

## CHAPTER 3

### Zoning Districts

#### SEC. 8-3-1 ESTABLISHMENT OF DISTRICTS.

- (a) **Districts.** For the purpose of this Chapter, present and future, provision is hereby made for the division of the Village of Hales Corners into the following ten (10) basic zoning districts:
- R-1 Residence District
  - R-2 Residence District
  - R-3 Residence District
  - R-4 Residence District
  - B-1 Shopping Center District
  - B-2 General Business District
  - B-3 Automobile Oriented Business District
  - B-4 Office and Professional Services District
  - M-1 Light Manufacturing District
  - P-1 Park and Institutional District
  - RCO Redevelopment/Conservation Overlay District
  - PUD Planned Unit Development Overlay District (Chapter 4)
  - FW Floodplain-Wetland District (Chapter 5)

#### SEC. 8-3-2 VACATION OF STREETS; ANNEXATIONS.

- (a) **Vacation of Streets.** Vacation of public streets and alleys shall cause the land vacated to be automatically placed in the same district as the abutting side to which the vacated land reverts.
- (b) **Annexations.** Annexations to or consolidations with the Village subsequent to the effective date of this Chapter shall be placed in the R-1 Residence District, unless the annexation ordinance places the land in another district.

#### SEC. 8-3-3 ZONING MAP.

- (a) **Official Zoning Map.** The Village of Hales Corners is hereby divided into Zoning Districts as shown upon a map designated as the Official Zoning Map of the Village of Hales Corners, dated May 11, 1957, and made a part of this Chapter. The Official Zoning Map and all the notations, references, amendments and other information shown thereon are a part of this Ordinance and shall have the same force and effect as if the matters and information set forth by said map were fully described herein. The Official Zoning Map shall be properly attested and kept on file along with the text of the Official Zoning Regulations in the office of the Village Administrator.
- (b) **District Boundaries.** The District boundaries shall be determined by measurement from and as shown on the Official Zoning Map, and in case of any question as to the interpretation of

such boundary lines, the Village Board shall interpret the map according to the reasonable intent of this Chapter. Unless otherwise specifically indicated or dimensioned on the map, the district boundaries are normally lot lines; section, quarter section or sixteenth section lines; or the centerlines of streets, highways, railways or alleys.

#### **SEC. 8-3-4 RULES FOR INTERPRETATION OF DISTRICT BOUNDARIES.**

Where uncertainty exists as to the boundaries of districts as shown on the Zoning Map, the following rules shall apply:

- (a) Boundaries indicated as approximately following the centerlines of streets, highways or alleys shall be construed to follow such centerlines.
- (b) Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
- (c) Where a district boundary line divides a lot in a single ownership on December 10, 1956, the regulations for either portion of such lot may extend to the entire lot, but not more than twenty-five (25) feet beyond the boundary line of the district for which such regulations are established, otherwise the more restrictive district regulations to the property owner will apply.
- (d) In unsubdivided property, unless otherwise indicated, the district boundary lines are the centerlines of streets, highways, railroads, section lines, quarter section lines or such lines extended. Whenever a portion of any district is indicated upon the Zoning Map as a strip paralleling an opened or unopened street or highway, the width of this strip, unless otherwise indicated, shall be assumed to be one hundred twenty (120) feet, measured at right angles from the nearest street or right-of-way of the street or highway to which it is parallel and adjacent.
- (e) In unsubdivided property, districts shown as narrow strips adjacent to streets or highways are intended to stop at lines which would mark an alley or the end of a block when platted. The normal length of a block, center to center of street, is six hundred sixty (660) feet in a north and south direction and three hundred thirty (330) feet in an east and west direction. A district may extend one (1) or more blocks or fraction of a block as indicated by the length of the district shown on the Zoning Map.
- (f) Where uncertainty exists with respect to the boundaries of the various districts shown on the Zoning Map, such boundaries shall be determined by use of the scale contained on such Map.

#### **SEC. 8-3-5 R-1 RESIDENCE DISTRICT.**

- (a) **Definition and Purpose.** The intent of the R-1 Residence District is to provide for the blend of one and two-family dwelling units. The minimum lot size of slightly less than one quarter acre provides the greatest density of dwelling units in one and/or two family districts.
- (b) **Permitted Uses.**
  - (1) Two (2) family dwellings.
  - (2) Single-family dwellings.
  - (3) Public parks, playgrounds, recreational buildings and grounds; golf courses, country

clubs, tennis courts and similar recreational uses, all of a non-business nature, provided that any principal building used therefor shall be located not less than forty (40) feet from any other lot in any Residence District.

