

AGENDA

**REGULAR MEETING OF THE PLANNING & ZONING COMMISSION OF THE
VILLAGE OF FORSYTH, ILLINOIS**

5:30 P.M.

THURSDAY, February 22, 2024

VILLAGE HALL, 301 SOUTH ROUTE 51, FORSYTH, IL

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES

PUBLIC HEARINGS

- Request submitted by Illini Supply, Inc. for a sign permit under Development Ordinance Section 7.3 and request to vary the requirements of the Development Ordinance Section 7.4 C. (2)(b)(ii) to allow a 50 square foot sign on the real property located at 111 Illini Drive, Forsyth, IL and legally described as: S150 N435 W300 ~E330 NE1/4 (EXC HWY ROW). (PIN: 07-07-15-229-004).

OLD BUSINESS

- Review and discussion of Forsyth Development Ordinances-This will be an ongoing discussion

NEW BUSINESS

ADJOURNMENT



**MINUTES OF A REGULAR MEETING OF THE
PLANNING AND ZONING COMMISSION
FOR THE VILLAGE OF FORSYTH, ILLINOIS,
HELD AT 5:30 P.M. ON THURSDAY, JANUARY 25, 2024
AT FORSYTH VILLAGE HALL**

CALL TO ORDER

Planning and Zoning Chairman R. C. Campbell called the meeting to order at 5:30 P.M.

PLEDGE OF ALLEGIANCE

ROLL CALL

Upon call of the roll, the following Commissioners were physically present:

Regular Commissioners: Chairman R. C. Campbell, Cathy Mitteer, Steve Ragan, Matt May

Absent: Vice Chair Dennis Downey, Dan Doerfler, Larry Perkins, Tom Cantwell

Alternate Commissioners: Colleen Brinkoetter

Staff Present: Director of Planning and Zoning Ryan Raleigh, Village Administrator Jill Applebee, Village Clerk Cheryl Marty, Stephanie Brown (Chastain & Associates Engineer representative), Village Attorney Andrew Jarmer

APPROVAL OF MINUTES

MOTION: Commission Ragan made a Motion to approve the minutes of December 28, 2023 as presented and Commissioner Brinkoetter seconded the motion.

Upon a call of the roll, the vote was as follows:

Yeas: 5 – Campbell, Mitteer, Ragan, Brinkoetter, May

Nays: 0 – None

Absent: 4 – Downey, Doerfler, Perkins, Cantwell

Motion declared carried.

PUBLIC HEARING #1

- SC Forsyth, LLC's Petition for approval of Final Plat for a planned unit development for the property located at 994 US Route 51 Forsyth, Illinois and legally described as: A PART OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 14, TOWNSHIP 17 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN, SAID PART MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF THE SAID SOUTHWEST QUARTER (SW 1/4) OF SECTION 14, TOWNSHIP 17 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN, SAID POINT BEING 52.26 FEET EAST OF THE SOUTHWEST CORNER OF THE SAID SOUTHWEST QUARTER (SW 1/4) OF SECTION 14, SAID POINT ALSO BEING ON THE EAST RIGHT OF WAY LINE OF F.A. ROUTE 52 (U.S. ROUTE 51); THENCE NORTH 00 DEGREES 42 MINUTES 38 SECONDS WEST, (ASSUMED BEARING)[N 00-42-23 W MEASURED], 412.64 FEET ALONG THE SAID EAST RIGHT OF WAY LINE OF F.A. ROUTE 52; THENCE NORTH 89 DEGREES 16 MINUTES 55 SECONDS EAST[N 89-17-10 E MEASURED], 192.49 FEET; THENCE SOUTH 68 DEGREES 12 MINUTES 59 SECONDS EAST [S 68-12-44

E MEASURED], 41.33 FEET; THENCE SOUTH 27 DEGREES 32 MINUTES 45 SECONDS EAST[S 27-32-30 E MEASURED], 42.79 FEET; THENCE SOUTH 00 DEGREES 42 MINUTES 39 SECONDS EAST[S 00-42-24 E MEASURED], 355.31 FEET TO A POINT ON THE SOUTH LINE OF THE SAID SOUTHWEST QUARTER (SW 1/4) OF SECTION 14; THENCE SOUTH 88 DEGREES 31 MINUTES 17 SECONDS WEST[S 88-31-24 W MEASURED], 250.02 FEET ALONG THE SAID SOUTH LINE OF THE SAID SOUTHWEST QUARTER (SW 1/4) OF SECTION 14 TO THE POINT OF BEGINNING. SITUATED IN MACON COUNTY, AND THE STATE OF ILLINOIS. EXCEPTING THEREFROM A PART OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION 14, TOWNSHIP 17 NORTH, RANGE 2 EAST OF THE THIRD PRINCIPAL MERIDIAN, SAID PART MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 14 AND THE WEST RIGHT OF WAY LINE OF COMMERCE PLACE AS RECORDED IN BOOK 2633 ON PAGE 194 OF THE RECORDS IN THE RECORDER'S OFFICE OF MACON COUNTY, ILLINOIS; THENCE NORTHERLY ALONG THE WEST RIGHT OF WAY LINE ON A BEARING OF NORTH 1 DEGREE 04 MINUTES 17 SECONDS EAST[N 00-42-24 W MEASURED] FOR 81.33 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE LAST DESCRIBED LINE FOR 106.60 FEET; THENCE WESTERLY ON A BEARING OF SOUTH 88 DEGREES 58 MINUTES 06 SECONDS WEST[S 89-19-59 W MEASURED] FOR 14.90 FEET; THENCE SOUTHERLY ON A BEARING OF SOUTH 1 DEGREE 01 MINUTES 54 SECONDS EAST[S 00-40-01 E MEASURED] FOR 15.71 FEET; THENCE SOUTHEASTERLY ON A CURVE TO THE LEFT HAVING A RADIUS OF 283.34 FEET[283.33 FEET MEASURED], AN ARC DISTANCE OF 92.52 FEET[92.53 FEET MEASURED], A CHORD DISTANCE OF 92.11 FEET[92.12 FEET MEASURED] AND A CHORD BEARING OF SOUTH 10 DEGREES 23 MINUTES 12 SECONDS EAST[S 10-01-20 E MEASURED] TO THE POINT OF BEGINNING. SITUATED IN MACON COUNTY,

AND THE STATE OF ILLINOIS. PIN: 07-07-14-351-006. The Final Plat to include Lots 1, 2, and 3 of SC FORSYTH, LC, Planned Unit Development C-1 Commercial.

Administrator Applebee said the final paperwork has been turned in and is complete. Lots 1 and 3 will have retail occupants but none in Lot 1. The purpose of this discussion is approval of the final plat. A short discussion ensued.

MOTION: Commissioner Brinkoetter made a Motion to recommend approval of this request as presented and Commissioner Mitteer seconded the motion.

Upon a call of the roll, the vote was as follows:

Yeas: 5 – Campbell, Mitteer, Ragan, Brinkoetter, May
Nays: 0 – None
Absent: 4 – Downey, Doerfler, Perkins, Cantwell

Motion declared carried.

