

**CHAPTER 3
GENERAL ZONING REGULATIONS**

SECTION:

- 6-3-1: Buildings on a Lot**
- 6-3-2: Allowable Uses of Land and Buildings**
- 6-3-3: Controls Established**
- 6-3-4: Building Height**
- 6-3-5: Accessory Structures and Uses**
- 6-3-6: Temporary Structures and Uses**
- 6-3-7: Special Uses**
- 6-3-8: Yards**
- 6-3-9: Floodplain Regulations**
- 6-3-10: Occupancy of Dwelling Units**
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- 6-3-12: Heating Requirements**
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- 6-3-14: Sales Activities; Vending and Ice Machines**
- 6-3-15: Outdoor Lighting**

6-3-1: BUILDINGS ON A LOT

Except in the case of planned developments, special uses, Master Development plans for Mixed Use Developments in the R5-Mixed Use General Residence District, and personal wireless service facilities subject to the provisions of Chapter 16, not more than one principal structure shall be located on a lot in any zoning district. In addition to the principal structure, detached accessory structure(s) may be located on a lot as permitted in Section 6-3-5 of this Title. Carports are specifically prohibited. (Amd. Ord. 97-1534-58, eff. 11/10/97)

6-3-2: ALLOWABLE USES OF LAND AND BUILDINGS

The following uses of land and buildings and no others are allowed in the districts established hereinafter under the requirements specified in this Zoning Code.

- A. Permitted uses listed in this Zoning Code.
- B. Special uses listed in this Zoning Code only with the approval of the Mayor and Board of Trustees in each case and only in accordance with all the provisions and procedures as set forth in Chapter 14.
- C. Uses lawfully established on the effective date of this Zoning Code are subject to all provisions on Chapter 13.
- D. Where a building permit for a building or structure has been issued in accordance with law prior to the date of this Zoning Code and where construction has been started within one hundred eight (180) days of such effective date and diligently prosecuted completion, said building or structure may be completed accordance with approved plans on the basis of which the building permit was issued; and, further may upon completion be occupied under a

certificate of use and occupancy for the use original designated; subject to the provisions of Chapter 13 of this Zoning Code.

6-3-3: CONTROLS ESTABLISHED

- A. Control Over Use: No lot, building, structure or premises shall hereafter be used or occupied and no building, structure or premises or part thereof shall be erected, razed, moved, reconstructed, extended, enlarged, or structurally altered except in conformity with the regulations and requirements herein specified for the district in which it is located, except as hereinafter provided. In residence districts, a lot shown on a plot properly recorded in the office of the County Recorder prior to the effective date of this Zoning Code which does not meet the requirements of this Zoning Code as to width or area, may be used for single-family detached dwelling purpose if it conforms to other requirements of this Zoning Code. However, said recorded nonconforming lot may not be used if it was held in common ownership with one or more adjoining lots at any time subsequent to the effective date of this Zoning Code and if such lots held in common ownership together meet the requirements of this Zoning Code, when used as a single parcel. Where two (2) or more adjoining lots shown in a plot properly recorded with the office of County Recorder have been held in common ownership at any time subsequent to the effective date of this Zoning Code and the use of such use of such adjoining lots as a single parcel would meet the requirements of this Zoning Code, the ownership of said lots shall not be separated nor shall any of the lots be used in any way to conflict with the regulations of this Zoning Code. No building permits shall be issued for the use of any lot or portion of said lot, transferred, or conveyed in violation of the provisions of this Section.
- B. Control Over Bulk: All new buildings and structures shall conform to the bulk regulations established herein for the district in which each building or structure is located. No existing building or structure shall be enlarged, reconstructed, structurally altered, converted, or relocated in such a manner as to conflict or to further conflict with the bulk regulations of this Zoning Code for the district in which such building or structure is located.

6-3-4: BUILDING HEIGHT

In R1, R2, and R3 Districts, an allowable nonresidential building may be erected to a height not to exceed sixty feet (60') when the required front and rear yards are increased in depth, and side yards are increased in width, one foot (1') for each foot of height that such building exceeds the building height regulations of the district in which it is located.

6-3-5: ACCESSORY STRUCTURES AND USES

No accessory structure or use shall be established, erected, altered or moved onto a lot unless it is specifically conforms to the requirements of this Section.

A. General Requirements:

1. Floor Area Ratio: The maximum size shall not exceed 10% of the gross square feet of the Principal Structure on the lot, except as further regulated in Section 6-3-5(B).
2. Height: The maximum height shall not exceed fifteen (15) feet, except as further regulated in Section 6-3-5(B).
3. Location: Shall meet the minimum required Setbacks applicable to the Principal Structure on the lot, except as otherwise permitted in Section 6-3-5(B).
4. Relationship to Principal Structure: No portion of an Accessory Structure shall extend beyond the front façade of the Principal Structure on the lot.

5. Tree Removal: Any tree removal related to the installation of an Accessory Structure shall be subject to the tree removal requirements of Section 13-1-3(I).
6. Quantity: A maximum of two Accessory Structures shall be permitted on a lot. No two Accessory Structures shall be the same, with the exception of Play Structures. These restrictions shall not apply to permanent tent structures or small wireless structures.
7. Establishment: An Accessory Structure shall not be erected, altered or moved onto a lot prior to the establishment of a permitted Principal Structure on the same lot. Accessory Structures to any non-residential use or structure shall require Architectural Review Board approval prior to establishment.
8. Appeal: Any person or entity aggrieved by Staff determination regarding the application or interpretations of these requirements may submit a written appeal, as specified in Section 6-14-12 of the Lincolnshire Village Code, to the Architectural Review Board or Zoning Board, for final decision by the Village Board of Trustees.

