

VILLAGE OF BIG ROCK

ORDINANCE NO. 2019- _____

**AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE ZONING ORDINANCE
CONCERNING ACCESSORY STRUCTURES AND PARKING REGULATIONS**

**ADOPTED BY THE BOARD OF TRUSTEES
OF THE VILLAGE OF BIG ROCK
THIS 8TH DAY OF JANUARY, 2019**

Published in pamphlet form by the authority of the Board of Trustees of the
Village of Big Rock, Kane County, Illinois
this 8th day of January, 2019

ORDINANCE NO. 2019-_____
AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE ZONING ORDINANCE
CONCERNING ACCESSORY STRUCTURES AND PARKING REGULATIONS

WHEREAS, the Village of Big Rock is a municipal corporation duly organized and operating pursuant to the laws of the State of Illinois; and

WHEREAS, the Village of Big Rock Zoning Ordinance regulates accessory structures in all zoning districts, and the current regulations include restrictions on size, number, setbacks and other matters pertaining to accessory structures; and

WHEREAS, the Village of Big Rock Board of Trustees desires to amend the accessory structure regulations in all zoning districts to require a ten foot (10') separation requirement between an accessory structure and a principal structure or any other accessory structure; and

WHEREAS the Village of Big Rock Zoning Ordinance regulates parking and driveway requirements for residential uses; and

WHEREAS, the Village of Big Rock Board of Trustees desires to amend the various parking regulations that pertain to single-family and duplex dwellings to clarify where off-street parking is permitted, to limit the number of vehicles which may be parked on a property, and to make other amendments related thereto; and

WHEREAS, the Village of Big Rock Planning and Zoning Commission conducted a public hearing after due notice to consider these various Zoning Ordinance text amendments, and unanimously recommended approval of the Zoning Ordinance text amendments set forth herein; and

WHEREAS, the Village of Big Rock Board of Trustees desires to approve the Zoning Ordinance text amendments set forth herein, finding that these text amendments will promote and preserve the public health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Big Rock, Kane County, Illinois, as follows:

Section 1: The above-stated Recitals are hereby restated and incorporated into this Section 1 as though fully set forth herein.

Section 2: Article VI, "A-1 Agricultural District," Section 6.2 "Uses", Subsection B "Permitted Accessory Uses, Setbacks and Size Restrictions," subpart (9), of the Village of Big Rock Zoning Ordinance is hereby amended as follows (amendments are indicated by underlined and **shaded** text; deletions are indicated by ~~strikeouts~~):

ARTICLE VI. A-1 AGRICULTURAL DISTRICT

....

6.2 USES

....

B. Permitted Accessory Uses, Setbacks and Size Restrictions:

....

- (9) All accessory structures shall be located at least fifteen (15) feet from any other accessory structure and maintain a minimum setback of one hundred (100) feet from the rear and rear side yards. No accessory structure shall be permitted in the front yard or corner side yard abutting a street. All accessory structures shall be located at least fifteen (15) feet from a principal structure.

Section 3: Article VII, “Residential Districts,” Section 7.2 “R-E Residential Estate District”, Subsection C “Permitted Accessory Uses, Setbacks and Size Restrictions,” subpart (5), of the Village of Big Rock Zoning Ordinance is hereby amended as follows (amendments are indicated by underlined and **shaded** text; deletions are indicated by ~~strikeouts~~):

ARTICLE VII. RESIDENTIAL DISTRICTS

....

7.2 R-E, RESIDENTIAL ESTATE DISTRICT

....

C. Permitted Accessory Uses, Setbacks and Size Restrictions:

....

- (5) All accessory structures shall maintain a minimum setback of ten (10) feet from the rear and rear side yards. No accessory structure shall be permitted in the front yard or corner side yard abutting a street. All accessory structures shall be located at least ten (10) feet from a principal structure and any other accessory structures.

Section 4: Article VII, “Residential Districts,” Section 7.3 “R-R Rural Residential District”, Subsection C “Permitted Accessory Uses, Setbacks and Size Restrictions,” subpart (3), of the Village of Big Rock Zoning Ordinance is hereby amended as follows (amendments are indicated by underlined and **shaded** text; deletions are indicated by ~~strikeouts~~):

ARTICLE VII. RESIDENTIAL DISTRICTS

7.3 R-R, RURAL RESIDENTIAL DISTRICT

....

C. Permitted Accessory Uses, Setbacks and Size Restrictions:

....

- (3) All accessory structures shall maintain a minimum setback of ten (10) feet from the rear and rear side yards. No accessory structure shall be permitted in the front yard or corner side yard abutting a street. All accessory structures shall be located at least ten (10) feet from a principal structure and any other accessory structures.

