



PLAN COMMISSION / ZONING BOARD OF APPEALS AGENDA

**Thursday, January 27, 2022
6:30 P.M.**

**Frankfort Village Hall
432 W. Nebraska Street (Board Room)**

- 1. Call to Order**
- 2. Roll Call**
- 3. Approval of Minutes of January 13, 2022**
- 4. Workshop: 330 Oregon – Thomas Residence**
Future Public Hearing Request: Demolition of the existing single-family home and construction of a new single-family home within Downtown Frankfort, zoned R-2, requiring several variances. *(Christopher Gruba)*
- 5. Workshop: Village of Frankfort Zoning Ordinance Text Amendment – Accessory Uses & Structures**
Future Public Hearing Request: Consideration of proposed revisions to the Village of Frankfort Zoning Ordinance regarding accessory structures. *(Christopher Gruba)*
- 6. Workshop: Village of Frankfort Zoning Ordinance Text Amendment – Article 12 (Rules and Definitions) and Article 5, Section B (Table of Permitted and Special Uses) for Indoor Recreation, Outdoor Recreation Indoor Entertainment, and Outdoor Entertainment**
Future Public Hearing Request: Consideration of proposed revisions to the Village of Frankfort Zoning Ordinance regarding Indoor Recreation, Outdoor Recreation Indoor Entertainment, and Outdoor Entertainment. *(Mike Schwarz)*
- 7. Public Comments**
- 8. Village Board & Committee Updates**
- 9. Other Business**
- 10. Attendance Confirmation (February 10, 2022)**
- 11. Adjournment**

All applicants are advised to be present when the meeting is called to order. Agenda items are generally reviewed in the order shown on the agenda, however, the Plan Commission/Zoning Board of Appeals reserves the right to amend the agenda and consider items in a different order. The Commission may adjourn its meeting to another day prior to consideration of all agenda items. All persons interested in providing public testimony are encouraged to do so. If you wish to provide public testimony, please come forward to the podium and state your name for the record and address your comments and questions to the Chairperson.



**MINUTES
MEETING OF VILLAGE OF FRANKFORT
PLAN COMMISSION / ZONING BOARD OF APPEALS
JANUARY 13, 2022–VILLAGE ADMINISTRATION BUILDING
432 W. NEBRASKA STREET**

Call to Order: Chair Rigoni called the meeting to order at 6:31 P.M.

Commissioners Present: Chair Maura Rigoni, Dan Knieriem, Will Markunas, Nichole Schaeffer, and David Hogan

Commissioners Absent: Lisa Hogan and Ken Guevara

Staff Present: Senior Planner Christopher Gruba, Senior Planner Janine Farrell, Community and Economic Development Department Director Michael Schwarz

Elected Officials Present: None

Chair Rigoni provided an overview of the meeting process and swore in members of the public who wished to speak.

A. Approval of the Minutes from December 9, 2021

Motion (#1): Approval of the minutes, as presented, from December 9, 2021

Motion by: Knieriem Seconded by: Markunas

Approved: (5 to 0)

B. Public Hearing: 22791 S. Challenger Road

Chair Rigoni introduced the case. The applicant, Jeff Graefen, is requesting a special use for outdoor storage and a Plat of Resubdivision to combine Lots 10, 11 and 21 within the Fey-Graefen Industrial Park Phase 1.

Gruba presented the case. Summarized, he stated:

- Millennium was originally approved on May 3, 2021, by the Village Board. Millennium is a boring pipe supplier. A special use and a Final Plat to combine lots 10 and 21 were approved at that time.
- This work has mostly been completed and the building is built.
- The request now is to add an additional one-acre lot (Lot 11) for outdoor storage for a total of two acres of outdoor storage.
- The site plan for Lots 10 and 21 will not be changing much, including the building.
- The updated landscape plan complies with the Landscape Ordinance.

- Outdoor screening will be the same as before, an 8 ft. tall cyclone fence with black, opaque slats and street trees.
- Per Robinson's review and the Site Plan, back-to-back 17.5 ft. drainage and utility easements run down the middle of the site. There is also an existing underground storm sewer beneath.
- With the addition of Lot 11, a 73 ft. wide Overland Flow Easement was also required on Lot 10. Robinson recommends that nothing be stored in both easements to keep drainage clear. The Final Plat notes that the 73 ft. wide overland flow easement will be "granted to the VOF". Staff and Robinson recommend that the wording be changed slightly to make it clear that the Village is not responsible for maintaining this easement. This can be a condition of approval.
- Site complies with impervious coverage and all other Zoning Ordinance requirements.
- The site plan illustrates a trash enclosure, but there are no details of the enclosure. The Zoning Ordinance states that it should be generally compatible with the building design. The Commission may want to add a condition that the dumpster enclosure shall be masonry as opposed to corrugated metal.
- The former conditions of approval the first time were: Final Engineering approval and rooftop mechanical screening which were completed. The architectural banding was not installed on the building and Mr. Graefen provided a letter of explanation in the packet. In addition to the required street trees, there should be an additional four evergreen trees per the minutes from that previous meeting.

Chair Rigoni asked if the applicant was present and wished to speak. Joe Parrish with Graefen Development introduced himself but did not have anything to add.

Chair Rigoni asked if there were any initial questions from the Commission. There were none.

Chair Rigoni asked if there was anyone from the public who wished to speak. There were no public comments and the public hearing was closed.

During Commissioner discussion:

- Commissioner Knieriem clarified with Gruba that additional landscaping was originally required but not installed. Chair Rigoni stated that since there is outdoor storage along the right of way, the trees should be staggered to provide screening. Commissioner Knieriem requested that additional evergreen trees be provided since another lot is going to be combined with the site. The Commissioners agreed that this should be added as a condition of approval.
- Commissioner Knieriem asked about the banding block that was not installed on the building. Mr. Parrish clarified that a strip of the building will be stained when weather permits. The Commissioners agreed to add this as a condition of approval.
- Commissioner Knieriem asked about the swale, the underground piping and manholes on the site. Gruba clarified that the asphalt swale currently exists between Lots 10 & 21, plus underground piping to increase stormwater

capacity, and off-site manholes. Mr. Parrish confirmed that the new drainage swale added along the west side of Lot 11 will be grass.

- Commissioner Markunas requested that approval be conditioned with additional landscaping to be added and the banding on the structure corrected.
- Chair Rigoni asked about the trash enclosure. Gruba confirmed that no details were received. Mr. Parrish stated that there were two options: a fenced enclosure or a brick enclosure with a gate. With direction by Schwarz, the Commissioners agreed to add this as a condition of approval to the special use.
- Commissioner Schaeffer agreed with the previous comments and requested that the dedication of the drainage easement language be clarified on the Final Plat.
- Commissioner Hogan had nothing additional to add.

Motion (#2): Motion to close the public hearing.

Motion by: Knieriem

Seconded by: Schaeffer

Approved: (5 to 0)

Motion (#3): Motion to recommend the Village Board approve the Final Plat for Millennium-Kyle Holdings, consolidating lots 10, 11 & 21 (22790 S. Citation Road, 22812 S. Citation and 22791 S. Challenger Road) in the Fey-Graefen Subdivision, in accordance with the reviewed plans and public testimony, conditioned on final engineering approval.

Motion by: Knieriem

Seconded by: Schaeffer

Approved: (5 to 0)

Motion (#4): Motion to recommend the Village Board approve a Special Use Permit for outdoor storage in conjunction with a 12,209 square foot industrial building on the properties located at 22791 S. Challenger, 22790 S. Citation and 22812 S. Citation, in accordance with the reviewed plans and public testimony, conditioned on final engineering approval, providing architectural banding on the front and sides of the building, screening the rooftop (or ground-mounted) mechanical units from view, a masonry trash enclosure be provided, and a minimum of six additional evergreen trees be added along the Citation Rd. frontage.

Motion by: Knieriem

Seconded by: Markunas

Approved: (5 to 0)

C. Public Hearing: 22265 S. 80th Ave.

Chair Rigoni introduced the case. The applicant, Chelsea Intermediate School, is requesting a special use for institutional use to allow a school addition, a variation to permit cyclone fencing in a residential zone district, and a Plat of Resubdivision to combine two parcels into one lot.

Gruba presented the case. Summarized, he stated:

- A workshop for the school addition, including the special use, variation

request, and Final Plat was held on November 18, 2021.

- The special use request is for the school addition only.
- The variation request is for cyclone fencing in a residential zone. There is an existing chain-link fence around the track, but it will be entirely removed and replaced in the new track location. The school is willing to vinyl-coat the fence black.
- The Final Plat request is for the lot combination.
- Since the workshop, the plans have not changed much. A landscape plan was submitted which complies with Code. We now have information about the material and height of the rooftop unit screening, which will match the height of the rooftop units.
- Everything else complies with the Zoning Ordinance requirements, including lot coverage, impervious coverage, building setbacks for the addition, building height, parking, etc.
- The Final Plat illustrates new stormwater detention and watermain easements.
- The new building materials are proposed to match the existing.
- Eight new mechanical units total will be installed and will be minimally visible with the new screening proposed.

Chair Rigoni asked if the applicant was present and wished to speak. Kate Ambrosini and Lindsay Taylor introduced themselves. Ms. Taylor stated that there will be only six mechanical units added instead of eight. The two in the central portion may be installed at a later date but would be screened.

Chair Rigoni asked if there were any initial questions from the Commission:

- Commissioner Schaeffer asked about the tree removal and the artificial turf proposed in the detention area. Ms. Taylor was unsure if artificial turf was going to be used, but that the plans shown were the latest version. There was discussion between the Commissioners, staff, and the applicants that this was likely a typographical error and artificial turf is typically never used in detention areas. The Commissioners agreed to add as a condition of approval that natural, native plantings be used in the detention areas.

Chair Rigoni asked if there was anyone from the public who wished to speak. There were no public comments and the public hearing was closed.

During Commissioner discussion:

- Chair Rigoni requested that building material samples be provided to staff so that staff can confirm that the proposed materials will match the existing structure. Ms. Taylor stated that the brick which was used on the north side on the screen wall will be used for this addition.
- Commissioner Schaeffer asked if the gate will match the decorative fence on the site. Ms. Taylor and Ms. Ambrosini confirmed that the swing gate and the fence are not new, they will just be relocated to accommodate the new addition.

Motion (#5): Motion to close the public hearing.

Motion by: Knieriem

Seconded by: Schaeffer

Approved: (5 to 0)

Motion (#6): Motion to recommend the Village Board approve a Special Use Permit for a school addition on the property located at 22265 S. 80th Ave, in accordance with the reviewed plans and public testimony, conditioned on final engineering approval, screening the rooftop mechanical units from view, replacing any preservation trees lost as part of the site work, and the detention areas shall be planted with natural, native plantings.

Motion by: Markunas

Seconded by: Schaeffer

Approved: (5 to 0)

Motion (#7): Motion to recommend the Village Board approve a variation for 4 ft. tall cyclone (chain-link) fence around the perimeter of the athletic track, for the property located at 22265 S. 80th Ave, conditioned upon the fence being black, vinyl-coated, in accordance with the reviewed plans and public testimony.

Motion by: Knieriem

Seconded by: Schaeffer

Approved: (5 to 0)

Motion (#8): Motion to recommend the Village Board approve a Final Plat of Subdivision for Chelsea Intermediate School, consolidating two existing parcels, in accordance with the reviewed plans and public testimony, conditioned on final engineering approval.

Motion by: Markunas

Seconded by: Schaeffer

Approved: (5 to 0)

D. Public Hearing: 20499 S. La Grange Road

Chair Rigoni introduced the case. The applicant, Nancy Tong, is requesting a special use for a massage establishment.

Gruba presented the case. Summarized, he stated:

- The site is located within the Vineyards of Frankfort Plaza, adjacent to the existing Nail Salon which is managed by the applicant.
- There are no exterior changes.
- The business will operate from 10 am – 8 pm, within normal business hours.
- The floorplan shows two massage rooms, but the business plan mentions three to four so the applicant can clarify exactly how many.
- There would be a max of two employees at any one time. The applicant stated that these are chiropractors, but they may actually be licensed massage therapists. Ms. Tong provided her IL state massage license.

- The Vineyards of Frankfort is currently overparked by Code, but in reality, is under-utilized, except for on Friday and Saturday nights. 167 spaces are currently provided and 224 spaces are required per Code, not including the proposed massage. With the proposed massage establishment, 235 spaces would be required. There is a shared cross-access and shared parking agreement with Alsip which adds an extra 286 spaces. The gate between Alsip and Vineyards is closed when Alsip closes.

Commissioner Knieriem asked Gruba who the previous tenant was in the space. The Commissioners responded that it was a popcorn store.

Chair Rigoni asked if the applicant was present and wished to speak. The applicant, Nancy Tong, and her associates, Eve and Ling Huang, approached the podium.

Chair Rigoni asked if there were any initial questions from the Commission:

- Chair Rigoni asked if the employees were chiropractors or massage therapists. The applicants responded that they were massage therapists.

Chair Rigoni asked if there was anyone from the public who wished to speak. There were no public comments and the public hearing was closed.

During Commissioner discussion:

- Gruba and Chair Rigoni asked the applicants to clarify the number of employees and treatment rooms. The applicants responded that there will be two rooms and three employees.
- Commissioner Markunas confirmed with the applicants that the hours of operation will be Tuesday through Saturday from 10:00 am – 8:00 pm.
- The Commissioners discussed Enrico's hours of operation and noted that parking is typically concentrated in that corner of the plaza, away from the proposed massage establishment.

Motion (#9): Motion to close the public hearing.

Motion by: Knieriem

Seconded by: Schaeffer

Approved: (5 to 0)

Motion (#10): Motion to recommend the Village Board approve a special use for a massage establishment at 20499 S. La Grange Road, in accordance with the reviewed plans, public testimony, and Findings of Fact.

Motion by: Schaeffer

Seconded by: Markunas

Approved: (5 to 0)

E. Workshop: Village of Frankfort Zoning Ordinance Text Amendment – Accessory Uses & Structures

Chair Rigoni introduced the workshop, noting that this is the second workshop for this topic.

Gruba presented. Summarized, he stated:

- On September 20, 2021, the Committee of the Whole directed staff to draft a text amendment for accessory structures.
- There has been discussion over the past year whether the 144 sq. ft. maximum size limitation is too small. Staff found that there are also conflicting, vague or silent regulations.
- Most of the substance regarding accessory structures is staying the same, but the affected parts of the Zoning Ordinance would be: Article 1, Section I; Article 5, Sections B, C, and D; and Article 12.
- The Plan Commission comments from the December 9th workshop were incorporated into the latest documents.
- Regulations staying the same: Swimming Pool, Fence, and Home Occupations.
- Things that are changing: the 144 sq. ft. limitation on size, height for farm buildings, and listing accessory structures by name.
- Things that further regulate accessory structure size: lot coverage, impervious coverage, setbacks, and separation from other accessory structures and primary structures. Two new provisions are that no accessory structure size shall be larger than the footprint of house and that the total gross floor area of all accessory structures shall not exceed footprint of house.
- Other accessory structure changes: A/C units, generators and pool equipment would be specifically listed as accessory structures, have to meet setbacks, lot area, impervious coverage, etc.
- The current sports courts regulations were read.
- Proposed regulations for sports courts:
 1. Special use in the residential zoning districts only
 2. One permitted per residential lot
 3. Size shall not exceed 3% of the area of the lot, but in no instance shall a sports court exceed 1,000 square feet
 4. Located in the rear yard only
 5. Set back at least 10 ft. from any side or rear property line
 6. Counts toward the maximum total impervious coverage of the lot
 7. Be screened from view using the same methods as required for pool screening
 8. Not illuminated
 9. No more than one goal permitted
 10. No appurtenances shall exceed 15 ft. tall

During Commissioner discussion:

- Commissioners discussed how to best approach this topic due to the volume of information. They agreed to look at accessory structures and sports courts first since those are the most common requests.
- Gruba confirmed that the current major concerns are sports courts and accessory structures like pool cabanas/pergolas.
- Sports courts:
 - The Commissioners noted that the Board may have a different opinion on what the appropriate size should be for sports courts. They expressed concern about putting in substantial work on the text amendments only to have the Board deny them. Schwarz stated that each Board or

- Commission should function independently and that the Board values the Commission's opinion but is the final decision-making authority.
- Commissioner Knieriem stated that practical measurements, like 5 ft. beyond the perimeter of the three-point line, should be used to determine the appropriate sports court size.
 - The Commissioners discussed using a youth court size as opposed to NBA court size. Gruba displayed a diagram illustrating the dimensions of a collegiate size court. Commissioner Hogan confirmed that a collegiate court is the same size for a high school court. The Commissioners determined that with an extra 5 ft. surrounding the three-point line, the court dimensions would be about 50 ft. by 26 ft. or 1,300 sq. ft.
 - Gruba confirmed that the sports court would count towards impervious lot coverage.
 - The Commissioners discussed that if sports courts were made a special use, then why include size standards. The Commissioners agreed that there should be guidelines on the size, like the aforementioned 1,300 sq. ft., but no specific size limitation codified.
 - The Commissioners discussed hockey rinks and temporary courts or sporting uses and if the proposed regulations should apply to temporary courts.
 - Recommendations for sports courts:
 - #1 and #3 of the proposed regulations to be changed/amended
 - 650 sq. ft. or less in size permitted by right
 - 651 sq. ft. and above requires a special use
 - Amend the Use Table language for the sports courts
 - Include within the cumulative total of accessory structures/uses permitted, but amend the list to exclude AC units, generators, etc.
 - Count towards impervious coverage but not lot coverage
 - The Commission requested that staff communicate to the Board the status of the proposed sports courts regulations and that a cap on the cumulative total of all accessory uses/structures is proposed. The Commission also requested that staff reaffirm to the Board that the two outstanding sports courts applied under the current regulations and these revisions do not apply to those requests.
- Sheds/Pergolas/Pool Cabanas:
 - The Commissioners and staff discussed the difference between sheds and other types of structures like pergolas, cabanas, workshops, and garages.
 - Chair Rigoni noted that variation requests for an increase in shed size are not common.
 - Recommendations for sheds/pergolas/pool cabanas:
 - Separate pergola/cabana/arbor/trellis type structures from sheds
 - Maximum size of 250 sq. ft. for pergola/cabana/arbor/trellis type structures
 - Sheds remain unchanged from the 144 sq. ft. maximum size permitted
 - Height maximum remains unchanged at 15 ft.
 - Ensure the language is clear that they count towards lot

coverage

- The Commissioners requested a smaller packet broken down by topics for the accessory structure text amendments.
- There was discussion about Commissioners providing notes to staff and then including everyone's notes in the packets. The Commissioners generally agreed this was not necessary.
- Chair Rigoni requested that staff ensure the provision which limits the width of the driveway to the width of the garage remains unchanged. Pg. 44 removes this wording, but staff will ensure the requirement is still maintained elsewhere in the Code.
- The Commissioners discussed other types of accessory structures and uses like greenhouses, backyard offices, and trash enclosures, noting that these could become issues in the future.
- The Commissioners requested one more workshop to review the text amendments before the public hearing.
- Commissioner Knieriem, Chair Rigoni, and staff discussed "best practices" and researching other communities on how they regulate accessory structures and uses. It was noted that this is not foolproof since variations can be requested which are not reflected in the Code and each municipality handles this topic differently.

F. Other Business (out of order from agenda)

2021 Year End Review

Farrell presented the report on the Commission's activity for year ending 2021:

- Goals for annual report are to reflect upon what occurred the past year, celebrate successes and new developments, review common or repeat requests in order to identify potential issues with the Zoning Ordinance and possibility for text amendments, and to evaluate patterns or trends over time.
- Variations and special uses were the most common requests in 2021.
- Within variations, building materials and accessory structure size were the most common requests. The Commission is currently working on addressing accessory structure size.
- Within special uses, indoor recreation/entertainment and massage establishments were the two most common requests. Staff is currently investigating potential amendments to separate the indoor and outdoor recreation/entertainment uses. The Commission may want to evaluate if a special use is necessary since all six requests were approved.

During Commissioner discussion:

- Commissioner Knieriem asked what the indoor recreation/entertainment uses were last year. The Commissioners and staff listed the businesses and noted they were all recreation type uses. Chair Rigoni stated that typically those uses require a special use for hours of operation since they open early.
- Commissioner Knieriem questioned why a special use is required for massage establishments. Chair Rigoni stated it was history for that type of business in the Village. Schwarz noted that many uses which do not appear zoning related still require a special use due to the nature of the business.