OLD BUSINESS

- **Review and discussion of Forsyth Code of Ordinances – Ongoing Discussion**
Director of Planning and Zoning Raleigh started the conversation by beginning with Chapter 3. A lengthy discussion ensued on various ordinance points that need revised.

No Motion needed.

NEW BUSINESS

- **Swearing In of Commissioners Steve Ragan and Cathy Mitteer**
Administrator Applebee said the Board of Trustees unanimously approved the confirmation of these two Commissioners. Then Village Clerk Cheryl Marty swore in both Commissioners to another term.

No Motion needed.

ADJOURNMENT

Commissioner Ragan made a Motion to adjourn, Commissioner Mitteer seconded the Motion, and Chairman Campbell asked for a voice vote which was then unanimously approved. The meeting was adjourned at 7:55 P.M.

By: Cheryl Marty
Village Clerk

MEMORANDUM

To: Chairman Campbell and Planning and Zoning Commission
From: Ryan Raleigh, Director of Planning and Zoning
Date: February 16, 2024
Subject: Sign Variance

Illini Supply would like to replace the top insert of their existing freestanding pole sign. The top sign measures 10 ft wide by 5 ft. tall for a total of 50 sq ft. The ordinance states that the sign area shall not exceed 45 sq ft per side.

The ordinance reads:

7.4 SIGNS REGULATED BY ZONING DISTRICT:

C. Non-Residential:

(2) Freestanding Signs:

(b) The required conditions to erection, relocation, and maintenance of monument signs are as follows:

(ii) The sign area shall not exceed forty-five (45) square feet per side, limited to two (2) sides, or ninety (90) square feet total for a single business. If a building has more than 1 business the sign area shall not exceed seventy-five (75) square feet per side, limited to two (2) sides, or one hundred fifty (150) square feet total. (Am. Ord. 2016-3, passed 3-7-2016)

If you need anything further regarding this or any other matter, please do not hesitate to contact me.



VILLAGE OF FORSYTH

301 S. Route 51
Forsyth, IL 62535

Phone: (217) 877-9445 / Fax: (217) 877-9863



VILLAGE OF FORSYTH, ILLINOIS

VARIANCE REQUEST APPLICATION

OWNER: ☒

APPLICANT: ☐

Name: Illini Supply, Inc.

Address: 111 Illini Drive

Phone Number: 217-412-9677 (cell)

E-mail: deborah.born@illinisupply.com

Property Address: 111 Illini Drive

PIN #: 07-07-15-229-004

Legal Description of the Property:

S150 N435 W300 E330 NE 1/4 (EXC HWY
ROW)

Zoning District: C-1

Requested variation(s) to the Development Ordinance (include reference to provisions of the Development Ordinance being affected):

Sign is 50' x 45' in lieu of 45' x 45'
Ordinance 7.4.C(2)(ii)

Brief description of what the proposed plan is for the property:

see picture
Illini Supply would like to replace the existing
sign that is currently 50' x 45' on each side.
They want to use existing frame and just replace
the panel.

*Attach a dimensioned site plan or plat to depict the proposed variation(s) and plan for the property.

The questions below shall be answered completely, otherwise the Planning and Zoning Commission shall not recommend a variation and the Village Board shall not grant a variation to the provisions of this Ordinance (for multiple variance requests provide answers for each request):

1. What special or unique circumstances exist that are unique to the property seeking the variance (examples of special circumstances include, but are not limited to the physical character of the land or buildings, dimensions, topography, and soil conditions)?

pre-existing sign fitting to frame

2. Are the special circumstances not of so general or recurring a nature throughout the entire Village as to make it reasonably practical to provide for a general regulation?

3. Will the strict application of the Development Ordinance deprive the applicant of rights and/or uses commonly enjoyed by other owners of property in the immediate area under the regulations of this Development Ordinance? Please explain and give examples if available.

4. Will the authorization of such variance not be of substantial detriment to adjacent property and will the granting of the variance not change the character of the district? Please explain.

The sign will be the same size as it is currently.

5. Is the variance the minimum variance that will make possible the reasonable use of the property, building, or structure? Please explain.

\$90.00 Application Fee: Required at time of the application. The fee will not be refunded if the request is denied by the Village Board of Trustees.

Signature: Deborah Ann Date: 1/31/24

For office use only

Date Received: _____

PZC Meeting Date: _____

Application Fee Paid: _____

Board Meeting Date: _____

Approved (Y/N): _____

Ordinance # _____

AFFIDAVIT OF PUBLICATION

State of Florida, County of Orange, ss:

Emily Meffert, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of Herald & Review, a newspaper printed and published in the City of Decatur, County of Macon, State of Illinois, and that this affidavit is Page 1 of 1 with the full text of the sworn-to notice set forth on the pages that follow, and the hereto attached:

PUBLICATION DATES:

Feb. 6, 2024

NOTICE ID: spPIC2rIBTdFzIBcwYZo

PUBLISHER ID: COL-9000157

NOTICE NAME: Planning & Zoning Meeting 2-22-2024

Publication Fee: 75.88

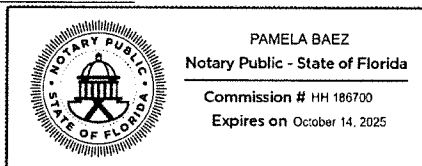
Under penalties as provided by Illinois law, the undersigned certifies that the statements set forth in this instrument are true and correct.

Emily Marie Meffert

(Signed) _____

VERIFICATION

State of Florida
County of Orange



Subscribed in my presence and sworn to before me on this: 02/06/2024

[Signature]

Notary Public

Notarized remotely online using communication technology via Proof.

NOTICE OF PUBLIC HEARING

The Village of Forsyth Planning and Zoning Commission will hold public hearings at 5:30 p.m., Thursday, February 22, 2024 at the Village Hall, 301 S. Route 51, Forsyth, IL. The Planning and Zoning Commission will meet to hold a public hearing and discuss the following items:

- Request submitted by Illini Supply, Inc. for a sign permit under Development Ordinance Section 7.3 and request to vary the requirements of the Development Ordinance Section 7.4 C. (2)(b) (ii) to allow a 50 square foot sign on the real property located at 111 Illini Drive, Forsyth, IL and legally described as: S150 N435 W300 ~E330 NE1/4 (EXC HWY ROW). (PIN: 07-07-15-229-004).