- (4) Private non-business recreational uses and facilities other than swimming pools may be permitted if specifically authorized by the Plan Commission based upon a finding that the intent of residential zoning shall be preserved.
- (5) Community living arrangements for eight (8) or fewer persons.
- (c) **Conditional Uses.**
  - (1) Churches.
  - (2) Schools, colleges or universities conducted not for profit and not including private music, dancing, business or vocational schools.
  - (3) Libraries, museums, community buildings.
  - (4) Community living arrangements for nine (9) to fifteen (15) persons.
- (d) **Building Height Limitations.** Not to exceed thirty (30) feet.
- (e) **Building Site Area Required.** The minimum lot or building site area shall be ten thousand (10,000) square feet. The minimum frontage shall be seventy-five (75) feet. No building shall occupy in excess of thirty-five percent (35%) of the area of an interior lot, nor in excess of forty percent (40%) of the area of a corner lot. Accessory buildings may not exceed ten percent (10%) of the area of an interior or a corner lot.
- (f) **Front Yard Requirements.** No building or other structure shall be erected or structurally altered whose front wall is closer than thirty-five (35) feet to a street line or front lot line. If the property is unplatted and no street or lot line is of record, then no building shall be erected or structurally altered whose front wall is nearer than sixty-five (65) feet to the centerline of the street or highway upon which the building site fronts.
- (g) **Side Yard Requirements.** There shall be a side yard on each side of the building:
  - (1) For a building with an attached garage, on all sides, a yard of not less than ten (10) feet.
  - (2) For a building where there is a detached garage, on the north or west side, a yard of not less than ten (10) feet and, on the south or east side, a yard of not less than twenty (20) feet.
- (h) **Rear Yard Requirements.** There shall be a rear yard of not less than forty (40) feet.
- (i) **Population Density Limitations.** No building shall be erected or structurally altered on a lot which provides less than five thousand (5,000) square feet of land area per family or housekeeping unit and less than forty (40) feet of lot width per building for each family or housekeeping unit.

**SEC. 8-3-6 R-2 RESIDENCE DISTRICT.**

- (a) **Definition and Purpose.** The intent of the R-2 Residence District is to consist mainly of single family dwelling units on lots slightly large than one third acre. Two family construction is permitted on main arterials and streets along section lines as a conditional use.
- (b) **Permitted Uses.**
  - (1) Single-family dwellings.
  - (2) Public parks, playgrounds, recreational buildings and grounds; golf courses, country

clubs, tennis courts and similar recreational uses, all of a non-business nature, provided that any principal building used therefor shall be located not less than forty (40) feet from any other lot in any Residence District.

(c) **Conditional Uses.**

- (1) Churches.
- (2) Schools, colleges or universities conducted not for profit and not including private music, dancing, business or vocational schools.
- (3) Libraries, museums, community buildings.
- (4) Private non-business recreational uses and facilities, other than swimming pools, may be permitted if specifically authorized by the Plan Commission based upon a finding that the intent of residential zoning shall be preserved.
- (5) Two (2) family dwellings.
  - a. The Plan Commission may permit the construction of new two (2) family dwellings or the conversion of existing residences or buildings to two (2) family dwellings on lots abutting federal, state or county trunk highways, and on lots abutting those traffic arteries running along quarter section and section lines in either north-south or east-west directions. The height, building site area and coverage and required yards for single-family dwelling in this district shall also apply to two (2) family dwellings where sanitary sewers are available to service the lot. Attached or detached accessory buildings may be provided on the lot for all new construction to house at least one (1) car per unit.
  - b. The following criteria and any other criteria the Plan Commission deems appropriate shall be evaluated in the determination to grant or deny:
    1. The zoning in effect in the area abutting or in the immediate neighborhood of the proposed construction.
    2. Existing uses on the land in the immediate neighborhood of the proposed construction.
    3. The architectural design of the proposed building and its acceptability with the existing architectural character of the neighborhood considering building height, exterior architecture and building elevations.
    4. Location of the proposed residence or addition on the lot and its relationship to adjacent and abutting buildings and properties.
    5. Abutting street actually functions as a major traffic artery.
    6. Proximity to the other two (2) family residences, multi-family residences and business or industrial uses.
- (6) Community living arrangements for nine (9) to fifteen (15) persons.
- (7) Radio stations provided that buildings in which such uses are housed shall be located on lots not less than twenty (20) acres in size, abut two arterial streets and adjacent to P-1 Parks and Institutional District.

(d) **Building Height Limitations.** Not to exceed thirty (30) feet.