- Chair Rigoni stated that when a business license comes in for a use that is permitted, parking may not be calculated or parking issues may go unnoticed. If a special use is required, parking can be evaluated more closely.
- The Commissioners agreed that there were no other changes to be undertaken at this time besides the accessory structures/uses provisions.

G. Village Board & Committee Updates (out of order from agenda)

Schwarz noted that the Nebraska Pines Final Plat and associated variations were approved on December 20th. At the Committee of the Whole meeting on Wednesday, gas station and menu board signage regulations were discussed as well as the indoor/outdoor recreation/entertainment text amendments.

Schwarz noted that this was the last meeting for Farrell and thanked her for her service.

H. Public Comments (out of order from agenda) – None.

I. Attendance Confirmation (January 27, 2022)

Chair Rigoni asked the Commissioners to notify staff if they will not be in attendance.

Motion (#11): Adjournment 9:11 P.M.

Motion by: Knieriem Seconded by: Markunas

Unanimously approved by voice vote.

Approved January 27, 2022

As Presented _____ As Amended _____

_____/s/Maura Rigoni, Chair

_____/s/ Secretary

Project: Thomas Home
Meeting Type: Public Hearing
Request: 4 Variances for tear down/rebuild of single-family home
Location: 330 Oregon Street
Applicant: Sarah & Ryan Thomas
Prop. Owner: Applicants
Representative: Gabriel Garcia c/o Ideal Custom Designs, Inc.

Site Details

Lot Size: 16,535 sq. ft.
PIN(s): 19-09-28-215-010-0000
Existing Zoning: R-2
Proposed Zoning: N/A
Buildings / Lots: 1
Proposed house: 3,786 sq. ft.
Proposed garage: 768 sq. ft. (detached)

Adjacent Land Use Summary:

	Land Use	Comp. Plan	Zoning
Subject Property	Residential	Single-Fam Res.	R-2
North	Residential	Single-Fam Res.	R-2
South	Residential	Single-Fam Res.	R-2
East	Residential	Single-Fam Res.	R-2
West	Residential	Single-Fam Res.	R-2

Figure 1. Location Map



Project Summary

The applicants, Sarah and Ryan Thomas, are applying for a tear down/rebuild of the single-family home located at 330 Oregon Street. The proposed house and garage would require four (4) variations from the Zoning Ordinance:

Variance Request	Code Requirement	Proposed
House front yard setback	30' from front property line	20'8"
Accessory building setback (rear yard/south)	10' from property line	4'
Accessory building setback (side yard/west)	10' from property line	4'
Driveway width	No wider than garage	Approximately 5' wider

Attachments

- Aerial photograph of site, Frankfort GIS
- Submittal prepared by Ideal Designs, received 12.28.21 (survey, site plan, elevations, floor plans, color rendering and overhead view)
- Approximate setbacks of houses along the south side of Oregon Street, between Locust Street and Maple Street, prepared by staff using Frankfort GIS
- Comparison table of existing front setbacks of houses along the south side of Oregon Street

- Site Photographs of site and adjacent homes, taken by staff, (January 19, 2022)
- Approved Grading Plan for the house constructed at 254 Oregon, illustrating the setbacks of the house and garage for reference regarding the variances granted in 2014 and 2020.

Analysis

Existing Home and Lot

- The R-2 zone district requires a minimum lot size of 15,000 square feet, 100' width and 150' depth. The existing lot is 16,535 square feet in area, 100' wide and 165'+ deep and is therefore conforming regarding lot size, width and depth.
- The R-2 zone district requires a front yard setback of 30'. The existing house is set back 17.7' from the front property line and is considered existing, non-conforming.
- The R-2 zone district requires a combined side yard total of 25', with no side being less than 10' wide. The existing house has a setback of 42' on the west side and 27.4' on the east side, complying with this requirement.
- Accessory structures, including detached garages, must be set back at least 10' from the side and rear property lines. The existing detached garage in the rear yard is set back 13.3' from the side property line and 58.2' from the rear property line, complying with this requirement.
- The R-2 zone district allows a maximum 20% lot coverage. The existing house is 890 square feet and the detached garage is 533 square feet, for a total coverage of 1,423 square feet, or 8.6%.
- Homes in the R-2 zone district are required to be sided with masonry along the 1st floor. The existing house is sided with wood or a wood composite. The existing home is considered existing, non-conforming regarding building materials.

Proposed Home and Lot

House Front Yard Setback

- The Village of Frankfort Zoning Ordinance requires a minimum front yard setback of 30' within the R-2 zoning district. The proposed home would be set back 20' 8" from the front property line, requiring a variance. The front setback is measured to any part of the house, including the open porch, as is the case in this instance. Staff has approximated the existing front yard setbacks of all homes along the south side of Oregon Street. The average front yard setback, not including the two corner lots at each end, is 30'. The average front yard setback, including the two corner lots at each end of the street, is also 30'. The proposed house would decrease the average front yard setback to 29'. The required setback for a corner side yard is also 30'. (See aerial images of existing front yard setbacks and table of existing setbacks, prepared by staff. It should be noted that the red property lines are slightly inaccurate on the GIS maps, although the approximate setback distances were calculated with reliable data such as formerly approved site plans).
- The R-2 zone district requires a combined side yard total of 25', with no side being less than 10' wide. The proposed house has a setback of 10' on the west side and 23'9" on the east side, complying with this requirement.
- Accessory structures, including detached garages, must be set back at least 10' from the side and rear property lines. The proposed detached garage in the rear yard is set back 4' from the side and rear property lines, requiring two (2) variances.
- The R-2 zone district allows a maximum 20% lot coverage. The proposed house measures 2,513 square feet and the detached garage is 768 square feet, for a total coverage of 3,281 square feet, or 19.8%. For the purposes of calculating lot coverage, open porches, patios, decks and swimming pools are not

counted toward lot coverage. At this time, a pool is not proposed, although it would not affect the lot coverage permitted.

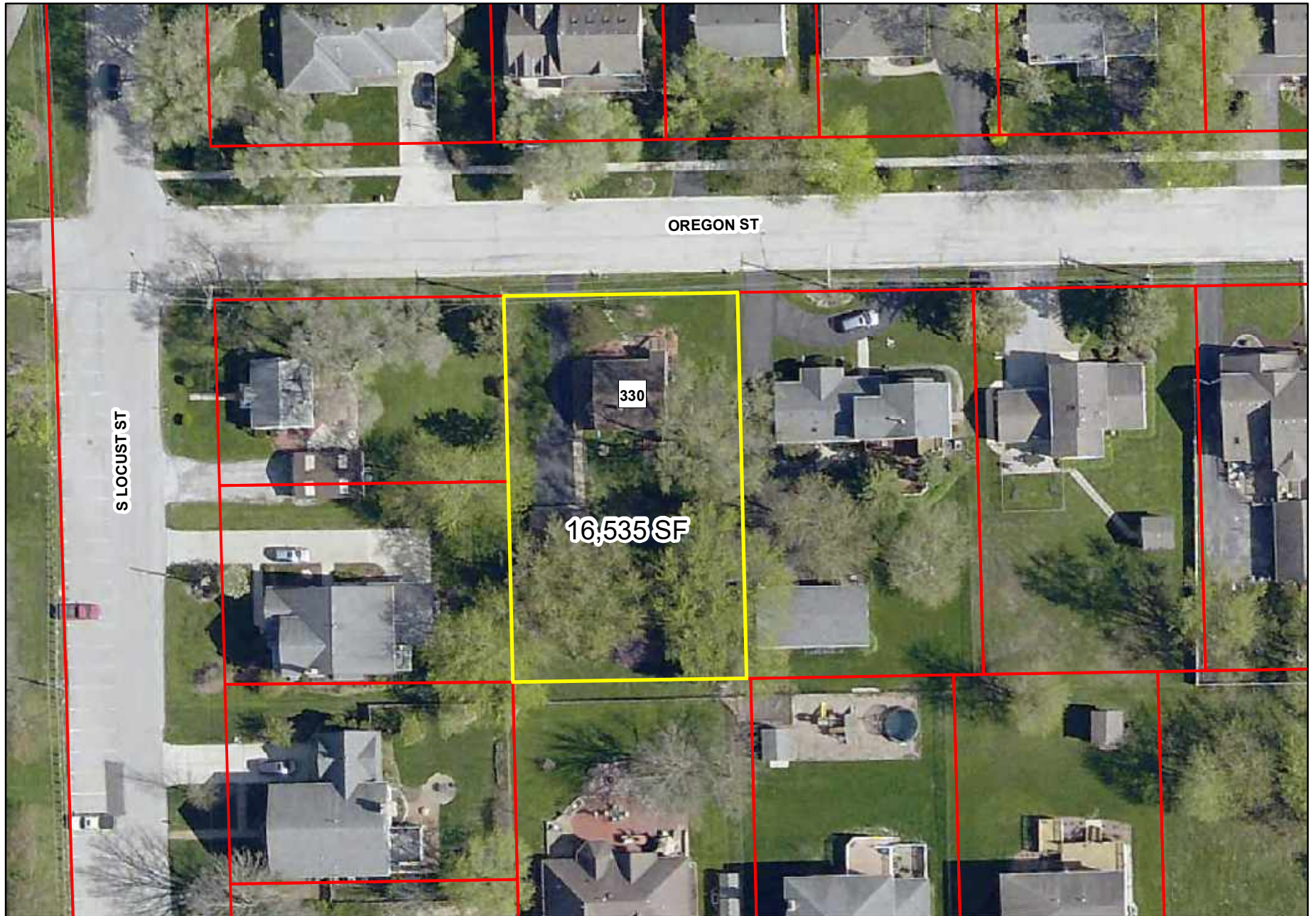
- The R-2 zone district allows a maximum impervious lot coverage of 40%. The proposed house has an impervious footprint of 3,367 square feet and the garage is 768 square feet, for a total of 4,135 square feet, or 25% impervious lot coverage.
- The Village of Frankfort Zoning Ordinance requires that all homes within the R-2 zoning district be constructed with first floor masonry (*brick, stone, etc.*). The applicant has submitted building elevations that illustrate face brick at the 1st floor level and wraps completely around the house. The 2nd floor is predominantly finished with LP Smart Siding (a wood composite), although the rear elevation will have some brick due to the placement of the chimney.
- Homes in the R-2 zone district shall not exceed 35' tall measured from grade to the peak of the roof. The proposed house measures 32'9" to the peak, complying with this requirement. The existing homes on either side of the subject property are two-stories.
- Driveways may not exceed 28' wide at the property line and shall not exceed the width of the garage. The proposed driveway is 16' wide at the curb but widens as it approaches the garage and is approximately 5' wider than the garage. As proposed, a variance for the driveway width would be required.
- The proposed house and garage meet all other requirements of the Zoning Ordinance, including building height, wall massing, architectural relief, basement size, etc. The detached garage complies with the garage height, orientation and design regulations. Garages greater than 3 cars in size must be side-loaded. The proposed garage is designed for 3-cars and may face the right-of-way.
- The Old Town Homeowners Association has been disbanded and therefore have not submitted comments.
- For reference, variances were granted in 2014 for lot width and area to create the lot for the house located at 254 Oregon. The created lot measures 65' wide and 165' deep and is 10,725 square feet in area (1/4-acre lot). Subsequently in late 2020, variances were granted to allow for a lot coverage of 23.17% (20% maximum) and for the detached garage setbacks from the side and rear property lines, at 5' and 7.5' respectively (10' minimum).

Summary Chart of R-2 Zone Requirements & Proposed House

Standard (R-2)	Requirement	Proposed
Lot Size	15,000 SF	16,535 SF
Lot Width	100'	100'
Lot Depth	150'	165'
Front Yard Setback	30'	20'8"
Side Yard Setback	At least 25' total, not less than 10' each side	10', 23'9"
Rear Yard Setback	30'	81'
Building Height	35'	32' 9 ¼"
Lot Coverage Max (%)	20%	19.8%
Impervious Coverage Max (%)	40%	25%
Driveway setback	5'	5'
Driveway width	No wider than garage	Approx. 5' wider
Accessory structure setback	10' from side or rear lot lines	4', 4'



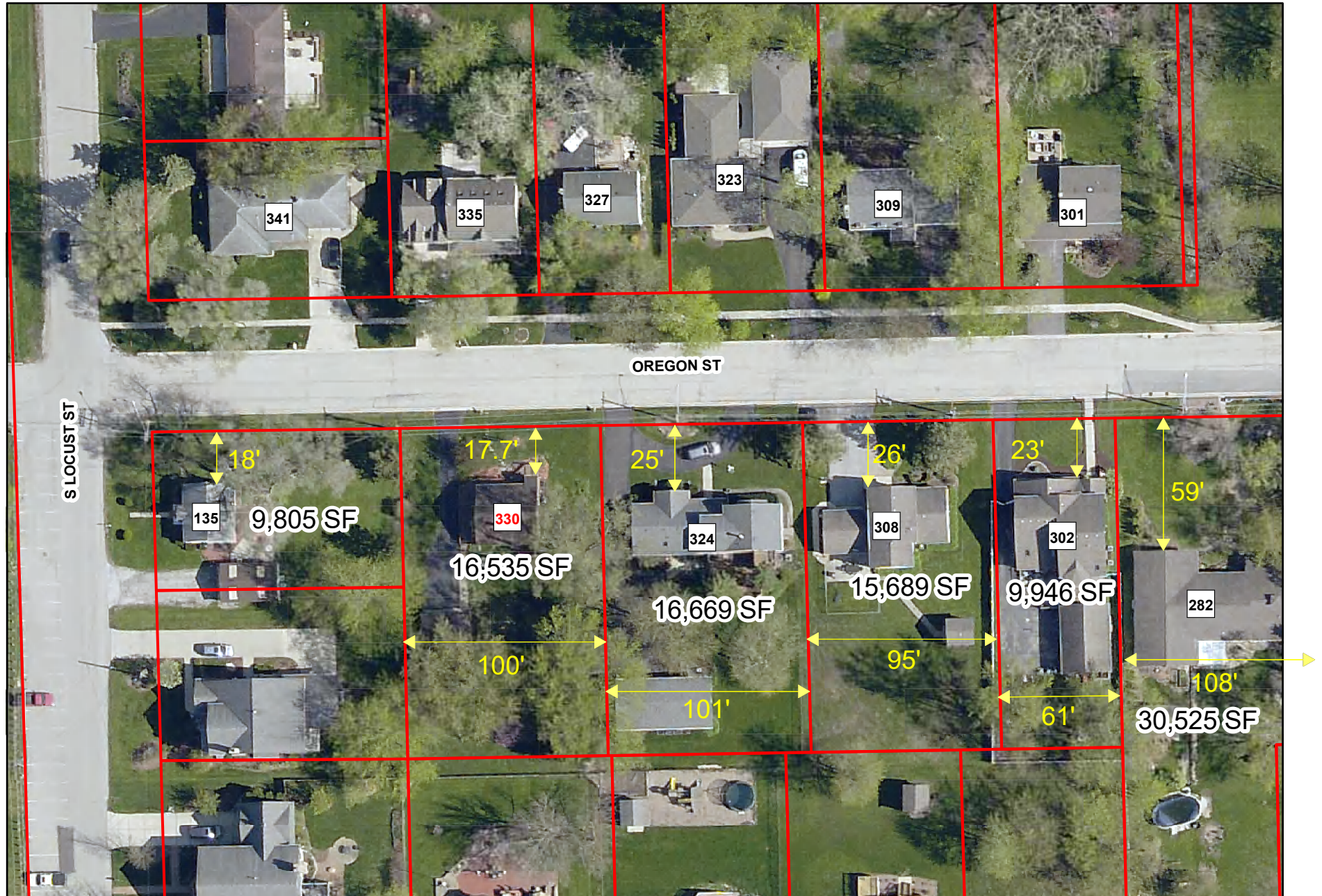
330 Oregon



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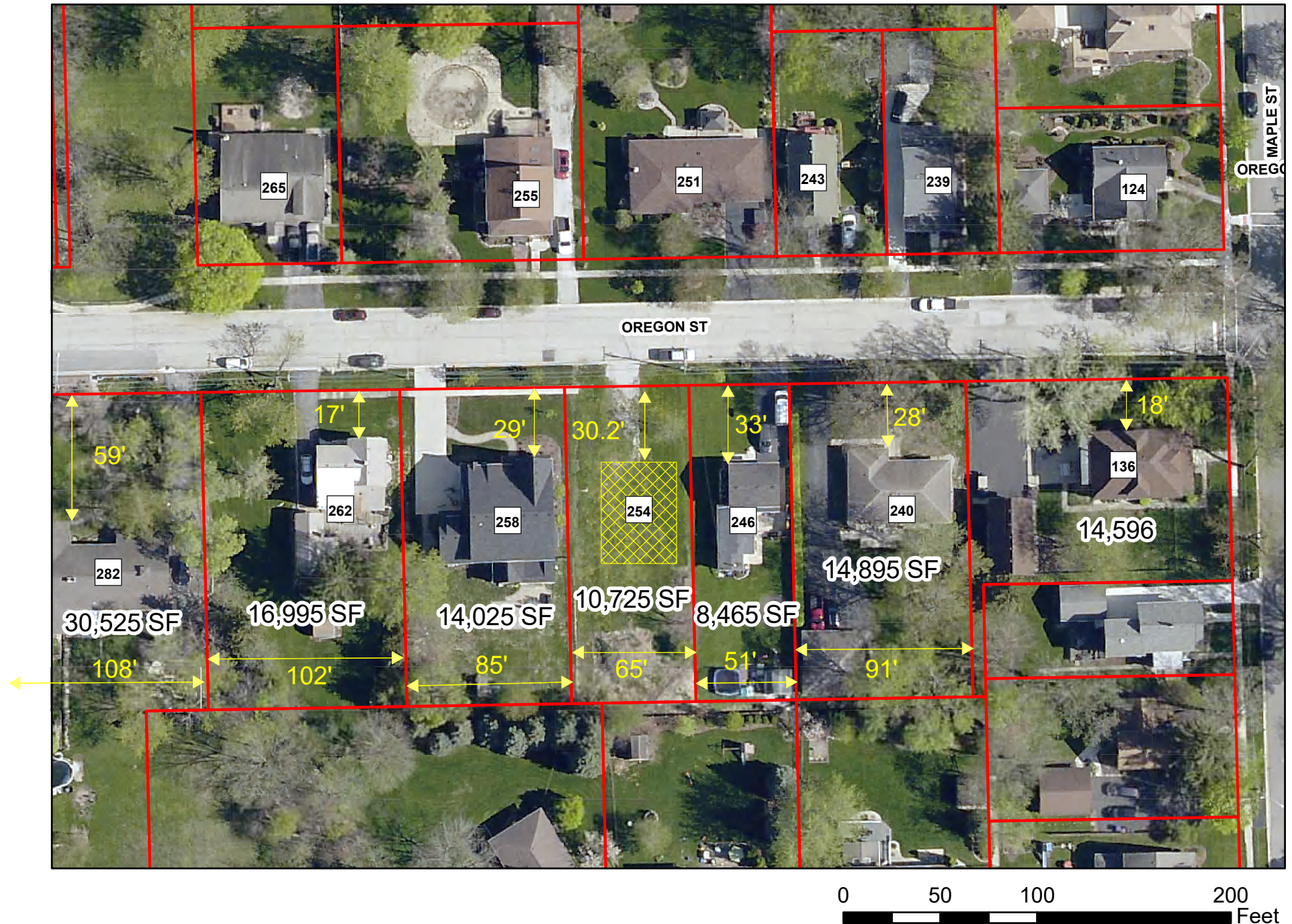
135 Locust - 302 Oregon



0 50 100 200 Feet



282 Oregon - 136 Maple



Lots along south side
of Oregon Street
between Locust Maple

Not including the two corner lots that don't front Oregon

Without new house

	Address	Feet
Front Yard Setback	330 Oregon	
	324 Oregon	25
	308 Oregon	26
	302 Oregon	23
	282 Oregon	59
	262 Oregon	17
	258 Oregon	29
	254 Oregon	30.2
	246 Oregon	33
	240 Oregon	28
	Average	30.02

With new house

	Address	Feet
Front Yard Setback	330 Oregon	20.67
	324 Oregon	25
	308 Oregon	26
	302 Oregon	23
	282 Oregon	59
	262 Oregon	17
	258 Oregon	29
	254 Oregon	30.2
	246 Oregon	33
	240 Oregon	28
	Average	29.09

Including the two corner lots that don't front Oregon

Without new house

	Address	Feet
Front Yard Setback	330 Oregon	
	324 Oregon	25
	308 Oregon	26
	302 Oregon	23
	282 Oregon	59
	262 Oregon	17
	258 Oregon	29
	254 Oregon	30.2
	246 Oregon	33
	240 Oregon	28
Corner Side	135 Locust	30
	236 Maple	30
	Average	30.02

With new house

	Address	Feet
Front Yard Setback	330 Oregon	20.67
	324 Oregon	25
	308 Oregon	26
	302 Oregon	23
	282 Oregon	59
	262 Oregon	17
	258 Oregon	29
	254 Oregon	30.2
	246 Oregon	33
	240 Oregon	28
Corner Side	135 Locust	30
	236 Maple	30
	Average	29.24







Application for Plan Commission / Zoning Board of Appeals Review Standards of Variation

Article 3, Section B, Part 3 of the Village of Frankfort Zoning Ordinance lists “findings” or “standards” that the Zoning Board of Appeals must use to evaluate every variation request. The Zoning Board of Appeals must answer the following three findings favorable to the applicant based upon the evidence provided. To assist the Zoning Board of Appeals in their review of the variation request(s), please provide responses to the following “Standards of Variation.” Please attach additional pages as necessary.

