

## CHAPTER 8

### RESIDENTIAL DISTRICT REQUIREMENTS

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#### 9-8-1: GENERAL PURPOSE STATEMENT:

The residential districts set forth herein are established to perpetuate the existing high quality residential character of the village by preserving established neighborhoods while encouraging new residential development. Taken together, the residential districts blend to provide a broad range of housing alternatives. (Ord. 2000-O-005, 2-14-2000)

#### 9-8-2: CROSS REFERENCE GUIDE FOR ADDITIONAL REGULATIONS:

A. Land Use Interpretation: All applications for a permitted or special use which are not listed in section 9-8-3-1 of this chapter shall be submitted to the zoning official for a use interpretation pursuant to the standards and procedures set forth in section 9-4-8 of this title.

B. Temporary Uses: Certain temporary uses are permitted in the residential districts subject to the provisions of section 9-14-13 of this title and the securing of a temporary use permit pursuant to section 9-4-10 of this title.

C. Parking And Loading: The parking and loading requirements applicable in the residential districts are set forth in chapter 16 of this title.

D. Signs: Sign regulations applicable in the residential districts are set forth in chapter 18 of this title.

E. Erosion And Sedimentation Control: Requirements relating to erosion and sedimentation control in the residential districts are set forth in chapter 6 of this title.

F. Performance Standards: Requirements relating to performance standards in the residential districts are set forth in chapter 15 of this title.

G. Landscaping And Screening: Requirements relating to landscaping, screening, and buffering in the residential districts are set forth in chapter 17 of this title.

H. Fences: Requirements relating to fences in the residential districts are set forth in chapter 14 of this title.

I. Nonconforming Lots: Requirements relating to nonconforming lots in the residential districts are set forth in chapter 5 of this title. (Ord. 2000-O-005, 2-14-2000)

#### 9-8-3: RESIDENTIAL DISTRICT REGULATIONS:

A. Permitted Uses: The uses permitted in the residential districts established herein are listed in the residential district use matrix set forth in section 9-8-3-1 of this chapter, and shall be considered permitted as of right, subject to any limitations therein, this title, or other village title, and the securing of a zoning certificate.

B. Special Uses: The uses allowed as special uses in the residential districts established herein are listed in the residential district use matrix set forth in section 9-8-3-1 of this chapter, and may be allowed subject to any limitations therein, this title, or other village title, and the securing of a special use permit pursuant to section 9-4-5 of this title.

C. Accessory Uses: Accessory uses, buildings and structures customarily incidental to and commonly associated with a principal use may be permitted, subject to the provisions of chapter 14 of this title and any limitation contained herein. Specifically permitted or allowed accessory uses, buildings and structures are listed in section 9-8-3-2 of this chapter.

D. Bulk Regulations: Subject to the limitations contained therein and elsewhere in this title, the bulk regulations that apply to the residential districts are listed in section 9-8-3-3 of this chapter.

E. Prohibited Uses: Uses not listed as permitted or special uses in the residential district use matrix set forth in section 9-8-3-1 of this chapter are hereby strictly prohibited. (Ord. 2000-O-005, 2-14-2000)

#### 9-8-3-1: RESIDENTIAL DISTRICT USE MATRIX:

Uses	E-1	R-1	R-2	R-3	R-4	R-5	R-6 <sup>1</sup>
Uses	E-1	R-1	R-2	R-3	R-4	R-5	R-6 <sup>1</sup>
Assisted living facilities							S
Cemeteries	S	S					
Community centers - public	P	P	P	P	P	P	P
Country clubs, golf courses, tennis clubs, swim clubs, and other outdoor recreational facilities	S	S	S	S	S	S	S
Dwellings - single-family detached	P	P	P	P	P/S <sup>2</sup>	P	
Dwellings - two-family							P
Dwellings - multiple-family attached and semiattached (not exceeding 4 units per building)							P
Dwellings - multiple-family attached and semiattached (not exceeding 8 units per building)							S
Dwellings - multiple-family							S
Government buildings	P	P	P	P	P	P	P
Hospitals, clinics, and sanitariums							S
Kennels	S <sup>3</sup>						
Libraries - public		P	P	P	P	P	
Municipal buildings and utilities	P	P	P	P	P	P	P
Nurseries and greenhouses (wholesale only)	S						
Parks and playgrounds - public	P	P	P	P	P	P	P
Places of worship	P <sup>4</sup>	P <sup>4</sup>					
Planned developments	S	S	S	S	S	S	S
Public transportation centers and railroad ROW (no rail yards or shops)	S	S	S	S	S	S	S
Public utilities	S	S	S	S	S	S	S
Residential care homes							
Small	P	P	P	P	P	P	P
Large	S					S	P
Schools - public and private	P	P	P	P	P	P	P
P = Permitted / S = Special use permit required							

1. Residential developments having a net density greater than 7.5 units per acre may be approved through the special use process.