Section 5: Article VII, “Residential Districts,” Section 7.4 “R, Single-Family Residential District”, Subsection C “Permitted Accessory Uses, Setbacks and Size Restrictions,” subpart (3), of the Village of Big Rock Zoning Ordinance is hereby amended as follows (amendments are indicated by underlined and shaded text; deletions are indicated by ~~strikeouts~~):

ARTICLE VII. RESIDENTIAL DISTRICTS

7.4 R, SINGLE-FAMILY RESIDENTIAL DISTRICT

....

C. Permitted Accessory Uses, Setbacks and Size Restrictions:

....

- (3) All accessory structures shall maintain a minimum setback of ten (10) feet from the rear and rear side yards. No accessory structure shall be permitted in the front yard or corner side yard abutting a street. All accessory structures shall be located at least ten (10) feet from a principal structure and any other accessory structures.

Section 6: Article VII, “Residential Districts,” Section 7.5 “R-1, Town Center Residential District”, Subsection C “Permitted Accessory Uses, Setbacks and Size Restrictions,” subpart (3), of the Village of Big Rock Zoning Ordinance is hereby amended as follows (amendments are indicated by underlined and shaded text; deletions are indicated by ~~strikeouts~~):

ARTICLE VII. RESIDENTIAL DISTRICTS

7.5 R-1, TOWN CENTER RESIDENTIAL DISTRICT

....

C. Permitted Accessory Uses, Setbacks and Size Restrictions:

....

- (3) All accessory structures shall maintain a minimum setback of ten (10) feet from the rear and rear side yards. No accessory structure shall be permitted in the front yard or corner side yard abutting a street. All accessory structures shall be located at least ten (10) feet from a principal structure and any other accessory structures.

Section 7: Article VII, “Residential Districts,” Section 7.6 “R-2, Double-Family Residential District”, Subsection C “Permitted Accessory Uses, Setbacks and Size Restrictions,” subpart (3), of the Village of Big Rock Zoning Ordinance is hereby amended as follows (amendments are indicated by underlined and shaded text; deletions are indicated by ~~strikeouts~~):

ARTICLE VII. RESIDENTIAL DISTRICTS

7.6 R-2, DOUBLE-FAMILY RESIDENTIAL DISTRICT

....

C. Permitted Accessory Uses, Setbacks and Size Restrictions:

....

- (3) All accessory structures shall maintain a minimum setback of ten (10) feet from the rear and rear side yards. No accessory structure shall be permitted in the front yard or corner side yard abutting a street. All accessory structures shall be located at least ten (10) feet from a principal structure and any other accessory structures.

Section 8: Article VII, “Residential Districts,” Section 7.7 “R-3, Multiple-Family Residential District”, Subsection C “Permitted Accessory Uses, Setbacks and Size Restrictions,” subpart (3), of the Village of Big Rock Zoning Ordinance is hereby amended as follows (amendments are indicated by underlined and shaded text; deletions are indicated by ~~strikeouts~~):

ARTICLE VII. RESIDENTIAL DISTRICTS

7.7 R-3, MULTIPLE-FAMILY RESIDENTIAL DISTRICT

....

C. Permitted Accessory Uses, Setbacks and Size Restrictions:

....

- (3) All accessory structures shall maintain a minimum setback of ten (10) feet from the rear and rear side yards. No accessory structure shall be permitted in the front yard or corner side yard abutting a

street. All accessory structures shall be located at least ten (10) feet from a principal structure and any other accessory structures.

Section 9: Article VII, “Residential Districts,” Section 7.8 “R-4, High Density Multiple-Family Residential District”, Subsection C “Permitted Accessory Uses, Setbacks and Size Restrictions,” subpart (3), of the Village of Big Rock Zoning Ordinance is hereby amended as follows (amendments are indicated by underlined and **shaded** text; deletions are indicated by ~~strikeouts~~):

ARTICLE VII. RESIDENTIAL DISTRICTS

7.8 R-4, HIGH-DENSITY MULTIPLE-FAMILY RESIDENTIAL DISTRICT

....

C. Permitted Accessory Uses, Setbacks and Size Restrictions:

....

- (3) All accessory structures shall maintain a minimum setback of ten (10) feet from the rear and rear side yards. No accessory structure shall be permitted in the front yard or corner side yard abutting a street. All accessory structures shall be located at least ten (10) feet from a principal structure and any other accessory structures.

Section 10: Article VIII, “Business Districts,” Section 8.2 “B-1, Central Business District”, Subsection G “Permitted Accessory Uses, Setbacks and Size Restrictions,” subpart (1), of the Village of Big Rock Zoning Ordinance is hereby amended as follows (amendments are indicated by underlined and **shaded** text; deletions are indicated by ~~strikeouts~~):

ARTICLE VIII. BUSINESS DISTRICTS

8.2 B-1, CENTRAL BUSINESS DISTRICT

....

