.030 Evasion of area, yard and parking regulations. It is unlawful to lease, sell, or convey a portion of an improved lot when the effect of such action is to reduce:

- A. The area of the lot below the minimum area of requirements of this title;
- B. The depth or width of a yard to less than the minimum depth or width requirements of this title;
- C. The number of parking spaces on the lot below the minimum number of spaces required by this title.

17.12.040 Principal and accessory uses. The uses listed in Table 1, which can be found at the end of Chapter 17.20, as permitted are principal uses. A building or use that is accessory to a permitted use may be erected or established as an accessory building or use if:

- A. It is located on the same lot as the principal use;
- B. It is customarily incidental to the principal use;
- C. It complies with the other applicable regulations of this title;
- D. It is not erected or established prior to the erection of a main building where the establishment is a Principle use.

17.12.050 Applicability to existing uses, agricultural uses and public utilities. Nothing contained in these regulations shall impose restrictions so as to deprive the owner of any existing property of its use or maintenance for the purpose to which it is then lawfully devoted; nor shall they be exercised so as to impose regulations or require permits with respect to land used or to be used for agricultural purposes, or with respect to the erection, maintenance, repair, alteration, remodeling or extension of buildings or structures used or to be used for agricultural purposes upon such land except that such buildings or structures for agricultural purposes may be required to conform to building or setback lines; not shall any such powers include the right to specify or regulate the type or location of any poles, towers, wires, cables, conduits, vaults, laterals, pipes, mains, valves or any other similar distributing equipment of a public utility as defined in an act entitled Act Concerning Public Utilities.

17.12.060 Intent and interpretation in case of conflict. It is not the intent of this title to abrogate, annul, impair or interfere with any private restrictions on land, only when this title imposes greater restrictions upon the use of land or buildings than those imposed by existing private covenants or restrictions, than the provisions of this title shall control.

Chapter 17.16

DISTRICTS AND BOUNDARIES

Sections:

- 17.16.010 Number and designation of district.
- 17.16.020 Zoning map.
- 17.16.030 Interpretation of map(s) and district boundaries.

17.16.010 Number and designation of districts. In order to regulate and restrict the location of buildings for specific uses, to regulate the use of land in buildings, to regulate and limit the height and size of buildings for certain uses, the village and the extraterritorial zoning jurisdictional area of the ordinance codified in this title is divided into ten districts known as:

- A-1 Agricultural district
- A-2 Conservation-floodplain district
- R-1 Low density single-family districts
- R-2 Single-family residential district
- R-3 One and two family residential district
- R-4 Multifamily residential district
- R-5 Mobile home district
- B-1 General business district
- B-2 Highway commercial district
- M-1 Industrial district.

17.16.020 Zoning map. The boundaries of the districts established in Section 17.16.010 are established as shown on the map(s) designated as the official Zoning District Map, Rossville, Vermilion County, Illinois. The original of this map(s) shall be signed and dated by the village clerk. The map(s) and all information shown on the map(s) shall be apart of this title and it shall be filed as a part of this title with the village clerk. A copy of the map(s) shall be available for public reference and notice of the adoption of this map(s) and the ordinance codified in this title shall be filed with the county recorder.

Amendments to this title, which change the boundary lines Of the districts shall, along with this title, be made Available for public reference in the office of the village clerk. In March of each year, the zoning district map(s) shall be corrected and brought up to date and new copies made available for public reference with the village clerk.

17.16.030 Interpretation of map(s) and district boundaries. Boundaries of districts as shown on the zoning map(s) are generally intended to coincide with the centerline of streets or with property lines. If, on the map(s), the boundary lines of a district:

A. Approximate the line of a street, the boundary line shall be interpreted to be the centerline of the street;

B. Approximate the boundary line of a platted lot, the district boundary line shall be interpreted to be the lot line;

C. Divide the platted lot or unplatted or unsubdivided property into district parts, the district boundary line shown on the map shall be determined by the scale appearing on the map;

D. In the event that a district boundary cannot be Located to the satisfaction of the property owner, the Matter shall be referred to the zoning board as provided for in this title.

Chapter 17.20

PRINCIPAL USES AND STANDARDS OF DISTRICTS

Sections:

17.20.010 General intent of zoning districts

17.20.020 Permitted principal uses and special uses.

17.20.030 District area, height, placement, and general regulations.

17.20.040 Additional regulations, interpretations and exceptions.

17.20.010 General intent of zoning districts. The intent of each zoning district is as follows:

A. The A-1 agricultural district is intended to protect and preserve the high quality of agricultural land in the extraterritorial area from the intrusion of urban and nonagricultural uses which would contribute to the termination of agricultural pursuits which would be inconsistent with the highest and best potential of the land and to protect prime agricultural land.

B. The A-2 conservation-floodplain district is intended to protect and preserve certain lands which are subject to flooding or erosion and land that is heavily wooded or of such topographic character that extensive human habitation is unwise or imprudent; and which, if preserved as open space recreational areas, will provide shelter to wildlife and will prevent further erosion and damage from flooding. The district is also intended to preserve and protect public land for current and future use.

C. The R-1 low-density single-family district is intended to protect and preserve the residential character of certain portions of the community, which are now or which are planned as low-density single-family residential uses.

D. The R-2 single-family residential district, while allowing and protecting single-family usage in certain portions of the community, allows for a smaller lot size. In keeping with the housing industry development desires for single-family residential development.

E. The R-3 one and two family residential district is intended to preserve the higher lot density of older single-family residential structures while providing for the development of two-family residential usage in certain portions of the community.

F. The R-4 multifamily residential district is intended as a means to allow higher density multiple-family developments as needed for the complete development of housing types in the community.

G. The R-5 mobile home district allows for the development of organized mobile home parks in locations deemed to be appropriate for such use in the community.

H. The B-1 general business district is intended to provide development in line with the consumer needs of the community and its service area while preserving the existing central business and commercial area of the community.

I. The B-2 highway commercial district is intended to provide areas for commercial establishments, which relate to high volume of vehicle traffic and parking use.

J. The M-1 industrial district is established to provide for light manufacturing, storage and similar industrial uses compatible with the needs, character and economic development of the community.

17.20.020 Permitted principal uses and special uses. Table 1, Table of Permitted Principal uses and Special Uses, lists the types of principal land use permitted in Each zoning district and those uses for which a special Use permit must be obtained as outlined in Chapter 17.48 Table 1, in its entirety, is located at the end of this Chapter.