2. Single-family homes on lots less than 12,500 square feet or on lots having less than 90 feet in frontage, existing of record at the time this title becomes effective, may be approved through the special use process provided that the lot area approved is not less than 10,000 square feet and the minimum frontage approved is not less than 80 feet.

3. Owners shall reside on the same premises as the kennel and nuisance abatement controls shall be in place prior to the issuance of the special use permit.

4. The use shall be located on a primary or secondary street or thoroughfare.

(Ord. 2000-O-005, 2-14-2000)

#### 9-8-3-2: RESIDENTIAL DISTRICT ACCESSORY USE MATRIX:

[illegible]

1. The accessory use shall be for the sole enjoyment and benefit of the residents of the premises. No commercial activity shall be permitted.
2. The accessory use shall be limited to 1 horse per 1 acre. All horses shall be housed in a barn and the barn shall be located at least 100 feet from any property line. Furthermore, horses shall not be grazed in any front or side yard.
3. The retail grocery shall supply commodities on the premises and shall be incidental and accessory to a residential permitted or special use.

(Ord. 2000-O-005, 2-14-2000; amd. Ord. 2009-O-006, 2-23-2009)

**9-8-3-3: RESIDENTIAL DISTRICT BULK MATRIX:**

R-6 MULTIPLE-FAMILY RESIDENCE DISTRICT DWELLING UNIT

## SIZE MATRIX

## R-6 Multiple-Family Residence District

Dwelling Unit Type	Minimum Size Of Dwelling Unit
Efficient unit	1,000 square feet
1 bedroom	1,100 square feet
2 bedroom	1,200 square feet
3 bedroom	1,400 square feet
Each additional bedroom unit over 3	150 square feet

Development Standards	Districts						
	E-1	R-1	R-2	R-3	R-4 <sup>6</sup>	R-5	R-6
Development	Districts						

Standards	E-1	R-1	R-2	R-3	R-4 <sup>6</sup>	R-5	R-6
Minimum lot size	2.5 acres	40,000 sq. ft.	20,000 sq. ft.	15,000 sq. ft.	12,500 sq. ft. <sup>3</sup>	7,500 sq. ft.	6,250 sq. ft. <sup>5</sup> per D/U
Minimum lot frontage	200 ft.	120 ft.	100 ft.	100 ft.	90 ft. <sup>3</sup>	60 ft.	90 ft. for 2 unit buildings and 120 ft. for 4 unit buildings
Yards							
Front	50 ft.	40 ft.	35 ft.	35 ft.	30 ft.	30 ft.	30 ft.
Side	20 ft. or 10% of lot frontage <sup>1</sup>	12 ft. or 10% of lot frontage <sup>1</sup>	10 ft. or 10% of lot frontage <sup>1</sup>	10 ft. or 10% of lot frontage <sup>1</sup>	10 ft. or 10% of lot frontage <sup>1</sup>	5 ft. or 10% of lot frontage <sup>1</sup>	15 ft.
Rear	40 ft.	40 ft.	40 ft.	30 ft.	30 ft.	25 ft.	40 ft.
Maximum height							
Principal	35 ft.	35 ft.	35 ft.	35 ft.	35 ft.	35 ft.	3 stories or 35 ft.
Accessory							
Detached garages	20 ft.	20 ft.	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.
Other structures <sup>7</sup>	15 ft.	15 ft.	12 ft.	12 ft.	12 ft.	12 ft.	12 ft.
Floor area ratio	0.3	0.3	0.3	0.5	0.5	0.3	0.7
Minimum size of dwelling unit	*2,000 sq. ft. **2,200 sq. ft. <sup>2</sup>	*2,000 sq. ft. **2,200 sq. ft. <sup>2</sup>	*2,000 sq. ft. **2,200 sq. ft. <sup>2</sup>	*1,800 sq. ft. **2,000 sq. ft. <sup>2</sup>	*1,800 sq. ft. **2,000 sq. ft. <sup>2</sup>	*1,400 sq. ft. **1,600 sq. ft. <sup>4</sup>	see chart above
Maximum permitted density	n/a	n/a	n/a	n/a	n/a	n/a	7.5 units per acre (net)
* = Ranch and split levels    ** = 2-story							

1. The side yard required will be the greater of the 2 development standards provided above.

2. This figure represents floor area, exclusive of garages and any story below grade. All residential units shall be required to have an attached garage with the minimum space to accommodate the parking requirements set forth in section 9-16-7 of this title.

3. Through the special use process the minimum lot size and the minimum frontage requirement may be reduced to 10,000 square feet and 80 feet respectively, provided circumstances warrant approval of the special use permit.