- Request submitted by Anthony J. Facchinello and John Althoff for approval of a final plat for minor subdivision in accordance with Development Ordinance Section 11.5 at the real property located at 122 Shadow Ridge Court, Forsyth, IL and legally described as: a part of Lot Eleven (11) of Shadow Ridge Estates as recorded in Book 5000 on Page 68 of the Recorder's Office of Macon, County, Illinois (PIN: 07-07-09-451-011)

Any questions concerning this public hearing should be directed to Village Administrator, Jill Applebee, at 217-877-9445. All persons interested may appear and speak at the hearing.
2/6 COL-9000157

NOTICE OF PUBLIC HEARING

The Village of Forsyth Planning and Zoning Commission will hold public hearings at 5:30 p.m., Thursday, February 22, 2024 at the Village Hall, 301 S. Route 51, Forsyth, IL. The Planning and Zoning Commission will meet to hold a public hearing and discuss the following items:

- Request submitted by Illini Supply, Inc. for a sign permit under Development Ordinance Section 7.3 and request to vary the requirements of the Development Ordinance Section 7.4 C. (2)(b)(ii) to allow a 50 square foot sign on the real property located at 111 Illini Drive, Forsyth, IL and legally described as: S150 N435 W300 ~E330 NE1/4 (EXC HWY ROW). (PIN: 07-07-15-229-004).
- Request submitted by Anthony J. Facchinello and John Althoff for approval of a final plat for minor subdivision in accordance with Development Ordinance Section 11.5 at the real property located at 122 Shadow Ridge Court, Forsyth, IL and legally described as: a part of Lot Eleven (11) of Shadow Ridge Estates as recorded in Book 5000 on Page 68 of the Recorder's Office of Macon, County, Illinois (PIN: 07-07-09-451-011)

Any questions concerning this public hearing should be directed to Village Administrator, Jill Applebee, at 217-877-9445. All persons interested may appear and speak at the hearing.

ARTICLE IV
DISTRICT REGULATIONS

DISTRICT REGULATIONS	4-1
4.1 ZONING MAP	4-1
4.2 BOUNDARIES AND MINIMUM AREAS	4-1
4.3 ANNEXED TERRITORY	4-2
4.4 GENERAL PROVISIONS FOR ALL RESIDENTIAL USES	4-2
4.5 PURPOSE, USE, AND BULK REQUIREMENTS FOR RESIDENTIAL DISTRICTS	4-2
4.6 GENERAL PROVISIONS FOR ALL NON-RESIDENTIAL AND R-3 USES.....	4-3
4.7 PURPOSE, USE, AND BULK REQUIREMENTS FOR NON-RESIDENTIAL DISTRICTS	4-8
4.8 PERMITTED AND SPECIAL USE CHART.....	4-10
4.9 SETBACK AND BULK CHART	4-16

4.1 ZONING MAP:

- A. The boundaries of the districts are shown upon the map designated as the "Zoning Map". The Zoning Map and all notations, references and other information shown thereon are a part of this Ordinance and have the same force and effect as if the Zoning Map and all the notations, references and other information shown thereon were all fully set forth or described herein. The original Zoning Map is properly attested and is on file with the Village Clerk of the Village of Forsyth, Illinois.
- B. Whenever any street, alley or other public way is vacated by official action of the Village Board, the zoning district adjoining each side of such street, alley or public way shall be automatically extended to the center of such vacation, and all area included in the vacation shall then and henceforth be subject to all appropriate regulations of the extended districts.
- C. Where the districts designated on the Zoning Map are bounded approximately by street or alley lines, the centerline of the street or alley shall be construed to be the boundary of the district.
- D. Where the district boundaries are not otherwise indicated, and where the property has been divided into blocks and lots of record, the district boundaries shall be construed to be the lot lines of the Lots of Record.
- E. In unsubdivided property, the district boundary lines shall be determined as reflected in the dimensions appearing on the Zoning Map.

4.2 BOUNDARIES AND MINIMUM AREAS:

Where uncertainty exists with respect to the boundaries of the various districts as shown on the Zoning Map District boundaries shall be either the centerlines of rights-of-way for railroads, highways, streets, alleys or easements, and waterways, or the boundary lines of sections, quarter-sections, divisions of sections, tracts or lots (or such extended), unless otherwise indicated.

4.3 ANNEXED TERRITORY:

All territory which is annexed to the Village shall be automatically classified in the R-E Single Family Estate Residential District upon annexation, unless otherwise classified by amendment.

4.4 GENERAL PROVISIONS FOR ALL RESIDENTIAL USES:

- A. **Applicability** – The following standards shall apply to all residential land uses when there are applications for building permits, rezoning, special use permits and planned unit developments unless otherwise approved by the Village Board. The residence districts include the following:
- R-E: Single Family Estate Residence District
 - R-1: Single Family Residence District
 - OT: Original Town District (Am. Ord. 945, passed 6-1-2015)
 - R-2: Multiple-Family Residence District
 - R-3: Multiple-Family Residence District
- B. Standards of Development:
- (1) **Setback, Bulk and Sign Regulations** – Principal and accessory buildings and structures shall comply with yard and setback requirements; floor area and height limitations; and sign regulations, applicable to the District in which the use is located. Setback and bulk regulations for all use districts are summarized in the Setback and Bulk Chart in Section 4.9.
 - (2) **Residential Projects with Multiple Housing Units in One or More Structures** – Residential projects such as multi-unit or multi-structure apartment, townhome, or condominium developments shall comply with the standards outlined in Section 4.6 for elements relating to vehicular access, pedestrian access, off-street parking, screening, landscaping, lighting, mechanical equipment, utility meters/transformers, and trash enclosures.
 - (3) **Permitted, Permitted Accessory, and Special Uses** – The residence districts shall comply with the permitted, permitted accessory, and special uses summarized in the Permitted and Special Use Chart in Section 4.8.

4.5 PURPOSE, USE, AND BULK REQUIREMENTS FOR RESIDENTIAL DISTRICTS:

- A. **Purpose** – The purpose of each residential district is as follows:
- (1) **The R-E: Single Family Estate Residence District** provides for estate single-family areas with lots containing a minimum of 20,000 square feet and to permit other uses identified herein which are compatible with the single-family neighborhood character.
 - (2) **The R-1: Single Family Residence District** provides for single-family areas with lots containing a minimum of 7,500 square feet and to permit other uses identified herein which are compatible with the single-family neighborhood character.
 - (3) **The OT: Original Town District** is designed to address the unique issues with older single-family lots in the Village which were developed prior to current lot size requirements. (Am. Ord. 945, passed 6-1-2015)

- (4) **The R-2: Multiple-Family Residence District** provides low density multiple family living areas, including townhomes and multiplex structures. Dwellings may include attached single family units with four dwelling units per building or less in addition to detached single-family.
 - (5) **The R-3: Multiple-Family Residence District** provides areas for the development of residential dwellings. Dwelling units could include attached single-family units with 6 dwelling units or less per building, multiple family apartments with 12 dwelling units or less per building, in addition to detached single family dwelling units. Projects shall be processed as Planned Unit Developments when there is a mix of two or more dwelling unit types, or the request contains buildings with more than the permitted number of dwelling units. These areas should have access to streets, classified as a major or collector roadway by the Subdivision Ordinance, and be located in proximity to open space, shopping and employment opportunities.
- B. **Permitted Uses** – See Permitted and Special Use Chart in Section 4.8
 - C. **Permitted Accessory Uses** – See Permitted and Special Use Chart in Section 4.8
 - D. **Special Uses** – See Permitted and Special Use Chart in Section 4.8
 - E. **Lot Size** – See Setback and Bulk Chart in Section 4.9
 - F. **Yard and Setback Regulations** – See Setback and Bulk Chart in Section 4.9
 - G. **Structure Height** – See Setback and Bulk Chart in Section 4.9