17.20.030 District are, height, placement and general regulations. Table 2, Schedule of Area, Height, Placement and General Regulations by District, lists the primary standards and regulations of this title by zoning district. Table 2, in its entirety, is located at the end of this chapter.

17.20.040 Additional regulations, interpretations and exceptions. Regulations specified in Table 2 and in other sections of the ordinance codified in this title shall be subject to the additional regulations, interpretations and exceptions set forth in this title.

TABLE 1- TABLE OF PERMITTED PRINCIPAL USES AND SPECIAL USES

LIST OF PRINCIPAL USES

Any use not listed shall be deemed to require a special use permit but shall be subject to approval within the zoning district for which is requested. For the purposes of these charts, the following will be used:

- A-1 = Agriculture
 - A-2 = Conservation-floodplain
 - R-1 = Low Density Single Family
 - R-2 = Single Family Residential
 - R-3 = One & Two Family Residential
 - R-4 = Multi-Family Residential
 - R-5 = Mobile Home
 - B-1 = General Business District
 - B-2 = Highway Commercial
 - M-1 = Industrial
- P=Permitted
S=Requires Special Use Permit

	A-1	A-2	R-1	R-2	R-3	R-4	R-5	B-1	B-2	M-1
Residential Uses										
Farm	P	S								
Single Family	S	S	P	P	P	P				
Two Family				S	P	P		S		
Multi-Family						P		S		
Mobile Home Park							P			
Mobile Home/Ind lot							P			
Travel Trailer Camp	S	S					P			
Recreational Housing		S					P			
Summer Homes		S					P			
Other Residential Uses			S	S	S	S	S			
Resource Production and Ag										
Ag-customary accessory use	P	P	P							
Road side stand/farm op	P	P							P	
Commercial greenhouse	P	P							P	
Nursery	P	P							P	
Orchard/Tree Sales	P	P							P	
Other Ag uses	P	P								
Business Uses: Ag										
Farm chemicals & Fertilizer										
Storage & Mixing/Blending	S							S	P	P
Farm equip. Sales/Service								S	P	S
Feed and Grain Sales								S	P	S
Grain Storage elevators/Bins	S								P	P
Other Ag uses									S	S
*Home/Business Uses:										
				S	S					
*Including uses wherein the residential use is the primary use and the business use is the secondary or minor use.										

TABLE 1- TABLE OF PERMITTED PRINCIPAL USES AND SPECIAL USES

LIST OF PRINCIPAL USES

Any use not listed shall be deemed to require a special use permit but shall be subject to approval within the zoning district for which is requested. For the purposes of these charts, the following will be used:

- A-1 = Agriculture
 - A-2 = Conservation-Floodplain
 - R-1 = Low Density Single Family
 - R-2 = Single Family Residential
 - R-3 = One & Two Family residential
 - R-4 = Multi-Family Residential
 - R-5 = Mobile Home
 - B-1 = General Business District
 - B-2 = Highway Commercial
 - M-1 = Industrial
- P= Permitted
S=Requires Special use permit

	A-1	A-2	R-1	R-2	R-3	R-4	R-5	B-1	B-2	M-1
Business Uses: Personal Services										
Barber Shop								P	P	
Beauty Shop								P	P	
Dry-cleaning Establishment								P	P	
Self-Service Laundromat								P	P	
Medical or Dental clinic or Offices								P	P	
Business Uses: Professional and Financial Services										
Bank								P	P	
Insurance & Real Estate Offices								P	P	
Business Office								P	P	
Professional Office								P	P	
Other Offices								P	P	
Business Uses: Food Sales and Services										
Restaurant (Indoor Service Only)								P	P	
Supermarket or Grocery Store								P	P	
Drive-In Restaurant								S	P	
Tavern or Night club								P	S	
Dairy store								P	P	
Other Food Sales and Service Uses								P	P	
General Business Uses										
Automobile, Truck, trailer, or Boat sales Room & Lot								S	P	S
Gasoline Service Station								S	P	S
Automobile Washing Facility (when not an accessory use)									P	S
Building Material Sales									P	P
Drugstore								P	P	
Furniture Store - Office Equip Sales								P	P	

TABLE 1- TABLE OF PERMITTED PRINCIPAL USES AND SPECIAL USES

LIST OF PRINCIPAL USES

Any use not listed shall be deemed to require a special use permit but shall be subject to approval within the zoning district for which is requested. For the purposes of these charts, the following will be used:

- A-1 = Agriculture
 - A-2 = Conservation-Floodplain
 - R-1 = Low density Single Family
 - R-2 = Single Family Residential
 - R-3 = One & Two Family residential
 - R-4 = Multi-Family Residential
 - R-5 = Mobile Home
 - B-1 = General Business district
 - B-2 = Highway commercial
 - M-1 = Industrial
- P=Permitted
S=Requires Special Use permit

	A-1	A-2	R-1	R-2	R-3	R-4	R-5	B-1	B-2	M-1
General Business Uses: (cont'd)										
Antique or Used Furniture Sales & Service								P	P	S
Fuel Oil, Ice, Coal, Wood (sales only)										P
Lawnmower Sales & Service								P	P	P
Resort or Organized Camp	S	S					P			
Bowling Alley								P	P	
Lodge or Private Club	S							P	P	
Private Indoor Recreational Development								P	P	
Public Camp or Picnic Area	S	S								
Riding Stables	P	P								
Veterinary Hospital or Kennel	S								P	S
Other General Business Uses								S	S	S
Industrial Uses										
Truck Terminal									S	P
Light Manufacturing Op.								S	S	P
Assembly Operation								S	S	P
Warehousing, Indoor Storage								S	S	P
Outdoor Storage Lot										P
Automobile Salvage yard (junkyard)										S
Heavy manufacturing										S
Canning and Food Processing										S
Public & Quasi-Public Facilities										
Public Schools	S		S	S	S	S				
Church or Temple	S		S	S	S	S				
Municipal or Govn. Build			S	S	S	S		S	S	S
Police or Fire Station			S					S	S	
Public park or Rec. Facility	S		S	S	S	S				
Public or Commercial Landfill	S								S	P
Sewage Disposal Plant/Lagoon	S								S	P
Public Maintenance Garage/Lot	S								S	P
Hospital or Nursing Home	S		S	S	S	S			P	
Other Public & Quasi-Public	S		S	S	S	S				