4. This figure represents floor area, exclusive of garages and any story below grade. All residential units shall be required to have an attached garage with the minimum space to accommodate 1 passenger automobile.

5. This standard may be increased through the special use process, provided circumstances warrant approval of the special use permit.

6. Accessory uses and structures located on substandard lots in the R-4 district may be set back from a side or rear property line a minimum of 5 feet, provided such accessory uses conform to all other requirements relating to accessory uses set forth in this title.

7. Flagpoles may be allowed to a height of 30 feet.

Note: Where lots front upon a cul-de-sac or curved road or street having a radius of 200 feet or less, the minimum width of the frontage of the lot may be measured at the building line, with the width at said right of way line to be not less than 54 feet with said width being measured on the arc of the street right of way line.

(Ord. 2000-O-024, 7-10-2000; amd. Ord. 2002-O-011, 5-28-2002)

#### 9-8-4: E-1 ESTATE RESIDENTIAL DISTRICT:

A. Purpose: The E-1 estate residential district is hereby established to provide lands for large lot, single-family residential uses which are the optimum use because of location, topography, soil characteristics, wetness, vegetation, or other natural or man induced factors and where portions of the land may be kept open to protect and conserve hilly areas, wetlands, prairies, wooded regions, and other unique areas for the public benefit and perpetuation of the diversity of natural ecosystems. The E-1 district is also established to provide the opportunity to keep horses, or other large animals, and the right to practice in a limited manner agriculture, floriculture, horticulture, silvaculture, cultivation of field or garden crops, and similar related activities, but within the limits of smaller lots.

B. Policy: To achieve the purpose of the E-1 residential district, it shall be the policy of the village to:

1. Foster uses where adequate police and fire protection are available;
2. Allow a minimum two and one-half ( $2\frac{1}{2}$ ) acre lot for single- family residential use and other permitted compatible uses where each domicile may be served by an on site sewage disposal system; and
3. Zone E-1 lands least adaptable for sustained long term agriculture uses and/or least suitable for dense urbanized development because of location, topography, geology, soil types, hydrologic characteristics, or other natural features of the land. (Ord. 2000-O-005, 2-14-2000)

#### **9-8-5: R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT:**

A. Purpose: The R-1 residential zoning district is hereby established to provide for an environment of predominantly large lot single-family dwellings with certain additional compatible uses that serve the residents living in the districts. The R-1 district is also established to implement the intent and policy for residential districts by providing a net density of less than one and nine one-hundredths (1.09) unit per acre where provisions for compatible community facilities and services are available or can be made available in the near future or where location or physical characteristic of the property are uniquely suited to residential lots of one acre.

B. Policy: To achieve the purpose of the R-1 residential district, it shall be the policy of the village to:

1. So locate R-1 districts to other districts nearby or adjacent to available municipal police and fire protection so as to protect these residential areas from the danger of fire, explosion, or noxious fumes and the irritations of offensive odors, noise, smoke, vibrations, glare, or other threats to health and well being unless the property possesses exceptional characteristics or an exceptional location making it unusually suitable for one acre residential purposes; and
2. So locate R-1 districts where paved roads meeting current village standards may serve the residents providing convenience and safety in transportation; where mobility is not impeded and where hazards and the intensity or potential for accidents are avoided or minimized. (Ord. 2000-O-005, 2-14-2000)

#### **9-8-6: R-2 SINGLE-FAMILY RESIDENTIAL DISTRICT:**

A. Purpose: The R-2 residential district is hereby established to provide for an environment of predominantly single-family dwellings with certain additional compatible uses which serve the residents living in the districts. The R-2 district is also established to implement the purpose and intent for residential districts by providing a net density not greater than two and eighteen one-hundredths (2.18) units per acre; where provision for compatible community facilities and services are available or can be made available in the near future.

B. Policy: To achieve the purpose of the R-2 residential district, it shall be the policy of the village to:

1. So locate R-2 districts to other districts nearby or adjacent to available municipal police and fire protection so as to protect these residential areas from the danger of fire, explosion, or noxious fumes and the irritations of offensive odors, noise, smoke, vibrations, glare, or other threats to health and well being;
2. So locate R-2 districts where paved roads meeting current village standards may serve the residents providing convenience and safety in transportation; where mobility is not impeded and where hazards and the intensity or potential for accidents are avoided or minimized; and
3. So locate R-2 districts near to present or future mass transit facilities to lessen or avoid congestion in public streets and highways. (Ord. 2000-O-005, 2-14-2000)

#### **9-8-7: R-3 SINGLE-FAMILY RESIDENTIAL DISTRICT:**

A. Purpose: The R-3 residential district is hereby established to provide for an environment of predominantly single-family dwellings with certain additional compatible uses that serve the residents living in the districts. The R-3 district is also established to implement the purpose and intent for residential districts by providing a net density not greater than two and nine-tenths (2.9) units per acre; where provision for compatible community facilities and services are available or can be made available in the near future.