4.6 GENERAL PROVISIONS FOR ALL NON-RESIDENTIAL, R-3, AND PLANNED UNIT DEVELOPMENT USES:

- A. **Applicability** – The following standards shall apply to all non-residential, R-3, and Planned Unit Developments with similar land uses when there are applications for building permits, rezoning, special use permits and planned unit developments unless otherwise approved by the Village Board.
- B. **Process** – Site development for all non-residential, R-3, and Planned Unit Developments shall require Site Plan Review as described in Article IX, Section 9.14.
- C. **Standards of Development:**
 - (1) **Setback, Bulk and Sign Regulations** -- Principal and accessory buildings and structures shall comply with regulations applicable to the District in which the use is located.
 - (2) **Vehicular Access** -- Points of vehicular ingress and egress to the site shall be limited to maximize the safety and operational efficiency of Forsyth's major and collector roadways. (See Article 6.3 H(5))
 - (3) **Pedestrian Access:**
 - (a) Sidewalks, not less than five (5) feet wide, shall be provided along streets and access drives to provide safe pedestrian access to and from Forsyth's business and industrial districts. This includes providing sidewalks into the site that connect with the public sidewalk.

- (b) Where parking is proposed to be located perpendicular to an adjacent sidewalk, walks shall be increased to a minimum of six and one-half (6½) feet in width.
 - (c) Landscaped medians/islands, pavement markings, signage, etc. should be used to create safe spaces for pedestrians and alert motorists of these spaces.
- (4) **Off-Street Parking and Loading:**
 - (a) Parking and loading spaces and drive aisles shall be provided in accordance with Article VI, **OFF-STREET PARKING AND LOADING**
 - (b) Plans shall demonstrate compliance with the current Illinois Accessibility Code and the Americans with Disabilities Act.
 - (c) Parking, loading, and drive isles shall not be located in the required buffer yard or landscape yard setback (See Articles 3.16 & 4.6 C(6)(f)). (Am. Ord. 946, passed 6-1-2015)
- (5) **Screening** – Where a non-residential use abuts, or is across the street from a residential or institutional use, screening shall be provided in accordance with the standards established in Section 3.16 **BUFFERING/SCREEN PLANTINGS**.
- (6) **Landscaping** – A landscape plan, prepared by a licensed landscape architect, shall be submitted for all projects involving sites in excess of one acre or new construction in excess of 2,000 square feet. The plan shall be subject to review and approval by the Village.
 - (a) All areas of the site, which are not paved, shall be landscaped with trees, shrubs, groundcover and/or flowers to:
 - (i) Slow surface water runoff;
 - (ii) Restrict blowing trash and litter;
 - (iii) Deter improper access or site use by the public; and
 - (iv) Improve the visual quality of the site.
 - (b) The landscape plan shall include identification of species, size and location of plant materials and all other landscape treatments including, but not limited to:
 - (i) Berms;
 - (ii) Fences;
 - (iii) Ground covers;
 - (iv) Ornamental or accent lighting;
 - (v) Paving materials; and
 - (vi) Limits of seed and/or sod.
 - (c) Trees and shrubs shall be keyed into a plant list.

- (d) Upon installation, trees shall not be less than the following sizes:
 - (i) Shade: Three (3)-inch caliper, minimum, as measured twelve (12) inches above grade;
 - (ii) Evergreen: Six (6) feet tall, minimum;
 - (iii) Ornamental: Six (6) feet tall, minimum, if multi-stem; Two and one-half (2½) inches in caliper, minimum, if single-stem.
 - (e) All plant materials shall be kept alive and in good condition or shall be replaced.
 - (f) Provision shall be made for perimeter landscaping through the use of plant materials, unless otherwise recommended by the Planning and Zoning Commission and approved by the Village Board. Such landscaping yard setback shall include: (Am. Ord. 946, passed 6-1-2015)
 - (i) The first thirty (30) feet of a front yard. Parking and parallel drive aisles shall not be permitted in this minimum thirty (30) feet;
 - (ii) The first ten (10) feet of a corner side yard unless the corner side yard is along Hwy 51, then the minimum perimeter landscaping area shall be the first thirty (30) feet of the corner side yard. Parking and parallel drive aisles shall not be permitted in this minimum area; (Am. Ord. 946, passed 6-1-2015)
 - (iii) Shade and/or evergreen trees shall be installed in these yards, at a ratio of not less than one (1) tree for every one hundred (100) linear feet of perimeter yard. Trees may be informally clustered or grouped, rather than equally spaced. (Am. Ord. 946, passed 6-1-2015)
- (7) **Lighting:**
- (a) Exterior lighting proposed for use on the site shall be planned, erected and maintained so that light is confined to the property, and does not cause direct glare or light spillage on adjacent properties or public rights-of-way. The height of an exterior light fixture shall not exceed the predominant height of the principal building to which it relates.
 - (b) A point-by-point photometric plan shall be submitted for parking lots that demonstrates:
 - (i) Average-maintained illumination between one (1) and three (3) footcandles
 - (ii) Not more than 0.5 footcandles beyond property lines except within 30 feet of entrances/exits
 - (c) Light fixtures shall be designed to aesthetically relate to the character of the development. Light bulbs/sources shall primarily be metal halide or LED. High pressure sodium lights are discouraged.
 - (d) Plans for parking lot, security, landscape and other building accent lighting shall be subject to review and approval by the Village.

- (8) **Mechanical Equipment** – All roof-mounted mechanical equipment including, but not limited to, heating, ventilating and air-conditioning units (HVAC) shall be fully screened from public view on all sides of the building:
- (a) Screening shall be accomplished by the roof-structure or parapet walls, unless otherwise recommended by the Planning and Zoning Commission and approved by the Village Board.
 - (b) Screening shall be designed to blend with, and complement the architecture of the building.
 - (c) The height of the parapet walls, roof structure, or other approved method of screening shall equal the height of the tallest roof-top unit installed on the building.
 - (d) For mechanical equipment located on the ground, landscaping, quality wood fencing, or an enclosure of masonry construction shall be provided to screen from public view. Such screening techniques shall, at minimum, equal the height of the tallest piece of equipment.
- (9) **Utility Meters/Transformers:**
- (a) Wall-mounted utility meters and ground-supported transformers shall be painted to match the building.
 - (b) If visible to the public, meters and transformers shall be screened by landscaping which, upon installation, shall, at minimum, equal the height of the tallest meter or transformer.
- (10) **Trash Enclosure:**
- (a) Trash receptacles shall be enclosed by masonry walls or quality wood fencing, designed to match the building.
 - (b) Enclosures shall be constructed to be equal to or taller than the height of the tallest bin proposed for use.
 - (c) Trash enclosures shall be provided with gates to contain blowing trash, and a concrete pad and approach apron.
- (11) **Outdoor Storage:**
- (a) All business, services, storage, merchandise display and processing shall be conducted entirely within an enclosed building, with the exception of:
 - (i) Off-street parking and loading areas;
 - (ii) Open sales lots;
 - (iii) Outdoor sales of products for automobile service stations provided they are related to servicing motor vehicles.
 - (b) All outdoor storage facilities for accessory uses and products shall be enclosed by a fence, wall or plant materials adequate to conceal such facilities from adjacent properties and public rights-of-way.
- (Am. Ord. 946, passed 6-1-2015)