(e) **Building Site Area Required.** The minimum lot or building site area shall be fifteen thousand (15,000) square feet. The minimum frontage shall be ninety (90) feet. No building shall occupy in excess of thirty-five percent (35%) of the area of an interior lot, nor

in excess of forty percent (40%) of the area of a corner lot. Accessory buildings may not exceed ten percent (10%) of the area of an interior or a corner lot.

- (f) **Front Yard Requirements.** No building or other structure shall be erected or structurally altered whose front wall is closer than forty-five (45) feet to a street or front lot line. If the property is unplatted and no street or lot line is of record, then no building shall be erected or structurally altered whose front wall is nearer than ninety (90) feet to the centerline of the street or highway upon which the building site fronts.
- (g) **Side Yard Requirements.** There shall be a side yard on each side of the building:
  - (1) For a building with an attached garage, a side yard of not less than ten (10) feet on the north or west and fifteen (15) feet on the south or east.
  - (2) For a building where there is a detached garage, on the north or west side, a yard of not less than ten (10) feet and, on the south or east side, a yard of not less than twenty-five (25) feet.
- (h) **Rear Yard Requirements.** There shall be a rear yard of not less than forty (40) feet.

### SEC. 8-3-7 R-3 RESIDENCE DISTRICT.

- (a) **Definition and Purpose.** The intent of the R-3 Residence District is to be restrictive to single family dwelling units. The minimum lot size of slightly less than one half acre provides for a spacious residential neighborhood.
- (b) **Permitted Uses.**
  - (1) Single-family dwellings.
  - (2) Public parks, playgrounds, recreational buildings and grounds; golf courses, country clubs, tennis courts and similar recreational uses, all of a non-business nature, provided that any principal building used therefor shall be located not less than forty (40) feet from any other lot in any Residence District.
- (c) **Conditional Uses.**
  - (1) Churches.
  - (2) Schools, colleges or universities conducted not for profit and not including private music, dancing, business or vocational schools.
  - (3) Libraries, museums, community buildings.
  - (4) Private non-business recreational uses and facilities, other than swimming pools, may be permitted if specifically authorized by the Plan Commission based upon a finding that the spirit of residential zoning shall be preserved.
  - (5) Community living arrangements for nine (9) to fifteen (15) persons.
- (d) **Building Height Limitations.** Not to exceed thirty (30) feet.
- (e) **Building Site Area Required.** The minimum lot or building site area shall be twenty thousand (20,000) square feet. The minimum frontage shall be one hundred (100) feet. No building shall occupy in excess of thirty-five percent (35%) of the rear of an interior lot, nor in excess of forty percent (40%) of the area of a corner lot. Accessory buildings may not exceed ten percent (10%) of the area of an interior lot or corner lot.
- (f) **Front Yard Requirements.** No building or other structure shall be erected or structurally altered whose front wall is closer than sixty (60) feet to a street line or front lot line. If the property is unplatted and no street or lot line is on record, then no building shall be erected or structurally altered whose front wall is nearer than ninety (90) feet to the centerline of the

street or highway upon which the building site fronts.

- (g) **Side Yard Requirements.** There shall be a side yard on each side of the building:
  - (1) For a building with an attached garage, on all sides, a yard of not less than fifteen (15) feet.
  - (2) For a building where there is a detached garage, on the north or west side, a yard of not less than fifteen (15) feet and, on the south or east side, a yard of not less than thirty (30) feet.
- (h) **Rear Yard Requirements.** There shall be a rear yard of not less than forty (40) feet.

#### **SEC. 8-3-8 R-4 RESIDENCE DISTRICT.**

- (a) **Definition and Purpose.** The intent of R-4 Residence District is to provide for multi-family developments, (three or more dwelling units per building), as a conditional use. Other private and public recreational uses and residential facilities may be permitted.
- (b) **Permitted Uses.**
  - (1) Public parks, playgrounds, recreational buildings and grounds; golf courses, country clubs, tennis courts and similar recreational uses, all of a non-business nature, provided that any principal building used therefor shall be located not less than forty (40) feet from any other lot in any Residence District.
- (c) **Conditional Uses.**
  - (1) Private clubs, fraternities, lodges, excepting those the major activity of which is a service customarily carried on as a business, provided that buildings in which such uses are housed shall be located at least forty (40) feet from any other lot in any Residence District. At least one (1) automobile off-street parking space for every one hundred (100) square feet of floor area shall be provided with no portion of said paved parking area closer than twenty (20) feet to any other lot in any Residence District, and said twenty (20) feet shall be landscaped and maintained in an attractive manner.
  - (2) Convalescent homes, homes for the aged and rest homes, subject to licensing by the State Board of Health and designed for the care and treatment of the ill, the aged or the infirm, but shall not include institutions for the care and treatment of contagious or infectious diseases, of drug addition, alcoholism, epilepsy, insanity or feeble mindedness. Provided, further, that buildings in which such uses are housed shall be located forty (40) feet from any other lot in any Residence District. At least one (1) automobile off-street parking space for every two (2) beds planned for patients shall be provided with no portion of said paved parking area closer than twenty (20) feet to any other lot in any Residence District, and said twenty (20) feet shall be landscaped and maintained in an attractive manner.
  - (3) Multi-family dwellings for more than two (2) families or housekeeping units constructed of brick, split-rock, stone or other acceptable material so as to minimize exterior maintenance problems and designed with staggered studding, woven insulation, acoustical materials, separate plumbing stacks or other acceptable means of reducing the level of noise transmitted between individual units to a significant degree.
  - (4) Planned residential development projects pursuant to Chapter 4.