G. Permitted Accessory Uses, Setbacks and Size Restrictions:

....

- (1) All accessory structures shall maintain a minimum setback of ten (10) feet from the rear and rear side yards, and shall not be located in front yards or front corner side yards. However, where a side or rear lot line coincides with a side or rear lot line in a residential or institutional use, the “Transition Yard” requirements shall govern accessory structure setbacks. All accessory structures shall be located at least ten (10) feet from a principal structure and any other accessory structures.

Section 11: Article VIII, “Business Districts,” Section 8.3 “B-2, General Business District”, Subsection G “Permitted Accessory Uses, Setbacks and Size Restrictions,” subpart (1), of the Village of Big Rock Zoning Ordinance is hereby amended as follows (amendments are indicated by underlined and shaded text; deletions are indicated by ~~strikeouts~~):

ARTICLE VIII. BUSINESS DISTRICTS

8.3 B-2, GENERAL BUSINESS DISTRICT

....

G. Permitted Accessory Uses, Setbacks and Size Restrictions:

....

- (1) All accessory structures shall maintain a minimum setback of ten (10) feet from the rear and rear side yards, and shall not be located in front yards or front corner side yards. However, where a side or rear lot line coincides with a side or rear lot line in a residential or institutional use, the “Transition Yard” requirements shall govern accessory structure setbacks. All accessory structures shall be located at least ten (10) feet from a principal structure and any other accessory structures.

Section 12: Article VIII, “Business Districts,” Section 8.4 “B-3, Town Center Business District”, Subsection G “Permitted Accessory Uses, Setbacks and Size Restrictions,” subpart (1), of the Village of Big Rock Zoning Ordinance is hereby amended as follows (amendments are indicated by underlined and shaded text; deletions are indicated by ~~strikeouts~~):

ARTICLE VIII. BUSINESS DISTRICTS

8.4 B-3, TOWN CENTER BUSINESS DISTRICT

....

G. Permitted Accessory Uses, Setbacks and Size Restrictions:

....

- (1) All accessory structures shall maintain a minimum setback of ten (10) feet from the rear and rear side yards, and shall not be located in front yards or front corner side yards. All accessory structures shall be located at least ten (10) feet from a principal structure and any other accessory structures.

Section 13: Article VIII, “Business Districts,” Section 8.5 “B-4, Commercial Recreation/Institutional”, Subsection G “Permitted Accessory Uses, Setbacks and Size Restrictions,” of the Village of Big Rock Zoning Ordinance is hereby amended as follows (amendments are indicated by underlined and shaded text; deletions are indicated by ~~strikeouts~~):

ARTICLE VIII. BUSINESS DISTRICTS

8.5 B-4, COMMERCIAL RECREATION/INSTITUTIONAL.

....

G. Permitted Accessory Uses, Setbacks and Size Restrictions: Accessory structures and uses shall be allowed when compatible with and customarily incidental to the primary permitted or special use on the property. The number, size and setbacks of accessory structures shall be determined as part of the special use permit process for the underlying proposed use. All accessory structures shall be located at least ten (10) feet from a principal structure and any other accessory structures.

Section 14: Article VIII, “Business Districts,” Section 8.6 “MCU – Mixed Commercial District”, Subsection G “Permitted Accessory Uses, Setbacks and Size Restrictions,” subpart (1), of the Village of Big Rock Zoning Ordinance is hereby amended as follows (amendments are indicated by underlined and shaded text; deletions are indicated by ~~strikeouts~~):

ARTICLE VIII. BUSINESS DISTRICTS

8.6 MCU – MIXED COMMERCIAL DISTRICT

....

G. Permitted Accessory Uses, Setbacks and Size Restrictions:

....

- (1) All accessory structures shall maintain a minimum setback of ten (10) feet from the rear and rear side yards, and shall not be located in front yards or front corner side yards. All accessory structures shall be located at least ten (10) feet from a principal structure and any other accessory structures.

Section 15: Article IX, “Office, Research, Industrial & Manufacturing,” Section 9.1 “ORI – Office, Research, and Light Industrial District”, Subsection I “Permitted Accessory Uses, Setbacks and Size Restrictions,” subpart (2) “Setbacks”, of the Village of Big Rock Zoning Ordinance is hereby amended as follows (amendments are indicated by underlined and shaded text; deletions are indicated by ~~strikeouts~~):

ARTICLE IX. OFFICE, RESEARCH, INDUSTRIAL & MANUFACTURING

9.1 OFFICE, RESEARCH, AND LIGHT INDUSTRIAL DISTRICT

....

I. Permitted Accessory Uses, Setbacks and Size Restrictions:

....