Chart amended May 20, 2002; Ref Ord. No. 2002-08

TABLE 2 - SCHEDULE OF AREA HEIGHT, PLACEMENT, AND GENERAL REGULATIONS BY DISTRICT

Zoning Dist	Minimum Lot Size for Permitted Principal Uses		Minimum Floor Area (Sq Ft.)		Required Yards (Feet) from Property or Right-of-Way			Side Yard (Each)	Rear Yard	Maximum Building Height	Maximum Lot Coverage (Feet)
	Lot Area (Sq. Ft.)	Lot Width (Feet)	Per Single Family Unit	Per 2 Bed room Unit/ Per each Additional Bedroom	Front Yard Setback						
					Street Classification						
					Major	Collector	Minor				
A-1	1 Acre	150	1,400	---	35	30	25	15	15	35	20%
A-2	1 Acre	150	1,400	---	35	30	25	15	15	35	20%
R-1	12,000	75	1,400	---	35	30	25	15	15	35	20%
R-2	9,000	60	1,200	---	35	30	25	10	15	35	30%
R-3	6,000	60	900	500/100	35	30	25	10	15	35	35%
R-4	8,000	75	---	500/100	35	30	25	10	15	35	40%
R-5	1 acre 4,000 1/	500/ 40 1/	720 1/	---	35	30	25	15	15	20	40%
B-1	6,500	65	900	500/100	35	30	25	5	15	35	65%
B-2	6,500	65	---	---	35	30	25	5	15	35	40%
M-1	10,000	100	---	---	35	30	25	10	15	75	50%

NOTE: The supplemental regulations in Section 17.20.040 shall apply to the various classifications as noted therein.

1/ Per mobile Home Unit

Table 2 amended January 15, 2007; Ref Ord No. 2007-02

Chapter 17.24

Parking

Sections:

- 17.24.010 Off-street parking
- 17.24.020 Handicapped parking
- 17.24.030 Off-street loading areas.
- 17.24.040 Plot plans.
- 17.24.050 Truck Parking

17.24.010 Off-street parking.

A. Number of Spaces Required. Provisions shall be made for off-street parking spaces, each of which shall not be less than ten feet wide, twenty feet in length and seven feet high in accordance with the following:

<u>Zoning District</u>	<u>Number of Parking Spaces</u>
A-1, A-2, R-1, R-2	2
R-3, R-4, R-5	2 per unit
B-1, B-2	1 per 200 sq. ft. of floor space
M-1	1 per employee

B. Location. An area devoted to off-street parking shall be located (at it's nearest point) within one hundred feet of the principal building in the R-4 and R-5 districts; and within three hundred feet of the principal building in the B-1, B-2 and M-1 districts; and shall be surfaced with hard-type surface or with crushed and compacted stone, and properly drained.

C. Reduction. No part of an off-street parking space required for any building or use for the purpose of complying with the provisions of this title shall be included as a part of an off-street parking space similarly required for another building or use.

D. Existing Buildings and Uses. The off-street parking requirements of this title shall apply only to buildings and uses newly constructed, extended or restored after enactment of the ordinance codified in this title and shall not apply to buildings lawfully repaired or improved where no increase of floor area exists.

17.24.020 Handicapped parking.

A. In addition to the required off-street parking Requirements, provisions should be made for certain types Of land use for handicapped parking that is located within a reasonable distance from an accessible building entrance By a route that is not impeded by curbs, steps or similar Obstructions.

B. handicapped parking stalls should be eight feet wide a four-foot wide level walk lane adjacent to each side. Spaces should be clearly marked as reserved for handicapped, using the international symbol of access.

C. Businesses which provide customer parking should include at least two handicapped spaces.

D. Industries and other employers should provide one Handicapped parking space for each handicapped employee Who drives and at least one visitor space.

E. Shopping centers and other multi-use parking areas Should spot locate at least one handicapped parking space Every few rows.

F. Doctor's offices and other professional offices and Similar businesses should provide at least one handicapped parking space.

17.24.030 Off-street loading areas. Provisions shall be made for off-street loading and unloading spaces each of which shall be ten feet by thirty feet in accordance with the following:

<u>Zoning District</u>	<u>Number of spaces</u>
B-1, B-2	1 per 4,000 sq. ft of floor space
M-1	1 per 3,000 sq. ft of floor

17.24.040 Plot Plans. When off-street parking areas and off-street unloading zones are required, a plot plan, drawn to scale, accurately depicting the area to be allocated to parking and unloading zones, shall be filed with any application for a zoning permit. The plot plan shall contain the following information:

- A. Legal description of the area;
- B. Diagram of parking spaces and unloading zones;
- C. Details of entrances, exits and aisles;
- D. Location and size of structure for which off-street parking and unloading zones are required.

17.24.050 Truck parking and Traffic. Regulations for Semi tractor/trailer parking and traffic are as follows:

A. It is unlawful for livestock transport trailers to Park in any residential, or business area within the corporate Village limits.

B. It is unlawful for any semi tractor/trailer or any Combination thereof to park upon any street at any time, except when temporarily loading or unloading merchandise.

C. Semi tractor (no trailers) parking is permissible in residential areas on private property only.

D. It is unlawful for any semi tractor engine to run in excess of 20 minutes when parked within Corporate Village limits.

E. It is unlawful for any Reefer/refrigerated trailer to run between the hours of 8:00 PM and 7:00 AM when parked within the Corporate Village Limits.

F. Semi tractors will be allowed access to their Private property using any street. All other Semi Tractor Trailer traffic is permissible on Attica Street, Gilbert Street, and Railroad Street only.

G. The use of "Jake Brakes" on semi tractors are prohibited within the corporate Village limits. There shall be signs posted at the four entrances to the Village stating this restriction.

17.24.060 Penalty for Violation. Any person in violation of this ordinance shall be fined pursuant to section 1.16.060 of the Rossville Municipal Code.

Chapter 17.28

Signs

Sections:

- 17.28.010 Regulations generally
- 17.28.020 Home occupation signs
- 17.28.030 Signs advertising sale or rent of property.
- 17.28.040 Signs advertising business names
- 17.28.050 Signs advertising products sold on business premises.
- 17.28.060 Highway advertising signs.
- 17.28.070 Political advertising signs.