- (5) Funeral homes provided that buildings in which such uses are housed shall be located at least forty (40) feet from any other lot in any Residence District.
- (6) Development projects for the elderly may be permitted on tracts of land containing at least two (2) acres, provided the proposed residential development will not adversely affect adjacent properties and is reviewed under the procedures outlined in Chapter 4.
- (7) Private non-business recreational uses and facilities, other than swimming pools, may be permitted if specifically authorized by the Plan Commission based upon a finding that the spirit of residential zoning shall be preserved.
- (8) Churches, provided that buildings in which such uses are housed shall be located at least forty (40) feet from any other lot in any Residence District. At least one (1) automobile off-street parking space for every one hundred (100) feet of floor area shall be provided with no portion of said paved parking area closer than twenty (20) feet from any other lot in any Residence District, and said twenty (20) feet shall be landscaped and maintained in an attractive manner.
- (d) **Building Height Limitations.** Not to exceed thirty-five (35) feet.
- (e) **Building Site Area Required.** The minimum lot or building site area shall be ten thousand (10,000) square feet. The minimum lot width shall be eighty (80) feet. No building or combination of buildings shall occupy in excess of thirty percent (30%) of the area of the lot, excluding all of the area within street rights-of-way. No building shall be erected or structurally altered on a lot which provides less than two thousand five hundred (2,500) square feet of land for each efficiency or one (1) bedroom unit and three thousand five hundred (3,500) square feet of land area of each unit with two (2) or more bedrooms. If sanitary sewers are not available to service the site, the applicant shall provide percolation tests to provide the capabilities of the soil to serve the intended use.
- (f) **Off-Street Parking and Buffering Areas.** Off street parking areas, excluding necessary access drives, but including maneuvering areas, shall not encroach into the required front setback for interior and corner lots and not into the required side street setback for corner lots. Two (2) off-street parking stalls shall be provided for each residential unit with the stalls for each unit for the sole use of occupants of the buildings or guests thereto. The Building Board may require that off-street parking areas for multiple-family dwellings or other conditional uses be screened from abutting properties located in residence districts by a buffering area or by a solid fence or masonry wall of acceptable design and material. The off-street parking areas and access drives for all conditional uses shall be surfaced to conform to Board of Public Works' specifications so as to provide a durable and dustless surface satisfactorily drained. Prior to the issuance of an occupancy permit, the above improvements must have been completed or a surety filed to guarantee to the Village that these improvements will be installed within one (1) year of occupancy.
- (g) **Front Yard Requirements.** No building or other structure shall be erected or structurally altered whose front wall is closer than thirty-five (35) feet to a street line or front lot line. If the property is unplatted and no street or lot line is of record, then no building shall be erected or structurally altered whose front wall is nearer than seventy (70) feet to the centerline of the street or highway upon which the building site fronts.

- (h) **Side Yard Requirements.** There shall be a side yard of twenty (20) feet on each side of the building.
  - (i) **Rear Yard Requirements.** There shall be a rear yard of not less than forty (40) feet.
- Reference: Ordinance 01-14

