

**9-3-11: BULK, SPACE, AND YARD REQUIREMENTS:**

The building height, lot, yard, and landscaped surface requirements applicable in the residential districts are set forth in the following table:

		R-1/2	R-3	R-4	R-5		R-6
			R-1/2	R-3	R-4	R-5	R-6
A.	Maximum Height:						
	1.	Principal structures (whichever is less):					
		a. Feet	35	35	35	30	30
		b. Stories	2.5	2.5	2.5	2.5	2.5
	2.	Accessory structures* (feet)	25	25	25	25	25
B.	Minimum Lot Area And Dimensions: <sup>1,2</sup>						
	1.	Minimum lot area (square feet):					
		a. Lots platted prior to 1991 <sup>3</sup>	n/a	n/a	n/a	8,700	n/a
		b. All other lots	40,000	20,000	15,000	10,000	10,000
	2.	Minimum lot area per unit (square feet) <sup>9,10</sup>	40,000	20,000	15,000	10,000	5,000
	3.	Minimum lot width (feet) <sup>13</sup>	150	100	90	75	75
C.	Minimum Yards: <sup>1,4,5,6,11,12</sup>						
	1.	Front and corner side (feet): <sup>7</sup>					
		a. Lots developed prior to 1991 <sup>3</sup>	n/a	n/a	n/a	As established by plat or 25', whichever is greater	n/a
		b. All other lots	30	30	30	30	25
	2.	Side (feet): <sup>8</sup>					
		a. Lots platted prior to 1991 <sup>3</sup>	n/a	n/a	n/a	As established by plat or 7', whichever is greater	n/a
		b. All other lots	15	10	10	10	7
	3.	Rear (feet) <sup>8</sup>	50	30	30	30	30
D.	Minimum Landscaped Surface Area (Percent): <sup>2</sup>		75	70	60	60	60

\* Accessory structures are also subject to the provisions of subsection 9-9-1C of this title and applicable provisions of title 8 of the Lake Zurich municipal code.

**E. Exceptions And Explanatory Notes:**

1. Nonconforming Lots: See section 9-11-5 of this title for requirements with respect to legal nonconforming lots of record.

2. Minimum Lot Area: Water areas and land areas with natural resource restrictions including floodplains, wetlands, and lowland conservancy soils are not included as part of the calculation of the required minimum lot area.

3. Lot Areas In R-5 District: Many lots in the R-5 district were platted and developed at times when applicable regulations permitted lot areas smaller than 10,000 square feet. Subsections B1a, C1a, and C2a of this section establish such lots as permitted in the R-5 district. The regulations of subsections B1a, C1a, and C2a of this section shall not be interpreted, construed, or applied in any way to authorize the creation of any lot, whether by subdivision or any other means, the area of which is less than 10,000 square feet; provided, however that the minimum lot area shall be 5,400 square feet for lots that, as of January 1, 2006, abut South Shore Lane and are classified in the R-5 district. No alteration or addition of any kind shall be allowed to encroach into any established required front, corner side, or side yard/setback lines.

4. Visibility Across Corners: Any other provision of this zoning code to the contrary notwithstanding, nothing shall be erected, placed, planted, allowed to grow, or maintained on any corner lot in any residential district in violation of the

provisions of subsection 4-2-1-3C of the Lake Zurich municipal code.

5. Special Setbacks For Signs: Special setbacks established for some signs in the Lake Zurich municipal code shall control over the yard requirements established in the table.

6. Specified Structures And Uses In Required Yards: The following structures and uses, except as limited below, may be located in any required yard:

- a. Statuary, arbors, trellises, and ornamental light standards having a height of 8 feet or less, but not in any side yard in the LP district; and
- b. Eaves and gutters projecting not more than 2 feet from an exterior wall; and
- c. Awnings, canopies, bay windows, and balconies projecting not more than 3 feet into a front or rear yard from an exterior wall for a distance not more than  $\frac{1}{3}$  of the length of such wall, projecting not more than 2 feet into a side yard from an exterior wall for a distance not more than  $\frac{1}{4}$  of the length of such wall; and
- d. Chimneys, flues, belt courses, leaders, sills, pilasters, lintels, ornamental features, cornices, and the like projecting not more than 2 feet from an exterior wall, but not in any side yard in the LP district; and
- e. Outside stairways that extend from an exterior wall, but not more than 3 feet into the required yard, not greater than a height of 4 feet or less, and not in any side yard in the LP district, and provided that such exterior wall shall be located outside of the required yard; and
- f. Flagpoles, but not in any side yard in the LP district; and
- g. Clotheslines, except in any front, side, or corner side yard; and
- h. Terraces, but not within 20 feet of any front, corner side, or rear lot line, and not within 5 feet of any interior side lot line; and
- i. Recreational devices, but only freestanding basketball standards and no other recreational devices in any front yard and not in any side yard in the LP district; and
- j. Fences, walls (except in corner side yards), and hedges, subject to the limitations of the Lake Zurich municipal code; and
- k. Driveways, subject to the limitations of subsection 9-10-1C of this title, but not within 3 feet of any side lot line on the lot on which such driveway is located, including, without limitation, any unimproved (dirt, gravel, or other) driveway that is paved and any driveway that is substantially rebuilt or that is removed and replaced. However, an existing residential driveway that encroaches on the required 3 foot side lot line may be maintained, repaired, and replaced at its current location if, but only if, the driveway complied at the time of its original installation with applicable provisions of this zoning code; and
- l. Decks, swimming pools, swimming pool equipment, and gazebos in any residential district, but not in any front, corner side, or interior side yard and not within 23 feet of any rear lot line. Swimming pools shall not be located closer to the front lot line than any part of the principal building and shall not be located in any required front yard or corner side yard.

