

Residential-Attached District Text Amendment.

ARTICLE II. ADMINISTRATION AND ENFORCEMENT

Sec. 15-175. Land divisions.

(a) *Subdivision.* The provisions of this chapter apply to any division of lands into two or more parts, any of which is less than five acres in area, the plat of which includes new public streets or easements or the widening of existing public streets or easements for access or utility purposes.

~~(b) Land divisions other than subdivisions. The provisions of this section apply to any division or subdivision of lands:~~

~~(1) Into two or more parcels or tracts, all of which are five acres or more in size; or~~

~~(2) Any parcel which is to be divided into no more than two parts, one of which is less than five acres in area, may be permitted.~~

(b) Minor land divisions.

(1) Division or subdivision of lands into 4 or fewer parcels may be permitted provided that such divisions or subdivisions:

a. Do not require any new public streets or utilities.

b. Meet the standards with the zoning and subdivision ordinances, and

c. Have existing access to public rights-of-way and streets.

(2) No more than 4 parcels shall be created within a 5-year period from the date of final Village approval.

-(c) *Procedure for approval.* The subdivider shall file a boundary plat of survey map with the village board of trustees, which shall, within 40 days approve, approve conditionally, or reject the map. The subdivider shall be notified in writing of any condition of approval or the reasons for rejection.

(d) *Preliminary consultation.* At least 20 days prior to the submission of the certified survey plat of survey map required herein, the divider shall consult the plats officer for the purpose of minimizing the risk of objections to, or rejection of, the prepared certified survey map plat of survey map, and for the purpose of ascertaining the problems and requirements affecting his property.

(e) *Requirements.*

(1) To the extent reasonably practicable, the division of land shall comply with the provisions of this chapter governing general requirements, design standards, and required improvements.

(2) The survey shall be performed, and the map prepared by a registered state land surveyor.

(3) All land divisions in areas that are not required to be serviced by sanitary sewers, in accordance with the intergovernmental agreement between the Rock River Reclamation District and the village dated October 24, 1988, and the provisions of village Ordinance No. 1991-15, shall conform to the minimum lot area requirements of section 15-79, and all regulations of the county health department.

(4) All corners shall be monumented as follows:

a. All lot corners shall be monumented in the field by iron pins at least 36 inches long and five-eighths inch in diameter, or by round or square iron bars at least 36 inches long or similar diameters.

b. The lines of lots that extend to rivers or streams shall be monumented in the field by iron pins at least 48 inches long and three-fourths inch in diameter or by round or square iron bars at least 48 inches long. These monuments shall be placed at the point of intersection of the river or stream lot line with a meander line established not less than 20 feet back from the bank of the river or stream.

(5) The survey map shall be prepared in accordance with section 15-230 on one or more sheets of durable white paper 8½ inches wide by 14 inches long. All lines shall be made with nonfading black ink on a scale of not more than 500 feet to the inch.

(f) *Certificates and affidavits.*

(1) The survey map shall include the affidavit of the surveyor who surveyed and mapped the parcel, typed, lettered, or reproduced legibly with nonfading black ink, giving a clear and concise description of the land surveyed by bearings and distances, commencing with some corner marked and established in the United States Public Land Survey or some corner providing reference to a corner marked and established in the United States Public Land Survey. This affidavit shall include the statement of the surveyor to the effect that he has fully complied with the requirements of this section.

(2) The certificate of approval of the village board of trustees shall be typed, lettered, or reproduced legibly with nonfading black ink on the face of the survey map.

(3) Certificates of dedications, easements, and reservations shall be included when applicable.

(g) *Recording the survey map.* The survey map shall be filed by the village clerk for record with the county. All expenses for recording shall be paid by the subdivider.

ARTICLE III. RESIDENTIAL DISTRICT REGULATIONS

Sec. 15-407. Purpose and intent.