1. That the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zone;

2. That the plight of the owner is due to unique circumstances; and

3. That the variation, if granted, will not alter the essential character of the locality.

For the purpose of supplementing the above standards, the Zoning Board of Appeals also determines if the following seven facts, favorable to the applicant, have been established by the evidence. Please provide responses to the following additional “Standards of Variation.”

1. That the particular physical surroundings, shape or topographical conditions of the specific property involved will bring a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations was carried out;

2. That the conditions upon which the petition for variation is based would not be applicable, generally, to other property within the same zoning classification;
3. That the purpose of the variation is not based exclusively upon a desire to make more money out of the property;
4. That the alleged difficulty or hardship has not been created by any person presently having an interest in the property;
5. That the granting of the variation will not be detrimental to the public welfare or unduly injurious to other property or improvements in the neighborhood in which the property is located;
6. That the exterior architectural appeal and functional plan of any proposed structure will not be so at variance with either the exterior architectural appeal and functional plan of the structures already constructed, or in the course of construction in the immediate neighborhood or the character of the applicable district, as to cause a substantial depreciation in the property values within the neighborhood; or
7. That the proposed variation will not impair an adequate supply of air to adjacent property, substantially increase the danger of fire, otherwise endanger the public safety or substantially diminish or impair property values within the neighborhood.

RECEIVED

By Christopher Gruba at 1:56 pm, Dec 28, 2021



A Custom Home For Sarah & Ryan Thomas 330 Oregon St., Frankfort, IL

INDEX:

- I. Existing Site Plan
- II. Proposed Site Plan
- III. Elevations and Floor Plans
- IV. Front Elevation Rendering
- V. Color Site Rendering
- VI. Garage Elevation Rendering

OWNER:

Ryan & Sarah Thomas
8955 Glenshire
Tinley Park, IL 60487
Phone: 773-316-5588

ryanthomas936@hotmail.com
sthomas2906@yahoo.com

GENERAL CONTRACTOR:

Sleeman Construction, Inc.
Jim Sleeman
10779 Yankee Ridge Dr.
Frankfort, IL 60423
Phone: 815-405-9046

j.sleeman@comcast.net

SURVEYOR:

M. Gingerich Gereaux & Assoc.
25620 S. Gougar Rd.
Manhattan, IL 60442
Phone: 815-478-9680

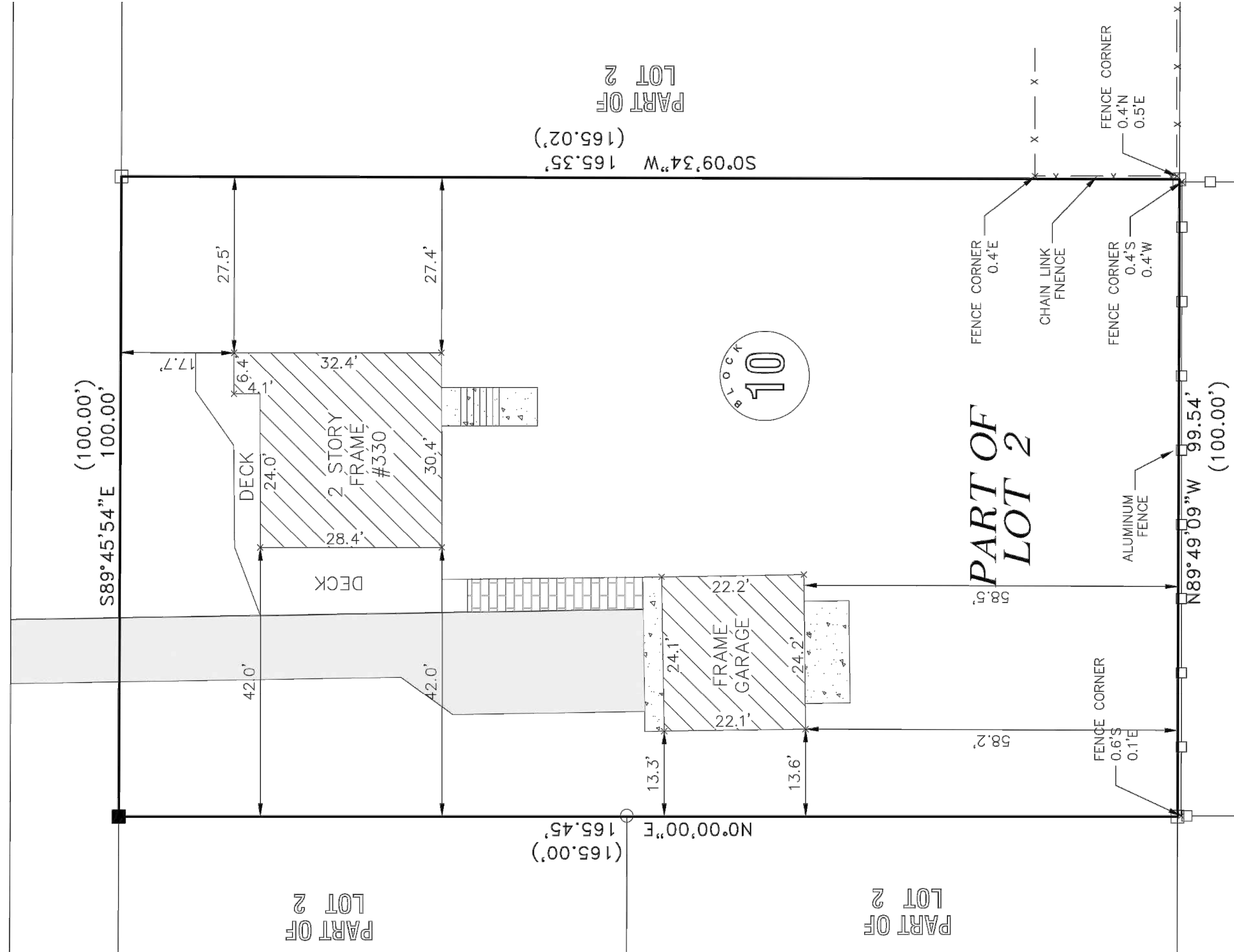
www.mg2a.com

ARCHITECT:

Ideal Designs, Inc.
Gabriel Garcia
20960 Suite A Frankfort Sq. Rd.
Frankfort, IL 60423
Phone: 708-407-8028

gabe@idealcustomdesigns.com
www.idealcustomdesigns.com

PLAT OF SURVEY
OREGON STREET



LEGAL DESCRIPTION

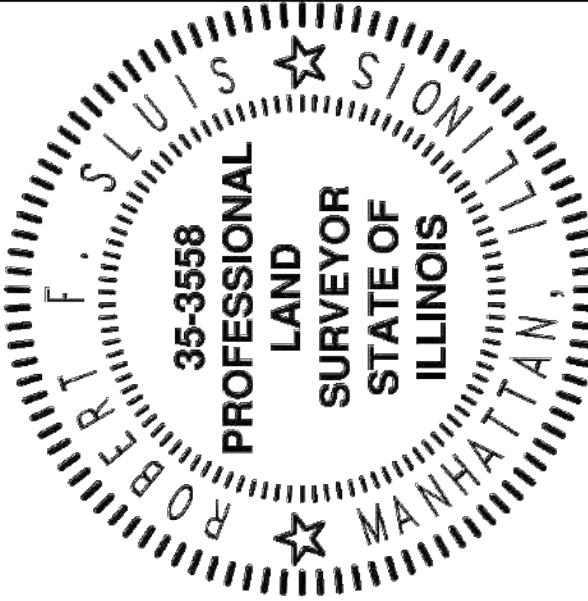
THE EAST 100 FEET OF THE WEST 225 FEET OF LOT 2, IN BLOCK 10, IN BOWEN'S ADDITION TO FRANKFORT, A SUBDIVISION OF IN THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 35 NORTH AND IN RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN WILL COUNTY, ILLINOIS.

I, ROBERT F. SLUIJS, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED AND LOCATED THE BUILDINGS ON THE ABOVE DESCRIBED PROPERTY AND THAT THE PLAT HEREON DRAWN IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY. ALL DISTANCES ARE IN FEET AND DECIMAL PARTS THEREOF. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

GIVEN UNDER MY HAND AND SEAL THIS 12th DAY OF APRIL, A.D. 2021.

Robert F. Sluijs

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3558
LICENSE EXPIRES NOVEMBER 30, 2022



CIVIL ENGINEERING
SURVEYING

M GINGERICH GEREUX & ASSOCIATES
Professional Design Firm License # 184.005003
P. 815-478-9680 www.mg2a.com F. 815-478-9685
25620 S. GOUGAR RD | MANHATTAN, IL. 60442

ORDERED BY: **JOSEPH KOSTECK**

FIELDWORK COMPLETED: DR. BY: **NB** CK. BY: **RFS** FILE:

JOB NO.: **21-277** SB: **145** PG: **126-127**

SHEET NUMBER

V-1

PROJECT NO.
21046

DRAWN BY: PAP
PREVIOUS NO. -

DATE:
12-21-21

REVISIONS

REV # DATE: REV. PER:

DESIGN FIRM REG. NO.
184.006972

EXP. DATE
4-30-23

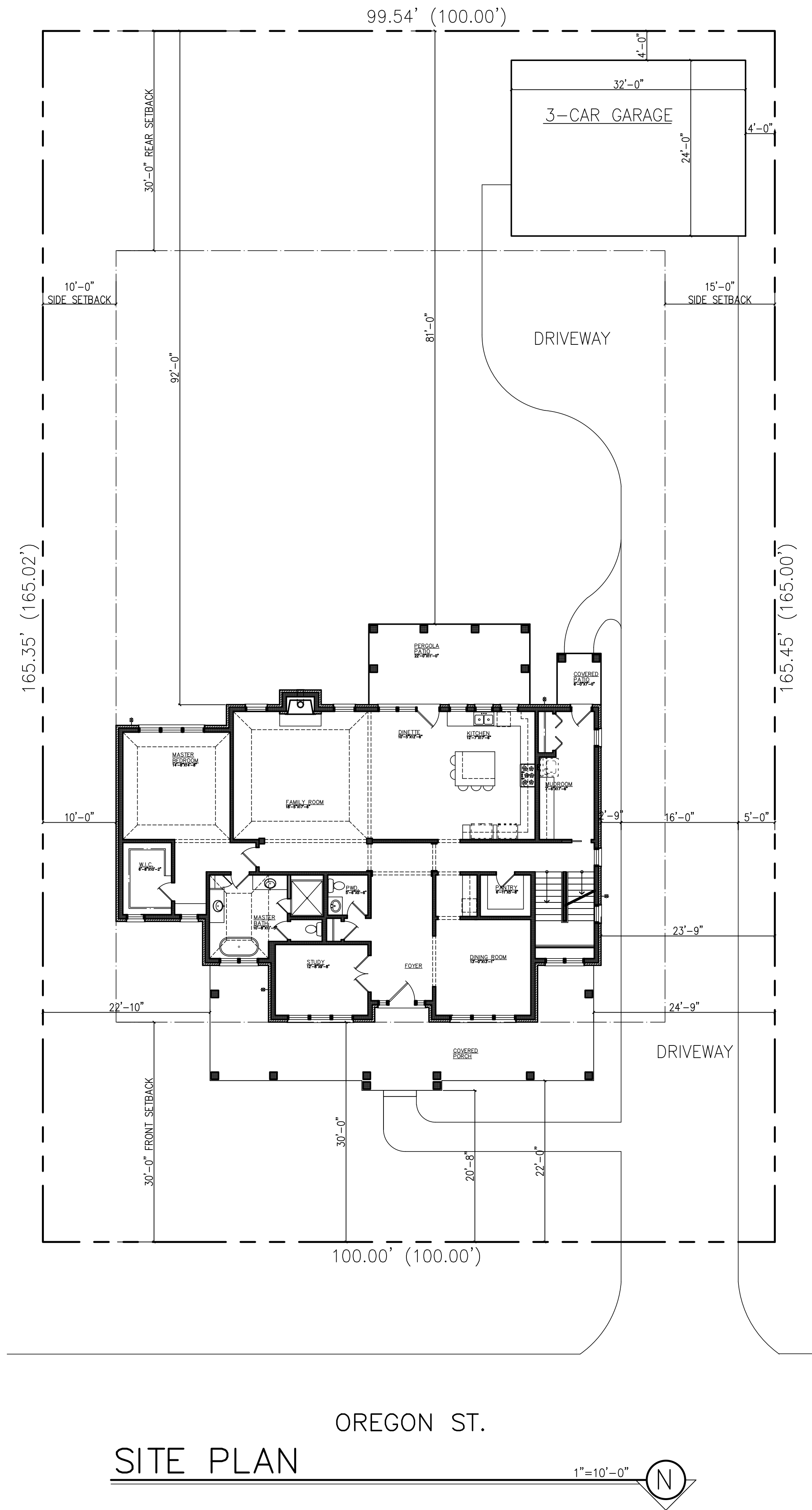
EXP. DATE:

DATE:

A CUSTOM HOME FOR
THOMAS RESIDENCE
330 OREGON ST.
FRANKFORT, ILLINOIS

ideal
DESIGNS
ARCHITECTS / DESIGNERS

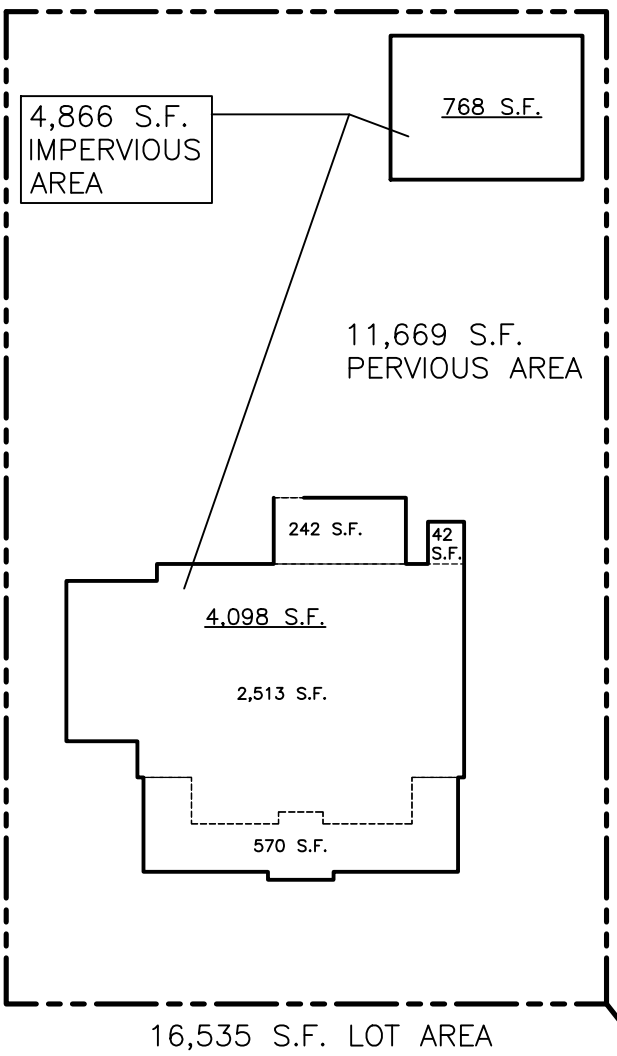
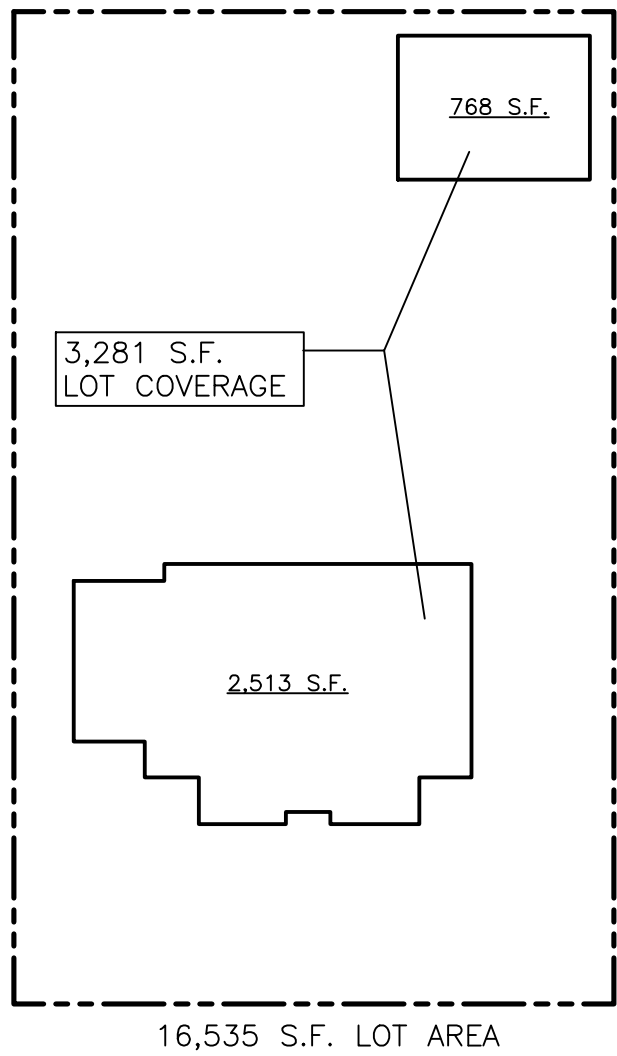
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F: (779) 333-7960
gabe@idealcustomdesigns.com
www.idealcustomdesigns.com



BUILDING CODES	
2012 INTERNATIONAL RESIDENTIAL CODE W/AMENDMENTS	2012 INTERNATIONAL PROPERTY MAINTENANCE CODE
2012 INTERNATIONAL BUILDING CODE W/AMENDMENTS	2015 INTERNATIONAL ENERGY CONSERVATION CODE
2011 NATIONAL ELECTRIC CODE W/AMENDMENTS	2012 INTERNATIONAL FIRE CODE
2012 INTERNATIONAL MECHANICAL CODE	2012 INTERNATIONAL FUEL GAS CODE
	2014 ILLINOIS STATE PLUMBING CODE

SCOPE OF WORK	
NEW 3,786 S.F. SINGLE FAMILY 2 STORY DWELLING	

ZONING DATA			
ZONING DISTRICT:	R-2 SINGLE FAMILY RESIDENTIAL DISTRICT		
USE:	SINGLE FAMILY DWELLING		
DENSITY, DIMENSIONAL, AND OTHER STANDARDS			
	REQUIRED MINIMUM	ACTUAL	COMPLY
DWELLING UNITS:	2.25 MAX.	1	YES
LOT SIZE:	15,000 S.F.	16,535 S.F.	YES
LOT WIDTH:	100 FT.	100 FT.	YES
LOT DEPTH:	150 FT.	165 FT.	YES
MINIMUM REQUIRED YARDS:			
	REQUIRED MINIMUM	ACTUAL	COMPLY
FRONT	30 FT.	20'-8"	NO
SIDE (EAST)	10 FT.	10 FT.	YES
SIDE (WEST)	15 FT.	23'-9"	YES
BACK	30 FT.	93 FT.	YES
BULK DIMENSIONS:			
	REQUIRED MINIMUM	ACTUAL	COMPLY
HEIGHT:	35 FT. MAX.	33 FT.	YES
LOT COVERAGE:	3,307 S.F. MAX. (20% MAX.)	3,281 S.F. (HOUSE 2,513 S.F., GARAGE 768 S.F.)	YES
IMPERVIOUS COVERAGE:	6,614 S.F. MAX (40% MAX.)	4,866 S.F.	YES
REAR YARD COVERAGE	900 S.F. (30% MAX., 3,000X.3)	768 S.F.	YES
GROSS FLOOR AREA:	2,600 S.F.	3,786 S.F.	YES
BASEMENT FLOOR AREA:	2,010 S.F. (80% MIN., 2,513X.8)	2,338 S.F.	YES
MATERIALS:			
	REQUIRED MINIMUM	ACTUAL	COMPLY
1ST FLR. PRIMARY MATERIAL:	BRICK, STONE, OR MASONRY MATERIAL	BRICK, STONE	YES
1ST FLR. ARCHITECTURAL ACCENT MATERIAL:	NON-MASONRY MATERIAL, 15% MAX. ON ANY FACADE	NONE	YES
1ST FLR. MATERIALS NOT ALLOWED:	PLYWOOD, VINYL, STEEL, & ALUMINUM SIDING	NONE	YES
MATERIALS NOT ALLOWED:	SPLIT FACE BLOCK	NONE	YES
ACCESSORY STRUCTURES:			
	REQUIRED MINIMUM	ACTUAL	COMPLY
ALL SIDES	10 FT.	4 FT.	NO
HEIGHT:	15 FT. MAX.	14'-9 1/2"	YES