Section 17.24.050 amended April 15, 2002; Ref Ord. # 2002-05

Section 17.24.050 amended July 17, 2023; Ref Ord. # 2023-07

Section 17.24.060 amended April 17, 2006; Ref Ord # 2006-04

17.28.010 Regulations generally. Signs advertising businesses or products shall not exceed the maximum sizes and requirements as specified in this chapter.

17.28.020 Home occupation signs. Signs for home occupations: One sign per home occupation business not to exceed two feet by two and one-half feet. Such signs shall be attached to the front of the main structure and shall not be situated or lighted so that it affects adjoining properties or the flow of traffic.

17.28.030 Signs advertising sale or rent of property. Signs advertising property for sale or for rent: One sign per site not to exceed two feet by two and one-half feet.

17.28.040 Signs advertising business names. Regulations for signs advertising business names are as follows:

A. Zoning district B-1, signs shall be designed to reflect the architectural character of the business being advertised as well as that of the surrounding businesses and shall not exceed thirty-two square feet. Signs protruding from any building must not extend beyond eight feet and must have a height clearance of at least twelve feet from the sidewalk;

B. Zoning district B-2, signs shall not exceed one Hundred square feet and shall conform with sign regulations as set by the Illinois Department of Transportation when located along state and federal highway right-of-way.

17.28.050 Signs advertising products sold on business premises. Signs advertising products sold at the place of business shall not have any size limit but shall be attached to the front of the main structure or be displayed within the windows of the business. Such signs shall not be situated or lighted so that it affects adjoining properties or the flow of traffic.

17.28.060 Highway advertising signs. Highway advertising signs shall not be constructed within the corporate limits and shall not exceed forty square feet. Any such signs shall be limited to one sign per lot or per two-hundred-foot frontage. Sign height shall not exceed thirty-five feet when located at

the front property line. One foot in height may be added for each two feet that such sign is located beyond the property line. In all cases, such signs shall conform with sign regulations as set by the Illinois Department of Transportation when located along state and federal highway right-of-way.

17.28.070-17.32

17.28.070 Political advertising signs. Signs advertising a political, independent, or not-partisan candidate or party or election issue shall not exceed seven hundred sixty-eight square inches on the face of the sign (e.g. 24 inches by 32 inches). No such signs shall be erected on village owned property, street or highway right-of-way. Any violation of this ordinance shall cause such signs to be immediately removed by the authorities of the village of Rossville.

Chapter 17.32

HOUSE TRAILERS AND MOBILE HOMES

Sections:

17.32.010 Restrictions on presence within village limits.

17.32.020 Mobile home parks, travel trailer camps, recreational housing, and summer homes.

17.32.010 Restrictions on presence within village limits. The ordinance concerning the presence of mobile homes in the Village limits shall be determined by the provisions of Title 15, Section 15.12.010 et. Seq.

17.32.020 Mobile home parks, travel trailer camps, recreational housing and summer homes. All mobile home parks, travel trailer camps, and recreational or summer home areas shall be subject to the following provisions or the provisions of the State of Illinois Public Act 77-1472, whichever is more restrictive:

A. All lots within a mobile home park or similar area shall have minimum area of four thousand square feet and the park shall contain not more than eight mobile home sites for each gross acre of land.

B. All off-street parking areas shall be paved.

C. A mobile home stand or pad shall be provided on each mobile home site of sufficient size to accommodate the mobile home to be located thereon. Mobile home stands shall be concrete slabs or runaways constructed so as not to shift or settle unevenly under the weight of a mobile home or other forces due to frosts, vibration, wind or water. Provisions shall be made for the use of ground anchors designed to withstand a minimum load of four thousand eight hundred pounds each. Four ground anchor than fifty-one feet in length and six ground anchor connections shall be provided for mobile homes exceeding fifty feet in length.

D. Skirting shall be provided for each mobile home.

Chapter 17.36

SITE CONSIDERATION PLANS

Sections:

- 17.36.010 General requirements.
- 17.36.020 Basic plans.
- 17.36.030 Detailed plans.
- 17.36.040 Consideration and review of proposal and plans.

17.36.010 General requirements. The owner or his agent shall submit to the zoning officer two copies of the appropriate site consideration plans as detailed in this chapter.

17.36.020 Basic Plans.

A. Basic plans shall be required for single-family dwellings or accessory buildings in any zoning district.

B. Basic plans shall consist of a plat, sketch or plan drawing drawn to scale showing dimensions of the lot, size of building, location on lot.

17.36.030 Detailed plans.

A. Detailed plans shall be required for any use other than single-family dwellings or accessory buildings.

B. Detailed plans shall, in addition to those items required on a basic plan, include street right-of-way lines, pavement width and type, location and size of water and sewer lines serving property, proposed utility connections, location of off-street parking, access drives, detailed surrounding land use, proposed landscaping, and the names of surrounding property owners.

17.36.040 Consideration and review of proposal and plans.
The zoning officer may approve permitted uses based on his review of the applicant's proposal and required plans or he may submit such information to the zoning board for review and deliberation. The zoning officer or zoning board shall give due consideration to the probable effect the proposal would have on surrounding land uses. The adequacy of existing water and sewer utilities serving the site, the relation of the building height and mass to surrounding structures, the effect the project will have as a traffic generator on streets, giving access to the site. The zoning board, when considering such plans, may approve the plans as submitted, may approve the plans. Its decision in each case shall be in writing, spread upon the minutes of the board with copies to the applicant, the zoning officer, and the village board.

Chapter 17.40

ADDITIONAL REGULATIONS

Sections:

- 17.40.010 Occupancy of existing small lots.
- 17.40.020 Lot reduction.
- 17.40.030 Yards.
- 17.40.040 Front yards in developed areas.
- 17.40.050 Extension of architectural features into required yard.
- 17.40.060 Porches.
- 17.40.070 Fire escapes.
- 17.40.080 Improved corner lot–Special yard requirements
- 17.40.090 Accessory buildings.
- 17.40.100 Lighting.
- 17.40.110 Dwelling location restrictions.
- 17.40.120 Vehicle junk or salvage yards.
- 17.40.130 Livestock.
- 17.40.135 Standard for Keeping of Chickens
- 17.40.140 Penalties

17.40.135 Added June 2013 Ref Ord.#2013-12
17.40.140 Added June 2013 Ref Ord #2013-12

17.40.010 Occupancy of existing small lots. Any lot platted and recorded or previously held in separate ownership that has less area or less width than required in other sections of this title may be occupied according to the permitted uses provided for the district in which the lot is located.