- (2) Setbacks: All accessory structures shall maintain a minimum setback of ten (10) feet from the side and rear property lines, and shall not be located in front yards or front corner side yards. However, where a side or rear lot line coincides with a side or rear lot line in a residential or institutional use, the “Transition Yard” requirements shall govern accessory structure setbacks. All accessory structures shall be located at least ten (10) feet from a principal structure and any other accessory structures.

Section 16: Article IX, “Office, Research, Industrial & Manufacturing,” Section 9.2 “M - Manufacturing”, Subsection H “Permitted Accessory Uses, Setbacks and Size Restrictions,” subpart (1) of the Village of Big Rock Zoning Ordinance is hereby amended as follows (amendments are indicated by underlined and shaded text; deletions are indicated by ~~strikeouts~~):

ARTICLE IX. OFFICE, RESEARCH, INDUSTRIAL & MANUFACTURING

9.2 M - MANUFACTURING

....

H. Permitted Accessory Uses, Setbacks and Size Restrictions:

....

- (1) All accessory structures shall maintain a minimum setback of ten (10) feet from the side and rear property lines, and shall not be located in front yards or front corner side yards. However, where a side or rear lot line coincides with a side or rear lot line in a residential or institutional use, the “Transition Yard” requirements shall govern accessory structure setbacks. All accessory structures shall be located at least ten (10) feet from a principal structure and any other accessory structures.

Section 17: Article XIII, “Off-Street Parking and Loading,” Section 13.3 “Off-Street Parking, Regulations and Requirements”, Subsections C and H, of the Village of Big Rock Zoning Ordinance are hereby amended as follows (amendments are indicated by underlined and shaded text; deletions are indicated by ~~strikeouts~~):

ARTICLE XIII. OFF-STREET PARKING AND LOADING

....

13.3 OFF-STREET PARKING, REGULATIONS AND REQUIREMENTS

....

C. Yard Requirements:

(1) Single-Family Dwellings and Duplexes:

- (a) Driveways may be constructed in any yard, provided they maintain a setback of five (5) feet from any interior side or rear lot line. This section is not intended, however, to preclude access from the street to a driveway that may be constructed parallel to that street.
- (b) For purposes of this Ordinance, single-family dwellings and duplexes are required to maintain at least two (2) off-street parking spaces which may be located within a private garage or on a private, improved driveway or on a stand-alone parking space. No more than five (5) motor vehicles (including licensed trailers) may be parked at any one time on a driveway or off-street parking space on a single-family dwelling (excluding guest parking). Guests may park in the unimproved right-of-way immediately adjacent to the single-family dwelling for up to twelve (12) consecutive hours.

H. Design

(1) Surface:

- (a) All open off-street parking lots and driveways for ~~new residential dwellings~~ single-family dwellings and duplexes shall be improved with a hard surface or gravel, as approved by the Village Engineer. The Village Engineer may require modifications to the standards listed below for asphalt and concrete pavements, depending upon the intended use of the driveway or parking lot:

.....

Section 18: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of the conflict.

Section 19: This ordinance shall be in full force and effect after its passage, approval and publication in pamphlet form as provided by law.

PRESENTED to the Board of Trustees of the Village of Big Rock, Kane County, Illinois on this 8th day of January, 2019.

Trustee Hanninen ____ Trustee Metzger ____ Trustee Lynch ____

Trustee McCannon ____ Trustee Walsh ____ Trustee Fitzpatrick ____

PASSED by the Board of Trustees of the Village of Big Rock, Kane County, Illinois, this 8th day of January, 2019.

SIGNED by the President of the Board of Trustees of the Village of Big Rock, Kane County, Illinois, this 8th day of January, 2019.

Dean Hummell, President
Village of Big Rock, Illinois

ATTEST:

Tim May, Village Clerk
Village of Big Rock, Illinois

(SEAL)

STATE OF ILLINOIS)
) SS
COUNTY OF KANE)

CLERK’S CERTIFICATE

I, Tim May, certify that I am the Village Clerk of the Village of Big Rock, Kane County, Illinois, and as such officer I am the keeper of the records, files and proceedings of the corporate authorities of said municipality.

I further certify that:

ORDINANCE NO. 2019-_____

AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE ZONING ORDINANCE CONCERNING ACCESSORY STRUCTURES AND PARKING REGULATIONS

was adopted by the President and Board of Trustees of the Village of Big Rock at a meeting held on January, 2019 and approved by the Village President on January, 2019. I do further certify that a quorum of said Board of Trustees was present at said meeting, and that the Board complied with all the requirements of the Illinois Open Meeting Act.

I do further certify that the ordinance, of which the attached is a true and correct copy, is entrusted to my care for safekeeping, and that I am the lawful keeper of same.

IN WITNESS WHEREOF, I have hereunto affixed my official hand and the seal of the municipality this 8th day of January, 2019.

(SEAL)

Tim May, Village Clerk
Village of Big Rock, Illinois