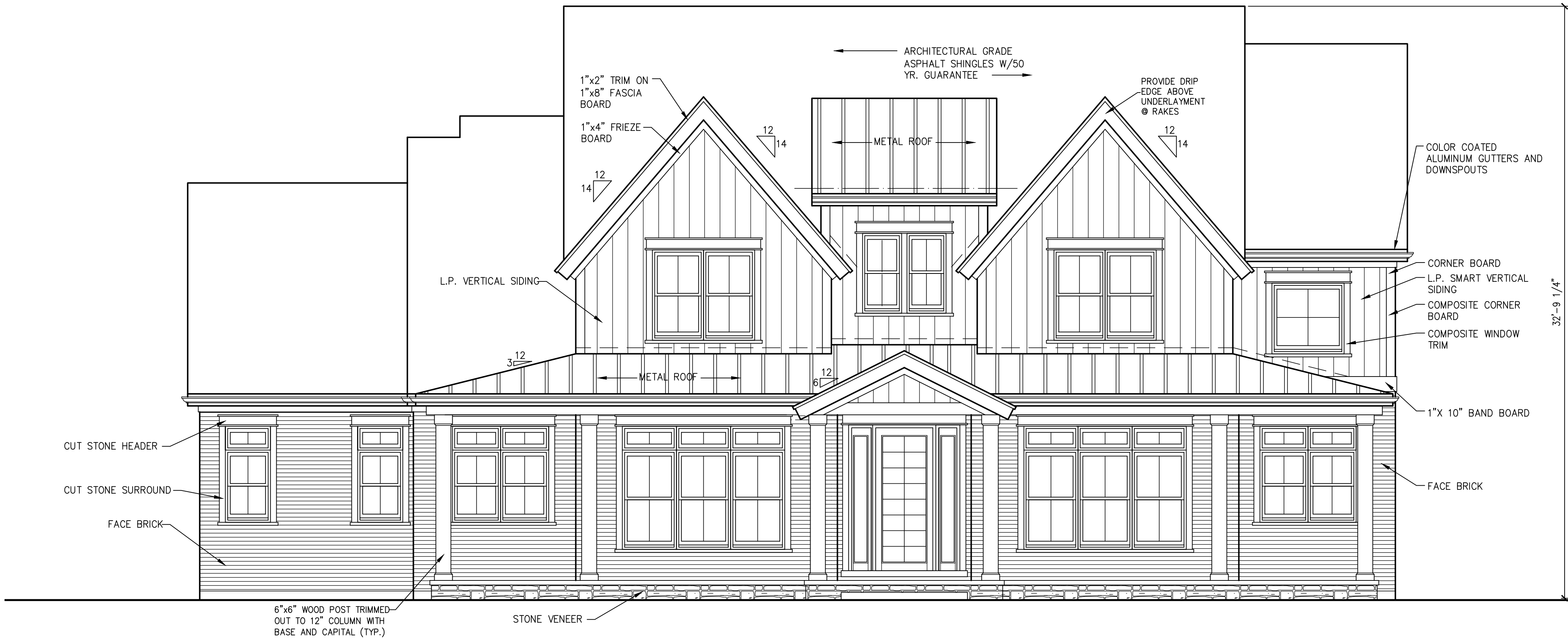


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gabe@idealcustomdesigns.com
www.idealcustomdesigns.com

A CUSTOM HOME FOR
THOMAS RESIDENCE
330 OREGON ST.
FRANKFORT, ILLINOIS

DATE:
EXP. DATE:
DESIGN FIRM REG. NO. 184.006972
EXP. DATE 4-30-23

REVISIONS		
REV #	DATE:	REV. PER:
DATE: 12-27-21		
DRAWN BY:	PAP	
PREVIOUS NO.	-	
PROJECT NO. 21046		



FRONT ELEVATION

1/4" = 1'-0"

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PREVIOUS NO.

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PROJECT NO.

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SHEET NUMBER

A-1

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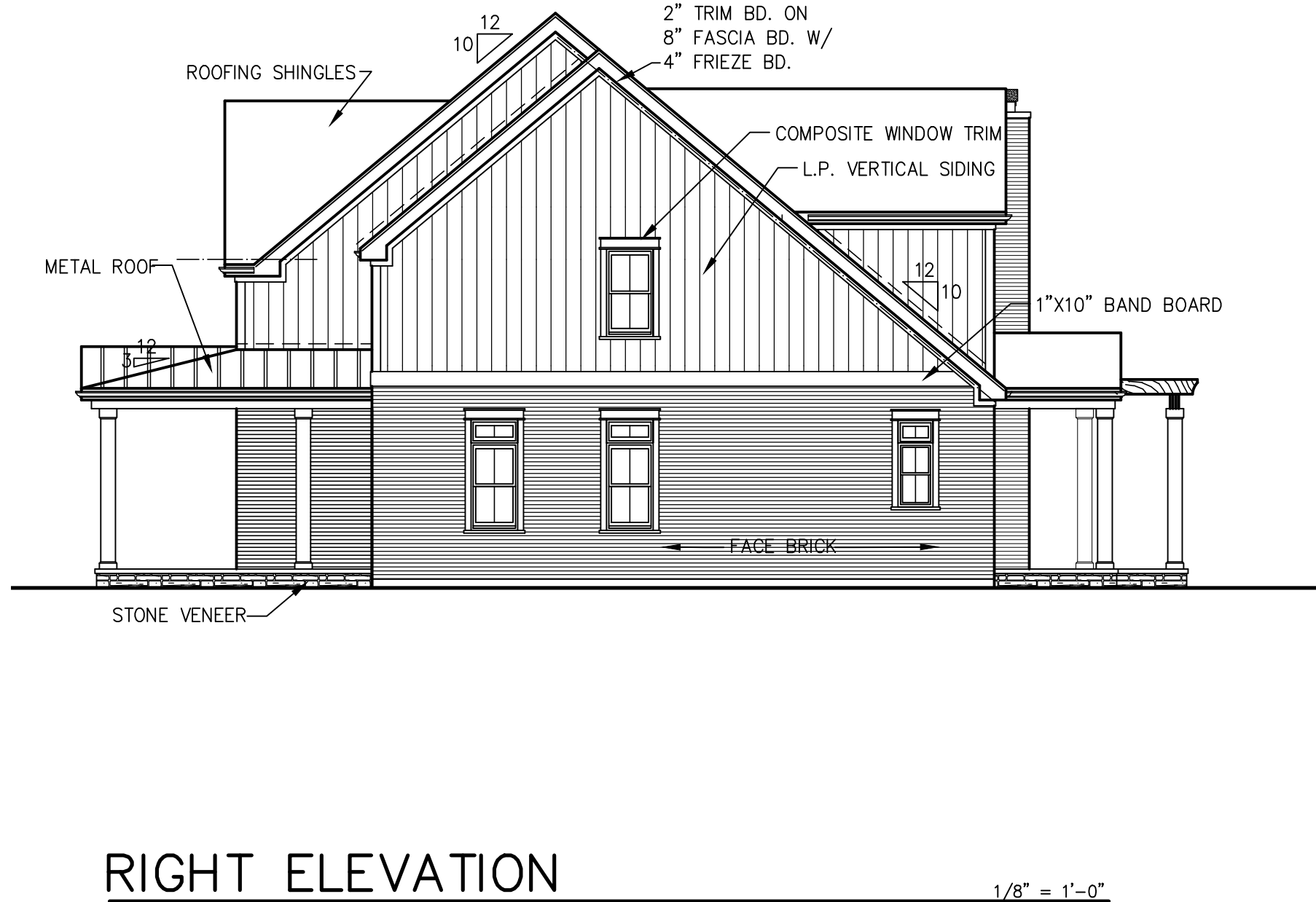
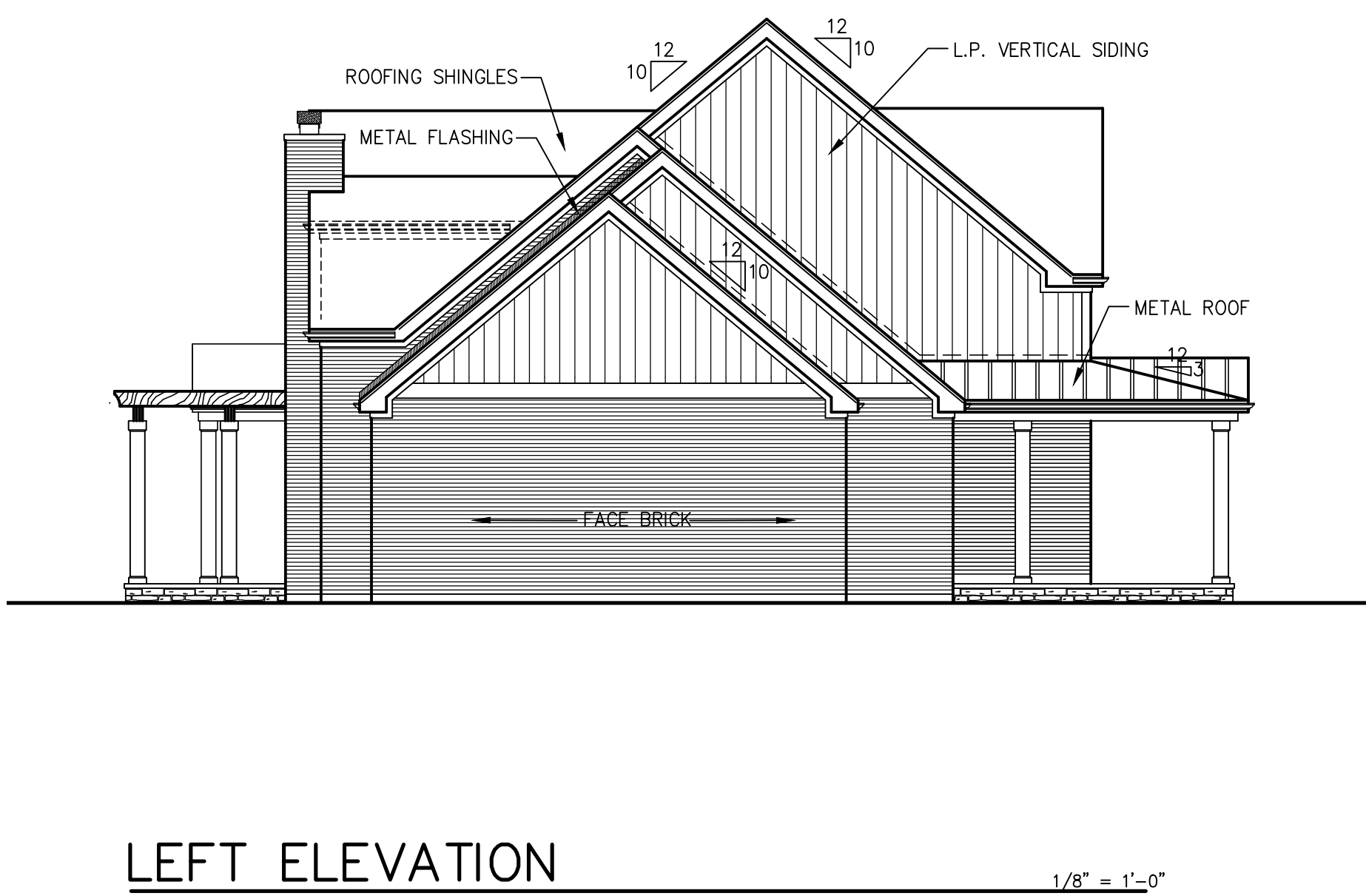
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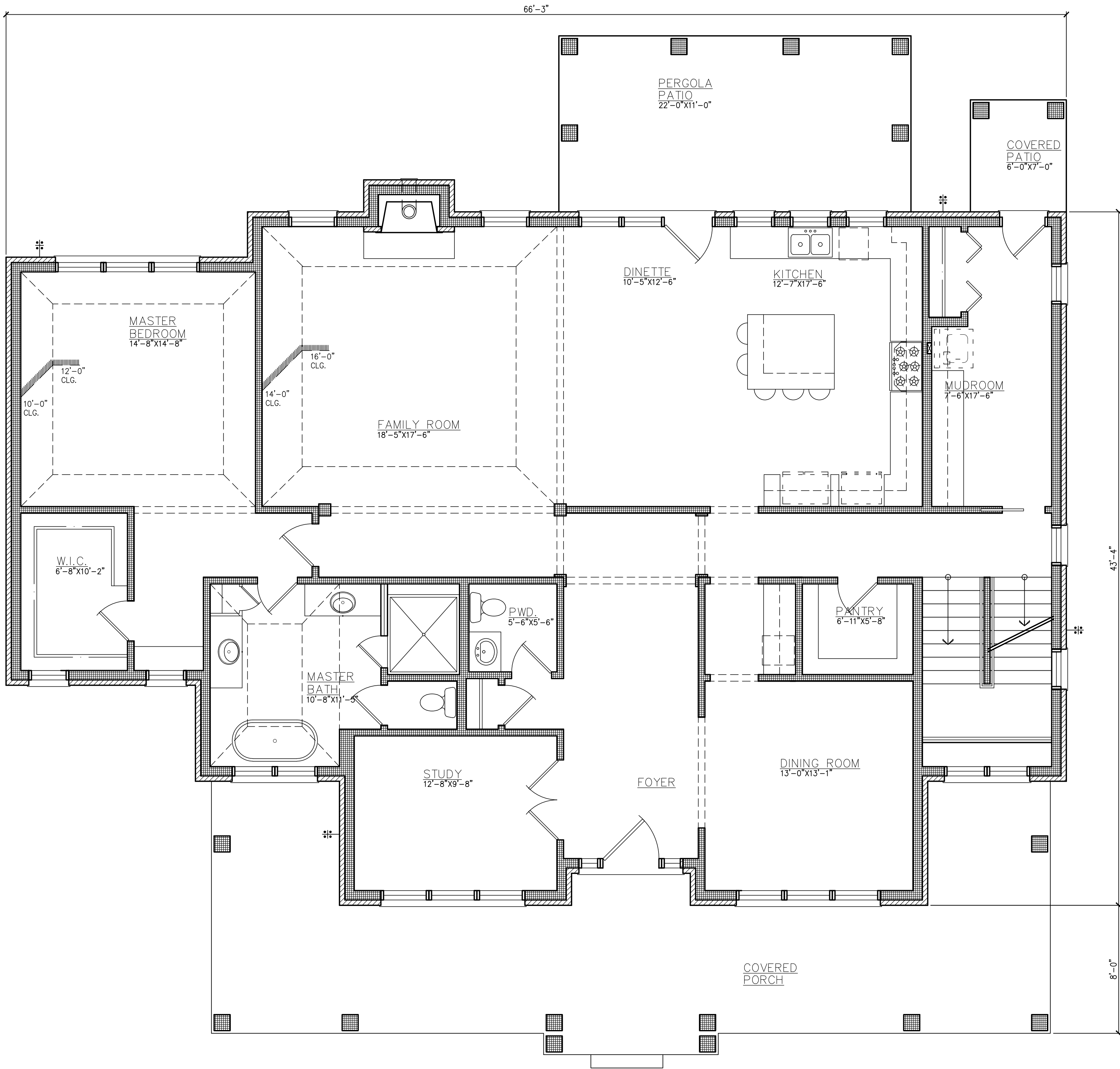
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REV #	DATE:	REV. PER:
DATE: 12-21-21		
DRAWN BY:		PAP
PREVIOUS NO.		-
PROJECT NO. 21046		





FIRST FLOOR PLAN

1/4"=1'-0"

2,513 SQ. FT.

3,786 TOTAL SQ. FT.

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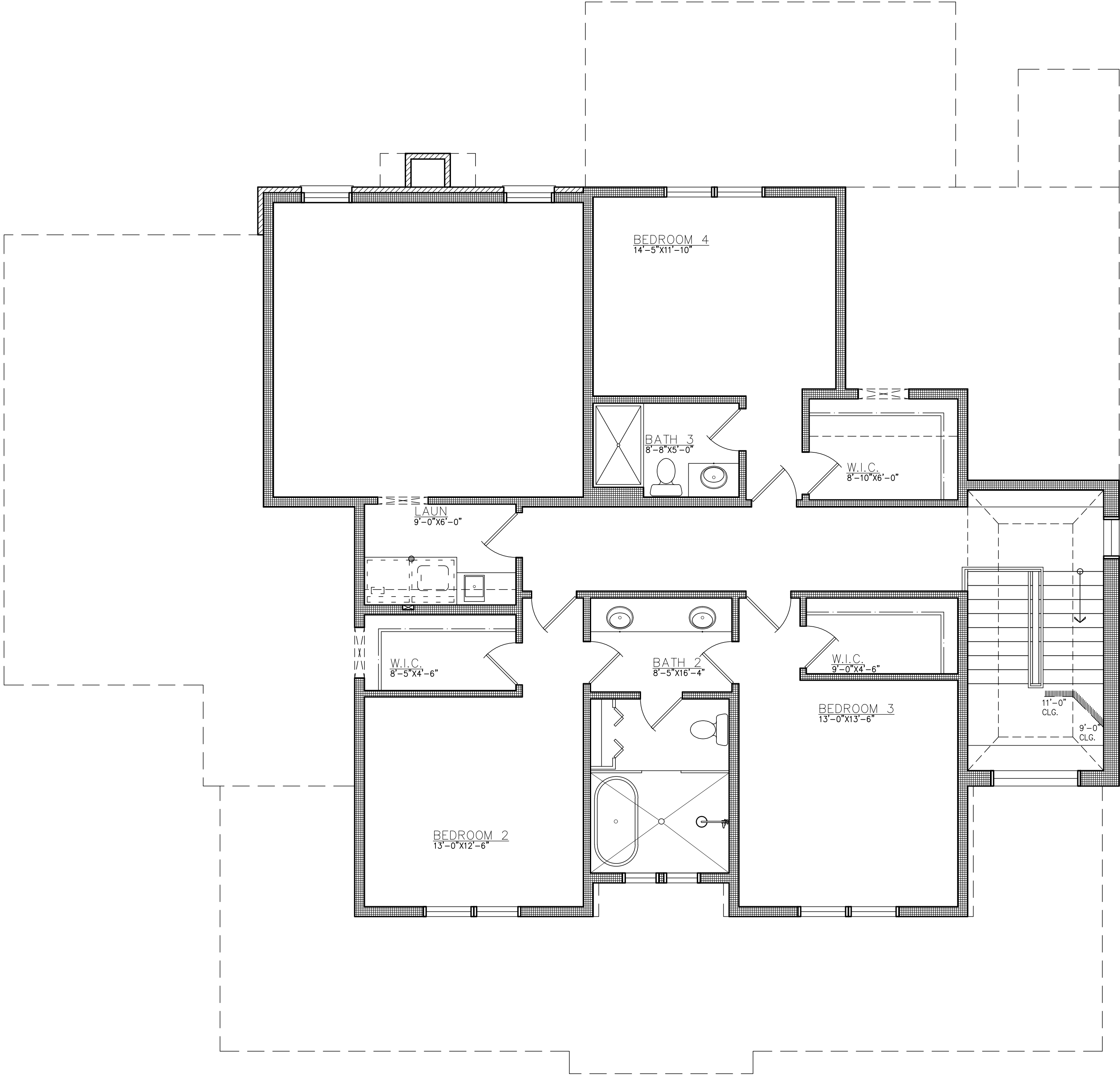
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PROJECT NO. 21046		



SECOND FLOOR PLAN
1,273 SQ. FT.