17.40.020 Lot reduction. No part of an area or width required for a lot for the purpose of complying with the provisions of this title shall be included as an area or width required for another building or use.

17.40.030 Yards. No part of a yard required for any building for the purpose of complying with the provisions of this title shall be included as a yard for another building and all yards shall be open and unobstructed except as otherwise provided in this title.

17.40.040 Front yards in developed areas. Where lots comprising fifty percent or more of the frontage on one side of a street between intersecting streets have been improved with buildings, the average front yard of such buildings shall be the minimum front yard required for all new construction in such block.

17.40.050 Extension of architectural features into required yard. Cornices, canopies, eaves or similar architectural features may extend into a required yard not more than four feet.

17.40.060 Porches.

A. Open, unenclosed porches may extend into a required yard not more than six feet.

B. Porches with roofs, side enclosures of screen, glass, etc., may not extend into any required yard.

17.40.070 Fire escapes. Fire escapes may extend into a required yard not more than six feet.

17.40.080 Improved corner lot—Special Yard requirements. A corner lot upon which a dwelling fronts the side street or avenue along the short dimension of a block shall be governed by the following special provisions and shall have the following special yard requirements:

A. Minimum front yard, fifteen feet from the front lot line and not less than twenty-five feet from the curb line. The front lot line shall be considered to be that lot line which abuts the street or avenue along the short dimension of the block, regardless of the dimension of the lot.

B. Minimum side yard: The exterior side yard, or that side yard abutting the street or avenue along the long dimensions of the block, shall not be less than the required front yard for principal buildings along such street or avenue. The other, or interior, side yard shall be ten feet from the side lot line. The side lot line shall be considered to be that lot line abutting the street or avenue along the long dimension of the block and the other lot line most nearly parallel to it, regardless of the dimensions of the lot.

C. Minimum rear yard, fifteen feet. The rear lot line shall be considered to be that lot line most nearly parallel with the front lot line as defined in subsection A.

D. An accessory garage building may be located in an interior side yard, as such yard is defined in subsection B, provided such accessory garage is also located no closer than fifteen feet from the lot line.

17.40.090 Accessory buildings. All accessory buildings including garages shall conform to the purposes of this title as set out in Chapter 17.04 and shall relate to the permitted use of the district in which it is located. If in the judgment of the zoning officer such accessory buildings conflict with the intent of this title due to design, intended use, use of materials or size, the zoning officer may refer such matter to the zoning board which shall render a decision as to whether the applicant's proposal should be allowed.

17.40.100 Lighting. Any light used to illuminate signs, parking areas, or for any other purpose, shall be so arranged as to reflect the light away from adjoining or nearby residential properties and away from the vision of passing motorists.

17.40.110 Dwelling location restrictions. No dwelling shall be located on the back of any interior lot having a dwelling on the front of said lot, nor shall any dwelling front be located on an alley.

17.40.120 Vehicle junk or salvage yards. Vehicle junk or salvage yards are permitted in the M-1 district under the special use provisions of this title. In addition to any requirements set by the issuance of the special use permit, the following requirements shall also be met: All storage of parts, equipment and dismantled vehicles, and all dismantling of vehicles shall be done within a completely enclosed building, or within an enclosure of solid fence or wall not less than twelve feet in height. The wall or fence shall be uniformly painted. A wall or fence of masonry construction need not be painted, but shall be uniformly painted if a paint coating is applied.

17.40.130 Livestock. The keeping of livestock other than household pets shall not be permitted within the corporate limits of the village or within any R district within the jurisdiction of this title.

17.40.135-Stardards for Keeping of Chickens:

- A. Up to eight domestic hens may be kept on properties zoned and occupied for single family residential use only.
- B. Roosters are prohibited in the village limits
- C. No person shall slaughter any chickens in the village limits, except for humane reasons.
- D. Hens shall be provided with a covered inside enclosure and an adjacent covered (optional) outside fenced area. The outside fenced area shall be no less than 8 square feet per hen.
- E. The enclosures and adjacent fenced area shall be set back:
 - 1. Thirty feet from any adjacent occupied residential structure, other than that of the owner; but
 - 2. Not less than 15 feet from property lines..
- F. All enclosures shall be constructed and maintained in such a manner as to be free of rodent infestation.
- G. A building permit shall be required for permanent structures. The permit fee shall be the same as Zoning requirements for buildings.
- H. The necessary electric service must comply with existing codes.

- I. Hens shall be kept in the enclosure and fenced area at all times.
- J. All feed and other items that are associated with the keeping of chickens that are likely to attract or to become infested with rats, mice or other rodents shall be protected in a container with a tightly fitted lid so as to prevent rodents from gaining access to or coming into contact with them.
- K. All chickens shall be kept in the rear yard.
- L. All areas where hens are kept shall be maintained in a neat and clean manner, free of undue accumulation of waste such as to cause odors detectable on adjacent properties.
- M. No person shall allow chickens to produce noise loud enough to disturb the peace of persons of reasonable sensitivity, and it is hereby declared a nuisance and shall be unlawful for any person to allow such nuisance to exist.

17.40.140-PENALTIES:

- A. Any person convicted of violating any of the provisions of this chapter shall be shall be punished pursuant to 1.16.040 of the Rossville Municipal Code. This section shall in no way abrogate or impair the right of the city to specifically enforce, by any legal means, any of the provision of this chapter.
- B. Three violations of this Ordinance on a property within any twelve month period shall result in loss of permission to keep chickens on the property. Keeping of chickens after permission has been revoked shall be punishable by a fine not to exceed \$750 plus court costs, such fine to be established by the Health and Safety Committee. Each day a violation continues shall be considered a separate offense.

17.40.135 Added June 2013 Ref Ord.#2013-12
17.40.140 Added June 2013 Ref Ord #2013-12

Chapter 17.44

NONCONFORMING USES

Sections:

17.44.010 Continuation of a nonconforming use.

17.44.020 Extension, alteration, discontinuance and repair.

17.44.010 continuation of a nonconforming use.

A. Any use of a building or land lawfully existing on the effective date of the ordinance codified in this title which does not conform with the use regulations of the district in which the building or land is situated may be continued under the regulations of this section but this section shall not be interpreted as authorizing the continuation of any use of a building or land which was not lawfully existing on the effective date of the ordinance codified in this title.

