

Section 4
USE DISTRICTS

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4.01 **ZONING DISTRICTS** *Amended, 06-12-3*

In order to carry out the purposes and provisions of this Zoning Code the City is hereby divided into the following districts:

- ER Estate Residential District
- R-1 Single Family District
- R-2 Single Family District
- R-3 Single Family District
- R-5 Multiple Family District
- B-1 Central Business District
- B-2 General Business District
- B-3 Regional Shopping District
- BP, Business Park District
- ORI Office, Research & Light Industrial District
- M Manufacturing District

4.02 **ZONING MAPS**

The location and boundaries of the districts established herein are shown upon the zoning map which is hereby incorporated into this Zoning Code. The zoning map together with all notations references and other information shown thereon and all amendments thereto shall be a part of this Zoning Code and shall have the same force and effect as if the zoning map together with all notations references and other information shown thereon were fully set forth and described herein.

4.03 **NEW OR ANNEXED LAND** *Amended, 13-__-__*

Submerged land heretofore reclaimed or which may be reclaimed hereafter and land heretofore annexed or which may be annexed to the City hereafter and which is not shown on the zoning map made a part of this Zoning Code which has been zoned as agricultural land pursuant to the McHenry

County Zoning Ordinance shall be classified in the AT Agricultural Transition District until such time as the City Council designates the permitted use of the land in accordance with the provisions of this Zoning Code. Land which may be annexed to the City that is not zoned agricultural under the McHenry County Zoning Ordinance shall be classified ER Estate Residential District until such time as the City Council designates the permitted use of the land in accordance with the provisions of this Zoning Code.

4.04 **ZONING OF STREETS, ALLEYS, PUBLIC WAYS, WATERWAYS AND RAILROAD RIGHTS-OF-WAY**

All streets, alleys, public ways, waterways and railroad rights-of-way, if not otherwise specifically designated, shall be deemed to be in the same zone as the property immediately abutting upon such alleys, streets, public ways, waterways and railroad rights-of-way. Where the center line of a street alley public way or railroad right-of-way serves as a district boundary the zoning of such areas unless otherwise specifically designated shall be deemed to be the same as that of the abutting property up to such center line.

4.05 **BOUNDARY LINES**

Wherever any uncertainty exists as to the boundary of any use district as shown on the zoning maps incorporated herein the following rules shall apply:

1. Where district boundary lines are indicated as following streets alleys or similar rights-of-way they shall be construed as following the center lines thereof.
2. Where district boundary lines are indicated as approximately following lot lines such lot lines shall be construed to be such boundaries.
3. Where a lot held in one ownership and of record at the effective date of this Zoning Code is divided by a district boundary line the entire lot shall be construed to be within the less restricted district; provided that this construction shall not apply if it increases the area of the less restricted portion of the lot by more than 20 percent.

4.06 **GENERAL PROHIBITIONS**

No structure or part thereof shall be erected, used, occupied, enlarged, altered, relocated or reconstructed except in conformity with the provisions of this Zoning Code. Similarly, no lot or part thereof shall be used, occupied or developed except in conformity with the provisions of this Zoning Code.

4.07 **MEETING MINIMUM ZONING REQUIREMENTS**

Except as specifically provided elsewhere in this Zoning Code, every lot must meet the minimum dimensions and minimum setback requirements of the district in which it is located independent of counting any portion of an abutting lot.

4.08 **ACCESS REQUIRED**

No building shall be erected on any lot unless such lot abuts, or has permanent easement of access to a public street or a private street that conforms to the standards set forth in the Subdivision Control Ordinance of the City.

4.09 **FRONT SETBACKS-CORNER/THROUGH LOTS**

Every lot with multiple frontages (such as corner or through lots) shall meet the front setback requirements of the district in which it is located on every side having frontage.

4.10 **PRIVATE GARAGES** *Amended, 04-2-1*

Private garages or carports are not to exceed 15 feet, 6 inches in height, nor to exceed the following capacities or size:

1. For single-family residence: Three car garage maximum with 700 square feet in area for a detached or free-standing garage, and either the width or length is limited to 32 lineal feet.
2. For multiple-family residence: Two car garage per dwelling unit, maximum five 550 square feet.
3. Hold no more than three cars.

4.11 **LOT COVERAGE**

- A. The maintenance of yards, courts and other open space and minimum lot area legally required for a building shall be a continuing obligation of the owner of such building or the property on which it is located as long as the building is in existence. Furthermore, no legally required yards, courts or other open space or minimum lot area allocated to any building shall by virtue of change of ownership or for any other reason be used to satisfy yard, court, open space or minimum lot area requirement for any other building.
- B. Division of Zoning Lots: No improved zoning lot shall hereafter be divided into two or more zoning lots unless all improved zoning lots resulting from each such division conform with all the applicable bulk regulations of the zoning district in which the property is located.
- C. Location of Required Open Space: All yards, courts and other open spaces allocated to a building or dwelling shall be located on the same zoning lot as such building or dwelling group.
- D. Required Yards for Existing Buildings: No yards now or hereafter provided for a building existing on the effective date of this Section 4 shall subsequently be reduced below or further reduced below if already less than the minimum yard requirements of this Zoning Code for equivalent new construction without a variance.