(12) Outdoor Display:

- (a) Outdoor displays shall be permitted only as accessory uses on the same lot as a permitted or special use, and shall not be operated as a separate business.
- (b) Unless otherwise provided by this Code, outdoor display areas shall not be located on any public or private right-of-way.
- (c) No outdoor display areas shall be located within fifty (50) feet of any single-family residentially zoned district.
- (d) Outdoor display areas shall be limited to 50 percent of the gross floor area of the primary building on the lot. Automobile dealers are exempt from this percent limitation.
- (e) Where an outdoor display is located on a sidewalk and/or walkway, an unobstructed portion of the sidewalk and/or walkway measuring not less than three feet in width shall be continuously maintained for pedestrian access and no point of access or egress from any building or any individual unit within any building shall be blocked at any time.
- (f) Parking: Outdoor display areas may be located within existing parking spaces but only if there are a sufficient number of other parking spaces available to meet the minimum parking requirements of the use(s) on the property as required in Section 6.5 of this ordinance. Outdoor display areas shall not be located within handicapped-accessible parking spaces or loading areas.
- (g) Outdoor display areas shall not be located in the required fire lanes as designated by the Hickory Point Fire Protection District.
- (h) Setbacks: Outdoor display areas may be located in front of, on the side of, or behind the primary building, but shall not encroach upon the required minimum yard setbacks for the zoning district.
- (i) Impact on Visibility: No outdoor display shall be located in the required vision clearance as regulated in Section 3.15 D of this ordinance.
- (j) All outdoor display areas must be maintained and displayed in a neat, orderly and safe manner.
- (k) Any outdoor display that violates the provisions of this ordinance shall be subject to the penalty as provided in Section 10.99 of the Village of Forsyth Code of Ordinances.

(Am. Ord. 951, passed 7-6-2015)

- (13) **Temporary Outdoor Sales Event** – An event held for no more than seven (7) consecutive calendar days which includes the sale of goods, merchandise, or products and also includes other visual items to attract customers to the event which may include but is not limited to balloons, blow up items, food vendors, etc. A permit shall be required for this type of event.
- (a) An application for a temporary outdoor sales event permit can be obtained from the Village and shall include at a minimum a description of the proposed sale event; a diagram of its location; information regarding hours and duration of operation; and other information necessary to evaluate the application.
 - (b) The Zoning Official may authorize a temporary outdoor sales event only if he/she determines that:
 - (i) The use complies with other regulations within this Development Ordinance, the Village of Forsyth Code of Ordinances, and any state or federal regulation.
 - (ii) The use will not impair the normal operation of a present or future permanent use on the site.
 - (iii) The use will be compatible with surrounding uses and will not adversely affect the public health, safety, and welfare.
 - (c) Temporary Outdoor Sales Event permits shall be applied for in conjunction with an outdoor display or in combination with an itinerant merchant application.
- (Am. Ord. 946, passed 6-1-2015)
- (14) **Permitted, Permitted Accessory, and Special Uses** – The non-residential districts shall comply with the permitted, permitted accessory, and special uses summarized in the Permitted and Special Use Chart in Section 4.8.

4.7 PURPOSE, USE, AND BULK REQUIREMENTS FOR NON-RESIDENTIAL DISTRICTS:

- A. **Purpose** – The purpose of each non-residential district is as follows:
- (1) **The B: Neighborhood Business District** provides areas for personal services and convenience shopping for adjacent neighborhoods as well as the entire community.
 - (2) **The C-1: Commercial Service District** is designed to allow for a wide range of retail and service uses and to accommodate auto-oriented commercial activities.
 - (3) **The C-2: Commercial Service District** is designed to allow larger business and service and vehicle sales, storage and service uses.
 - (4) **The OR: Office-Research District** includes general and professional offices, corporate headquarters and product development and research activities. It is also intended to permit low intensity service activities and the storage and distribution of finished products as well as to permit civic and governmental structures in a mutually compatible environment.

- (5) **The I-1: Light Industrial District** accommodates industrial, warehousing and distribution, storage and sales activities where only a nominal amount of pollution is created.
 - (6) **The I-2: Heavy Industrial District** provides for uses permitted in the I-1 Light Industrial District plus other more intensive uses so long as they do not exceed the performance standards of Article X. Most of the uses, traditionally considered as heavy industrial, will require a special use permit to assure that the public health, safety and welfare, as well as the economic viability and environmental quality of Forsyth, are protected.
 - (7) **The AG: Agricultural District** is established as a zone in which agricultural and certain related uses are allowed as the principal use of land.
- B. **Permitted Uses** – See Permitted and Special Use Chart in Section 4.8
 - C. **Permitted Accessory Uses** – See Permitted and Special Use Chart in Section 4.8
 - D. **Special Uses** – See Permitted and Special Use Chart in Section 4.8
 - E. **Lot Size** – See Setback and Bulk Chart in Section 4.9
 - F. **Yard and Setback Regulations** – See Setback and Bulk Chart in Section 4.9
 - G. **Structure Height** – See Setback and Bulk Chart in Section 4.9

4.8 PERMITTED AND SPECIAL USE CHART

Use P = Permitted Use A = Permitted Accessory Use S = Special Use SPU = Special Public Use	AG	RE	R1/OT	R2	R3	B	C1	C2	OR	I1	I2
Residential											
Assisted Living	-	-	S	S	S	-	S	S	-	-	-
Single Family Detached Dwellings	P	P	P	P	P	S	-	-	-	-	-
Townhome, with up to six dwelling units per acre if part of a planned unit development (Am. Ord. 2016-3, passed 3-7-2016)	-	-	-	P	P	S	S	-	-	-	-
Duplex, Quadplex, or Multiplex, with up to six dwelling units per acre if part of a planned unit development	-	-	-	P	P	S	-	-	-	-	-
Apartments, with 12 dwelling units or less (Am. Ord. 2016-3, passed 3-7-2016)	-	-	-	-	P	S	S	-	-	-	-
Condominiums, with 12 dwelling units or less (Am. Ord. 2016-3, passed 3-7-2016)	-	-	-	-	P	S	S	-	-	-	-
Home Occupations (add'l regs.: Section 3.12) (Am. Ord. 946, passed 6-1-2015)	P	P	P	P	P	S	-	-	-	-	-
Buildings accessory to the principal use (add'l regs.: Section 3.5) (Am. Ord. 946, passed 6-1-2015)	A	A	A	A	A	A	A	A	A	A	A
Non-paying guest homes or rooms for guests within an accessory building, provided such facilities are used for the occasional housing of guests of the occupants of the principal building and not for permanent occupancy	A	A	A	A	A	A	A	A	-	-	-
Quarters comprising part of an accessory building and solely for occupancy by a household employee (and his or her family) of the occupants of the principal dwelling	A	A	A	A	A	A	A	A	-	-	-
Sheds for domestic storage, provided they are located in a rear yard only (add'l regs.: Section 3.5) (Am. Ord. 946, passed 6-1-2015)	A	A	A	A	A	A	A	A	-	-	-
Mobile Home	S	-	S	S	S	-	-	-	-	-	-
Group Housing	S	-	S	S	S	-	S	S	-	-	-
Senior Citizen Housing	-	-	S	S	S	-	S	S	-	-	-
Sheltered Care Housing	-	-	-	S	S	-	S	S	-	-	-
Residential Pole Building			A	A	A						
Religious/Institutional											
Church, Synagogue, or Temple (Am. Ord. 2016-3, passed 3-7-2016)	S	P	P	P	P	P	S	S	P	-	-
Convent, Monastery, Seminary, or Religious Retreat	S	P	P	P	P	P	-	-	P	-	-
Elementary or Junior High School, Public or Private	P	P	P	P	P	P	P	P	P	-	-
Local, Township, County, or Federal	S	S	P	P	P	P	P	P	P	-	-