If a conforming use of a building or land hereafter becomes nonconforming by virtue of a subsequent amendment to this title, then such use shall be considered to be a lawful use which may continue as a nonconforming use under the provisions of this section.

B. No use of a building or land which neither conforms with the use regulation of the district in which the building or the land is situated nor qualifies as an authorized nonconforming use under the provisions of this section shall be considered to be lawful use or be permitted to continue under the provisions of this title.

C. No use of a building which conforms to the use regulations of the district in which the building is situated shall be considered to be nonconforming merely because the building which is occupied by the use does not comply with the height regulations of the district in which the building is situated or because the building is so located on the lot that it does not comply with the yard regulation of such district.

D. The regulations of Chapter 17.24 through 17.48 pertaining to a building occupied by a nonconforming use shall apply not only to a building which is completely occupied by such a use, but shall also apply to one in which the nonconforming use occupies only a portion of the building.

17.44.020 Extension, alteration, discontinuance and repair. Nonconforming uses shall also be subject to the following regulations:

A. No nonconforming use occupying a portion of a building shall be extended into any other portion of the building; no building occupied by a nonconforming use may be enlarged unless the use is changed to a conforming use and no nonconforming use of land shall be extended or expanded.

B. No structure shall be converted, enlarged or structurally altered unless it is used as a conforming use or the use is changed to a conforming use.

C. If a nonconforming use of land is discontinued for any other reason other than damage of the building by fire, explosion, or act of God, for a period of more than six months, then the use shall not be used for any use which does not conform to the regulations of this title.

D. Any building occupied by a nonconforming use must be kept in repair and maintained. The replacement of the roof covering shall be considered as repair.

E. If a building or structure is damaged by fire, explosion, or act of God and the cost of reconstructing the building will amount to more than fifty percent of the value of the building immediately prior to the occurrence, then the building shall not be reconstructed without prior approval of the zoning and village boards.

F. Any existing nonconforming use desiring to comply with this title shall show how he has met any objections of surrounding property owners and may receive a certificate of compliance from the village board after a hearing by that body.

Chapter 17.48

SPECIAL USES

Sections:

- 17.48.010 Authorized when.
- 17.48.020 Application requirements.
- 17.48.030 Application fee.
- 17.48.040 Hearings—Date setting—Notification.
- 17.48.050 Determination by Zoning board.
- 17.48.060 Zoning board may recommend special conditions.
- 17.48.070 Village board action upon receipt of zoning board recommendations.
- 17.48.080 Termination of permit.

17.48.010 Authorized when. The village board may, by special permit, authorize those special uses noted in Table 1, Table of Principal and Special Uses*. A special use shall not be recommended by the zoning board and approved by the Village board unless and until the procedures set forth in this chapter are observed.

17.48.020 Application requirements. The applicant shall submit a written application to the zoning officer for a special use demonstrating:

- A. That it is necessary for the public convenience at that location;
- B. That it is designed, located and proposed so that it will not be harmful to the district in which it is proposed to be located or otherwise detrimental to the public welfare;
- C. That it conforms to the intent and regulations and standards and preserves the essential character of the district in which it is proposed to be located;
- D. That it does not create overcrowding of public roads;
- E. That it is compatible with surrounding land use;
- F. That the intensity of the proposed development does not impose any adverse effects on surrounding property.

17.48.030 Application fee. Each application for a special use shall be accompanied by a fee equal to that prescribed by this title.

*Table 1 is located at the end of Chapter 17.20.

17.48.040 Hearings—Date setting—Notification. The chairman of the zoning board shall pick a reasonable time, not more than thirty days in the future, for hearings on the request and inform the secretary of the time and place that the hearing will be held. The secretary shall give due notice of a hearing in writing to the person making the request, to members of the zoning board and to any other persons directly interested in the outcome thereof. Public notice of the hearing shall be published in accordance with the requirements of a public notice on amendments to this title.

17.48.050 Determination by Zoning board. The zoning board shall determine whether the requirements under this chapter have been met and that the granting of a special use will be in harmony with the general purpose and intent of this title and will not be harmful to the district in which it is located.

17.48.060 Zoning board may recommend special conditions. In granting any special use the zoning board may recommend and the village board may prescribe special conditions to preserve the general public health, safety, and welfare. The zoning board shall submit a recommendation to the village board noting the findings which support the granting of the special use permit or the denial of the special use request.

17.48.070 Village board action upon receipt of zoning board recommendations. The village board, upon receiving a recommendation from the zoning board, shall act upon the recommendation within a reasonable period of time and shall either accept or reverse the recommendation in whole or in part or return the request to the zoning board for further study. It shall require a two-thirds vote of all village board members to reverse a recommendation of denial received from the zoning board.

17.48.080 Termination of permit. Any special use permit granted by the village board shall continue in effect as long as the applicant owns and operates the land use in conformance with the permit as issued. Special use permits shall terminate with any change in land use or transfer of ownership.

Chapter 17.52

VARIANCES

Sections:

- 17.52.010 Variations which may be permitted
- 17.52.020 Determination by zoning board.
- 17.52.030 Decisions of zoning board to include statement of reasons.
- 17.52.040 Request filing and processing procedures.

17.52.010 Variations which may be permitted.

A. The zoning board may vary the application of the regulations imposed by this title to permit:

1. The reduction of the depth or width of a required yard by not more than twenty-five percent of the depth or width required by this title;

2. In the B-1 general business district, to permit a reduction of the number of off-street parking spaces required about or in connection with a use, and for the same district and area to permit greater coverage than required by the applicable regulations and to permit the use of a lot for a use otherwise prohibited solely because of the insufficient area of the lot.

B. A request for a variation must be based upon practical difficulties and particular hardships in carrying out the strict letter of the regulations relating to the use, erection, conversion, enlargement or alterations of buildings or structures.

17.52.020 Determination by zoning board. Before granting any request for a variation, and as a condition precedent to granting such a request, the zoning board shall hear sworn evidence upon and determine:

A. That the property in question cannot be economically used or cannot yield a reasonable return if permitted only to be used under the conditions allowed by the regulations;

B. that the plight of the owner is due to unique circumstances;

C. That the variation, if granted, will not alter the essential character of the locality, impair inadequate supply of light and air to adjacent property, increase the condition of traffic, diminish or impair property values in all localities.

17.52.030 Decisions of zoning board to include statement of reasons. Every decision or order of the zoning board in granting a request for variation shall include a statement noting the specific reasons for granting the request.