1/4"=1'-0"

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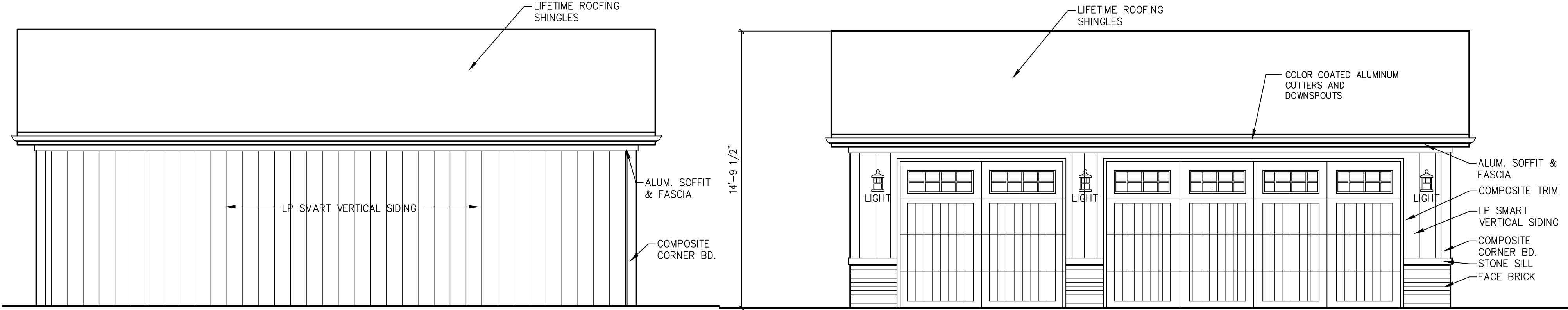
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DATE:
12-21-21
DRAWN BY: PAP
PREVIOUS NO. -

PROJECT NO.
21046

SHEET NUMBER

A-5

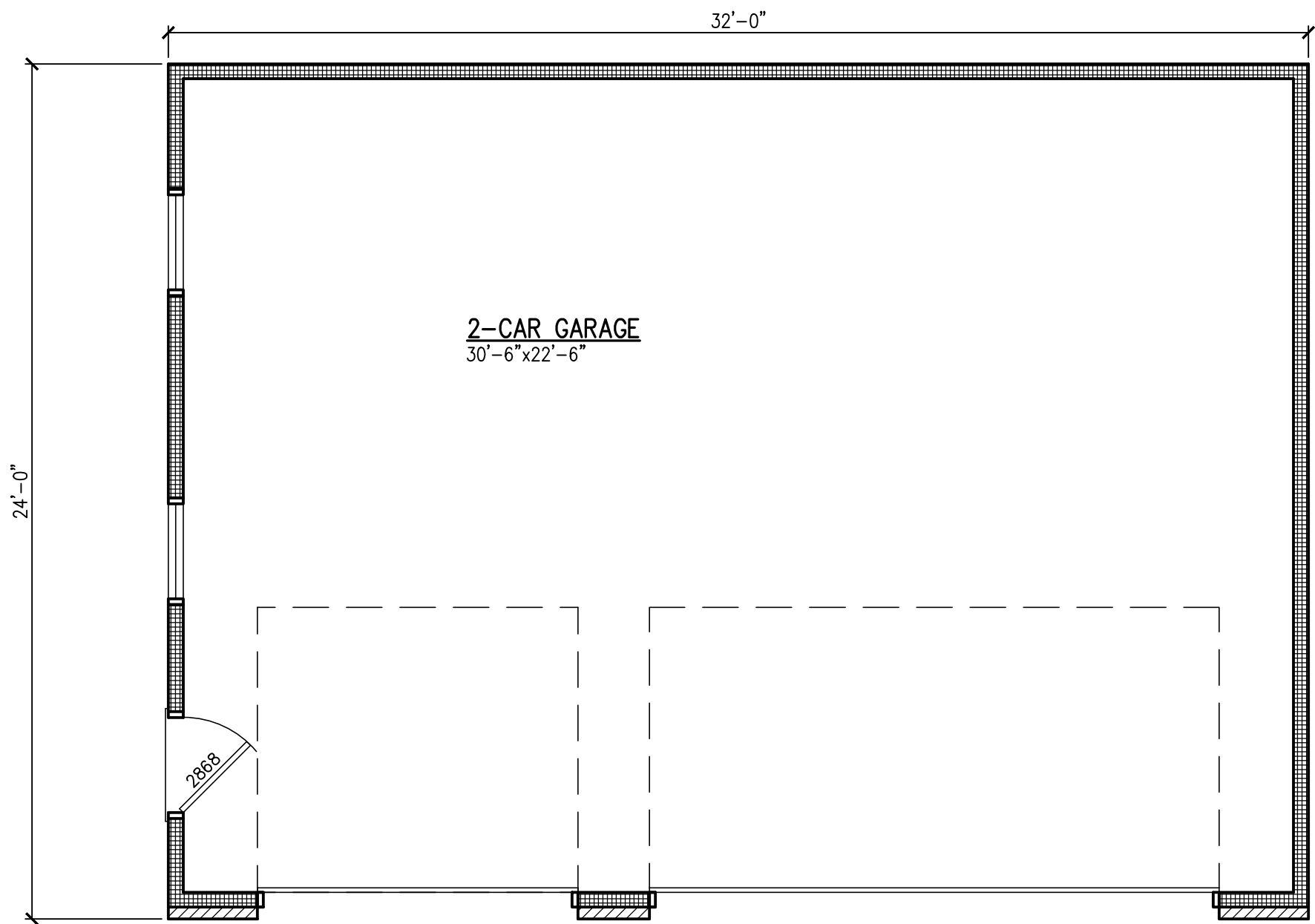


REAR ELEVATION

1/4" = 1'-0"

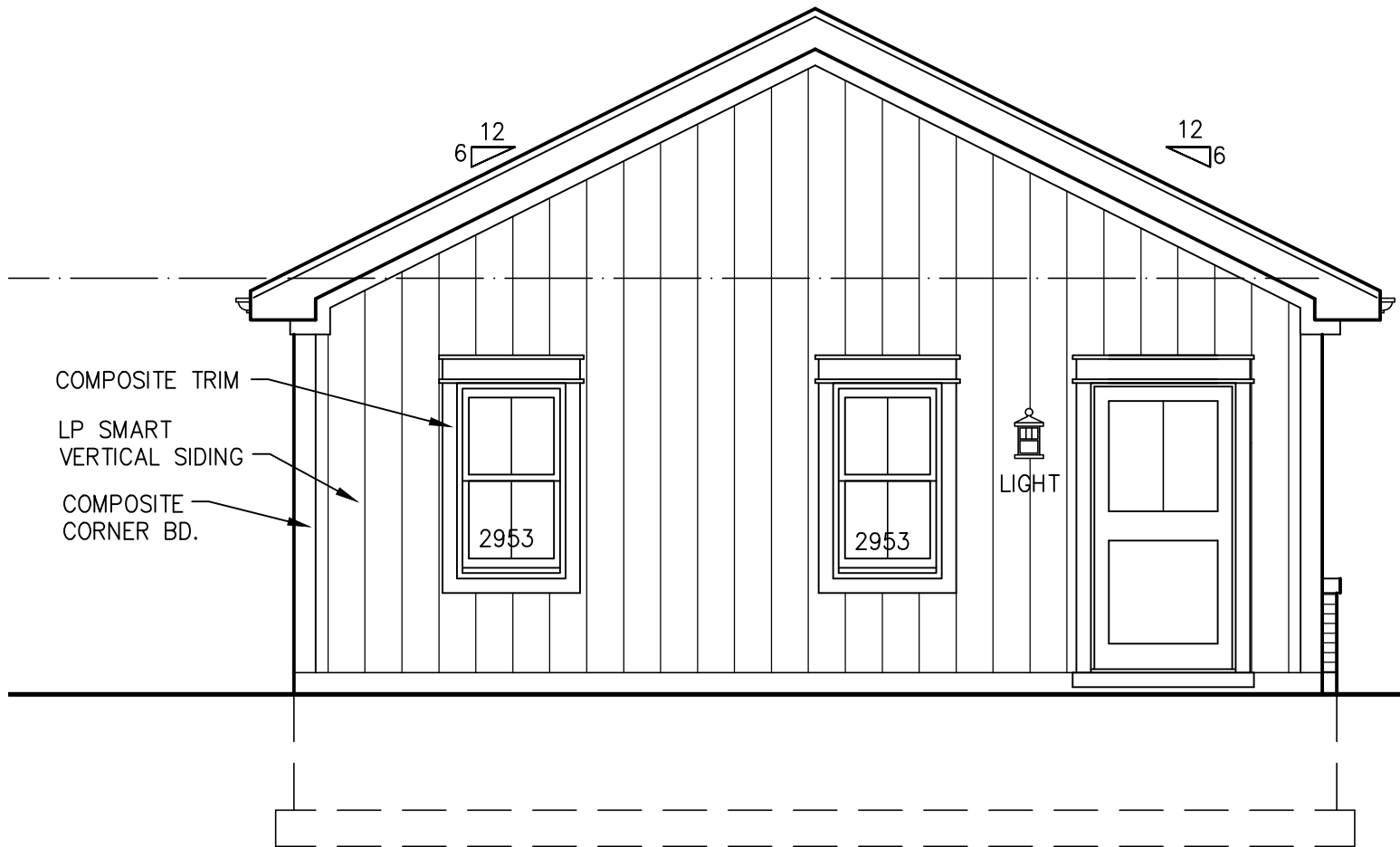
FRONT ELEVATION

1/4" = 1'-0"

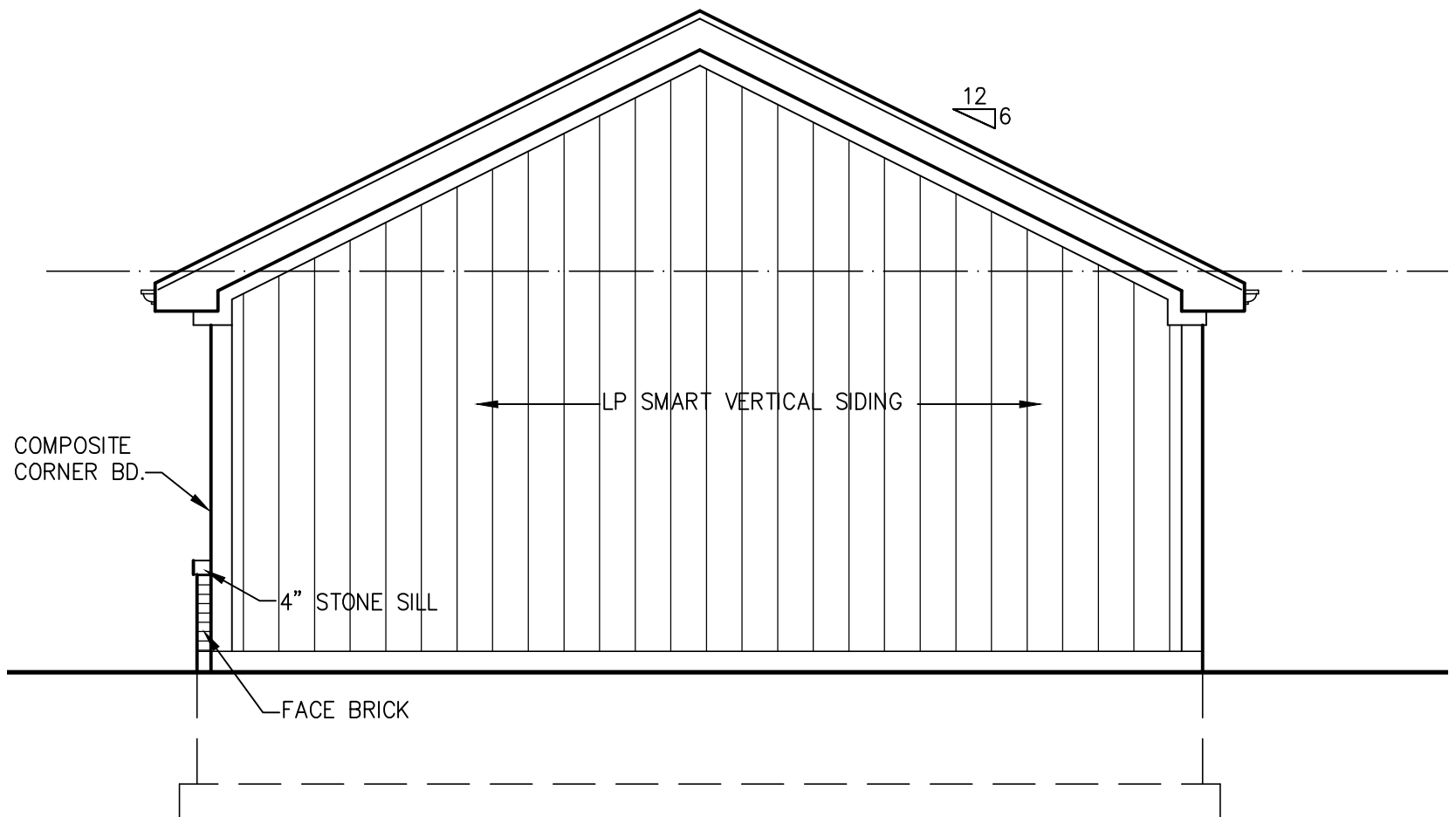


GARAGE FLOOR PLAN
440 SQ. FT.

1/4" = 1'-0"



LEFT ELEVATION



RIGHT ELEVATION

1/4" = 1'-0"

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184.006972
EXP. DATE
4-30-23

REVISIONS		
REV #	DATE:	REV. PER:

DATE:
12-21-21
DRAWN BY: PAP
PREVIOUS NO. -
PROJECT NO.
21046

SHEET NUMBER
A-6



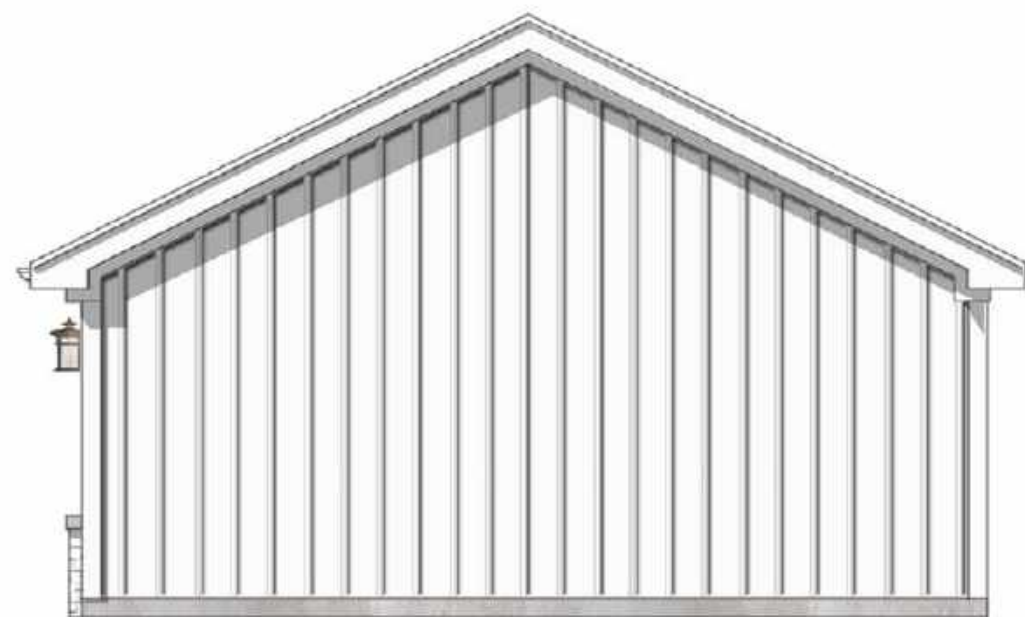
ideal
DESIGNS

21046





FRONT



RIGHT



REAR



LEFT

254 Oregon

DETAILED GRADING PLAN

LOT 2 IN LISBURN SUBDIVISION, BEING A SUBDIVISION IN THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 35 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN WILL COUNTY, ILLINOIS.

NOTES:

WATER AND SEWER SERVICES
WATER SERVICE TO BE 1" MIN. TYPE K COPPER
MIN. DEPTH 5'
SEWER SERVICE TO BE 6" SDR 26 PVC MIN.
SLOPE OF 1%

SANITARY & WATER SERVICES ARE APPROXIMATE AND MUST BE VERIFIED IN THE FIELD BY THE CONTRACTOR PRIOR TO THE START OF CONSTRUCTION.

MIN. SEPARATION OF WATER AND SANITARY SERVICES 10'

EROSION CONTROL
TO BE APPLIED PER THE ILLINOIS URBAN MANUAL, LATEST EDITION

CONTRACTOR MUST VERIFY ALL EXISTING CONDITIONS PRIOR TO STARTING CONSTRUCTION TO DETERMINE IF ANY CONFLICTS EXIST. THE DESIGN ENGINEER MUST BE NOTIFIED PRIOR TO START OF CONSTRUCTION. FOR BUILDING LINES, EASEMENTS AND OTHER RESTRICTIONS NOT SHOWN HEREON REFER TO YOUR DEED, CONTRACT, TITLE POLICY, ZONING ORDINANCE, ETC.

FOR UNDERGROUND UTILITY LOCATIONS AND PRIOR TO ANY CONSTRUCTION, CONTACT JULIE, TOLL FREE 1-800-892-0123

SITE BENCHMARK
NORTH EAST CORNER OF FIRE HYDRANT LOCATED ON THE NORTH SIDE OF OREGON AVENUE, OPPOSITE ADDRESS 254 OREGON STREET ELEV.=761.12 (NAVD 88)

NAVD 88 BENCHMARK
BRASS DISK IN SOUTHEAST CONCRETE BASE OF WATER TOWER, NORTH OF KANSAS STREET BEHIND THE OLD FRANKFORT VILLAGE HALL, SOUTH OF THE PLANK TRAIL BIKEPATH ELEV.=768.41

CURRENT ZONING: R-2

ALL SETBACKS HAVE BEEN PROVIDED FROM THE RECORDED PLAT OF SUBDIVISION

BUILDER:
SLEEMAN BUILDERS

STATE OF ILLINOIS
COUNTY OF WILL

I, BRIAN MALONE, CERTIFY THAT I HAVE SURVEYED THE PROPERTY DESCRIBED HEREON AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY. ALL DIMENSIONS ARE IN FEET AND DECIMAL PARTS THEREOF. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

MOKENA, ILLINOIS SEPTEMBER 2, 2020
BRIAN M. MALONE
LICENSE EXPIRES 11/30/20
PROFESSIONAL LAND SURVEYOR NO. 035.003974
COMPARE ALL POINTS BEFORE BUILDING AND REPORT ANY DIFFERENCES AT ONCE. FOR BUILDING LINES, EASEMENTS AND OTHER RESTRICTIONS NOT SHOWN HEREON REFER TO YOUR DEED, CONTRACT, TITLE POLICY, ZONING ORDINANCE, ETC.

NOTE: MARTIN M. ENGINEERING, INC. MAKES NO REPRESENTATION AS TO ACCURACY OF THE FOUNDATION DIMENSIONS SHOWN. FOR ACTUAL DIMENSIONS OF HOME & FOR WINDOW WELL LOCATIONS, REFER TO FOUNDATION PLAN PREPARED BY OTHERS.