**SEC. 8-3-9 B-1 SHOPPING CENTER DISTRICT.**

- (a) **Definition and Purpose.** The intent of the B-1 Shopping Center District is to provide for groupings of retail and customer service establishments in a shopping center setting. The district promotes on-site parking for customer automobiles combined with a pedestrian-oriented shopping environment.
- (b) **Permitted Uses.** Subject to the provisions of Sec. 8-2-2(a)(1).
  - (1) Permitted uses in this district include large general merchandise stores, food stores, apparel and accessory stores, drug stores, department stores, gift shops, personal services, banks/savings and loan institutions, restaurants, offices for insurance agents, accountants, dentists, doctors, lawyers, chiropractors, parking lots, personal service shops, clinics, studios, tailor shops, clothing cleaning and pressing stores (provided no cleaning or pressing equipment is kept on the premises), beauty shops, utility offices, contractors' offices (no yards), manufacturers' representatives, real estate agencies, and other professional and similar offices.
  - (2) Signs, or other advertising medium complying with this Code of Ordinances.
  - (3) Any other business enterprise, which is similar in character to those listed in Subsection (b)(1) above, but the following types of uses shall not be permitted:
    - a. Amusement, outdoor.
    - b. Automobile wrecking or automobile dismantling or selling of used automobile parts, and automobile body shops.
    - c. Bakeries employing more than seven (7) persons on the premises.
    - d. Bottling works.
    - e. Building material storage yards.
    - f. Carpet, rug or bag cleaning establishment.
    - g. Coal, coke, lumber or wood yards.
    - h. Commercial dairies.
    - i. Commercial dog kennels for propagating or raising or boarding dogs; rabbits, foxes, minks, goats and other animal propagating or raising or boarding farms.
    - j. Commercial production of eggs, or hatching, raising, fattening or butchering of chickens, turkeys or other poultry or fowl on a commercial scale. Any poultry house or houses on any building site area having an aggregate floor area of four hundred fifty (450) square feet or more shall be considered to be a commercial poultry or fowl house under this Section.
    - k. Contractor's plant or storage yard.
    - l. Clothes cleaning stores with more than four (4) persons, including owners working in the business.
    - m. Farms for the raising, feed or fattening of hogs for market on a wholesale or commercial basis.

- n. Ice plant or storage house of more than twenty-five (25) ton capacity.
- o. Laundry employing more than four (4) persons on the premises.
- p. Live poultry or fowl market.
- q. Machine shops.
- r. Sheet metal or tin shops or furnace works.
- s. Stone yard or monument works.
- t. Stone dressing of paint grinding stones.
- u. Storage of iron, bottles, rags or junk.
- v. Trucking contractor's garage or storage yard.
- w. Any kind of manufacture or treatment other than the manufacture or treatment of products clearly incidental to the conduct of a retail business conducted on the premises.
- x. All uses excluded from the M-1 Light Manufacturing District.
- y. Outdoor theaters.

(c) **Conditional Uses.**

- (1) Private clubs, fraternities and lodges.
- (2) Drive-in uses. In determining the application for drive-in use, the Plan Commission shall consider the width of and the speed limits on the street or streets abutting the property; the proximity of other drive-in uses; the number of driveways existing and proposed in the immediate vicinity; the proximity of public and semi-public buildings, institutions, churches, hospitals, sanitariums, schools and colleges; the effect and control of certain aspects of the proposed operations such as lighting, litter, vehicle lights, loitering, etc., on adjacent properties; and any other factor which the Plan Commission deems pertinent. In addition, the following requirements shall apply to the proposed driveways and areas to be used by vehicles; no curb cuts or driveways shall be located within ten (10) feet of an adjoining property line as extended to the curb; driveways shall be at least one hundred fifty (150) feet from any other driveway and one hundred fifteen (115) feet from the point of intersection of the two (2) street lines on a corner lot; a raised curb of at least six (6) inches in height shall be erected along all the street property lines except for driveway openings; and the entire area used by vehicles shall be paved with permanent surface conforming to specifications of the Board of Public Works.
- (3) Parking and storage lots. The requirements for curb cuts and driveways under Subsection (c)(2) above shall be applicable.
- (4) Mechanical garages. The requirements for curb cuts and driveways under Subsection (c)(2) above shall be applicable.
- (5) Undertaking establishments with attached living quarters.
- (6) Veterinarian offices and/or animal hospitals.
- (7) Building supply stores.
- (8) Any building or use which is a permitted use or a conditional use in the B-1 Shopping Center District where the size of an enclosed structure used for the permitted or conditional use is fifty thousand (50,000) square feet or greater in area. This provision shall apply as an overlay over the entire zoning lot upon which said use or structure is located. This provision shall also apply as a requirement for any single use or multiple uses located within one (1)

enclosed structure or two (2) or more attached structures, if that structure or attached structures exceeds fifty thousand (50,000) square feet in area.] [Any building or use which is a permitted use or a conditional use in the B-1 Shopping Center District where the size of an enclosed structure used for the permitted or conditional use(s) for any single use or multiple uses located within one (1) enclosed structure is fifty thousand (50,000) square feet or greater in area, and seventy-five thousand (75,000) square feet or greater in area for the permitted or conditional use(s) for any single use or multiple uses located within two (2) or more attached structures. This provision shall apply as an overlay over the entire zoning lot upon which said use or structure is located.] All such uses shall follow the requirements set forth under the provisions of Section 8-6-14 of the Village of Hales Corners Zoning Code.