17.52.040 Request filing and processing procedure. A request for variations in the application of the regulations proposed by the zoning board shall be made in writing by the applicant and shall be filed with the chairman of the zoning board. These requests shall be accompanied by receipt showing the payment of the required fee. The chairman shall fix a reasonable time, not more than thirty days in the future for the hearing on the request and inform the secretary of the time and place of the hearing. The secretary shall thereupon cause a notice of hearing to be published in a newspaper having general circulation within the village at least fifteen days prior to the hearing. The notice shall contain the time and place of the hearing and particular location for which the variation is requested; as well as a brief statement of the nature of the proposed variation. The zoning board shall act upon the request and recommend to the village board within a reasonable period of time after the hearing that the request be granted or denied either in whole or in part.

The village board, upon receiving recommendations from the zoning board, shall act upon such recommendations within a reasonable period of time and shall either accept or reverse the recommendations in whole or in part or return the request to the zoning board

Chapter 17.56

CERTIFICATE OF ZONING COMPLIANCE

Sections:

- 17.56.010 Required when.
- 17.56.020 Application requirements.
- 17.56.030 Issuance-Inspections.
- 17.56.040 Expiration or cancellation.

17.56.010 Required when. A certificate of zoning compliance shall be obtained by the owner or lessee, agent or either, or the architect, engineer, or builder employed in connection with the proposed work from the zoning officer before starting;

A. To establish, occupy or change the use of a structure or part thereof;

B. To construct or erect a new structure or accessory structure or part thereof;

C. To extend or move any structure, accessory structure or part thereof;

D. to extend, expand and change or re-establish any nonconforming use.

17.56.020 Application requirements. Applications for a certificate of zoning compliance shall be filed in written form with the zoning officer on such forms as the zoning administrator shall prescribe and shall:

A. State the location including Section, Township, and Range and/or the legal description of the property;

B. State the name and address of the owner, the applicant, and the contractor if known;

C. Describe the uses to be established or expanded;

D. be accompanied by a plan in duplicate, or duplicate prints thereof drawn approximately to scale showing:

1. the actual dimensions of the lot to be built upon,

2. The size, shape, and locations of the use to be established in the structure or accessory structure to be constructed,

3. The size, shape and location of all existing structures, accessory use structures and uses on the lot,

4. The water supply and sewage disposal facilities including a true and correct copy of any permit required by the village and/or county health department or

Environmental Protection Agency approving such facilities,

5. Other information that may be necessary to provide for the proper administration and enforcement of this title;

E. Include any accessory structure or use established or constructed at the same time, the main or principal structure or main or principal use established or constructed;

F. Each certificate of zoning compliance for a main or principal structure or main or principal use shall also cover any accessory structure or accessory use established or constructed at the same time on the same lot or tract of land.

17.56.030 Issuance-Inspections.

A. The zoning officer shall retain the original copy of the certificate of zoning compliance and shall mark such certificate whether approved or disapproved.

B. It is the duty and responsibility of the zoning officer to make periodic inspections to certify that the applicant has progressed with any construction allowed under the certificate of compliance and that such construction is being accomplished according to approved plans and on a timely schedule.

C. The applicant shall not receive the fully executed certificate of zoning compliance until such time that all matters related to the issuance of said certificate are in compliance and ready for occupancy. The village president shall countersign the certificate of zoning compliance before it is issued to the applicant.

17.56.040 Expiration or cancellation.

A. If the work described on any certificate of zoning compliance shall not have begun within ninety days from the issuance thereof, the permit shall expire or be canceled by the zoning officer and written notice thereof shall be given to the applicant.

B. If the work described on any certificate of compliance permit shall not have been substantially completed within three hundred sixty-five consecutive days of the issuance thereof, the certificate shall expire and shall be canceled by the zoning officer and written notice thereof shall be given to the applicant together with notice that further work as described on the canceled permit shall not proceed until a new permit has been issued.

- B. A certificate of zoning compliance issued for the establishment of a use of land where no structures are involved or on which land a structure is accessory to the main or principal use not involving any structure shall not expire.

Chapter 17.60

ZONING BOARD

Sections:

- 17.60.010 Established.
- 17.60.020 Powers and duties.
- 17.60.030 Membership-Term of office.
- 17.60.040 Removal of members-Vacancy filling.
- 17.60.050 Officer appointment.
- 17.60.060 Meetings.
- 17.60.070 Office facilities-Record keeping.
- 17.60.080 Adoption of rules and procedures.
- 17.60.090 Request filing and hearing procedure.

17.60.010 Established. The Rossville zoning board is established with the powers and duties set forth in this chapter and Chapters 17.52. and 17.68.

17.60.020 Powers and duties. The zoning board shall have the power and shall be charged with the duties to hear and decide:

A. All matters specifically referred to it by the provisions of this title;

B. Requests for variances in the applications and regulations set forth by this title and set forth in Chapter 17.52

17.60.030 Membership-Term of office. The zoning board shall consist of seven members who shall be appointed by the village board. The original members of the zoning board shall serve the following terms: one for one year; one for two years; one for three years; one for four years; one for five years; one for six years; and one for seven years. Upon expiration of the term of an original member of the zoning board, a successor shall serve for a term of five years.

17.60.040 Removal of members-Vacancy filling. The village board shall have the power to remove any member of the zoning board from office for cause and after public hearing. A vacancy on the zoning board shall be filled for the unexpired term for the member who's place had become vacant.

17.60.050 officer appointment. The zoning board shall designate one of the members of the zoning board as chairman. The chairman shall hold that office until his successor is appointed or until the expiration of his term as member of the zoning board. The chairman, or the acting chairman in his absence, may administer oath and compel the attendance of witnesses. The zoning board shall select one of their members as secretary of the zoning board. The secretary, with the assistance of the zoning office, shall average the maintenance of the records of the files. The zoning board may select or appoint such other officers, as it deems necessary.

17.60.060 Meetings. All meetings of the zoning board shall be held at the call of the chairman or at such other time the zoning board may determine. All meetings shall be held at some public place designated by the zoning board and shall be open to the public. At any meetings of the zoning board or at any hearings of the zoning board, any interested person may appear and may be heard either in person or by his agent or attorney.