B. Specific Requirements: The following Accessory Structures and Uses shall be permitted subject to the additional specific regulations set forth below:

ACCESSORY STRUCTURES AND USES 6-3-5(B)										P = Permitted S = Special Use		
Flagpole & Flags	R1 P	R2 P	R2A P	R3 P	R4 P	R5 P	B P	E P	O/I P	M P		
<ul style="list-style-type: none"> • Flagpoles shall not exceed a height of fifteen feet (15') or 75% of the height of the Principal Structure, whichever is greater. • Flagpoles may be located beyond the front façade of the Principal Structure and shall comply with all required building setbacks or setbacks shall be equal to the pole height, whichever is greater. • Flagpoles shall be exempt from the Quantity requirement of Section 6-3-5(A)(6). In addition, Flagpoles in single-family residential lots shall be limited to one (1) flagpole per lot. 												
Gazebo	R1 P	R2 P	R2A P	R3 P	R4 P	R5 P	B P	E P	O/I P	M		
<ul style="list-style-type: none"> • Shall incorporate traditional/classical architectural detailing and ornamentation in the pillars, railings, walls, eave brackets, structural members, roof and/or similar elements • Shall have a shape of six (6) or more sides, with a maximum diameter of fifteen feet (15'). • Shall be open sided, with no more than 50% of any exterior side of the structure consisting of a solid wall surface. • Installation of natural gas, water supply or sanitary sewer service; plumbing fixtures; hot tubs; whirlpool tubs or similar equipment is prohibited. • Permanent or temporary windows or other installations are prohibited. The installation of screens to control insects and ceiling fans are permitted. • Storage is prohibited. • Shall be constructed of wood materials erected upon concrete piers or a structural foundation • Permitted within the required rear yard setback, provided the Gazebo is no closer than ten feet (10') from the nearest property line(s). 												
Greenhouse	R1 P	R2 P	R2A P	R3 P	R4	R5	B	E	O/I P	M		
<ul style="list-style-type: none"> • At least two walls and the roof of the structure must be glass or similar transparent materials. • Storage of materials other than plants shall not be visible from adjacent properties and public ways 												
Memorial Garden	R1 P	R2 P	R2A P	R3 P	R4 P	R5 P	B	E	O/I	M		
<ul style="list-style-type: none"> • As defined in Section 6-2-2 												
Memorial Assembly Facility	R1 S	R2 S	R2A S	R3 S	R4 S	R5 S	B	E	O/I	M		
<ul style="list-style-type: none"> • Shall only be permitted as an accessory use to an assembly use, including but not limited to religious institutions or schools. • Shall be permitted inside the principal structure on the lot. 												

- If located outside as an accessory structure, the following shall apply:
 1. Shall be located not less than 100 feet from any Lot Line where there is Frontage.
 2. Shall maintain a minimum distance of 135 feet from any Lot Line where there is no Frontage.
 3. Shall be located not more than 20 feet from the principal structure on the lot.
 4. Shall comprise an area no greater than 600 square feet.
 5. The structure shall have a height not greater than 3 feet.
 6. The structure shall be concealed from the adjacent right-of-way and contiguous residential Lots with vegetation which provides complete screening during the entire year and shall be a minimum of 6 feet tall at the time of planting (such vegetation shall not be considered part of the permitted area).
 7. The face of the structure into which cremated human remains are interned must substantially face towards the principal structure on the Lot.

Parking Garage Structure	R1	R2	R2A	R3	R4 S	R5 S	B S	E S	O/I S	M
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- Refer to permitted zoning districts for specific regulations.

Permanent Tents	R1	R2	R2A	R3	R4	R5	B P	E	O/I	M
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- Permitted on properties measuring 100 acres or greater.
- Permitted for assembly purposes only.
- Shall include a permanent foundation.
- Shall not exceed a height of twenty-five (25') feet from the established grade.
- Shall have a maximum gross floor area no greater than 10% of the gross floor area of the Principal Structure on the lot or 15,000 square feet, whichever is less.
- Storage of materials is prohibited except for limited storage of tables and chairs used in the tent.
- May be located within the required side and rear yard setbacks, provided they are no closer than ten (10') from the side and rear property lines.

Personal Recreation Facility	R1 P	R2 P	R2A P	R3 P	R4 P	R5 P	B	E	O/I	M
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- Recreation courts/facilities which do not require a foundation, concrete slab, or impervious surface floor shall not require a building permit.
- Permitted within the required rear yard setback, provided they are no closer than ten feet (10') from the nearest property line(s).
- Lighting shall be positioned and operated to minimize the amount of light and glare cast onto any adjacent property or street to not be a nuisance.

Play Structure	R1 P	R2 P	R2A P	R3 P	R4 P	R5	B	E	O/I	M
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- Structures which do not include a foundation or concrete slab shall not require a building permit.
- Playhouses shall not exceed 8 feet in height and a maximum floor area of sixty (60) square feet.
- Storage of materials is prohibited.
- Permitted within the required rear yard setback, provided they are no closer than ten feet (10') from the nearest property line(s).

Private Residential Swimming Pools & Pool Houses	R1 P	R2 P	R2A P	R3 P	R4 P	R5 P	B	E	O/I	M
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- Private Residential Swimming Pools – Refer to Chapter 5 of Title 5 for specific requirements.
- The combination of a Private Residential Swimming Pool and Pool House shall be classified as one Accessory Structure/Use and exempt from the Quantity requirement of Section 6-3-5(A)(6).
- The use of a Pool Houses as a Second Residential Unit is prohibited.
- Pool Houses shall be constructed with the same materials used on the Principal Structure.
- Pool Houses shall be permitted only in conjunction with an in-ground swimming pool. Installation of natural gas, water supply or sanitary sewer service; plumbing fixtures; heating/air conditioning is permitted.

Second Residential Unit	R1 S	R2	R2A	R3	R4	R5	B	E	O/I	M
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- Refer to Section 6-5A-2(H) for specific requirements.

Small Wireless Facility	R1 S	R2 S	R2A S	R3 S	R4 S	R5 S	B P	E P	O/I P	M P
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- Small Wireless Facilities which require a special use must also meet the definition of a “no impact” facility,

as described in Section 6-2-2.