7. Front And Corner Side Yard Adjustment Next To Existing Structures: When a lot abuts, on both sides, lots that have already been developed, the front yard applicable to such lot shall be determined by taking the average of the setbacks of the buildings on the 2 abutting lots; provided, however, that no such front yard shall be less than 20 feet. When a lot abuts a lot that has already been developed on 1 side and a vacant lot or street is on the other side, the front or corner side yard applicable to such lot shall be determined by taking the average of the setback of the building on the abutting developed lot and the required front or corner side yard in the zoning district; provided, however, that no such front or corner side yard shall be less than 20 feet, except as provided in subsection E8 of this section.

8. Side And Rear Yard Regulations For Accessory Structures And Uses: Parking areas wherever located, and other detached accessory structures and uses when located within the rear 25 percent of the depth of the lot, shall not be required to maintain an interior side or rear yard in excess of 5 feet; provided, however, that this exception shall not apply to residential recreational facilities, antennas, or antenna support structures. No accessory structure or use, or combination of such structures or uses, located within an otherwise required side or rear yard pursuant to this subsection E8 shall occupy more than 30 percent of such required yard.

9. Density Adjustment For Senior Housing:

- a. Authority To Approve Increased Density: The plan commission may recommend and the board of trustees may authorize an increase in the overall density of development when approving a special use permit for a senior housing development in the R-6 district, by reducing the required minimum lot area per unit.
- b. Maximum Permissible Adjustment; Maximum FAR: No such adjustment shall reduce the lot area per dwelling unit requirement to less than 2,000 square feet. The maximum floor area ratio for senior housing and all related support service areas shall be 0.40 excluding all areas devoted to enclosed parking areas or lots, and 0.45 including all such areas.
- c. Standard For Adjustment: No such adjustment shall be recommended or authorized except on the basis of a finding that the adjustment will not result in any undue congestion in or adverse impact on the surrounding area. In

determining the amount of any such adjustment to be recommended or authorized, consideration shall be given to:

- (1) The development's excellence in satisfying the standards set forth in subsection 9-3-3A of this chapter; and
- (2) The extent to which public or private subsidies are provided to allow some or all of the proposed dwelling units to be occupied by individuals of low or moderate income within the meaning of section 103(b)(4)(A) of the internal revenue code of 1954, as amended.

10. Calculation Of Nursing Or Personal Care Facility Density: Every patient room in a nursing or personal care facility, whether private or semiprivate, shall be counted as 1 dwelling unit. For patient rooms able to accommodate more than 2 patient beds, each patient bed more than 2 shall be counted as a separate dwelling unit. In addition, any dwelling unit occupied or available for occupancy by staff of the nursing or personal care facility shall be counted as a dwelling unit. The maximum floor area ratio for a nursing or personal care facility including all related support service areas shall be 0.45.

11. Special Yard From Ela Road And Cuba Road: Notwithstanding any other provision of this section, all yards along every lot line abutting Ela Road or Cuba Road shall be not less than 40 feet.

12. Special Yard From Route 12 And Route 22: Notwithstanding any other provision of this section, all yards along every lot line abutting Route 12 or abutting Route 22 between Ela Road and the westernmost village limits shall be not less than 50 feet.

13. Minimum Lot Width In Grand Avenue Neighborhood: Notwithstanding the lot width requirements contained in subsection B3 of this section, the minimum lot width for any lot that: a) was located in that portion of the Grand Avenue neighborhood that was rezoned to the R-4 single-family residential district pursuant to ordinance 2002-01-147, and b) consists of at least 15,000 square feet in lot area, shall be not less than 75 feet.

(Ord., 10-2004; amd. Ord. 2006-06-423, 6-19-2006; Ord. 2016-4-122, 4-4-2016)