Use	AG	RE	R1/OT	R2	R3	B	C1	C2	OR	I1	I2
P = Permitted Use A = Permitted Accessory Use S = Special Use SPU = Special Public Use											
Governmental Bldg (Am. Ord. 945, passed 6-1-2015)											
Library	S	P	P	P	P	P	P	P	P	-	-
Cemetery, Mausoleum	S	S	S	S	S	S	S	S	S	-	-
Hospital, Convalescent Center	-	-	-	-	-	S	S	S	S	-	-
Police or Fire Station	S	S	S	S	S	S	S	S	S	-	-
High School, College, or University	S	S	S	S	S	S	S	S	S	-	-
Recreational/Civic											
Amphitheater	-	-	-	-	-	-	P	P	P	-	-
Auditorium/Assembly Hall	-	-	-	-	-	-	P	P	P	-	-
Batting Cage	-	-	-	-	-	-	P	P	-	-	-
Billiard/Pool Hall	-	-	-	-	-	-	P	P	-	-	-
Bowling Alley	-	-	-	-	-	-	P	P	-	-	-
Community Center	S	S	S	S	S	S	S	S	S	-	-
Golf Course and/or Driving Range	S	S	S	S	S	S	S	S	S	-	-
Greenbelts, i.e., Public Parks or Open Space, including Playgrounds, Forest Preserves, or Playfields	P	P	P	P	P	P	P	P	P	-	-
Gymnasium/Health Club	-	-	-	-	-	-	P	P	P	S	S
Indoor Racquet Court	-	-	-	-	-	-	P	P	P	-	-
Miniature Golf Course (Am. Ord. 946, passed 6-1-2015)	-	-	-	-	-	-	P	P	-	-	-
Private Club and Lodges	S	S	S	S	S	S	S	S	S	-	-
Private greenhouse, subject to setback regulations of the District	A	A	A	A	A	-	-	-	-	-	-
Private swimming pools and tennis courts (unlighted), in rear yards only, and subject to the setback regulations of the District	A	A	A	A	A	-	S	S	-	-	-
Riding stable provided that any building housing animals is located at least seventy-five (75) feet from all property lines.	P	-	-	-	-	-	-	-	-	-	-
Skating Rink, Indoor Ice or Roller	-	-	-	-	-	-	P	P	-	-	-
Theater (indoor) (Am. Ord. 946, passed 6-1-2015)	-	-	-	-	-	P	P	P	P	-	-
Theater (drive-in) (Am. Ord. 946, passed 6-1-2015)	-	-	-	-	-	-	S	S	S	-	-
Vegetable or flower garden	A	A	A	A	A	S	S	S	S	S	S
Water Park	-	-	-	-	-	-	P	P	-	-	-
Business and Service Uses											
Adult Business Uses	-	-	-	-	-	-	-	-	-	-	S
Amusement Facility	-	-	-	-	-	S	P	P	-	-	-
Art Gallery	-	-	-	-	-	P	P	P	-	-	-
Banks and Financial Institutions	-	-	-	-	-	P	P	P	P	P	P
Beauty Parlor/Barber Shop/Hair Salon	-	-	-	-	-	P	P	P	-	-	-

Use	AG	RE	R1/OT	R2	R3	B	C1	C2	OR	I1	I2
P = Permitted Use A = Permitted Accessory Use S = Special Use SPU = Special Public Use											
Bed and Breakfast (Am. Ord. 2016-3, passed 3-7-2016)	S	S	S	S	S	S	P	-	-	-	-
Building Materials, Storage, Warehousing, and Retail Sales	-	-	-	-	-	-	-	P	-	P	P
Cabinet Making, under 2,000 sq. ft. in size	-	-	-	-	-	P	P	P	-	-	-
Catering Services	-	-	-	-	-	P	P	P	-	-	-
Commercial School or Dancing/Music School	-	-	-	-	-	P	P	P	-	-	-
Convenience Store	-	-	-	-	-	P	P	P	-	-	-
Currency Exchange	-	-	-	-	-	P	P	P	-	-	-
Day Care Center/Nursery School	S	S	S	S	S	S	S	S	S	S	S
Day Care Home	P	P	P	P	P	-	-	-	-	-	-
Drug Store or Pharmacy	-	-	-	-	-	P	P	P	-	-	-
Dry Cleaner	-	-	-	-	-	P	P	P	-	-	-
Electrical or Similar Retail Sales, Service, or Repair	S	-	-	-	-	P	P	P	-	P	P
Fairgrounds	S	-	-	-	-	-	S	S	S	-	-
Farm and Garden Supply	-	-	-	-	-	-	S	P	S	P	P
Florist	-	-	-	-	-	P	P	P	-	-	-
Food Sales (Ord. 946, passed 6-1-2015)	-	-	-	-	-	P	P	P	-	-	-
Frozen Food Locker	-	-	-	-	-	-	-	S	-	P	P
Funeral Parlor (Mortuary)	-	-	-	-	-	P	P	P	-	-	-
Greenhouse/Nursery Retail Sales, min. 1-acre lot	S	S	S	S	S	S	S	S	S	S	S
Grocery Store	-	-	-	-	-	P	P	P	-	-	-
Gun Shop	-	-	-	-	-	-	S	S	-	-	-
Hardware Store	-	-	-	-	-	P	P	P	-	-	-
Interior Decorating	-	-	-	-	-	P	P	P	-	-	-
Laundromat	-	-	-	-	-	P	P	P	-	-	-
Locksmith	-	-	-	-	-	P	P	P	-	-	-
Massage Therapy	-	-	-	-	-	S	S	S	S	-	-
Meat Market/Butcher	-	-	-	-	-	P	P	P	-	-	-
Microbrewery (Am. Ord. 2016-3, passed 3-7-2016)	-	-	-	-	-	S	P	P	-	S	-
Office Supply Store	-	-	-	-	-	P	P	P	P	-	-
Outdoor Display (add'l regs.: Section 4.6 C(12)) (Ord. 946, passed 6-1-2015)	-	-	-	-	-	A	A	A	-	-	-
Pawn Shop	-	-	-	-	-	-	-	-	-	S	S
Payday or Title Loan Agency	-	-	-	-	-	-	-	-	-	S	S
Pet Store/Grooming	-	-	-	-	-	P	P	P	-	-	-
Pet Wash	-	-	-	-	-	-	S	P	-	-	-
Photography Studio	-	-	-	-	-	P	P	P	-	-	-
Printing Shop	-	-	-	-	-	P	P	P	P	-	-
Psychics and/or Fortune Tellers	-	-	-	-	-	-	-	-	-	S	S
Race Track, vehicular, horse, dog	-	-	-	-	-	-	S	S	S	-	-