FRANKFORT GRADING PLAN

248 OREGON STREET
FRANKFORT, ILLINOIS

DETAILED GRADING PLAN		DRAWN BY: BMW	CHECKED BY: BMW
SCALE: 1"=10'		DATE: 09/03/20	
JOB NUMBER: 20-302		SHEET: 1 OF 1	
#	DATE	DESCRIPTION	
1	09/30/20	PER VILLAGE REVIEW	

MARTIN M. Engineering, Inc.
SITE DESIGN CIVIL ENGINEERS & SURVEYORS
20123 OAKWOOD DRIVE
MOKENA, ILLINOIS 60448
VOICE: (708) 995-1323
FAX: (708) 995-1384
LICENSE NO. 184.00285-0010

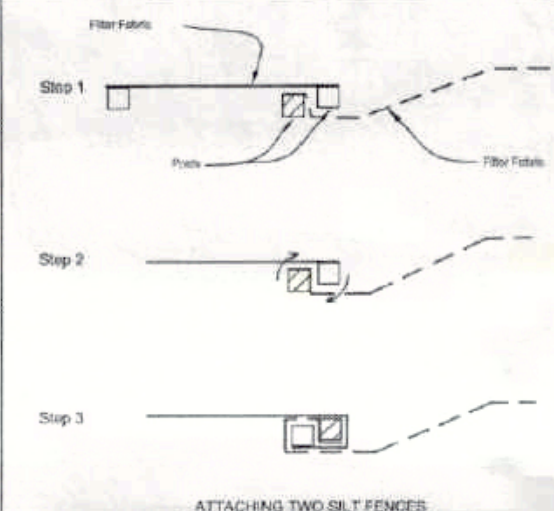
LEGEND FOR OBJECTS

EXISTING	PROPOSED
— SANITARY SEWER	— SANITARY SEWER
— STORM SEWER	— STORM SEWER
□ CATCH BASIN	□ CATCH BASIN
○ OPEN LID MANHOLE	○ OPEN LID MANHOLE
○ CLOSED LID MANHOLE	○ CLOSED LID MANHOLE
— INLET	— INLET
— WATER MAIN	— WATER MAIN
— VALVE	— VALVE
— HYDRANT	— HYDRANT
— FLARED END	— FLARED END
— STREET LIGHT	— STREET LIGHT
— UTILITY POLE	— UTILITY POLE
— 8-BOX	— 8-BOX
— RETAINING WALL	— RETAINING WALL
— SILT FENCE	— SILT FENCE
— CONTOUR	— CONTOUR
— FENCE	— FENCE
— 100-YEAR OVERFLOW PATH	— 100-YEAR OVERFLOW PATH
— STORM STRUCTURE W/ INLET PROTECTION	— STORM STRUCTURE W/ INLET PROTECTION
— EX. TREE TO BE REMOVED	— EX. TREE TO BE REMOVED

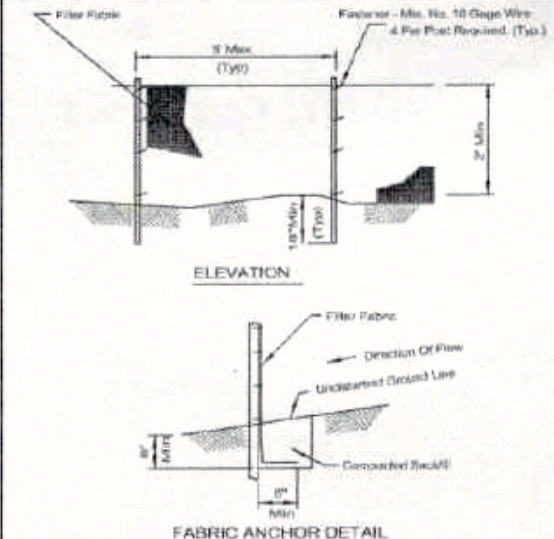
LEGEND FOR SURVEY LINES

● FOUND IRON ROD	— ADJACENT PROPERTY LINE
○ FOUND IRON PIPE	— ON-SITE STRUCTURE LINE
— BOUNDARY LINE	— OFF-SITE STRUCTURE LINE
— CENTER LINE	— RIGHT-OF-WAY LINE
— BUILDING SETBACK LINE	— EXISTING EASEMENT LINE

SILT FENCE PLAN



SILT FENCE PLAN



PAVEMENT LEGEND

— PROPOSED CONCRETE	— EXISTING PAVERS	— PROPOSED DECK/COVERED PORCH OR PATIO
— EXISTING BITUMINOUS PAVEMENT	— EXISTING CONCRETE	— EXISTING PAVEMENT/STRUCTURE TO BE REMOVED
— PROPOSED GRAVEL		

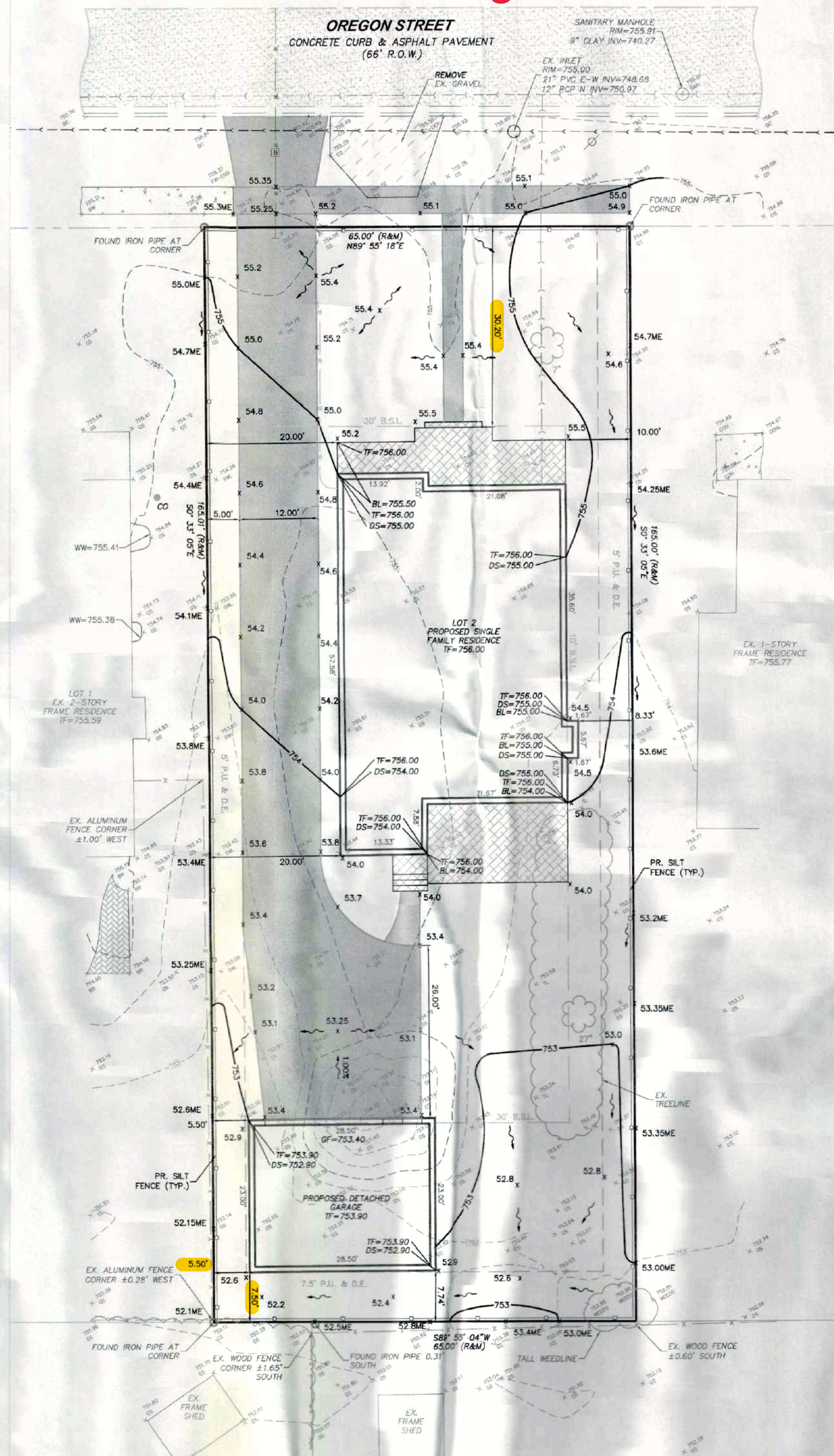
ABBREVIATIONS:

P.U. & D.E.	PUBLIC UTILITY & DRAINAGE EASEMENT	XXX.XXTC	TOP OF CURB ELEVATION
N.F.	NO FENCE	XXX.XME	MATCH EXISTING ELEVATION
N.A.	NO ACCESS	(XXX.X)	EXISTING SPOT GRADE PER APPROVED ENGINEERING PLANS
L.C.	LANDSCAPE COVENANT	XXX.XX	EX. AS-BUILT GRADE & DESCRIPTION
B.S.L.	BUILDING SETBACK LINE	XXX.X	SPOT GRADE W/ FLOW DIRECTION
TF	TOP OF FOUNDATION		NOTE: ADD 700 TO ALL PROPOSED SPOT GRADES
GF	GARAGE FLOOR		
LO	LOOK OUT		
WO	WALK OUT		
WS	WINDOW WELL		
DS	DOWN SPOUT		
BL	BRICK LEDGE		
SP	SUMP PUMP		
TL	TREE LINE		

PROPOSED LOT COVERAGE

LOT AREA	= 10,725 SF
BUILDING AREA	= 2,474 SF
BUILDING COVERAGE	= 23.07%
DRIVEWAY & SIDEWALKS	= 2,122 SF
COVERED PORCH, PATIOS, & DECKS	= 526 SF
TOTAL IMPERVIOUS LOT COVERAGE	= 5,122 SF
	= 47.76%

PROPOSED PLAN



ideal
DESIGNS

ARCHITECTS / DESIGNERS

20980 FRANKFORT SQ. RD.

SUITE A

FRANKFORT, ILLINOIS

T: (708) 407-8028

F: (779) 333-7960

gobe@idealdesigns.com

www.idealdesigns.com

A CUSTOM HOME FOR
SLEEMAN BUILDERS
LOT 2, OREGON ST.
FRANKFORT, ILLINOIS

DATE:

EXP. DATE:

DESIGN FIRM REG. NO.

184.006972

EXP. DATE

4-30-21

REVISIONS

REV # DATE: REV. PER:

DATE:

10-21-20

DRAWN BY:

PREVIOUS NO.

PROJECT NO.

20036

SHEET NUMBER

S-1



Memo

To: Plan Commission
From: Christopher Gruba, Senior Planner
Date: January 27, 2022
Re: Text Amendment - Accessory Structures

Plan Commission workshops were held on December 9, 2021, and January 13, 2022, regarding the proposed Zoning Ordinance text amendments for accessory structures. During these two meetings, the Commission only discussed sports courts, due to their uniqueness and complexity. The feedback received regarding sports courts has been incorporated into the draft text amendment language.

As discussed at the last Plan Commission meeting, staff is now seeking input regarding the other types of accessory structures, particularly sheds, pergolas, pool cabanas, arbors, trellises and gazebos. Staff intends to gather the input from this workshop and schedule a public hearing for the accessory structure text amendment on February 10, 2022.

Attachments:

1. **Basic** Summary of Changes (PowerPoint presentation)
2. Full List of Changes
3. Accessory Structure Variance History 2021
4. Accessory Structure Regulations Research
5. Draft Zoning Ordinance language for accessory structures (clean version, no strikeouts, with the affected sections highlighted in yellow).

Accessory Structures

Basic Summary of Changes

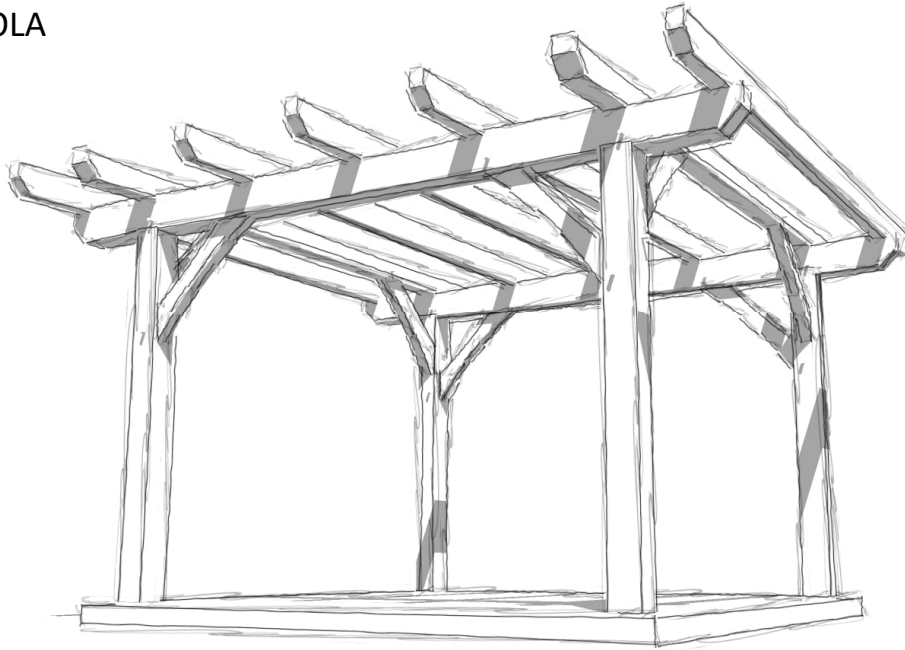
1

Pergolas, Cabanas, Trellises, Arbors and Gazebos

- Allow increase of size from 144 SF to 250 SF
- Maintain 10' setbacks from side & rear property lines
- Maintain 15' height
- These are typically open on multiple sides or all sides (less bulky)
- DO count toward lot coverage
- DO count toward impervious lot coverage
- Maintain 10' separation between structures and the house

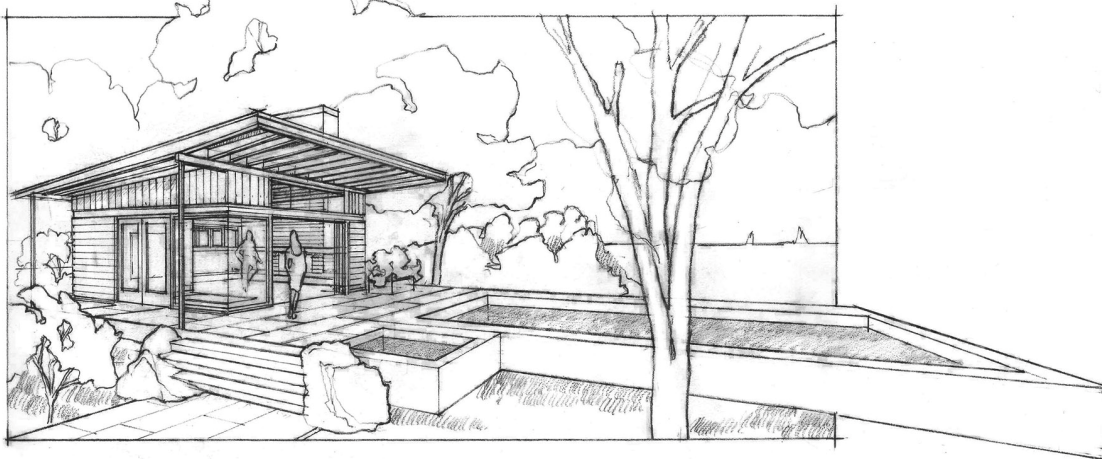
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PERGOLA



3

POOL CABANA



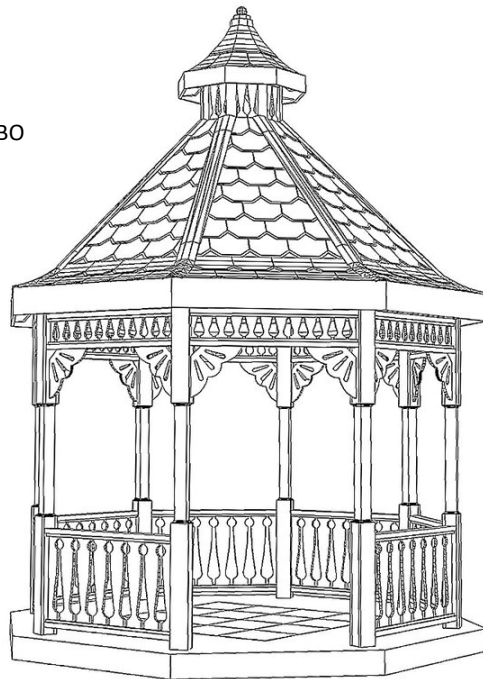
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ARBOR/TRELLIS



5

GAZEBO

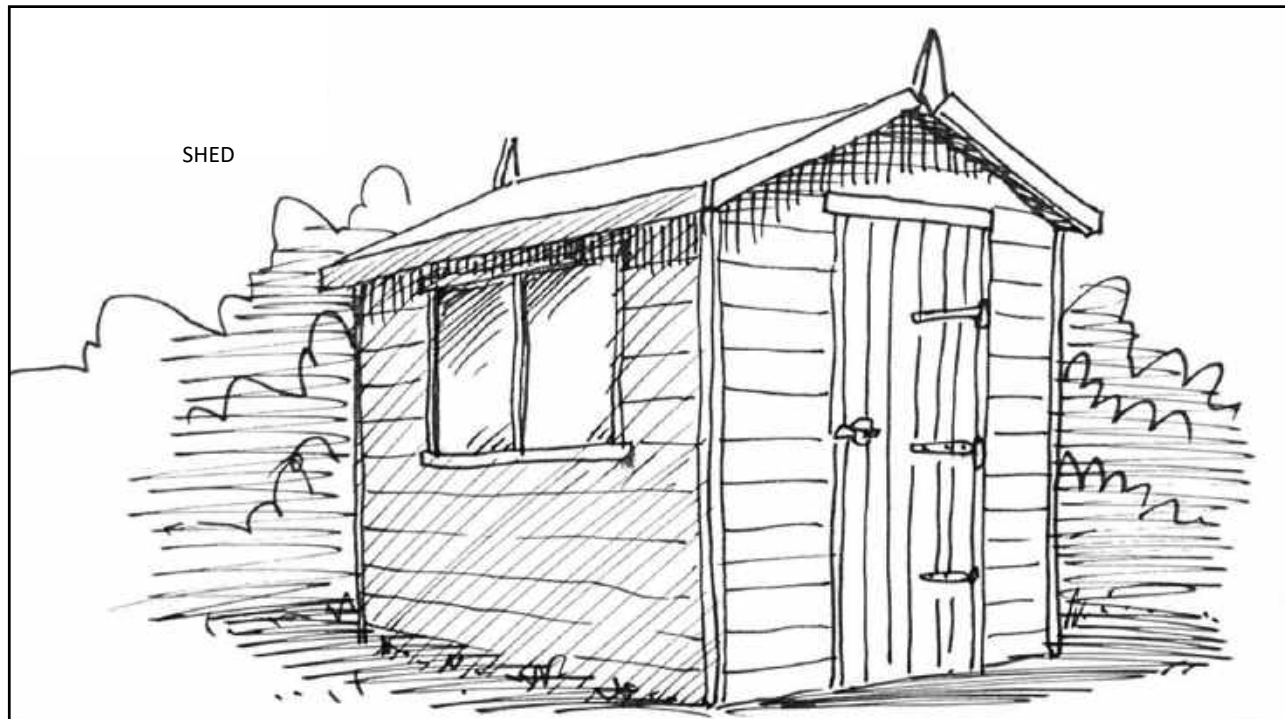


6

Sheds

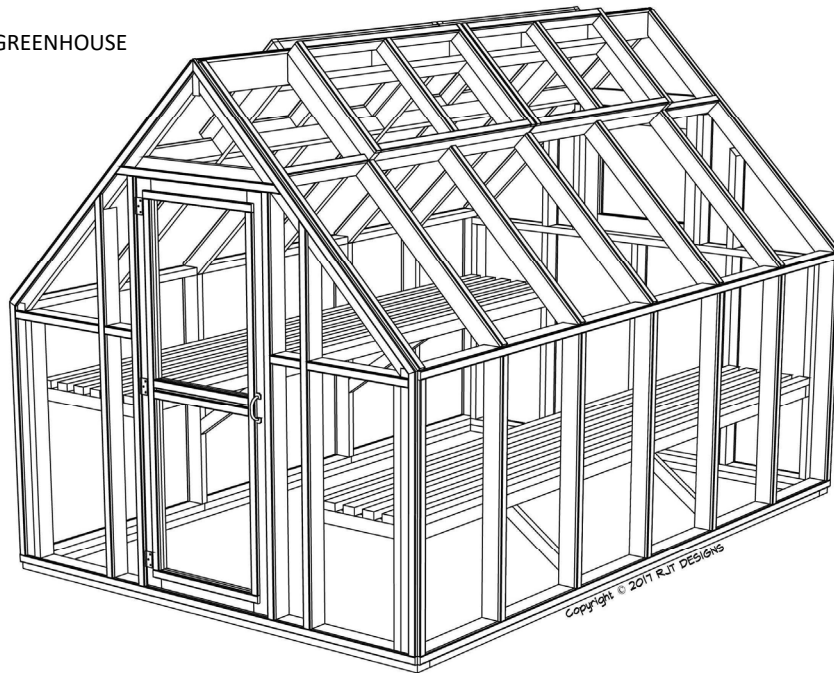
- Maintain at 144 SF max
- Maintain 10' setbacks from side & rear property lines
- Maintain 15' height
- Same rules shall apply to child playhouses, outdoor fireplaces/stoves, greenhouses, laundry drying equipment and trash enclosures.
- Maintain that sheds can be 225 square feet in manufactured home parks
- DO count toward lot coverage
- DO count toward impervious lot coverage

7



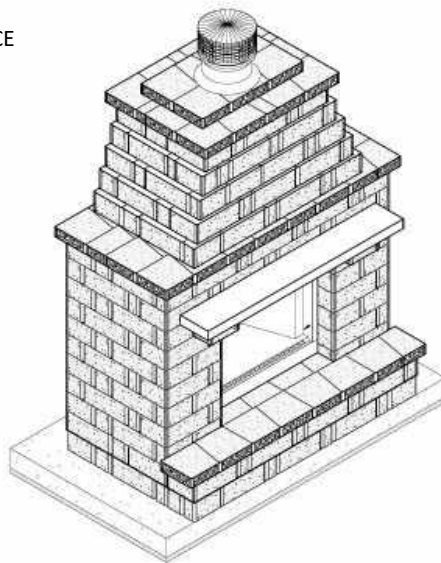
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GREENHOUSE



9

OUTDOOR FIREPLACE



10

Detached Garages (vehicles)

- Adding language that detached garage cannot exceed the size of the footprint of the house.
- Maintain that detached garages in manufactured home parks cannot exceed 600 SF.
- DO count toward lot coverage
- DO count toward impervious lot coverage
- Maintain that 1 detached garage allowed per property
- Maintain that architecture must be “similar & compatible”
- Maintain that 4-car garages must be side-loaded
- Maintain that garages must be enclosed on all sides

11

Decks, Terraces & Patios

- Maintain 10’ setback from any property line (including the front)
- Do NOT count toward lot coverage
- DO count toward impervious lot coverage
- Now noted clearly that these do not have a roof (if they did have a roof, it would be considered part of the house and have to meet the house setbacks, lot coverage, etc.)