17.60.070 Office facilities-Recordkeeping. The zoning board shall, with the assistance of the zoning officer, maintain its office and keep its minutes, files and records in the office of the village clerk. The minutes of proceedings of the zoning board shall show the vote of each member on every question or indicate that the member was absent or failed to vote. Every rule, regulation, order, requirement, decision or determination by the zoning board shall be contained in the minutes. The minutes, files, and records of the zoning board shall be open to inspection by the public at all reasonable times.

17.60.080 Adoption of rules and procedures. The zoning board may adopt such rules and procedures that are not in conflict with this title or in conflict with the laws of the state; provided, however, the concurring vote of four members of the zoning board shall be necessary to decide in favor of the applicant in any matter upon which it is required to pass under this title, or to permit any variance in the application of the regulations imposed by this title.

17.60.090 Request filing and hearing procedure. An interested person may request the zoning board to hear and decide any matters specifically referred to it under this title. Such request shall be in writing and shall be filed with the chairman of the zoning board. The chairman shall fix a reasonable time, not more than thirty days in the future, for the hearing on the request and inform the secretary of the time and place the hearing will be held. The secretary shall give due notice of the hearing, in writing, to the person making the request, to the members of the zoning board, and any other persons directly interested in the outcome thereof. It shall not be necessary to publish any notice of a hearing on such a request. The zoning board shall decide the matter within a reasonable time after the hearing.

Chapter 17.64

ZONING OFFICER

Sections:

17.64.010 Appointment.

17.64.020 Powers and duties.

17.64.010 Appointment. This title shall be administered and enforced by the zoning officer appointed by the village board. The zoning officer may be provided with the assistance of such person as the village board may direct.

17.64.020 Powers and Duties. The zoning officer shall have the authority and duty to administer this title and shall:

A. Issue all zoning compliance certificates where authorized by this title and keep permanent records thereof;

B. Conduct such inspection of structures, uses, and accessory uses as are necessary to determine compliance with this title;

C. Under the supervision of the secretary of the zoning board, maintain permanent records pertaining to variances, special conditions and special uses granted, modified or denied by the zoning board and Village board;

D. Maintain permanent records of all amendments to this map in the manner specified in this title;

E. Make or cause to make changes to the official zoning board, which relate to any applications or matters related to zoning;

F. Attend all meetings of the zoning board and village board which related to any applications or matters related to zoning;

G. Provide a copy of any zoning certificate of compliance or permit issued to residents within the Village of Rossville to the Rossville Village Clerk.

Chapter 17.68

Appeal Procedure

Sections:

17.68.010 Filing, hearing and determination procedure.

17.68.020 Stay of Proceedings.

17.68.010 Filing, hearing and determination procedure.

An appeal from any order, requirement, decision, or determination may be taken to the zoning board by any person aggrieved thereby or by any office, department, or board within ten (10) days of a determination by the zoning board. The notice of appeal shall describe the order, requirement, decision, or determination appealed from and shall specify the grounds for the appeal.

The chairman shall fix a reasonable time, not more than thirty days in the future, for the hearing on the appeal and inform the secretary of the time and place that the hearing will be held. The secretary shall give due notice of a hearing, in writing, to the appellants, the members of the zoning board and any other person directly interested in the outcome of the appeal. It shall not be necessary to publish any notice of a hearing on an appeal. The zoning board shall decide the appeal within a reasonable time after the hearing. On an appeal, the zoning board shall be limited to a determination of the questioned action and it may reverse or affirm the action appealed from or modify the same and to that end, the zoning board shall not by its decision on an appeal, permit a variation in the application of the regulations of this title.

17.68.020 Stay of proceedings. An appeal stays all proceedings in furtherance of the action appealed from, unless after the notice of appeal has been filed, that by reason of the facts stated in the certificate, a stay would, in the zoning officer's opinion, cause imminent peril to lives or property. In this event, the proceedings shall not be stayed otherwise than by a restraining order, which may be granted by order of the court of competent jurisdiction.

Chapter 17.72

ADMINISTRATION

Sections:

- 17.72.010 Administrative offices designated.
- 17.72.020 Fees.
- 17.72.030 Amendment procedure

17.72.010 Administrative offices designated. The administration of this title shall be vested in the following offices of the body of government of the village as follows: Zoning officer, zoning board, and board of trustees.

17.72.020 Fees. A fee in the amounts shown below shall accompany each application filed in relation to compliance with, relief from, appeal or changed in the requirements of this title:

Application for compliance with the regulations of this title:	\$ 50.00
Application for change in zoning district	\$100.00
Application for change in text of title	\$ 50.00
Application for an appeal	\$ 50.00
Application for a variation in the application of the title	\$100.00
Application for compliance of an existing non-Conforming Use	\$ 50.00
Application for a special use permit.	\$ 50.00

17.72.030 Amendment procedure. Regulation Imposed in the districts created by this title may be amended by ordinance but not such amendment shall be made without a public hearing before the zoning board. Notice of the time and place of the hearing shall be published in a newspaper having general circulation in the village at least fifteen days prior to the hearing. The notice shall give the time and place of the hearing and contain a brief description of the proposed amendment. If the boundaries of a district are proposed to be changed, then the notice shall also contain a description of the area for which the change is proposed. If prior to the hearing, signed and acknowledged objections to the change of the regulations or districts are filed with the clerk by twenty percent or more of the owners of property of:

- A. The frontage proposed to be altered;
- B. The frontage immediately adjoining or across the alley there from;
- C. The frontage directly opposite the frontage to be altered; then the amendment shall not be passed except by favorable vote of two-thirds of all the members of the village board.

Chapter 17.76

ENFORCEMENT AND PENALTY

Sections:

- 17.76.010 Enforcement
- 17.76.020 Penalty for violation.

17.76.010 enforcement. It shall be the duty of the village board to enforce this title. In the event that any person violates the provisions of this title, the village board, in addition to other remedies, may institute in the name of the village any proper action or proceeding in any court of competent jurisdiction to prevent, restrain or abate the unlawful erection, conversion, enlargement or structural alteration of any building or structure, the unlawful use or occupancy of any building or land or the unlawful change, expansion, or enlargement of any nonconforming use, or to prevent, restrain or abate or correct any other act done in violation of the provisions of this title.

17.76.020 Penalty for violation. Violation of any of the terms of this Title by any person or corporation shall be deemed a Class A misdemeanor, the punishment pursuant to section 1.16.010, and imprisonment of up to thirty days pursuant to the provisions of 730 ILCS 5/5-8-3 and 730 ILCS 5/5-9-1 (3).