Use	AG	RE	R1/OT	R2	R3	B	C1	C2	OR	I1	I2
P = Permitted Use A = Permitted Accessory Use S = Special Use SPU = Special Public Use											
Repair Shop, including appliances	-	-	-	-	-	P	P	P	-	P	P
Restaurant and Eating Establishments, without drive-through, live entertainment, or dancing	-	-	-	-	-	P	P	P	P	-	-
Restaurant and Eating Establishments, with drive-through, live entertainment, or dancing (add'l regs. for drive-throughs: Section 6.9) (Am. Ord. 946, passed 6-1-2015) (Am. Ord. 2016-3, passed 3-7-2016)	-	-	-	-	-	S	P	P	S	-	-
Retail Store	-	-	-	-	-	P	P	P	-	-	-
Sale of Swimming Pools and Ancillary Equipment (Am. Ord. 2016-3, passed 3-7-2016)	-	-	-	-	-	-	S	P	S	-	-
Service Shop, Painting, Plumbing, Tinsmithing, Upholstering, under 2,000 sq. ft. in size	-	-	-	-	-	P	P	P	-	P	P
Shoe Repair	-	-	-	-	-	P	P	P	-	-	-
Studio	-	-	-	-	-	P	P	P	-	-	-
Tailor/Seamstress/Dressmaking	-	-	-	-	-	P	P	P	-	-	-
Tattoo Parlor and/or Body Piercing (Am. Ord. 946, passed 6-1-2015)	-	-	-	-	-	-	-	-	-	S	S
Travel Agency	-	-	-	-	-	P	P	P	P	-	-
Upholstery	-	-	-	-	-	P	P	P	-	-	-
Veterinary Clinic/Animal Hospital	-	-	-	-	-	-	S	S	S	-	-
Video and Game Rental	-	-	-	-	-	P	P	P	-	-	-
Vehicle Sales, Storage, and Service											
Automobile Rental (Am. Ord. 2016-3, passed 3-7-2016)	-	-	-	-	-	-	P	P	-	P	P
Automobile Display and Sales (new/used) (Am. Ord. 2016-3, passed 3-7-2016)	-	-	-	-	-	-	P	P	-	P	P
Automobile School	-	-	-	-	-	-	P	P	-	-	-
Automobile Storage Lot (Am. Ord. 2016-3, passed 3-7-2016)	-	-	-	-	-	-	-	P	-	P	P
Automobile & Boat Storage (indoor) (Ord. 923, passed 9-2-2014) (Am. Ord. 2016-3, passed 3-7-2016)	-	-	-	-	-	-	S	P	-	P	P
Boat Dealer/Repair (Am. Ord. 2016-3, passed 3-7-2016)	-	-	-	-	-	-	-	P	-	P	P
Camper/RV Sales and Service (Am. Ord. 2016-3, passed 3-7-2016)	-	-	-	-	-	-	-	P	-	P	P
Car Wash (automatic and manual) (Am. Ord. 2016-3, passed 3-7-2016)	-	-	-	-	-	-	S	P	-	P	P
Farm Implement Display, Sales, or Service (Am. Ord. 2016-3, passed 3-7-2016)	-	-	-	-	-	-	-	P	-	P	P
Motorcycle Sales and Service (Am. Ord. 2016-3, passed 3-7-2016)	-	-	-	-	-	-	P	P	-	P	P
Oil Change Shop (Am. Ord. 2016-3, passed 3-7-2016)	-	-	-	-	-	-	S	P	-	P	P
Repair (Engine, Body, Gas Station)	-	-	-	-	-	-	-	P	-	P	P

Use	AG	RE	R1/OT	R2	R3	B	C1	C2	OR	I1	I2
P = Permitted Use A = Permitted Accessory Use S = Special Use SPU = Special Public Use											
(Am. Ord. 2016-3, passed 3-7-2016)											
Service Station (full- and self-serve) (Am. Ord. 2016-3, passed 3-7-2016)	-	-	-	-	-	-	P	P	-	P	P
Snowmobile Sales and Service (Am. Ord. 2016-3, passed 3-7-2016)	-	-	-	-	-	-	P	P	-	P	P
Trailer Display and Sales/Rental (Am. Ord. 2016-3, passed 3-7-2016)	-	-	-	-	-	-	-	P	-	P	P
Truck Rental (Am. Ord. 916, passed 7-7-2014) (Am. Ord. 2016-3, passed 3-7-2016)	-	-	-	-	-	-	S	P	-	P	P
Truck School	-	-	-	-	-	-	-	-	-	P	P
Offices											
Business, Professional, Institutional, and Governmental	-	-	-	-	-	P	P	P	P	P	-
Medical or Dental Clinic	-	-	-	-	-	P	P	P	P	P	-
Technology and Research Centers	-	-	-	-	-	-	-	-	P	P	-
Industrial											
Acid or Chemical Manufacturing	-	-	-	-	-	-	-	-	-	-	S
Airport/Landing Field	-	-	-	-	-	-	-	-	-	-	S
Auto Wrecking or Junk Yard	-	-	-	-	-	-	-	-	-	-	S
Batch Plants	-	-	-	-	-	-	-	-	-	-	S
Bottling Works	-	-	-	-	-	-	-	-	-	P	-
Carting, Express, or Storage Yard	-	-	-	-	-	-	-	-	-	P	-
Communication/Cell Tower	-	-	-	-	-	-	S	S	S	P	P
Contractor Yard	-	-	-	-	-	-	-	-	-	P	-
Distribution and Fulfillment Center	-	-	-	-	-	-	-	-	P	P	P
Explosives Manufacturing/Storage	-	-	-	-	-	-	-	-	-	-	S
Gasoline/Propane Bulk Storage	-	-	-	-	-	-	-	-	-	-	S
Grain Elevator	-	-	-	-	-	-	-	-	-	P	-
Lime, Phosphate or Limestone Storage or Handling	-	-	-	-	-	-	-	-	-	-	S
Lumber Yard	-	-	-	-	-	-	-	P	-	P	-
Milk Distribution Station	-	-	-	-	-	-	-	-	-	P	-
Oil Well	-	-	-	-	-	-	-	-	-	-	S
Radio/TV Tower or Station	S	S	S	S	S	S	S	S	S	S	S
Railroad or Public Utility Structure	S	S	S	S	S	S	S	S	S	S	S
Refuse Storage, Sorting, or Transfer	-	-	-	-	-	-	-	-	-	-	S
Research and Development Facility	-	-	-	-	-	-	-	-	-	P	-
Self-Storage Facility (Am. Ord. 2016-3, passed 3-7-2016)	-	-	-	-	-	-	S	P	-	P	P
Slaughter or Processing of Poultry or Poultry Products	-	-	-	-	-	-	-	-	-	-	S