- (9) Churches.
- (d) **Building Height Limitations.** Not to exceed fifty (50) feet.
- (e) **Building Site Area Required.** The minimum site development area shall be two (2) acres. Minimum site frontage shall be two hundred (200) feet. Lots shall provide sufficient area for the principal structure and its accessory structures, off-street parking, loading areas, and all required yards.
- (f) **Front Yard Requirements.** For public safety and convenience, no building or other structure shall be erected or structurally altered whose front wall is closer than fifty (50) feet to the street line or front lot line.
- (g) **Side Yard Requirements.**
  - (1) On corner lots, no building or other structure shall be erected or structurally altered whose side wall is closer than fifty (50) feet from the side street line or side lot line.
  - (2) Ten (10) foot side yards are required for buildings to be used for business purposes for other than corner lots. In such cases, however, where any portion of the local business districts abuts a residential district, a side yard requirement adjoining such residential district of twenty-five (25) feet shall be required, which said twenty-five (25) feet shall not be used for driveway or parking purposes.
- (h) **Rear Yard Requirements.** There shall be a rear yard having a depth of not less than twenty five (25) feet. Accessory buildings with an entrance or exit to an alley shall be placed not nearer than five (5) feet to the alley.

Reference: Ordinance 04-07, Ordinance 05-18

## **SEC. 8-3-10 B-2 GENERAL BUSINESS DISTRICT.**

- (a) **Definition and Purpose.** The intent of the B-2 General Business District is to provide orderly development of individual general retail sales and service establishments. the district encourages the use of shared entrances and parking lots. Drive-in and drive-through uses are not permitted.
- (b) **Permitted Uses.** Subject to the provisions of Section 8-2-2(a)(1).
  - (1) Small customer service establishments, retail stores, restaurants (no drive-in facilities), and shops.
  - (2) Offices for insurance agents, accountants, dentists, doctors, lawyers, chiropractors, parking lots, personal service shops, clinics, studios, tailor shops, clothes cleaning

and pressing stores (providing no cleaning or pressing equipment is kept on the premises), beauty shops, utility offices, contractors' offices (no yards), manufacturers' representatives, real estate agencies and other professional and similar offices, financial institutions.

- (3) Signs, or other advertising medium complying with this Code of Ordinances.
- (c) **Conditional Use.** Financial Institutions with drive-in facilities, veterinary services, child day care centers, building supply stores, boat sales and recycling drop off centers are subject to the provisions of Chapter 6.
- (d) **Building Height Limitations.** Not to exceed thirty five (35) feet.
- (e) **Building Site Area Required.** The minimum business site area shall be seven thousand two hundred (7,200) square feet. A minimum street frontage of sixty (60) feet shall be provided.
- (f) **Front Yard Requirements.** For public safety and convenience, no building or other structure shall be erected or structurally altered whose front wall is closer than twenty (20) feet to the street line or front lot line.
- (g) **Side Yard Requirements.**
  - (1) On corners lots, no building or other structure shall be erected or structurally altered whose side wall is closer than twenty (20) feet from the side street line or side street lot line.
  - (2) For other than corner lots for buildings to be used for business purposes and for mixed purposes, on all sides, a yard of not less than ten (10) feet.
- (h) **Rear Yard Requirements.** There shall be a rear yard not less than twenty five (25) feet. Accessory buildings with an entrance or exit to an alley shall be placed no nearer than five (5) feet to the alley.

### SEC. 8-3-11 B-3 AUTOMOBILE ORIENTED BUSINESSES.

- (a) **Definition and Purpose.** The intent of the B-3 Automobile Oriented Business District is to provide appropriate locations for drive-in and drive-through uses and those uses which are directly associated to the automobile and not a pedestrian-oriented shopping environment.
- (b) **Permitted Uses.**
  - (1) None.
- (c) **Conditional Uses.** Automobile-oriented retail sales and services, including automotive sales and service, car washes, gasoline stations, drive-in banking and drive-in restaurants subject to the provisions of Chapter 6.
- (d) **Building Height Limitations.** Not to exceed thirty five (35) feet in height.
- (e) **Building Site Area.** The minimum business site area shall be fifteen thousand (15,000) square feet. A minimum street frontage of one hundred (100) feet shall be provided.
- (f) **Front Yard Requirements.** For public safety and convenience, no building or other structure shall be erected or structurally altered whose front wall is closer than forty (40) feet from the street line or front lot line.
- (g) **Side Yard Requirements.**
  - (1) On corner lots, no building or other structure shall be erected or structurally altered whose side wall is closer than forty (40) feet from the side street line or side street lot line.
  - (2) For other than corner lots for building to be used for business purposes, on all sides,

a yard of not less than ten (10) feet.