- (a) *Residential districts generally.* The intent of all residential districts is to:
- (1) Accommodate a reasonable range of population density consistent with sound standards of public health and safety and the village comprehensive plan;
 - (2) Ensure adequate light, air, privacy, and open space for each dwelling;
 - (3) Provide space for public and semi-public facilities needed to complement urban residential areas and for institutions that require a residential environment;
 - (4) Minimize traffic congestion and to avoid the overloading of utilities by preventing the construction of buildings of excessive size in relation to the land around them;
 - (5) Provide necessary space for off-street parking of automobiles and where appropriate;
 - (6) Protect residential properties from noise, illumination, unsightliness, odors, dust, dirt, smoke, vibration, heat, glare, and other objectionable influences; and
 - (7) Protect residential properties from fire, explosion, noxious fumes, and other hazards.
- (b) *RE Single-Family Rural Estate Residential District.* The RE Single-Family Rural Estate Residential District is intended to reserve appropriately located areas for detached single-family homes on large lots that are consistent with the village's rural character.
- (c) *R1 One-Family Residential District.* The R1 One-Family Residential District is intended to reserve appropriately located areas for detached single-family homes on lots that are typical of the development that predominates the village's single-family neighborhoods.
- (d) *R2 Two-Family Residential District.* The R2 Two-Family Residential District is intended to accommodate increased population density compared to the R-1 district, including detached single-family homes, ~~and~~ duplexes, ~~and townhomes~~.
- (e) *RA One-Family Residential-Attached District.* The RA One-Family Residential-Attached District is intended to provide areas for limited concentrations of duplex, two-family and single-family attached dwellings, such as townhomes.
- (f) *RM Multifamily Residential District.* The RM Multifamily Residential District is intended to accommodate more compact and dense residential development compared to the R1 and R2 districts, consisting of duplexes, townhomes, and multifamily residential development.

(Ord. of 3-2-2021, § 155.3.1)

Sec. 15-408. Residential bulk standards.

All development in residential districts must comply with the requirements in Table 15-408 unless otherwise expressly stated.

Table 15-408. Residential Districts-Bulk and Yard Standards

	<i>Minimum Site</i>			<i>Development Intensity</i>			<i>Minimum Yards</i>		
District	Area	Width Interior Lot	Min. Depth	Max. Height	Max. Lot Coverage	Min. Site Area per DU	Front (1)	Side	Rear
RE	22,000 sf	110 ft.	150 ft.	35 ft	25 percent	22,000 sf	30 ft.	30 ft. in total with a min. of 10 ft. per side	30 ft.
R1	9,500 sf	75 ft.	125 ft.	35 ft.	30 percent	9,500 sf	30 ft.	10 ft.	30 ft.
R2	15,000 sf	100 ft.	125 ft.	35 ft.	30 percent	7,500 sf	30 ft.	15 ft.	30 ft.
RA	3,000 sf	25 ft.	115 ft.	35 ft.	50 percent	3,000 sf	30 ft.	10 ft.⁽²⁾	20 ft.
RM	19,800 sf	100 ft.	125 ft.	35 ft.	30 percent	3,300 sf	30 ft.	15 ft.	30 ft.

[\(1\)](#) The required front yard setback of lots fronting Main Street between Grove Street and Elevator Street or fronting Elevator Street between Highway 251 and Pearl Street shall be a minimum of ten feet and a maximum of 20 feet.

~~(1)~~[\(2\)](#) [Zero interior yard setback permitted if sharing a common wall.](#)

Graphic 15-408. Residential Required Yards

(Ord. of 3-2-2021, § 155.3.2)

Sec. 15-409. Residential permitted uses.

Permitted and special uses lists permitted and special uses for all residential districts. Many allowed uses, whether permitted by right or as a special use, are subject to compliance with article VIII of this chapter.

(1) *Permitted uses.* A "P" indicates that a use is considered permitted within that district as of right.

(2) *Special uses.* An "S" indicates that a use is permitted, though its approval requires review by the village board as required in section 15-780 and is contingent upon the development/proposed use meeting certain special criteria.