Use	AG	RE	R1/OT	R2	R3	B	C1	C2	OR	I1	I2
P = Permitted Use A = Permitted Accessory Use S = Special Use SPU = Special Public Use											
Warehouse (Am. Ord. 2016-3, passed 3-7-2016)	-	-	-	-	-	-	-	-	-	P	P
Commercial Pole Building										P	P
Other											
Buildings or other structures customarily incidental to, and commonly associated with, a permitted or special use; these uses may be permitted provided they: (1) are operated and maintained under the same ownership and on the same lot as the permitted or special use; and (2) do not include the conduct of any business, profession, trade or industry	A	A	A	A	A	A	A	A	A	A	A
Farming with livestock, including structures and facilities commonly associated with agricultural but excluding feed lots and confinement operations of ten or more animals (add'l regs.: Section 3.4) (Am. Ord. 2016-3, passed 3-7-2016)	P	P	-	-	-	-	P	P	P	P	P
Farming without livestock, including structures and facilities commonly associated with agricultural but excluding feed lots and confinement operations of ten or more animals (add'l regs.: Section 3.4) (Am. Ord. 2016-3, passed 3-7-2016)	P	P	P	P	P	P	P	P	P	P	P
Medical Cannabis Dispensing Organizations, provided the facilities otherwise comply with the provisions of Article III and any applicable state laws and regulations (add'l regs.: Section 3.19) (Ord. 933, passed 12-1-2014) (Am. Ord. 946, passed 6-1-2015)	-	-	-	-	-	S	S	S	-	-	-
Medical Cultivation Center, provided the facilities otherwise comply with the provisions of Article III and any applicable state laws and regulations (add'l regs.: Section 3.19) (Ord. 933, passed 12-1-2014) (Am. Ord. 946, passed 6-1-2015)	-	-	-	-	-	-	-	-	-	S	S
Mixed Use Building (Ord. 945, passed 6-1-2015)	-	-	-	-	-	P	P	-	-	-	-
Planned Unit Developments (add'l regs.: Article 5 & Section 11.2 D) (Am. Ord. 946, passed 6-1-2015)	-	S	S	S	S	S	S	S	S	S	S
Roadside stands offering for sale only farm products which are produced on the premises	P	-	-	-	-	-	-	-	-	-	-
Small Wind Energy System (add'l regs.: Section 3.17) (Am. Ord. 946, passed 6-1-2015)	S	S	S	S	S	S	S	S	S	S	S
Solar Energy Device (add'l regs.: Section 3.18) (Am. Ord. 946, passed 6-1-2015)	A	A	A	A	A	A	A	A	A	A	A
Truck Garden or Farming, excluding the keeping of livestock or poultry	P	P	S	S	S	S	P	P	P	P	P
Tier One PWSF		S	S	S	S	P	P	P			
Tier Two PWSF						P	P	P			
Tier Three PWSF										P	P
Unattended Donation Boxes (Am. Ord. 2020-12. Passed 10-5-2020)						A	A	A	A	A	A
Public Utility Facilities	SPU	SPU	SPU	SPU	SPU	SPU	SPU	SPU	SPU	P	P

4.9 SETBACK AND BULK CHART

(Am. Ord. 946, passed 6-1-2015)

Zone	Utilities Condition (see notes below)	Lot Size (minimum)		Yard Setbacks (minimum)				From U.S. Route 51 right-of-way	Height of Principal Building (max)
		Lot Size [4]	Lot Width	Front Yard [6]	Rear Yard	Corner Side Yard [6]	Interior Side Yard		
		(sq ft)	feet	feet	feet	feet	feet	feet	feet
AG	Utility[D]	217,800	60	50	40	40	15	50	35
R-E	Utility[A]	20,000	100	40	40	40	15	50	35
R-1	Utility[B]	7,501	60	30	25	25	7	50	35
	Utility[C]	12,000							
OT	-	7,500 [4]	40	(*)	(*)	(*)	(*)	50	35
R-2	Utility[B]	7,500	60[1]	30	25	25	7	50	35
	Utility[C]	12,000	75[2]						
R-3	Utility[B]	7,500	60[1]	30	25	25	7	50	45
	Utility[C]	12,000	75[3]						
B	-	20,000	100	30	10 [7]	30	10 [7]	50	35
C-1	-	30,000	100	30	10 [7]	30	10 [7]	50	45 [5]
C-2	-	30,000	100	30	10 [7]	30	10 [7]	50	45 [5]
OR	-	20,000	100	30	10 [7]	30	10 [7]	50	45
I-1	-	43,560	150	30	10 [7]	30	10 [7]	50	45
I-2	-	43,560	150	30	10 [7]	30	10 [7]	50	45

Conditions

Utility [A]: Lot with or without municipal sewer and/or water.

Utility [B]: Lot with municipal sewer and water.

Utility [C]: Lot with municipal sewer or water.

Utility [D]: Lot without municipal sewer and water.

Notes

[1] For detached single family homes.

[2] For townhomes and multiplex structures.

[3] For attached single family homes and all multi-family dwelling units.

[4] Lot sizes for special uses shall be as specified in the special use permit, unless otherwise noted for a particular use listed in this District, based upon the criteria listed in Article IX, Section 9.12. In the OT: Original Town District, lots platted prior to September 1, 2013 may have a minimum lot size of 5,000 square feet. (Am. Ord. 945, passed 6-1-2015)

[5] Maximum height limitations shall be specified with the granting of a special use permit, and may exceed the maximum height for a permitted use with Village approval. Maximum building height in the C-1 and C-2 district is 45' for a maximum of 3 stories except within 200' of a property zoned R-1 or R-2, in which case the maximum building height shall be 35'.

(*) Setbacks in the OT District shall be as follows:

Front – The average front yard setback provided by existing buildings on the same block face

Rear – Twenty percent of lot depth

Corner Side – The average setback provided by existing buildings on the same block face

Interior Side – 7' or 10% of the lot width, whichever is less

[6] Setback along a collector street shall be a minimum of 35' from a collector street.

[7] Rear yard and interior side yard setbacks abutting residential uses shall be a minimum of 25 feet as stated within Section 3.16. (Am. Ord. 946, passed 6-1-2015)

4.10 PERSONAL WIRELESS SERVICE FACILITIES :

The regulation and use of Personal Wireless Service Facilities, shall be governed and controlled by Chapter 98 of the Village Code, which shall be incorporated into this Development Ordinance as if fully set forth herein. Any variance to those regulations shall be controlled, processed and decided in the same manner as variations under Section 9.10 of the Development Ordinance.