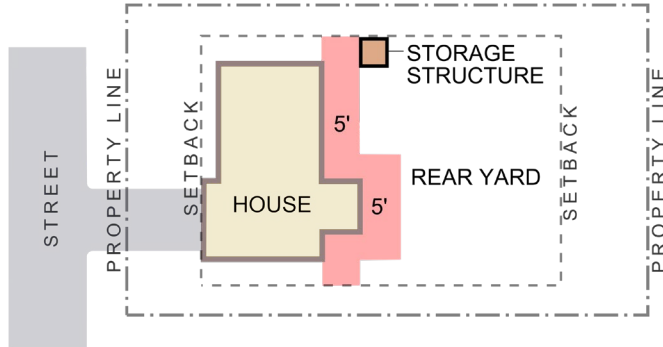
- The maximum height of a small wireless facility collocated on an existing structure shall be limited to 10 feet above the structure on which the small wireless facility is collocated.
- The maximum height of a new small wireless facility which is not collocated on an existing structure may not exceed: (i) 10 feet in height above the tallest existing utility pole that is in place on the date the application is submitted, that is located within 300 feet of the small wireless facility and that is in the same right-of-way within the Village; or (ii) 45 feet above ground level.
- A small wireless facility collocated on an existing structure shall not count toward the floor area ratio and shall be exempt from Section 6-3-5(A)(1).

Short-Term Rental

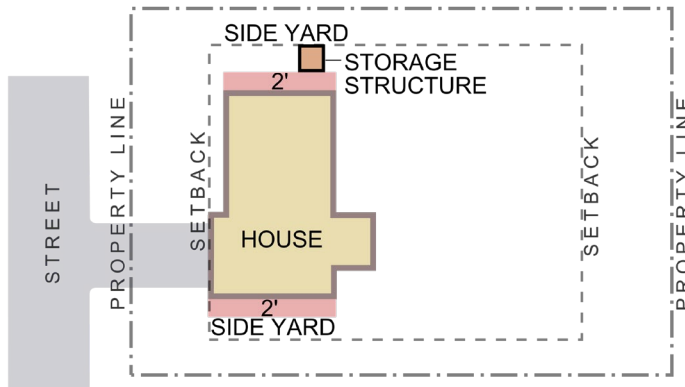
- Except as otherwise provided herein, leasing a residential dwelling in any Residential zoning district (R1 through R5, inclusive) for less than three (3) months shall be prohibited.
- The term of any lease which has satisfied the minimum term required by these rules may be extended on a month-to-month basis so long as the tenant(s) remain the same.
- Residential dwellings shall not be leased more than two (2) times during any consecutive twelve (12) month period unless the rental agreement has been terminated by reason of a tenant default.
- The rental premises may comprise all or a part of the principal structure.
The rental premises shall not count toward the limit of accessory structures otherwise permitted by this Chapter.
- The form of consideration exchanged for the rental premises does not affect whether it is treated as a short term rental for the purposes of this Chapter.
- The property owner shall remain responsible for compliance with all Village Codes during the term of any rental agreement unless the owner can show by clear and convincing evidence that the tenant caused the violation despite good faith efforts by the owner to abate the violation.
- No Temporary Structure shall be permitted to be used for short term rental.
- The prohibition on short term rentals for less than three (3) months shall not apply when the immediately preceding owner maintains possession of the dwelling unit after closing and leases it from the successor owner under a written lease agreement.

Storage Structure	R1 P	R2 P	R2A P	R3 P	R4	R5	B	E	O/I	M
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- Shall be located in one of the following locations:
Rear Yard: Within five feet (5') of the Principal Structure (see figure below)



Side Yard: Within two feet (2') of the Principal Structure (see figure below)



- Shall have a maximum floor area of 100 square feet.
- Shall not exceed a height of ten feet (10') from the established grade.
- Shall be placed on a hard surface, including but not limited to a concrete pad, cement blocks or similar materials.
- Shall be screened by plant material that provides visual relief throughout the year from both the public way and adjacent properties.
- Plastic, corrugated metal, fiberglass and dryvit/stucco are prohibited unless they are the primary material(s) on the principal structure.

END OF ACCESSORY STRUCTURES AND USES LIST 6-3-5(B)

- C. Existing Non-Conforming Accessory Structures: Accessory structures existing as of July 10, 1995 shall be considered Non-Conforming and may be preserved, maintained and used subject to the restrictions in Chapter 13 of this Title.
1. Detached garages located within the Stonegate Circle Subdivision, as defined in Ordinance No. 62-000-70, shall not be subject to the restrictions in Chapter 13 of this Title, but shall be subject to flood plain and flood way regulations and are permitted to perform normal maintenance and incidental repair, reconstruction and restorations but may not increase the existing garage floor area.

6-3-6: TEMPORARY STRUCTURES AND USES

No temporary structure or use shall be established or erected on a lot unless it is specifically permitted by the requirements of this Section.

A. General Requirements:

1. Authorization: Except as set forth in 6-3-6(B), a Temporary Use Permit shall be required from the Department of Community & Economic Development prior to the establishment of any temporary structure or use.
2. Location: All Temporary Structures shall meet the minimum required setbacks applicable to the Principal Structure on the lot, except as otherwise permitted in Section 6-3-6(B).
3. Temporary Use Permit: Application for a Temporary Use Permit shall be submitted to the Department of Community & Economic Development and shall be issued upon full compliance with the standards and submittal requirements set forth below:
 - a. An accurate site plan of the property to be used for the Temporary Use or Structure, including all information necessary to accurately locate and portray the Temporary Use or Structure on the premises. Sufficient information to determine compliance with yard requirements, availability of off-street parking, and adequate traffic circulation to service the proposed Temporary Use or Structure shall also be provided, as determined by the Department of Community & Economic Development.
 - b. A detailed written description of the proposed Temporary Use and/or depiction or illustration of building elevations for any proposed Temporary Structure.
 - c. Consent from the property owner or legal representative of the land owner shall be obtained in writing. A copy of such authorization shall be included with the Temporary Use Permit.
 - d. Such other data and/or certifications as may reasonably be required by the Director of Community & Economic Development for the purpose of enforcing the regulations set forth in this Title.
4. Conditions: A Temporary Use Permit may be subject to such special conditions and restrictions on the location and operation as deemed reasonably necessary by the Director of Community & Economic Development to protect the public health, safety and welfare in consideration of site specific conditions.
5. Revocation: A Temporary Use Permit shall be revoked if any of the standards and conditions imposed pursuant to this Section, or permit, are violated.
6. Length of Permit: A Temporary Use Permit is valid for one (1) year from the date of issuance and shall be renewed each year, except as further regulated by Section 6-3-6(B). A permit fee in the amount outlined in the Comprehensive Fee Schedule shall be collected for the permit.
7. Appeal: Any person or entity aggrieved by Staff determination regarding the application or interpretations of these requirements may submit a written appeal, as specified in Section 6-14-12 of the Lincolnshire Village Code, to the Zoning Board, for final decision by the Village Board of Trustees.