- (h) **Rear Yard Requirements.** There shall be a rear yard of not less than twenty five (25) feet. Accessory buildings with an entrance or exit to an alley shall be placed no nearer than five (5) feet to the alley.

### SEC. 8-3-12 B-4 OFFICE AND PROFESSIONAL SERVICES.

- (a) **Definition and Purpose.** The intent of the B-4 Office and Professional Service District is to provide for individual or grouped office and professional business service uses where compatible with surrounding uses.
- (b) **Permitted Uses.** Subject to the provisions of Section 8-2-2(a)(1).
  - (1) Offices for insurance agents, accountants, dentists, doctors, lawyers, chiropractors and chiropodists, personal service shops, clinics, studios, tailor shops, beauty shops, real estate agencies, travel services, consulting services, funeral homes, and other professional and similar offices, financial institutions.
- (c) **Conditional Uses.** Veterinary services, contractors offices, laboratories, and child day care centers.
- (d) **Building Height Limitations.** Not to exceed fifty (50) feet.
- (e) **Building Site Area Requirement.** The minimum business site area shall be seven thousand two hundred (7,200) square feet. A minimum street frontage of sixty (60) feet shall be provided.
- (f) **Front Yard Requirements.** For public safety and convenience, no building or other structure shall be erected or structurally altered whose front wall is closer than twenty (20) feet to the street line or front property line.
- (g) **Side Yard Requirements.**
  - (1) On corner lots, no building or other structure shall be erected or structurally altered whose side wall is closer than twenty (20) feet from the side street line or side street lot line.
  - (2) For other than corner lots for buildings to be used for business purposes and for mixed purposes, on all sides, a yard of not less than ten (10) feet.
- (h) **Rear Yard Requirements.** There shall be a rear yard of not less than twenty five (25) feet. Accessory buildings with an entrance or exit to an alley shall be placed no nearer than five (5) feet to the alley.

### SEC. 8-3-13 M-1 LIGHT MANUFACTURING

- (a) **Definition and Purpose.** The intent of the M-1 Light Manufacturing District is to provide for warehousing, light manufacturing, and construction-related industries.
- (b) **Permitted Uses.** Subject to the provisions of Sec. 8-2-2(a)(1).
  - (1) Light manufacturing, processing, carpenter shops, tool and die, building supply yards, bakeries, laundries, cleaning and dyeing plants, bottling plants, warehouses and similar uses.
  - (2) Any other trade, industry or use that is not obnoxious or offensive by reason of odor, dust, smoke, gas or noise, but the following types of uses are prohibited:
    - a. Acid manufacture.

- b. Auto wrecking or dismantling, commercial junk or scrap iron storage.
  - c. Blast furnace, foundry.
  - d. Boiler works.
  - e. Brewery.
  - f. Cement, lime, gypsum or plaster of paris manufacture.
  - g. Coke ovens, lime kiln.
  - h. Crematory, other than a crematory located in a cemetery.
  - i. Electric central power stations or bulk substations.
  - j. Forage plants.
  - k. Gasoline or oil storage above ground.
  - l. Glue manufacture, fat, grease, lard or tallow rendering or refining.
  - m. Gravel pits and stone quarries.
  - n. Incineration or reduction of garbage, dead animals.
  - o. Manufacture of acetylene gas, acid, ammonia, rockwool, fiberglass insulation, asbestos, asphalt or products thereof, bleaching powder, graphite, celluloid, concrete ready-mix plants, chlorine or products thereof, clay brick, clay tile, coal tar or products thereof, dextrine, disinfectant, emery cloth or sandpaper, explosives, fertilizer, gas, gelatine, glucose, lime or products thereof, linoleum, matches, oil cloth, paint, varnish or shellac, paper or pulp, perfume, poison, potash, printing ink, pyroglin or products thereof, sauerkraut, soda compounds, tar or waterproofing products, turpentine, vinegar, yeast.
  - p. Outdoor theaters.
  - q. Outdoor amusement places.
  - r. Residential dwellings or apartments.
  - s. Rolling mill.
  - t. Salt works.
  - u. Soap works.
  - v. Stockyards or slaughter of animals, tannery.
  - w. Storage of explosives.
  - x. Structural steel or pipe works.
  - y. Sugar refining.
  - z. Trailer camp, trailer park or trailer lot.
- (c) **Conditional Use.**
- (1) Outside storage and laboratories.
  - (2) All B-1, B-2, B-3, B-4 permitted and conditional uses.
- (d) **Building Height Limitations.** Not to exceed thirty five (35) feet.
- (e) **Building Site Area Required.** The minimum manufacturing site area shall be ten thousand (10,000) square feet. A minimum street frontage of seventy five (75) feet shall be provided.
- (f) **Front Yard Requirements.** No building shall be erected or structurally altered whose front wall is closer than (50) feet to the street line or front lot line.
- (g) **Side Yard Requirements.**
- (1) On corner lots, no building or other structure shall be erected or structurally altered whose side wall is closer than fifty (50) feet to the side street line or side street lot line.