B. Policy: To achieve the purpose of the R-3 residential district, it shall be the policy of the village to:

1. So locate R-3 districts to other districts nearby or adjacent to available municipal police and fire protection so as to protect these residential areas from the danger of fire, explosion, or noxious fumes and the irritations of offensive odors, noise, smoke, vibrations, glare, or other threats to health and well being.
2. So locate R-3 districts where paved roads meeting current village standards may serve the residents providing convenience and safety in transportation; where mobility is not impeded and where hazards and the intensity or potential for accidents are avoided or minimized.

3. So locate R-3 districts near to present or future mass transit facilities to lessen or avoid congestion in public streets and highways. (Ord. 2000-O-005, 2-14-2000)

#### **9-8-8: R-4 SINGLE-FAMILY RESIDENTIAL DISTRICT:**

A. Purpose: The R-4 residential district as hereby established to provide for an environment of predominantly single-family dwellings with certain additional compatible uses which serve the residents living in the districts. The R-4 district is also established to implement the purpose and intent for residential districts by providing a net density not greater than three and forty eight one-hundredths (3.48) units per acre; where provision for compatible community facilities and services are available or can be made available in the near future.

B. Policy: To achieve the purpose of the R-4 residential district, it shall be the policy of the village to:

1. So locate R-4 districts to other districts nearby or adjacent to available municipal police and fire protection so as to protect these residential areas from the danger of fire, explosion, or noxious fumes and the irritations of offensive odors, noise, smoke, vibrations, glare, or other threats to health and well being;

2. So locate R-4 districts where paved roads meeting current village standards may serve the residents providing convenience and safety in transportation; where mobility is not impeded and where hazards and the intensity or potential for accidents are avoided or minimized; and

3. So locate R-4 districts near to present or future mass transit facilities to lessen or avoid congestion in public streets and highways. (Ord. 2000-O-005, 2-14-2000)

#### **9-8-9: R-5 SINGLE-FAMILY RESIDENTIAL DISTRICT:**

A. Purpose: The R-5 residential district is hereby established to provide for an environment of predominantly single-family dwellings with certain additional compatible uses that serve the residents living in the districts. The R-5 district is also established to implement the purpose and intent for residential districts by providing a net density not greater than five and eight-tenths (5.8) units per acre; where provision for compatible community facilities and services are available or can be made available in the near future.

The R-5 district is intended to preserve existing R-5 zoned neighborhoods, while at the same time, facilitate development in and around those same neighborhoods. The R-5 district shall not be used to facilitate future developments.

B. Policy: To achieve the purpose of the R-5 residential district, it shall be the policy of the village to:

1. So locate R-5 districts to other districts nearby or adjacent to available municipal police and fire protection so as to protect these residential areas from the danger of fire, explosion, or noxious fumes and the irritations of offensive odors, noise, smoke, vibrations, glare, or other threats to health and well being;

2. So locate R-5 districts where paved roads meeting current village standards may serve the residents providing convenience and safety in transportation; where mobility is not impeded and where hazards and the intensity or potential for accidents are avoided or minimized;

3. So locate R-5 districts near to present or future mass transit facilities to lessen or avoid congestion in public streets and highways; and

4. So locate R-5 districts solely to preserve existing R-5 neighborhoods and allow development in and around existing R-5 neighborhoods. (Ord. 2000-O-005, 2-14-2000)

#### **9-8-10: R-6 MULTIPLE-FAMILY RESIDENTIAL DISTRICT:**

A. Purpose: The R-6 residential district is hereby established to permit existing multi-family developments and to provide an environment for new developments of predominantly attached, semiattached and two-family dwellings with certain additional compatible uses that serve the residents living in the district. The R-6 district is also established to implement the purpose and intent for residential districts by providing an appropriate density where provision for compatible community facilities and services are available or can be made available in the near future.

B. Policy: To achieve the purpose of the R-6 district, it shall be the policy of the village to:

1. So locate R-6 districts to other districts where municipal police and fire protection are provided so as to protect these residential areas from the dangers of fire, explosion, or noxious fumes and the irritations of offensive odors, noise, smoke, vibrations, glare, or other threats to health and well being;

2. So locate R-6 districts where paved roads meeting current village standards may serve the residents providing convenience in transportation, mobility, and where hazards and the intensity or potential for accidents to both local and through traffic are lessened or avoided; and

3. So locate R-6 districts near present mass transit facilities to lessen or avoid congestion in public streets and highways. (Ord. 2000-O-005, 2-14-2000)