B Specific Requirements: The following Temporary Structures and Uses shall be permitted and are further subject to the specific regulations set forth below:

TEMPORARY STRUCTURES AND USES 6-3-6(B)											TUP = Temporary Use Permit Required P = Permitted (No Permit Required) BP = Building Permit Required				
Construction/Contractor Trailer/Office	R1 BP	R2 BP	R2A BP	R3 BP	R4 BP	R5 BP	B BP	E BP	O/I BP	M BP					
• Refer to Section 5-1-8(7), <i>Temporary Trailers</i> , for specific requirements.															
Farmers Market	R1	R2	R2A	R3	R4	R5	B	E	O/Ia	M					

TUP	TUP	TUP	TUP
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- Permitted a maximum of one (1) day within a consecutive seven (7) day period. The hours of operation are limited to a maximum six (6) hour period, which includes vendor set-up and removal, subject to the approval of the Director of Community & Economic Development.
- All products sold by vendors must be home-grown or home-made, and sold by the producer(s), family member(s), employee(s), or designated representative(s). In the event a vendor is deemed not to meet these criteria, but is determined the vendor adds material value to the market, the Director of Community & Economic Development has authority to make exceptions to such criteria.
- Other related activities, special programs and events may be conducted on the premises subject to the review and approval of the Director of Community & Economic Development.
- A Market Manager shall be designated by the Applicant to serve as the principal person responsible for overseeing the operations of the market. The Market Manager shall ensure all waste, debris, or any other evidence of the market is removed from the premises no later than two (2) hours after closing time.
- All vendors shall have a valid Illinois State Sales Tax License, except when a temporary (daily) sale is assigned, and shall abide by all food, safety, and health regulations of the Village of Lincolnshire and the Lake County Department of Health and the State of Illinois at all times.

Garage Sales

R1 TUP	R2 TUP	R2A TUP	R3 TUP	R4 TUP	R5	B	E	O/I	M
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- Shall be permitted up to three (3) consecutive days between the hours of 8:00 a.m. and 5:00 p.m. each day. Not more than two (2) garage sales shall be conducted on the same premises within a calendar year with a minimum thirty (30) days between each sale. In the event of rain during the three (3) day sale period, such sale period may be extended one additional day within the subsequent seven (7) days for each day of rain.
- A Temporary Use Permit shall be obtained from the Department of Community & Economic Development not less than 48 hours prior to the start of any garage sale.
- Signage shall be in compliance with Section 12-13-1, *Temporary Signs*, of the Lincolnshire Sign Control.

Holiday Decoration Sales Lot

R1	R2	R2A	R3	R4	R5 TUP	B TUP	E	O/Ia TUP	M
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- Shall be permitted during the months of October, November and December.
- All items to be displayed and sold shall consist of natural materials (for example; pumpkins, holiday trees and wreaths, etc.).
- Adequate vehicular access and off-street parking provisions shall be provided on-premises of the operation, subject to the determination of the Director of Community & Economic Development.
- Daily operations shall conclude at 9:00 PM.
- One temporary structure shall be permitted for office, sales, or storage uses and shall comply with all yard requirements of this Title.
- Outdoor lighting as described in Section 6-3-15 shall apply, regardless of location.
- All vendors shall have a valid Illinois State Sales Tax License, except when a temporary (daily) sale is assigned, and shall abide by all food, safety, and health regulations of the Village of Lincolnshire Health Code, the Lake County Department of Health and the State of Illinois.

Mobile Services

R1	R2	R2A	R3	R4	R5	B TUP	E TUP	O/I TUP	M TUP
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- Shall be located entirely on private property and shall only provide service to the owner, tenants and their respective employees or customers with a scheduled appointment window of less than thirty (30) minutes. Consent from the property owner or legal representative of the property owner must be obtained in writing in advance, and a copy of such authorization shall remain on file with the Community & Economic Development Department.
- All services and product storage shall occur within a fully enclosed facility, which may include a mobile facility. All waste, including fluids, shall be contained within the facility and properly disposed pursuant to local, state, and federal guidelines/regulations. Minor services may be permitted outdoors, as authorized by the Department of Community & Economic Development.
- Permitted a maximum of three (3) days in a consecutive seven (7) day period.
- All signage, product and service information must be securely attached to the mobile facility. Directional signs may be permitted to ensure proper traffic circulation and access, as authorized by the Department of Community Economic Development.
- The location of the operation shall not interfere with vehicle ingress and egress to the premises, nor impede

traffic circulation in any way.

- Set-up and removal of the Mobile Services must occur within the same day of operation. Overnight storage and parking of equipment is prohibited.
- A separate Temporary Use Permit shall be required for each individual location of operation, regardless if all services are performed by the same owner/operator.
- All vendors shall have a valid Illinois State Sales Tax License, except when a temporary (daily) sale is assigned, and shall abide by all food, safety, and health regulations of the Village of Lincolnshire Health Code, the Lake County Department of Health and the State of Illinois.

Mobile Food Vendor	North Park, Spring Lake, Public Schools					R5	B	E	O/I	M
	TUP					TUP	TUP	TUP	TUP	TUP

- Shall possess a valid license for operation from the Lake County (IL) Health Department. A copy must be submitted to the Department of Community & Economic Development prior to operation.
- Parking or standing in any public right-of-way for the purpose of preparing, cooking, serving or selling products shall be prohibited, with the exception of ice cream vending.
- All of the proprietor's activity associated with a Mobile Food Vendor must occur within the vehicle.
- Consent from the property owner or legal representative of the land owner, either written or verbal, must be obtained prior to operation.
- All signage, product and menu information must be securely attached to the mobile food vehicle.
- Operation shall be permitted for a maximum of four (4) hours at any single location.