- (2) No building or other structures shall be erected or structurally altered whose side wall is closer than ten (10) feet to the side lot line.
- (h) **Rear Yard Requirements.** No building or other structure shall be erected or structurally altered whose rear wall is closer than twenty five (25) feet to the rear lot line.

**SEC. 8-3-14 P-1 PARKS AND INSTITUTIONAL.**

- (a) **Definition and Purpose.** The intent of the P-1 Parks and Institutional District is to provide for the outdoor recreational needs of the community and to establish areas for facilities and operations which are of public or public-related ownership.
- (b) **Permitted Uses.** Subject to the provisions of Section 8-2-2(a)(1).
  - (1) Permitted uses in this district include schools, day care centers, churches, hospitals, nursing homes, clinics, museums, art galleries, cemeteries, lodges, public buildings, private and public recreation and forest preserves.
  - (2) Woodlands, wildlife habitat, nature preserves and related scenic areas.
- (c) **Conditional Use.**
  - (1) Gift shops, florists, and food service when directly associated with permitted uses.
  - (2) Funeral homes.
  - (3) Communication towers, solid waste management, and recycling facilities.
  - (4) Amphitheaters, amusement parks, aquariums, and other recreational uses requiring substantial buildings or structures or intense use.
  - (5) Farmers' markets, seasonal sales, or other periodic special fundraising events when directly associated with permitted uses or community events.
- (d) **Building Height Limitations.** Not to exceed sixty (60) feet.
- (e) **Building Site Area Requirements.** The minimum building site area shall be ten thousand (10,000) square feet.
- (f) **Front Yard Requirements.** For public safety and convenience no building or other structure shall be erected or structurally altered whose front wall is closer than thirty five (35) feet to the street line or front property line.
- (g) **Side Yard Requirements.**
  - (1) On corner lots, no building or other structure shall be erected or structurally altered whose side wall is closer than fifty (50) feet to the side street line or side street lot line.
  - (2) No building or other structures shall be erected or structurally altered whose side wall is closer than ten (10) feet to the side lot line.
- (h) **Rear Yard Requirements.** No building or other structure shall be erected or structurally altered whose rear wall is closer than forty (40) feet to the rear lot line.

Reference: Ordinance 04-03

**SEC. 8-3-15 RCO - REDEVELOPMENT/CONSERVATION OVERLAY DISTRICT.**

- (a) **Definition and Purpose.** The district is superimposed upon basic districts to provide certain additional permissive uses and regulatory standards applicable thereto without disturbing the underlying basic district regulations and zoning. The intent of the overlay district is similar

to that upon which conditional use grants are premised.

The RCO district is intended to be used on a limited basis in the Village in existing areas that have been developed for decades, including structures and areas of historic value; and where structures and uses are nearing the end of their economic life as a result of age, obsolescence of use, irregularly shaped or insufficient lot size, the encroachment of other non-compatible uses, poor or unsafe access for vehicles and pedestrians, and substandard or deteriorating structures; and where conserving the remaining life of other structures and uses is hampered by these factors; and where detailed comprehensive planning has shown that only through a concerted and coordinated effort between local government and private ownership can a new use and development pattern be evolved which will resolve the incompatibilities and permit a natural and healthy renewal of the neighborhood; and where the sole use of conventional basic zoning districts would be insufficient to resolve aforementioned use and development problems and insufficient to address renewal efforts.

Therefore, this district permits existing uses and structures to continue, but requires all remodeling or additions to structures, changes of use, and new development or use to be processed under Section 8-2-2(a)(1). In addition, the Village shall consider the compatibility with any adopted redevelopment plans and the "Land Use, Urban design, and Transportation Plan for Selected Arterial Street Corridors" (SEWRPC, May 1993) and amendments.