(3) *Uses not permitted.* A blank space or the absence of the use from the table indicates that the use is not permitted within that district. However, a use not identified on the table may be determined by the zoning administrator to be a permitted or special use in the district, based on their evaluation as to whether the proposed use is similar enough in character, intensity, and operations to that of a permitted or special use in the district.

Table 15-409. Residential Districts- Permitted and Special Uses	<i>RE</i>	<i>R1</i>	<i>R2</i>	<i>RA</i>	<i>RM</i>
Residential					
Single-family dwellings	P	P	P		P
Two-family dwellings			P	P	P
Townhomes			<u>S</u>	<u>P</u>	
Multifamily dwellings					P
Community-based housing, fewer than 8 occupants			P		P
Community-based housing, equal to or more than 8 occupants			S		S
Senior housing and community-based housing projects				<u>P</u>	P
RV residences, tents, and other structures not requiring an occupancy permit					
Commercial					
Home occupations conducted in accordance with the regulations prescribed in section 15-550	P	P	P	<u>P</u>	P
Daycare facilities and nursery schools	S	S	S		
Bed and breakfast		S	S		S
Boardinghouses, hotel, motel and lodginghouses					S
Institutional					
Place of worship	S	S	S		S
Hospitals, sanitariums not for mental, drug addict, or liquor addict cases			S		S
Nursing homes	S	S	S		S
Public and parochial schools and colleges	S	S	S		S
Community service organizations					S

Community Facilities (Public Service)					
Public utility, public facility, and public services, pumping stations, power stations, equipment buildings and installations, water storage tanks found by the village board of trustees to be necessary for the public health, safety, or welfare	S	S	S	<u>S</u>	S
Civic uses				<u>P</u>	P
Recreational					
Golf courses, public parks, and playgrounds	S	S	S	<u>S</u>	S
Private recreation parks and swim clubs	S	S	S		
Private recreation parks and swim clubs open to membership outside the homeowner or condominium owners' association				<u>S</u>	S
Other					
Apiary/bee keeping	P	P	P		
Chicken keeping	P	P	P		
Raising of fruit and nut trees, vegetables, and horticultural specialties	P	P			
Temporary outdoor portable storage unit	P	P	P		

(Ord. of 3-2-2021, § 155.3.3)

Sec. 15-410. Development standards applicable to residential districts.

(a) *Garages.*

- (1) A lot with a single-family dwelling that is 1,199 square feet or less in area shall be required to have a single-car garage at a minimum.
- (2) A lot with a single-family dwelling that is 1,200 square feet or more in area shall be required to have a two-car garage at a minimum.

(b) *Residential attached dwellings*

- (1) No more than six (6) townhomes shall be connected together in a single building, and such building shall not exceed a length of one hundred seventy five (175) feet.
- (2) Minimum building separation shall be 30 feet plus areas for patios/decks.
- (3) Each attached single-family dwelling shall be provided with at least one hundred (100) square feet of land area reserved for the construction of a patio or deck.

(c**b**) *Residential driveways.*

- (1) A residential driveway is any paved hard-surfaced, manmade area used to access any garage or accessory building, or leads to a garage, outdoor or indoor parking area, or is an established and surfaced portion of the lot, the use of which is for the purpose of ingress or egress to a carport, garage, accessory structure, parking area, or loading and unloading station for vehicles, whether the driveway crosses the village right-of-way or not.
- (2) All residential driveways must comply with the following standards, in addition to those set forth in the village subdivision code and other provisions of this Code:
 - a. No residential driveway shall be set within the required side yards as required in section 15-408. The restriction in this subsection (b)(2)a does not apply to lots on a cul-de-sac;
 - b. Only one driveway is permitted for each lot in the R1 district, unless a variance is granted by the village board of trustees.
- (3) All residential driveways must be constructed directly from the public road to the attached garage. If there is no attached garage the driveway shall be constructed to the primary detached garage if situated in the front or side yard.
- (4) No residential driveways may be built to any accessory structure, other than a garage as detailed in subsection (b)(3) of this section, unless a variance is granted by the board of trustees.