Model Sales Office/Unit/Trailer	R1	R2	R2A	R3	R4	R5	B	E	O/I	M
	BP	BP	BP	BP	BP	BP				

- Shall be permitted upon the recording of a final plat of subdivision for sales or marketing of any residential development and shall not be used for general office purposes.
- Shall be located on the same premises as the development site and must be securely affixed to the ground and meet all applicable codes and regulations of the Village, including building setbacks, light, ventilation, egress, and space for the occupancy of a structure.
- Must be removed upon the sale of the last unit of the development.
- Shall not contain any sleeping or cooking accommodations, unless located in a model unit.

Seasonal Structure	R1	R2	R2A	R3	R4	R5	B	E	O/I	M
	P	P	P	P	P					

- Only one (1) Seasonal Structure shall be permitted at any one time.
- Shall be permitted for a portion of the year for seasonal use only, and shall not remain for an uninterrupted period longer than six (6) months within any consecutive twelve (12) month period.
- Shall not include a permanent foundation.
- Shall not exceed a height of fifteen feet (15') from the established grade.
- Shall have a maximum floor area ratio no greater than 10% of the gross square feet of the Principal Structure on the lot.
- Storage of materials is prohibited.
- Installation of natural gas, water supply or sanitary sewer service, plumbing fixtures or similar utilities is prohibited.
- May be located within the required side and rear yard setbacks, provided they are no closer than ten feet (10') from the side and rear property lines.

Temporary Event	R1	R2	R2A	R3	R4	R5	B	E	O/I	M
						TUP	TUP	TUP	TUP	TUP

- Event hours are limited between the hours of 9:00 a.m. and 11:00 p.m.
- Permitted a maximum of three (3) consecutive days.
- No more than two (2) temporary events shall be permitted on the same premises in any calendar year.
- An Event Manager shall be designated to serve as the principal person responsible for overseeing the operations of the event. The Event Manager shall ensure all waste, debris or any other evidence of the event is removed from the premises no later than two (2) hours after the closing time.
- Adequate off-street parking shall be provided on the premises of the temporary event, as determined by the Department of Community Development. Off-premises parking locations may be permitted, subject to the authority of the Department of Community Development.
- Signage shall be in compliance with Section 12-13-1, *Temporary Signs*, of the Lincolnshire Sign Control.

Temporary Sales	R1	R2	R2A	R3	R4	R5	B	E TUP	O/I TUP	M TUP
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- Shall be associated with an existing permitted use or Special Use.
- Products to be sold shall be manufactured, warehoused or distributed in the normal business operation. No products shall be brought from other sources for the purposes of the temporary sale.
- All temporary retail sales, including the display of products, shall take place within the fully enclosed building associated with the principal use.
- No more than three (3) temporary sales events shall be permitted on the same premises in any calendar year.
- Adequate off-street parking shall be provided on the premises of the temporary sale, as determined by the Department of Community Development.
- Signage shall be in compliance with Section 12-13-1, *Temporary Signs*, of the Lincolnshire Sign Control.

Temporary Tents	R1 P	R2 P	R2A P	R3 P	R4 P	R5 P	B P	E P	O/I P	M P
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- Shall be permitted for a portion of the year for seasonal use only.
- Shall not remain for an uninterrupted period longer than six (6) months in non-residential districts and 30 days in residential districts within any consecutive twelve (12) month period.
- Shall not exceed a height of twenty-five (25') from the established grade.
- Shall have a maximum gross floor area ratio no greater than 10% of the gross floor area of the Principal Structure on the lot or 5,000 square feet, whichever is less.
- Storage of materials is prohibited.
- Installation of natural gas, water supply or sanitary sewer service, plumbing fixtures or similar utilities is prohibited.
- May be located within the required side and rear yard setbacks, provided they are no closer than ten feet (10') from the side and rear property lines.

End of Temporary Structures and Uses List 6-3-6(B)

6-3-7: SPECIAL USES

Where a lawful use exists on the effective date of this Zoning Code or an amendment thereto and it is classified as a special use in the district in which it is located by this Zoning Code, it shall be considered as a lawful special use.

6-3-8: YARDS:

A. General:

1. For the purposes of this Section, "Required Yard" shall mean any yard subject to building setbacks.
2. No lot shall be reduced in area so that the yards or other open spaces become less than required by this Zoning Code.
3. On a vacant corner lot, any street lot line may be established as the front lot line; except where two (2) or more contiguous lots have duly established a front lot line, the same street lot line shall thereafter be deemed the front lot line. On a through lot, a front yard shall be provided along both street lot lines.

B. Permitted Obstruction in Any Required Yard Setback:

1. Chimneys, overhanging roof eaves, open terraces, and awnings adjoining the principal building, provided they do not exceed ten percent (10%) of the depth or width of the yard.
2. Ornamental light poles and fixtures.
3. Landscaping as regulated in Sections 8-3-4(B); *Parkways*; and 13-2-5; *Landscape Requirements in Public Right-of-Ways*, provided that on corner lots, no obstruction higher

than thirty inches (30") above curb level shall be located within twenty feet (20') of the lot corner formed by the intersection of any two (2) right-of-way lines.

4. Fences and Screens as regulated in Chapter 15 of Title 6.
5. Off-street Parking and Loading Improvements as regulated in Chapter 11 of Title 6.
6. Paved surfaces provided they are no closer than five feet (5') from any Property Line.
7. Signs as regulated in Title 12.
8. Cable satellite antennas or SESA no larger than twenty-four inches (24") in diameter.
9. Underground lawn irrigation systems as regulated in Section 8-3-9.
10. Electric dog fences as regulated in Section 8-3-9.