12

Mechanical equipment (A/C, generators, etc.)

- Ordinance will remain silent regarding max size
- Must now abide by 10' side & rear setbacks
- DO NOT count toward lot coverage (no roof)
- DO count toward impervious lot coverage (concrete pad)

13

Pole barns, silos, other farm structures

- Adding “only permitted in the A-G zone”
- Adding language that they must meet the setbacks for primary structure, which is how it's currently enforced (75' front, 100' side & rear)
- Adding language that they cannot exceed 35' tall (a variance would be required for a silo, but this is to avoid new cell towers masquerading as silos)
- DO count toward lot coverage
- DO count toward impervious lot coverage

14

Area Measurement

- Add language that structures with walls are measured from the exterior walls
- Add language that structures with posts are measured from outside edges of posts
- Add language that structures with pads (A/C units, kids playhouses) the pad is measured to calculate impervious lot coverage

15

Height Measurement

- Changed the existing definition of “Building Height” to be clear. Currently very confusing. Recommend deleting the definition of “Height, Maximum” because it conflicts and is redundant.

16

General Regulations

- Adding that the Gross Floor Area of all accessory structures shall not exceed the area of the footprint of the house (except in A-G)
- Adding that any accessory structure attached to the house becomes part of the house and must abide by the house setbacks.
- Maintain that accessory structures only allowed in side & rear yards but adding exception for farm structures on A-G land.

17

Other

- If there's any other type of accessory structure we haven't thought of, the 144 SF max will apply
- Driveways: Maintain that driveways not be wider than the garage (this was removed from definitions, but is already stated elsewhere in code)
- Dog runs: Maintain current language (only in rear yard, set back 10' from any property line). If trash enclosures are used like a dog run, it would be a code enforcement issue.

18

Other (cont.)

- Balconies: Add that balconies shall not project more than 6' into a required yard (could extend to 0' setback as written now)
- Flagpoles: Now must be set back at least 5' from any property line (instead of 0'). 5' is the current landscaping setback for homes.

19

The End
(unless we want to revisit sports courts)

20

Sports Courts - summarized

- 650 SF and under = permitted by-right
- Over 650 SF = Special Use Permit required
- Only 1 permitted per lot
- Located in rear yard only
- Setback 10' from side and rear property lines
- Shall count toward impervious lot coverage but not lot coverage
- Shall be screened exactly the same as a pool
- No illumination
- Only 1 basketball goal
- Nothing over 15' tall

21

Sports Courts – cont.

- Should size be determined by 3% of the lot area, not to exceed 1,000 SF?
Or should anything larger than 650 SF be part of the Special Use Permit review and the appropriate size determined by the PC and VB?

22

January 27, 2022

Full List of Changes – Accessory Structures (including sports courts)

- **Article 1, Section I (Permitted Encroachments into Required Yards)**
 - Added regulation that balconies cannot extend more than 6' into any *required* yard, because currently there is no limit noted. A balcony could extend all the way to the front/side/rear property line if they cantilevered it.
 - Noted that basketball hoops attached to the garage or adjacent to the driveway are only permitted in residential districts only. As currently written, they could be placed in any zone district driveway or garage, by-right.
 - Decks, terraces and patios can encroach into any residential required yard but shall not be closer than 10' to any property line. Added wording that this applies only to decks, terraces & patios that are unenclosed/no roof.
 - Decks, terraces and patios can encroach into any non-residential required yard but shall not be closer than 25' to the front/corner side property line and 10' from side/rear property lines. Added wording that this applies only to decks, terraces & patios that are unenclosed/no roof.
 - Noted that dog runs are only allowed in residential zone districts. The regulations are unchanged that they must be in rear yards and at least 10' away from any property line.
 - Added requirement that flagpoles must be set back at least 5' from any property line. Currently, they can be placed ON any property line.
- **Article 5, Section B (Land Use Table)**
 - Added line for Home Occupations – permitted by-right within any residential zone district.
 - Added line for Sports Courts, 650 SF and less: permitted by-right within any residential zone district subject to the requirements of §5.C.40.
 - Added line for Sports Courts, over 650 SF: require special use permit within any residential zone district subject to the requirements of §5.C.40.
- **Article 5, Section C (Use Standards)**
 - Relocated Home Occupation section to this section
 - Created provisions for Sports Courts
- **Article 5, Section D (Accessory Uses & Structures)**
 - Clarified existing accessory structure regulations
 - Added regulations:
 - General Regulations:
 - Pole barns, silos and other accessory farm structures only permitted in the A-G zone district.
 - Any structure with a roof attached to the primary structure becomes part of the primary structure.
 - Accessory structures shall be located behind the front facade of the primary structure (usually a house), except in the A-G zone district.

- Accessory structures in the A-G zone district must abide by the required setbacks for the primary structure.
 - Accessory structure size regulations grouped into specific categories:
 - Arbors, Trellises, Gazebos and Pool Cabanas: 250 SF max
 - Sheds, playhouses, outdoor fireplaces and stoves, greenhouses, laundry drying equipment and trash enclosures: 144 SF max
 - Detached garages in manufactured home parks: 600 SF max (same)
 - Detached garages not in manufactured home parks: Cannot exceed size of the primary structure.
 - The combined GFA of all accessory structures cannot exceed the area of the footprint of the house, except in the A-G zone.
 - Height:
 - All accessory structures shall not exceed 15' tall (unchanged), except for in the A-G zone where they can be up to 35' tall (same as primary structure).
 - Added clear regulations to measure area of accessory structures.
- **Article 6, Section B, Part 1, Table of Density, Dimensions and other Standards for Residential Districts**
 - Clean up: moved the front yard setbacks for landscaping and from Arterials and Route 30 to the "Front Yard" line item. Was under "Rear Yard" for some reason.
 - **Article 7, Section G, Part 1:**
 - Moved fence and wall regulations to this new section. It was in the accessory structure section, but since they don't act like or abide by the accessory structure regulations, it was separated out. It's also more common to see it in its own section.
 - **Article 12: Definitions**
 - Accessory Structure or Use: Created better definition and listed many by name. Added definition for shed. Can also add sketches of accessory structures here for further clarification.
 - Balcony: Added language that balconies are located above the 1st floor.
 - Building Height: Cleaned up the existing, very confusing definition to reflect past practice by the Village.
 - Driveway: Cleaned up definition. The driveway can't be wider than the width of the garage, which is noted elsewhere in code. The definition section should not contain regulations.
 - Height, Maximum: Might want to delete the definition since it really conflicts with the definition for "Building Height".
 - Impervious Surface, Impervious Coverage: Created better definition and listed many by name.

Accessory Structure Variance History 2021

PC Date	Address	Structure	Size Requested	Size Approved
6/24/21	11258 York Drive	Pool Cabana	360	240
6/24/21	10650 Yankee Ridge	Pool Cabana	288	255
10/14/21	11195 Siena Drive	Pergola	215	215
10/28/21	7403 Mayfield	Sports Court (proposed)	1363	
11/18/21	22960 Hankins Court	Sports Court (existing)	625	
Future	10677 Yankee Ridge	Pool Cabana	360	
Average (non-sports courts only)			288	237

Accessory Structure Regulations
(for detached garages sheds in residential districts)

Municipality	Dependent on Zoning District/Lot Size	Number Permitted	Maximum Area	Maximum Height	Minimum Side Yard Setback	Minimum Rear Yard Setback
Frankfort	No	Not specified; lot coverage	144 sq. ft.	15 ft.	10 ft.	10 ft.
Mokena	Yes	SUP req. for more than 1	Not specified; lot coverage	15-20 ft.	5-20 ft.	5-40 ft.
Tinley Park	No	1, but 2 on large lots (over 15,000 sq. ft. & 90 ft. width)	720 sq. ft.	18 ft.	5 ft.	5 ft.
New Lenox	No	Not specified; lot coverage	180 sq. ft.	15 ft.	5 ft.	5 ft.
Monee	No	Not specified; lot coverage	Not specified; lot coverage	Not specified	Not specified	Not specified
University Park	No	Not specified; lot coverage	Not specified; lot coverage	13 ft.	5 ft.	5 ft.
Richton Park	Yes	Not specified; lot coverage	Not specified; lot coverage	12-14 ft.	4-5 ft.	5 ft.
Matteson	Yes	Not specified; lot coverage	Not specified; lot coverage	14 ft.	10 ft.	5 ft.
Will County	Yes	Not specified; lot coverage	1200-3000 sq. ft.	25 ft.	5-20 ft.	5 ft.

Section I: Permitted Obstructions in Required Yards

Part 1:

- a. Air-conditioning units, window-mounted: Permitted within any required yard, not to exceed more than two (2) feet into the yard. *(unchanged)*
- b. Balconies, open: Permitted within any required yard, not project more than six (6) feet from the primary structure. *(added the 6' projection to limit how far they can project, because right now there is no limit at all. Alternatively, it could state "balconies shall not be closer than 5' to any property line", but usually a balcony doesn't need to be deeper than 6' and have seen this dimension in other ordinances.)*
- c. Basketball goal in residential districts only: Permitted within any required yard. Limited to one pole-mounted or garage-mounted goal. Shall be set back at least five (5) feet from any property line. If pole-mounted, goal shall be located within the driveway pavement area. *(added "in residential districts only")*
- d. Cantilevered elements: Permitted within any required yard, not to exceed more than two (2) feet into the yard. (Am. Ord 2360, passed 1.25.07) *(unchanged)*
- e. Chimneys: Permitted within any required yard, not to exceed more than two (2) feet into the yard. (Am. Ord. 2839, passed 4.29.13) *(unchanged)*
- f. Decks, Terraces and Patios (unenclosed, no roof) in residential districts only: Permitted within any required yard but shall be set back at least ten (10) feet from any property line. *(changed wording from "open" to "unenclosed, no roof" for clarity)*
- g. Decks, Terraces, and Patios (unenclosed, no roof) in non-residential districts only: Permitted within any required yard but shall be set back at least twenty-five (25) feet from any front or corner side property line and at least ten (10) feet from any other property line. *(changed wording from "open" to "unenclosed, no roof" for clarity)*
- h. Enclosed dog runs, in residential districts only: Permitted within the required rear yard only and shall be set back at least ten (10) feet from any property line. *(added "in residential districts only")*
- i. Fences: Permitted within any required yard, subject to the regulations set forth in Article 7, Section G, Part 1. *(unchanged)*
- j. Flagpoles: Permitted within any required yard but shall be set back at least five (5) feet from any property line. *(added the 5' min setback requirement, because as written it could be set back 0')*
- k. Ramps for use by persons with disabilities: Permitted within any required yard, subject to the design requirements set forth by the Americans with Disabilities Act of 1990. *(unchanged)*
- l. Residential wing walls: Permitted within any required yard, not to project more than two (2) feet into the yard. (Am. Ord. 2495, passed 8.4.08) *(unchanged)*

	E-R	R-1	R-2	R-3	R-4	AG	H-R	B-1	B-2	B-3	B-4	OR	I-1	I-2	H-1	Use Standards
Outdoor storage except uncontained materials (Am. Ord. 2495, passed 08.04.08)						S				S			S	P		
Outdoor storage of un-contained bulk materials (Am. Ord. 2495, passed 08.04.08)						S								S		
Planned unit development	S	S	S	S	S		S	S	S	S	S	S	S	S	S	
Home Occupations, associated with permitted uses	P	P	P	P	P	P	P									5.C.39
Sports court, residential, associated with permitted uses (650 square feet and smaller)	P	P	P	P	P	P	P									5.C.40
Sports court, residential, associated with permitted uses (larger than 650 square feet)	S	S	S	S	S	S	S									5.C.40

Part 38: Vacation Rental

(Am. Ord. 3229, passed 09.20.21)

A Vacation Rental shall be operated in accordance with the following:

- a. Maximum occupancy shall be reviewed on a case-by-case basis but in no instance shall exceed ten (10) guests per Vacation Rental.
- b. There must be at least 100 square feet of gross interior floor area for each guestroom. Kitchens, bathrooms, hallways, closets and other areas not defined as a bedroom under the International Property Maintenance Code, or other applicable code adopted by the Village, are not considered habitable rooms for sleeping purposes.
- c. No Vacation Rental shall be located on a lot closer than 250 feet from any other lot containing a Vacation Rental.
- d. New construction, additions, or remodeling must be in keeping with a residential character and is subject to review by the Village of Frankfort Historic Preservation Commission.
- e. In addition to any other requirements posed by the Village of Frankfort Fire Department, or other applicable code adopted by the Village, each guestroom must contain at least one hard wire smoke detector and carbon monoxide detector.
- f. A Vacation Rental may only be operated with a properly issued vacation rental license as provided for in the Code.

Part 39: Home Occupations

It is the intent of this section to allow as home occupations only those uses that conform to the standards of this Section. In general, a home occupation is an incidental and secondary accessory use in the AG, E-R, R-1, R-2, R-3, or R-4 Districts, so located and conducted as to not change the character thereof or adversely affect the uses permitted in the residential district of which it is a part. The standards for home occupations are intended to ensure compatibility with other permitted uses and the residential character of the neighborhood, and to maintain the subordinate and incidental status of the home occupation.

- a. Permitted Home Occupations. Any home occupation, as defined in Article 12, that is incidental and subordinate to the principal residential use of a building, shall be permitted in any dwelling unit, except those which are specifically prohibited under this Ordinance, and meets the regulations outlined in paragraph (c) below.
- b. Limitations. Home occupations shall be operated in conformance with the following:
 1. All employed persons must be related, with the total number of employees not to exceed three (3).
 2. The use of the dwelling unit for the home occupation or home office shall be clearly incidental and secondary to its use for residential purposes.
 3. No more than twenty-five (25) percent of the livable floor area of the dwelling unit shall be used in the conduct of the home occupation or home office.

4. No outside display, storage, or use of land is permitted.
 5. No signage shall advertise the presence or operation of home occupation.
 6. There shall be no manufacturing or processing of any sort.
 7. No wholesale, jobbing or retail business shall be permitted unless it is conducted entirely by mail or telephone and does not involve the receipt, sale, shipment, delivery or storage of merchandise on or from the premises, provided, however, that articles produced by members of the immediate family residing on the premises may be sold from and stored upon the premises.
 8. There shall be no interior or exterior alteration of the principal residential building which changes the residential character thereof as a dwelling.
 9. The home occupation shall be conducted entirely within the principal residential building and shall not be visible from any existing dwelling on any adjacent lot.
 10. No equipment or process shall be used in such home occupation that creates noise, vibration, glare, fumes, odors or electrical interference detectable to normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.
 11. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and in no case shall traffic volume be created by the home occupation greater than ten (10) trips per day in any one day, including deliveries.
 12. Deliveries are limited to a maximum of two (2) per day, and are not to be conducted by a vehicle that exceeds a useful load of one ton. (Am. Ord. 1887, passed 04.15.02)
 13. Parking generated by the conduct of such home occupation shall be met by the off-street parking regulations, and be located in areas other than a required yard.
 14. No home occupation shall cause an increase of more than ten percent (10%) in the use of any one or more utilities (water, sewer, electrical, telephone, garbage, etc.) so that the combined total use for dwelling and home occupation purposes exceeds the average for residences in the neighborhood.
- c. Particular Home Occupations Permitted. Customary home occupations include, but are not limited to, the following list of occupations, provided, however, that each listed occupation shall be subject to the requirements of this Part 5.
1. Dressmakers, seamstresses and tailors

2. Music teachers, with regular instruction, limited to one pupil at a time, except for occasional groups
 3. Artists, sculptors and authors or composers
 4. Office facilities for architects, brokers, engineers, lawyers, insurance agents and members of similar professions
 5. Offices of duly ordained leaders of a religious or spiritual community
 6. Office facilities for real estate and other sales representatives and manufacturers' representatives, when no retail or wholesale transactions are conducted on the premises
 7. Home crafts, such as model-making, rug-weaving, lapidary work, handcraft-woodworking, provided however, that no machinery or equipment shall be used or employed, other than that which would customarily be incidental to residential occupancy. Such machinery or equipment shall include that which would customarily be employed in connection with a hobby or a vocation not conducted for gain or profit
 8. Telecommuting for an outside employer, company or organization.
- d. Particular Home Occupations Prohibited. The following uses, by the nature of the investment or operation, have a pronounced tendency, once started, to rapidly increase beyond the limits permitted for home occupations, and thereby substantially impair the use and value of a residentially zoned property for residential purposes. Therefore, the uses specified below are prohibited in residential zones:
1. Barber shops, beauty shops and nail salons performing any personal service related to the betterment of physical appearance with more than 2 service stations (including but not limited to chairs, sinks, dryers, etc), unless specifically permitted by the district regulations
 2. Dancing schools with more than five pupils in attendance at any given time
 3. Funeral homes and mortuaries
 4. Restaurants
 5. Tourist homes and lodging houses, unless specifically permitted by the district regulations
 6. Private clubs
 7. Repair shops or service establishments, except the repair of electrical appliances, typewriters, cameras or other similar small items

8. Photo developing
9. Renting of trailers
10. Medical or dental offices, clinics or hospitals
11. Animal kennels, animal grooming, or hospitals
12. Auto repair and tune-up facilities
13. Catering or other food preparation businesses
14. Rooming houses
15. Sale of firearms and ammunition
16. Stables or kennels
17. Antique shops or sales
18. Home day care centers or preschools.

Part 40: Sports Courts, residential (New part)

In general, a sports court is an incidental and secondary accessory use in the E-R, R-1, R-2, R-3, R-4, A-G and H-R Districts, so located and conducted as to not change the character thereof or adversely affect the uses permitted in the residential district of which it is a part. The standards for sports courts are intended to ensure compatibility with other permitted uses and the residential character of the neighborhood, and to maintain the subordinate and incidental status of the sports court.

- a. Limitations. Sports courts shall be operated in conformance with the following:
 1. One (1) sports court is permitted per lot.
 2. Sports courts shall be located in the rear yard only.
 3. Sports courts shall be set back at least 10' from any side or rear property line.
 4. The size of the sports court shall not exceed 3% of the area of the lot, but in no instance shall a sports court exceed 1,000 square feet.
 5. Total impervious coverage of the lot shall not exceed the limitations of the zoning district as defined in Article 6;
 6. Screening: If the fencing provided is anything other than solid fencing, the sports court shall be effectively screened from view from outside the lot by densely-planted

compact trees or hedges, providing at least fifty percent opacity when viewed between two (2) feet and five (5) feet above the ground.