- (5) Residential driveways shall extend for a minimum of 30 feet in between the public right-of-way and garage.
- (6) Residential driveway design standards.
 - a. Residential driveways shall not exceed 24 feet in width at the property line.
 - b. Residential driveways shall be constructed of a minimum of two inches of bituminous pavement with six inches of aggregate base, Portland cement concrete at least four inches in thickness, concrete pavers, paving blocks, or similar materials approved by the village engineer.
 - c. A garage access drive, the width of the garage, as measured from the garage walls, is permitted to extend for a distance of 20 feet from the garage doors before tapering, within ten feet, back to the maximum driveway width.
- (7) In addition to the requirements of article X of this chapter, residential circular driveways are permitted in a front or corner side yard, so long as it conforms to the following requirements:

Graphic 15-410. Residential Driveways Design Standards

- (1) The minimum lot width is greater than 125 linear feet.
 - (2) The minimum setback for residential structures in the yard in which the circular driveway is located shall be 30 feet.
 - (3) Circular driveways shall have a minimum width of nine feet, and a maximum width of 12 feet except where it provides access to a garage entry.
 - (4) There shall be a landscaped area between the circular driveway and the public right-of-way with a depth of no less than ten feet and a width of no less than 20 feet. This area shall include decorative landscaping intended to screen the circular driveway area.
- (c) *Residential parking pads.*
- (1) *Limit.* A residential driveway may be extended to include one parking pad.
 - (2) *Configuration.*
 - a. A parking pad shall be a minimum of ten feet in width.
 - b. The portion of the parking pad adjacent to the driveway shall have a maximum length of 25 feet, as measured from the front facade line of the garage. A minimum seven-foot taper shall be included in the 25-foot maximum.

c. The portion of the parking pad adjacent to the garage shall have a maximum length of 20 feet as measured from the front facade line of the garage.

(3) *Location.* The parking pad shall be set back a minimum of three feet from any side property line.

(d) *Residential anti-monotony standards.* The following standards and definitions shall apply to the construction of all new single-family detached dwellings within the village after the effective date of the ordinance from which this section is derived.

(1) *Similar elevations and/or facades prohibited on adjacent lots.* No two single-family dwellings of similar front elevation and/or facade shall be constructed or located on adjacent lots or on lots opposite each other. Further, single-family dwellings of similar front elevation and/or facade shall be separated by at least two lots, regardless of the side of the street the dwelling is located on; nor shall there be constructed or located single-family dwellings of similar front elevation and/or facade constituting more than 25 percent of the single-family dwellings in any streetscape.

(2) *Identical footprint prohibited on adjacent lots.* No two single-family dwellings with the identical footprint or mirrored footprint shall be constructed or located on adjacent lots or on lots opposite each other. Further, single-family dwellings with the identical footprint or mirrored footprint shall be separated by at least two lots, regardless of the side of the street the dwelling is located on; nor shall there be constructed or located single-family dwellings with the identical footprint or mirrored footprint constituting more than 25 percent of the single-family dwellings in any streetscape.

(3) *Criteria.* Designated village officials shall deem front elevations and facades to be dissimilar when at least one of the delineated changes under each of the following categories of rooflines, windows, and construction materials and colors is made.

a. *Rooflines.* To be considered dissimilar, the rooflines of two adjacent single-family dwellings, as seen from the front of the dwelling, shall be changed in at least one of the following ways:

1. Changing gable roofs to hip roofs.
2. Changing hip roofs to gable roofs.
3. Providing an intersecting gable roof on the main gable roof, provided that the height of the intersecting roof is at least 35 percent of the height of the main roof.
4. Providing an intersecting hip roof on the main hip roof, provided that the height of the intersecting hip roof is at least 35 percent of the height of the main roof.

5. Subject to review by the designated village official, a shed roof when used as a front porch roof for a minimum of 50 percent of the entire width of the house, excluding area of garage.