C. Permitted Obstructions in Required Front Yard Setback:

1. Mailboxes
2. Decorative walls subject to the following requirements:
 - a. A maximum overall height of three and one half feet (3'-6").
 - b. A maximum of two (2) columns per wall segment and a maximum of two (2) wall segments per frontage or primary curb cut.
 - c. Columns shall not exceed an overall height of five feet (5') and have a maximum square width of twenty-four inches (24").
 - d. The total length of the decorative wall, including columns, shall not exceed fifteen percent (15%) of the lot's frontage.
 - e. Decorative walls and columns shall be finished in the same exterior materials as the Principal Structure.
 - f. A light element is permitted atop columns and shall not exceed eighteen inches (18") in overall height in addition to the overall height of the columns.
3. Decorative columns subject to the following requirements:
 - a. A maximum height of five feet (5') and have a maximum square width of twenty-four inches (24");
 - b. Shall be finished in the same exterior materials as the Principal Structure.
 - c. A light element is permitted atop columns and shall not exceed eighteen inches (18") in overall height in addition to the overall height of the columns.

D. Permitted Obstructions in Required Side Yard Setback:

1. Fences as regulated in Chapter 15 of Title 6 provided that no portion of a fence shall be constructed within a dedicated conservancy area/ easement, which extends continuously between adjacent lot lines.
2. Swimming pools, hot tubs, and spas, as regulated in Chapter 5 of Title 5.
3. Seasonal Structures, provided a minimum ten foot (10') setback from the side property line is established.

E. Permitted Obstructions in Required Rear Yard Setback:

1. Play Structures, provided a minimum ten foot (10') setback from any property line is established.
2. Laundry Drying Equipment.
3. Arbors and Trellises.
4. Gazebo, provided gazebo is no closer than ten (10') feet from the nearest property line(s).
5. Personal Recreation Facility, provided they are no closer than ten (10') feet from the nearest property line(s).
6. Swimming pools, hot tubs and spas, as regulated in Chapter 5 of Title 5.
7. Seasonal Structures, provided they are no closer than ten (10') feet from the nearest property line(s).

8. Fences as regulated in Chapter 15 of Title 6 provided that no portion of a fence shall be constructed within a dedicated conservancy area/ easement, continuously between adjacent lot lines.

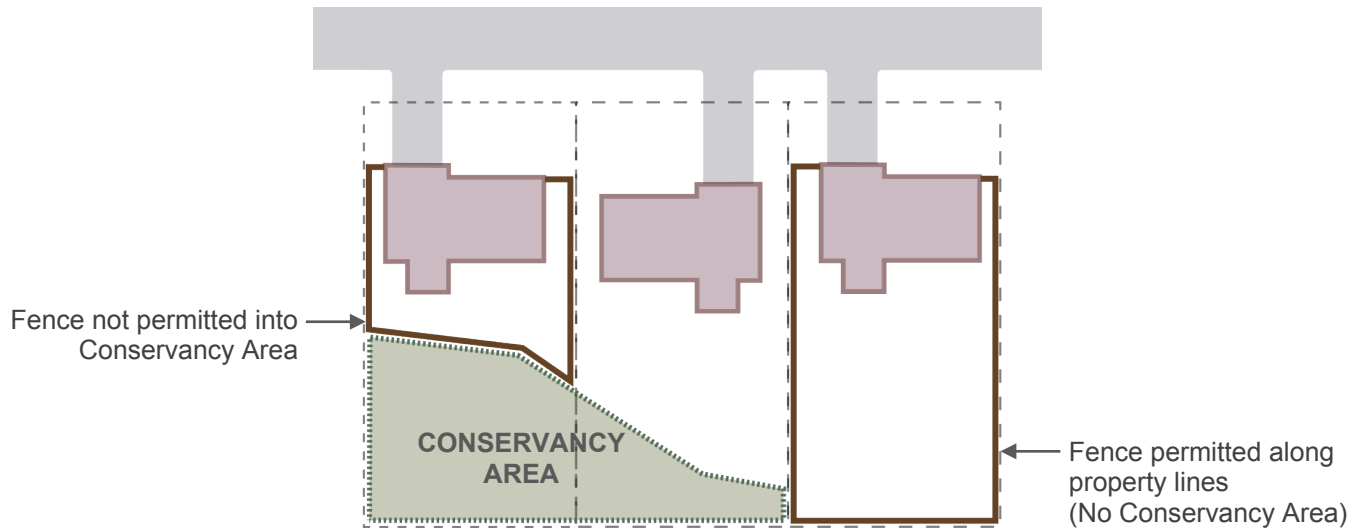


Illustration for 6-3-8-E(8)

6-3-9: FLOODPLAIN REGULATIONS

The provisions of Title 5 Chapter 7 entitled "Flood Damage Prevention" be and are hereby incorporated by reference as regulations governing all development under this Zoning Code, and such provisions shall apply to the full extent as if set forth at length herein. (Ord. 80-643-50)

6-3-10: OCCUPANCY OF DWELLING UNITS

- A. No dwelling units shall be occupied by more than one family as defined by this Zoning Code, except as hereinafter provided.
- B. No dwelling unit which contains less than one thousand seven hundred fifty (1,750) square feet of floor area shall be used to provide living quarters for roomers, servants or permanent guests.
- C. Where a dwelling unit is not occupied by a family as provided in A or B above, said dwelling unit may be occupied by not more than three (3) unrelated persons; provided that said dwelling unit contains not less than five hundred eighty three (583) square feet of floor area for each such occupant.
- D. Where the floor area of a dwelling unit exceeds one thousand seven hundred fifty (1,750) square feet, and the "family" occupying said dwelling unit does not consist of unrelated persons, said dwelling unit may be used for living quarters for not more than two (2) servants, roomers, or permanent guests, provided that said living quarters are located within and are physically an integral part of the dwelling unit.

6-3-11: CONVERSION OF EXISTING STRUCTURES FOR RESIDENTIAL USES

- A. No building may be converted to a use or in a manner not allowed by the regulations of the zoning district within which said building is located.