6. Subject to review by the designated village official, a substantial difference in roofline shall be deemed to exist if the front soffit is increased substantially and is combined with columns at least six inches in width or by other architectural features of a similar magnitude which reach the roofline of the highest story.

7. Rotating gable roofs 90 degrees on the building.

8. On a tri-level residence or other building type which has three independent major roof areas, the changing of two of the three rooflines shall be acceptable as a substantial change. Acknowledging certain design elements may prevent the changing of all three rooflines, it is desired that the roofs with the greatest impact on the streetscape be changed.

9. The following changes to rooflines shall not be deemed sufficient to make adjacent structures dissimilar:

- (i) Small gable or hip projections above windows.
- (ii) Change in soffit overhang or minor variations in eave height.
- (iii) Skylight and cupola.

b. *Windows.* To be considered dissimilar, the windows of two adjacent single-family dwellings shall be changed in at least one of the following ways:

- 1. Changing from single windows to multiple window arrangement (ganged units).
- 2. Changing from multiple window arrangement to single window.
- 3. Changing the type of windows (e.g., casement to double hung).
- 4. Providing a bay or bow window in the area of the predominant window.

(i) When because of its size, location or design, one window is the predominant window on the front elevation or facade, and the size, location or type of that window is changed to render the dwelling dissimilar, then no other window need be changed.

(ii) The addition or subtraction of muntin bars (dividing lines) shall not be deemed sufficient change to constitute a substantial change in windows.

c. *Construction materials or colors.* To be considered dissimilar, the construction materials of two adjacent single-family dwellings shall be changed in at least one of the following ways, provided that when materials are changed, the change must occur throughout the front facade or elevation for a minimum of one story in height:

1. Changing the siding from horizontal to vertical.
2. Changing the siding from vertical to horizontal.
3. Four-inch exposure horizontal siding.
4. Eight-inch exposure horizontal siding.
5. Brick siding.
6. Stone facing.
7. Stucco/stuccato board and trim.

d. *Facades.* In addition to the other requirements of this section, all residences:

1. -Ceonstructed in R1 and R2 zoning classifications shall:

a. Hhave on the front of the residence (defined as corner to corner across that front elevation of the residence) a minimum of one-half of the area exposed on that elevation covered in brick, brick siding, stucco (or similar materials approved by the village) or stone facing excluding windows, doors and garage doors. Any material produced from vinyl or a wood-based product or that is produced in sheets for application shall not satisfy the requirements of this section.

i. Up to 15 percent of this requirement may be used as board-and-batten siding.

b. Have around all windows, doors, and garage doors decorative trim comprised of vinyl, PVC, or wood. In place of decorative trim, windows may substitute decorative shutters compatible with the color of the façade's siding.

2. Constructed in the RA zoning classification shall:

a. Have on the front of the residence (defined as corner to corner across that front elevation of the residence) a minimum of one-half of the area exposed on that elevation covered in brick, brick siding, stucco (or similar materials approved by the village) or stone facing excluding windows, doors and garage doors. Any material produced from vinyl or a wood-based product or that is produced in sheets for application shall not satisfy the requirements of this section.

i. Up to 15 percent of this requirement may be used as board-and-batten siding.

b. Have around all windows, doors, and garage doors decorative trim comprised of vinyl, PVC, or wood. In place of decorative trim, windows may substitute decorative shutters compatible with the color of the façade's siding.

- c. Have at any gable ends of roofs gable brackets or corbels comprised of vinyl, PVC, or wood.
- ~~a-d.~~ Have decorative cupolas on the roofline of any garage that protrudes from the front façade of the home.

(Ord. of 3-2-2021, § 155.3.4) **Secs. 15-411—15-433. Reserved.**

Section 17-752. Definitions.

Townhouses means residential buildings constructed in a row of three or more attached units, where each unit is separated by vertical party walls and designed for single-family occupancy. Each townhouse unit typically has its own independent exterior entrance and may be situated on its own subdivided lot or share a single lot as part of a unified development