- B. Every conversion must comply with the regulations of the Building Code, Title 5 of this Code, and all other applicable regulations of the Village.
- C. Where a building is nonconforming in respect to height, bulk, lot area per dwelling unit, required yards or off-street parking (See Chapter 13 of this Title), no conversion shall be permitted, unless said building is brought into conformity with all applicable requirements of this Zoning Code. (Ord. 65138-15)

6-3-12: HEATING REQUIREMENTS

All primary heating units shall be operated by electricity, gas, oil or solar energy. (Ord. 82-744-51)

6-3-13: CONSTRUCTION AND INSTALLATION OF EXTERIOR SATELLITE EARTH STATION ANTENNAS

A. Village Policy: It is the stated policy of the Village that installation of satellite earth station antennas (SESA) and equipment can, unless controlled, adversely affect health, safety and aesthetic values and objectives of the Village and its residents in all zoning districts. The Village considers the rural ambience and residential character to be an extremely important aspect of the community's quality of life. Great care is taken to protect these aesthetic values through preservation of natural resources and protection of the visual environment. One of the very important means by which this goal can be achieved is by recognizing that satellite earth station antennas of all sizes, shapes, varieties and uses constitute physical additions and potential hazards to the Village of such character that their construction, placement, installation and use requires close examination and constant review by the Village. Satellite earth station antennas are structures quite different in appearance from typical structures anticipated by the Codes of the Village and the installation of satellite earth station antennas may not be compatible with existing structures and land uses in the Village. The appearance of this SESA from neighboring properties and the removal of desirable vegetation to allow placement of the SESA are major negative consequences of such systems. In addition, it is extremely important that all safety aspects be addressed to protect persons and property including wind loads, attractive nuisances to children, site lines on roadways and other factors.

In every case the entire installation must be compatible with the character of the surrounding area of the Village and shall not have an adverse impact on the health, safety or aesthetic values and planning objectives of the area.

In view of the foregoing, in order to protect the health, safety and welfare of the Village and to provide for reasonable regulation, all exterior satellite earth station antennas, including all forms of receivers of satellite transmissions, shall be considered structures subject to the terms of the Village Code and shall be subject to all ordinances relating to structures.

B. General Regulations: The construction and installation of the satellite earth station antenna must strictly conform to all Village Ordinances.

1. Appearance: The installation must exhibit architectural quality.

a. Location:

- (1) All portions of the satellite earth station antenna shall be located only in rear yards and not within a required rear or side yard setback as defined in the Zoning Title, unless otherwise provided for in this Section.
- (2) Installations shall not be permitted in, or be permitted to extend into that portion of a lot between any front facade of a building and a public way.
- (3) Consideration shall be given to protection of the health, safety, and welfare of children as in the case of an attractive nuisance.
- (4) No satellite antenna shall be installed on a vacant lot.

- b. Height:
 - (1) Installation on poles (other than the mount), masts and towers is prohibited.
 - (2) Installation shall be subject to the specific regulations for type of antenna: ground, roof, wall-mounted.
 - c. Materials:
 - (1) The satellite earth station antenna shall be constructed of noncombustible and corrosive resistant materials.
 - (2) The reflector element of the SESA shall be mesh construction unless otherwise specifically allowed by these regulations.
 - d. Color: All parts of the satellite earth station antenna and appurtenant equipment shall be of a color that will blend with the surroundings and any immediately adjacent structure.
 - e. Miscellaneous: Advertising names and logos shall not be permitted on the structure except when the removal of such name or logo would interfere with adequate reception.
2. Installation: All systems shall be installed strictly in accordance with all codes adopted by the Village, shall exhibit structural integrity at all times, and shall comply with the manufacturer's requirements.
- a. Method of Attachment: The permanent foundation or mounting for the antenna shall be adequate for anticipated wind loads. Fixed elevation antennas shall be installed to withstand 125 m.p.h. winds, while adjustable installations must be designed to withstand 100 m.p.h. winds.
 - (1) Ground Mounted: The supporting structure for the SESA is to be permanently ground mounted and embedded in, or an integral part of a monolithic concrete footing to a depth below the frost line. The SESA or supporting structure shall not be attached to any building or structure on the lot.
 - (2) Roof Mounted: Installation of an antenna on a roof must accommodate both live and dead load requirements.
 - (3) Wall Mounted: The mast and foot assembly shall be in accordance with the manufacturer's requirements based on the material to which the structure is to be mounted.
 - b. Safety: The unit shall be adequately grounded for protection against a direct lightning strike or accidental electrical energizing of the unit.
3. Maintenance: All portions of the SESA and required screening shall be maintained in a safe, clean and attractive condition by the property owner.
4. Miscellaneous: The exterior display of samples, models or facsimiles of an SESA used by any business establishment such as a company, firm, installer or contractor for the purpose of promoting the sale thereof, shall be subject to all of the applicable requirements of this Section. Experimental or temporary installations, inferior materials and questionable stability shall not be permitted.
- C. Specific Regulations:
- 1. Ground Mounted Antenna:
 - a. Location: Located a minimum of 10' from any building or structure on the lot and entirely behind the rear building facade.
 - b. Height: The height of a ground mounted SESA or any portion thereof, shall not extend more than the diameter of the satellite reflector element plus two feet (2') from ground level.
 - c. Size: The diameter of the satellite earth station antenna reflector element shall be the smallest practical size and in no instance shall exceed 10'.

- d. Material: The reflector element shall be constructed of mesh materials unless otherwise provided for in this Section, or if the size of the reflector element is 24" or less in diameter.
- e. Color: A color which blends with the natural surroundings of the site or immediately adjacent structure.
- f. Quantity: Not more than one ground mounted satellite earth station antenna shall be installed on a single zoning lot or building site.
- g. Screening: An earth berm, fence, walls, arbors or other appropriate landscaping (and also natural woodland vegetation), including trees, shrubs, and hedges approved by the Village Forester shall be installed and maintained to screen the SESA as completely as possible without preventing reception to said antenna. The SESA shall be screened so as to obscure views of the system from adjoining properties and public ways at all times.

2. Roof Mounted Antenna:

Single Family Detached Residential Structures: The installation of the SESA shall be permitted on a peak, pitched, sloped, flat roof or chimney provided the design of the system is in keeping with the Village Policy for the Construction and Installation of Exterior Satellite Earth Station Antennas and in accordance with the following regulations:

- a. Location: The SESA shall be located on a side of the principal structure which does not face a public way.
- b. Height: The maximum height of the SESA and all appurtenant equipment shall not exceed the maximum building height for the applicable zoning district.
- c. Size: The diameter of the SESA shall not exceed 24".
- d. Material: Unrestricted.
- e. Color: A color which blends with the natural surroundings of the site or immediately adjacent structure.
- f. Quantity: No more than one (1) SESA shall be permitted per principal structure.
- g. Screening: The SESA shall be so located that views of the system are obscured from public ways.

All Other Structures:

Flat Roof: The SESA must be screened in full compliance with rooftop equipment screening requirements of the Village Code.

Peak, Pitched, Sloped Roofs: Installation on a peak, pitched, or sloped roof shall require an Architectural Review recommendation and Village Board approval.

3. Wall Mounted: Wall mounted antennas shall be permitted for a single family detached residence only as regulated below.

- a. Location: Any facade of a building which does not face a public way.
- b. Height: The maximum height of the SESA and all appurtenant equipment shall not exceed the maximum building height for the applicable zoning district.
- c. Size: Maximum size of the reflector element shall be 24" in diameter.
- d. Material: May be of solid construction.
- e. Color: A color which blends with the adjacent wall to which it is attached and shall otherwise blend with the natural surroundings of the site. In no instance shall the wall mounted antenna be of a contrasting color with the wall to which it is attached.
- f. Quantity: Not more than one (1) wall mounted antenna shall be allowed per principal structure.
- g. Screening: Not required.

D. Permit Requirements:

1. Application: Any person wishing to install a satellite earth station antenna shall submit a complete application for a building permit on a form provided by the Department of Community Development for review, approval and issuance prior to installation. Said application shall be accompanied by three (3) complete sets of the documents and plans outlined below. No building permit shall be granted for a satellite earth station antenna unless all regulations pertaining to the installation are in compliance with the applicable Village Code regulations.
2. Plat of Survey or Rooftop Equipment Plan: An accurate plat of survey of the lot in question indicating the proposed location of the satellite earth station antenna, all structures on the subject property, location and name of all immediately adjacent streets, location of the principal structure on immediately adjacent properties and existing vegetation on the subject property or a rooftop equipment plan drawn to scale.
3. Reflector Element Projections: The projections of the reflector element at extremes of the satellite band to be viewed in order to depict the reception lanes. This requirement will be satisfied by drawing radial lines from a point representing the pivot point of the SESA to each end of the satellite band and then drawing a line perpendicular to each radial at a distance between the rim of the reflector element to the pivot point. Each perpendicular line should be scaled to the diameter of the reflector element to show its maximum projection on the plan at the extremes of its satellite scan. Compass directions will be adequate for this requirement.
4. Plans/Specifications/Cut Sheets:
 - a. Plans and specifications for the entire installation including elevations, SESA configuration, mount, foundation, electrical wiring and any motorization, or other proposed housing. Plans and specifications must be certified by the preparer to comply with all applicable Village Codes and must be drawn to scale.
 - b. Manufacturer's installation instructions and requirements.
 - c. Structural Engineer Design Criteria Drawings and Calculations stamped by an Illinois Licensed Structural Engineer must be submitted if required by the Department of Community Development for rooftop installations.
5. Landscape Plan: Landscape plan for screening the installation from the view of neighboring properties and public and private streets as required for ground mounted installations.

E. Variations:

1. Administrative Variations: Where there are practical difficulties in carrying out the requirements of this Section which prevent reception, the applicant may submit a written request for consideration of an Administrative Variation to the requirement(s). Said request shall be submitted to the Department of Community Development and shall detail the specific code requirement(s) and how reception is prevented. The Department of Community Development shall review the request.

In the event a hardship occurs in meeting the strict application of these regulations as they pertain to adequate reception only, the Department of Community Development shall be authorized to grant an administrative variation provided the following is substantiated:

- The specific hardship that exists.
- The requested variation is in keeping with the spirit of this Section and the public health, welfare, and safety.

The Department of Community Development may, at the applicant's expense, choose to hire an independent consultant to verify that adequate reception would not be possible if the strict application of the requirements were applied.

Specific reasons for granting an Administrative Variation shall be provided in writing and shall be attached to the permit issued for the applicable antenna. The Administrative Variation shall be identified by the appropriate Village Code Section and the specific allowance shall be indicated on the permit.

2. All Other Zoning Variations: In the event the person charged with administering the provisions of this Section determines that a requested variation is not based solely on the provision for adequate reception, a recommendation from the Zoning Board and a zoning variation approved by the Mayor and Board of Trustees must be granted prior to a building permit being issued to install said antenna.

F. Appeals: The Village Board shall hear and decide appeals from and review any order, requirement, decision or determination made by the person charged with the enforcement of this Section. (amd. entire section 6-3-13 Ord. 95-1380-10, eff. 2/13/95)

6-3-14: SALES ACTIVITIES; VENDING AND ICE MACHINES

All sales activities conducted in all zoning districts, including sales from vending machines and ice machines, shall be conducted within completely enclosed buildings. In addition, no vending machine or ice machine shall be stored or displayed outside a completely enclosed building in any zoning district. The restrictions of this Section shall not apply to news racks which are covered by the provisions of Chapter 5 of Title 8 of this Code. (Ord. 90-1178-62) The restrictions of this Section shall not apply to Temporary Uses which shall be regulated by the provisions of Section 6-3-6 of this Code.

6-3-15: OUTDOOR LIGHTING:

- A. Application: These regulations shall govern the design and operation of all outdoor luminaires in all nonresidential zoning districts and by all non-residential uses in all residential zoning districts. However, to promote safety in the ordinary and intended use of rights-of-way these regulations shall not apply to any luminaires owned and operated by a State or local highway authority for the purpose of illuminating the right-of-way.
- B. Light Intensity: Any permitted outdoor luminaire shall be so designed, arranged and operated so as to mitigate the amount of light and glare being cast onto any adjacent property or street. No outdoor luminaire, regardless of the zoning lot onto or from which it causes illumination, shall produce an intensity in excess of one-half (0.5) footcandles, as measured at the property line at a height of 60 inches above grade in a plane at any angle of inclination.
- C. Installed Luminaire Height: The installed height of any luminaire used for outdoor lighting on any zoning lot shall not exceed 25 feet from the established grade. (Ord. 08-3049-32, eff. 08/11/08)