7. Sports courts shall not be illuminated.
8. No more than 1 goal, basketball or otherwise, are permitted per sports court.
9. No appurtenances shall exceed fifteen (15) feet in height.

Section D: Accessory Uses and Structures

Part 1: General Requirements

- a. Accessory uses and structures, as defined in Article 12, are permitted in the E-R, R-1, R-2, R-3, R-4, H-R and A-G districts. Accessory uses and structures, as defined in Article 12, are permitted in the H-1 zone district when the property is used for single-family residential.
- b. Residential accessory uses and structures shall not involve the conduct of any business, trade, or industry.
- c. Accessory uses and structures, as defined in Article 12, in the B-1, B-2, B-3, B-4, O-R, I-1, I-2 and H-1 when the property is not used for single-family residential, must be approved during the site plan review process (as described in Article 3, Section H).
- d. Accessory uses and structures must be in connection with a principal use which is permitted within such district.
- e. Each accessory structure and use shall comply with the use limitations applicable in the zoning district in which it is located.
- f. No accessory structure shall be constructed or occupied on any lot prior to the completion of the principal structure to which it is an accessory.
- g. Pole barns, silos and other accessory farm structures shall be permitted only within the A-G zone district.
- h. Any structure with a roof and attached to the primary structure shall be considered part of the primary structure and shall abide by the requirements for primary structures in that zone district.

Part 2: Bulk Regulations

- a. Location:
 1. Accessory structures shall only be permitted within side and rear yards only, except within the A-G zone district.
 2. Accessory structures shall be located behind the front façade of the primary structure, except within the A-G zone district.
 3. Accessory structures shall be set back at least ten (10) feet from any lot line, except for the A-G zone district, in which they must meet the required front, side and rear setbacks for the primary structure.

4. Accessory structures shall maintain a separation minimum distance of ten (10) feet between other accessory structures and from the primary structure.

b. Size:

1. Accessory structures, including arbors, trellises, pergolas, gazebos and pool cabanas shall not exceed two hundred fifty (250) square feet in size.
2. Accessory structures, including sheds, child playhouses, permanently affixed outdoor fireplaces and stoves, greenhouses, laundry drying equipment and trash enclosures shall not exceed one hundred forty-four (144) square feet in size. Sheds within manufactured home parks shall not exceed two hundred twenty-five (225) square feet in size.
3. Detached garages in manufactured home parks shall not exceed six hundred (600) square feet.
4. Detached garages not located in manufactured home parks shall not exceed the size of the primary structure, except within the A-G zone district.
5. All other accessory structures not specifically listed within this subsection shall not exceed one hundred forty-four (144) square feet in size.
6. The combined square footage of all accessory structures shall not exceed the 1st floor area of the primary structure, except within the A-G zone district.
7. Each accessory structure and use shall otherwise comply with the bulk regulations applicable in the district in which it is located, including maximum lot coverage, maximum impervious coverage and maximum rear yard coverage (Article 6, Section B, Part 1).

c. Height:

1. All accessory structures, except farm structures including pole barns, silos and similar structures, shall not exceed fifteen (15) feet in height.
2. Accessory farming structures shall not exceed thirty-five (35) feet in height.

d. Measurement of area:

1. For structures that have walls, measurement shall be made from the exterior walls.
2. For structures that have posts but no walls, measurement shall be made from the exterior edges of the posts.

3. For air conditioning units, generators, pool mechanical equipment and similar equipment without posts or walls, measurement shall be made from the outside edges of the mechanical pad or from the unit itself, whichever is greater.

Part 3: Garage Provisions

- a. A maximum of one (1) detached garage per zoning lot is permitted.
- b. All garages greater than three-cars in size must be side-loaded in orientation and driveways shall have a minimum 26' turning radius.
- c. Architecture of garages shall be similar and compatible to the primary structure, including building materials and the roof pitch.
- d. All garages must be constructed as enclosed buildings.
- e. All garages must be constructed on a concrete pad.

Part 4: Recreational Equipment/Vehicle and/or Construction/Commercial Equipment Provisions

- a. Outdoor parking of recreational equipment/vehicle and/or construction/commercial related vehicles, provided that:
 1. If the owner is actively involved in maintenance, loading or unloading the equipment, it may be parked on a residential driveway, however duration does not exceed forty-eight (48) hours;
 2. The Code Official may issue a Special Permit for out-of-town visitor parking for Recreational Vehicles parked on a driveway for a period not to exceed fifteen (15) days. Not more than six (6) such permits may be issued in any calendar year;
 3. Equipment/vehicle is parked on an approved paved surface;
 4. No part of storage area for vehicles is located in any required front, side, or rear setback, as defined by the provisions of this Code;
 5. The front of the vehicle does not extend in front of the front façade of the primary structure;
 6. Construction or commercial vehicles or equipment are not loaded or containing product or material, unless wholly enclosed or actively involved in a project within the lot;
 7. Vehicle does not exceed an empty weight of four (4) tons or height in excess of ninety (90) inches;

8. Equipment/vehicle is screened from view from the public street by a fence or landscaping.

Part 5: Swimming Pool Provisions

- a. Fencing. Every outdoor swimming pool, whether above ground or level with the ground, having a maximum depth of over two (2) feet, shall be completely surrounded by a fence not less than four (4) feet, nor more than five (5) feet in height. A building, existing wall, or pool wall may be used as part of such enclosure as long as the barrier requirements are met as required by the building code. Such required fence shall comply with all requirements of other Village ordinances pertaining to fences, and the provisions of this Section shall not be construed to require or permit any fence heights greater than permitted by such other ordinances. (Am. Ord. 1887, passed 04.15.02) (Am. Ord. 2230, passed 10.17.05)
- b. Gates or Doors. All gates or doors opening through the required fence shall be designed for security, in accordance with the Building Code of the Village of Frankfort.
- c. Screening. If the fencing provided is anything other than solid fencing, the pool shall be effectively screened from view from outside the lot by densely-planted compact trees or hedges, providing at least fifty percent opacity when viewed between two (2) feet and five (5) feet above ground.
- d. Setback Requirements. All outdoor swimming pools are considered accessory structures, and shall meet minimum setback requirements, in addition thereto, shall be set back an additional two (2) feet for each one (1) foot of structure height exceeding five (5) feet. For the purpose of this section, the words "structure height" shall include any railings or other projections above the pool surface.
- e. Water Discharge. The water discharged from a swimming pool shall be drained into the sanitary sewer or storm water system, as approved by the Village.

Part 6: Other Provisions

- a. One parabolic satellite dish-type antenna per zoning lot, which is not more than two (2) feet in diameter. All roof-mounted antenna shall not exceed the maximum building height permitted in that zoning district. All satellite antenna facilities shall be located away from the street right-of-way, or otherwise screened from view from any street by an opaque fence, wall, or hedge of a minimum of 6 feet in height. (Am. Ord. 1887, passed 04.15.02) All ground-mounted antenna shall abide by the regulations for a typical accessory structure.
- b. Storage of wood or any other combustible material which could be used in fireplaces, stoves or any other equipment for heating are not to exceed five (5) cords per zoning lot, one (1) cord being a cubic area of 128 cubic feet (4' x 4' x 8'). Firewood shall be used exclusively by dwelling occupants and stored in the rear yard. Material must be stacked in rear yard in cord measurements and must be a minimum of four (4) inches off the

ground. No storage is permitted within the 100-year flood zone as defined by FEMA Maps.

Part 7: Prohibited Accessory Uses or Structures (Am Ord #2312, passed 8.21.06)

None of the following shall be permitted accessory uses or structures:

- a. Outdoor storage or overnight parking of trucks with an empty weight in excess of four (4) tons, or height in excess of ninety (90) inches in residential district; construction or commercial vehicles or equipment, loaded or containing product or material, unless wholly enclosed, unless actively involved in a project within the lot; or buses designed for more than eleven (11) passengers during normal school year vacation periods in a residence district;
- b. Any other outdoor storage, except as specifically permitted elsewhere in this Ordinance;
- c. Manufactured homes;
- d. Windmill towers, in excess of twelve (12) feet in height;
- e. Cargo Containers, as defined by Article 12 of this ordinance shall be considered a form of outdoor storage that is strictly prohibited in all zones, except whereas:
 1. Existing cargo containers located on properties with an approved special use for outdoor storage are a legal non-conforming use during an amortization period of one (1) year, after which the containers are considered illegal non-conforming and must be removed. No additional containers shall be added to the property during the amortization period, or;
 2. A temporary permit is issued by the Village for the purpose of moving or relocating, either permanently or temporarily, personal or business property, subject to the following conditions:
 - a. In the E-R, R-1, R-2, R-3, R-4 and HR Districts, there shall be a fifteen dollar (\$15) temporary permit fee. No more than one (1) temporary cargo container shall be permitted, and said container must be removed from the premises within thirty (30) days;
 - b. In the B-2, B-3, B-4, H-1, O-R, I-1, and I-2 Districts, there shall be a ninety dollar (\$90) temporary permit fee. No more than three (3) temporary cargo containers shall be permitted, and said containers(s) must be removed from the premises within ninety (90) days;
 - c. One (1) extension period equal to the corresponding time restriction in 2.a) or 2.b) may be permitted if extenuating circumstances are determined by the Code Official.

Table of Density, Dimensions, and Other Standards for Residential Districts

	E-R	R-1	R-2	R-3	R-4	AG	H-R
Maximum Net Density (dwelling units per net buildable acre)							
	1	2	2.25	4	5	.05	-
Minimum Lot Size (square feet)							
General	-	-	-	-	28,500 (5,000 per dwelling unit)	20 acres	-
Single Family Dwelling	40,000	20,000	15,000	15,000	-	-	6,250
Two-Family Dwelling	-	-	-	15,000	-	-	-
Planned Unit Dev.	Article 3 F	Article 3 F	Article 3 F	Article 3 F	Article 3 F	-	Article 3 F
Non-Residential Use	80,000	40,000	30,000	30,000			12,500
Minimum Lot Width (feet)							
General	-	-	-	-	120	-	-
Single Family Dwelling	150	100	100	100	-	-	50
Two-Family Dwelling	-	-	-	100	-	-	-
Planned Unit Dev.	-	Article 3 F	Article 3 F	Article 3 F	-	-	Article 3 F
Non-Residential Use	300	250	200	200	240	-	100
Lot Width of Corner Lot	165	120	120	120	145	-	-
Minimum Lot Depth (feet)							
Single Family Dwelling	267	200	150	150	--	--	--
Minimum Required Yards (feet)							
Front Yard							
All Uses	-	-	-	-	40	75	-
Single Family (and Two Family in R-3) Dwelling	40	35	30	30	-	-	15
Non-Residential Use	80	60	60	60			30
Landscaped Front Yard for non-residential uses (see Article 6.B.2.e)	25	25	25	25	-	-	25
Front Yard Setback from Centerline of Arterial (see Article 6.B.2.e)	125	125	125	125	-	-	-
Front Yard Setback from Centerline of Route 30 (see Article 6.B.2.e)	150	150	150	150	-	-	-
Corner Lot Side Yard							
All Uses	-	-	-	-	40	75	-
Single Family (and Two Family in R-3) Dwellings	40	35	30	30	-	-	15
Non-Residential Use	80	70	60	60	-	-	30
Side Yard							
All Uses	-	-	-	-	15	100	-
Single Family (and Two Family in R-3) Dwelling	25	15	Total of 25 (not less than 10 on any side)	15	-	-	10
Non-Residential Use	50	30	20	30	-	-	20
Rear Yard							
All Uses	-	-	-	-	40	100	-

Section F: Signs

All signs shall be subject to the regulations contained in Chapter 151, the Village of Frankfort Sign Regulations.

Section G: Fences and Walls

Part 1: Fences and Walls

- a. Building Permit Required. No fence shall be erected, or substantially altered, without a building permit issued by the Code Official and payment of applicable fees. Any fence which shall be erected, or shall be in the process of erection, or maintained contrary to the provisions of this Code, is deemed a nuisance and it shall be the duty of the Building Inspector and Chief of Police to abate the same.
- b. Definitions. A fence is defined as any structure, partition or enclosure, of wood, iron, metal, or other material, enclosing or dividing a piece of land. A fence shall not include naturally growing shrubs, bushes and other foliage. The following are common types of fences:
 1. Decorative Fence. A fence used mostly for aesthetics, which adds to the visual beauty of the property. This fence may not exceed forty-eight (48) inches with its upper-most rail or fifty-four (54) inches to the top of its upper-most post when installed in a front yard. Fifty percent of the square footage of the overall dimensions of the fence shall be open. A woven or cyclone type fence is not a decorative fence.
 2. Hazard Enclosure. This fence is intended to enclose swimming pools, pets, excavations and similar uses. This fence must be a minimum of forty-eight (48) inches high, with the mesh material spaced close enough to prevent children and animals from entering. All gates are to be equipped with child-proof latches.
 3. Security or Protection Fence (Business and Industrial). A fence used for enclosing the lot, or part of the lot, for security and protection of property.
 4. Retention Fence (Residential and Historical). A fence to retain children, animals and other similar uses, or to prevent outside intrusion. This fence may be installed in rear yards only.
 5. Solid Fence. A fence in which eighty (80) percent or more of the surface area of the fence is solid. Fencing shall be constructed with the finished or decorative side facing the adjacent or abutting property or street.
 6. Railroad Screening Fence. A fence erected to provide screening of active railroad tracks. (Am. Ord. 2894, passed 11.19.09)

- c. Locations in Rights-of-Way and Utility Easements. No private fences shall be allowed or constructed on public street, highway or alley right-of-ways. Fences may, by permit, be placed on public utility easements, so long as the structures do not interfere in any way with existing underground, ground or over ground utilities. Further, the Village or any utility company having authority to use such easements shall not be liable for repair or replacement of such fences, in the event they are moved, damaged or destroyed by virtue of the lawful use of said easement. Fences in violation may be summarily removed by the Village.
- d. Barbed Wire. No barbed wire or barbed wire fences shall be allowed on private property in residential zones, or on lots in any zone being used for single or multiple family dwelling purposes. No barbed wire or barbed wire fences shall be allowed on private property in business or industrial zones where the property lines of such property abut lots or parcels zoned or being used for single or multiple family purposes, or on fences in front yards. Barbed wire may be allowed on the top of fencing in the I-2 district subject to special use approval by the Planning Commission.
- e. Dangerous Fences. No fence shall be constructed of material obviously intended to inflict great bodily harm, should a person or animal attempt to climb or scale it. Such materials include, but are not limited to, electrically charged wires or other electrical conduit, broken glass, razor blades and sharp or ragged metal spikes or spears.
- f. Construction Requirements. All fences shall be constructed in conformity with the wind stress, foundation, structural and other requirements of the building codes and laws of the Village.
- g. Good Repair. All fences shall be maintained in good, structurally sound repair and in a neat, clean, presentable and attractive condition. If, on inspection by the Code Official, any fence, in their determination, does not meet these requirements, they shall order the owner or occupier of the premises, by registered or certified mail, to make the necessary repairs or improvements within thirty (30) days. Should the owner or occupier of the premises fail to make repairs or improvements as directed, the owner or occupier shall be in violation of the Code and the Code Official shall cause a complaint to be issued and processed against said owner or occupier, in accordance with the rules of the Circuit Court of Will County, Illinois.
- h. Residential District Fences. In residential zones, in front yards no fences may exceed four (4) feet above ground level to the upper most rail, or 54 inches to the top of the uppermost post. In such zones, fences along the side property lines to the rear of the front yard and along the rear lot line may not exceed five (5) feet in height above ground level except when permitted for a railroad screening fence. Residential district fences are subject to the following requirements:
 - 1. All fences located in the front yard, or that abut or face street right-of-ways shall be a Decorative Fence, as defined in paragraph (b) above.

2. Woven or cyclone type fences are not permitted in any residential district. Residential sports courts may be permitted black or green vinyl-coated cyclone (chain-link) fencing when approved under a special use permit.
3. A railroad screening fence, as defined in paragraph (b) above, may be permitted within residential zoning districts in accordance with the following standards:

Location:

1. The property on which the fence is to be constructed must be located as described by one of the following:
 - a) The property directly adjoins property used for an active railroad; or
 - b) The property is within two hundred (200) feet of property used for an active railroad and is not separated from the railroad property by residential property or a public right-of-way;
2. Railroad screening fences are only permitted along the property line that is parallel to the railroad tracks.

Height:

- a) May not exceed seven (7) feet in height;
 - b) Within thirty (30) feet of a public right-of-way, railroad screening fences may not exceed five (5) feet in height;
- i. Business or Industrial Fences. In business or industrial zoned districts, fences may not exceed six (6) feet in height in business areas, and eight (8) feet in industrial areas above ground level. No fence or wall, other than a decorative fence of 4 feet or less in height, shall be erected, constructed or maintained within fifty (50) feet from the front lot line. For purposes of security only, fences for business or industrial zoned districts may be provided along side and rear yard lot lines.
 - j. Non-Conforming Fences. Fences existing at the time of adoption of this Ordinance which are not in violation of paragraph (e) above, and are not located on public street, highway and alley right-of-ways, but which violate other sections of this Ordinance may continue to be maintained and to exist, but may not be replaced if destroyed or removed, to the extent that the violations would be continued.

Accessory Structure or Use: An “accessory structure or use” is one which:

- a. Is subordinate to and serves a principal structure or principal use;
- b. Is on the same zoning lot as the principal structure or principal use served.
- c. Accessory structures shall include:
 1. Garages, private (detached)
 2. Storage sheds (Completely enclosed on all sides, solid roof, with permanent doors and windows. See illustration X)
 3. Child’s playhouses
 4. Arbors, Trellises, Pergolas, Gazebos, Pool Cabanas (without walls on one or more sides. See illustration Y)
 5. Decks, terraces and patios
 6. Swimming pools
 7. Greenhouses (See illustration Z)
 8. Permanently affixed outdoor fireplaces or stoves (see illustration A)
 9. Air-conditioning units, generators, pool mechanical equipment and similar equipment (ground-mounted)
 10. Pole barns, silos and other accessory farm structures
 11. Laundry drying equipment
 12. Trash enclosures
 13. Television or radio towers for residential use (ground-mounted)
 14. And similar accessory structures
- d. Accessory structures shall **not** include:
 1. Sports Courts
 2. Fences or walls
 3. Statuary and fountains
 4. Flagpoles
 5. Any rooved structure attached to the primary structure
 6. Ramps for use by persons with disabilities

Awning: A roof-like cover that is temporary in nature, and that projects from the wall of a building for the purpose of shielding a doorway or window from the elements.

Balcony: A level plane or platform which, for the purpose of this Ordinance, is located adjacent to one or more faces of the principal structure **located above the first floor.**

Banks and Financial Institutions: Commercial banks, savings and loan associations, brokerage offices and other similar financial institutions, but not including pawn shops.

Basement: That portion of a building having more than one-half (1/2) of its height below the average lot grade.

Bed and Breakfast: A residential building containing lodging rooms offered for rent to transient guests, for a continuous period of fourteen (14) days or less, and containing the owner's principal residence.

Billboard: A surface whereon advertising matter is set in view conspicuously and which advertising does not apply to premises or any use of premises wherein it is displayed or posted.

Billiard or Pool Hall: A business establishment containing more than two pool or billiard tables for the use of patrons.

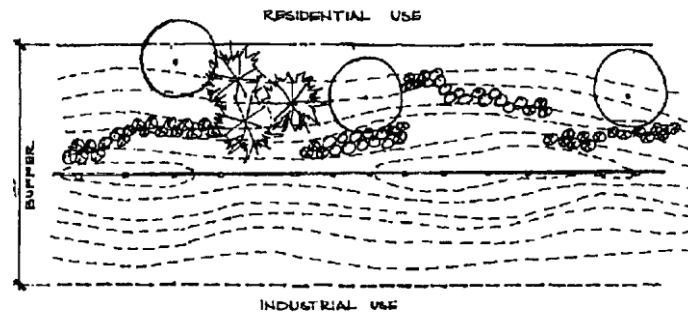
Block: A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, bulkhead lines, shore lines of waterways or corporate lines of the Village.

Body Piercing Establishment: An establishment whose principal business activity, either in terms of operation or as held out to the public, is the practice of piercing patrons' bodies with sharp instruments in order to allow insertion of rings, pieces of jewelry, or other ornamental devices through the orifices thus created.
(Am. Ord. 2174, passed 07.05.05)

Bowling Alley: An establishment that devotes more than 50 percent of its gross floor area to bowling lanes, equipment, and playing area.

Breeding Facility: An establishment in which more than four (4) domestic animals, such as cattle or horses, are bred for commercial purposes.

Buffer Area: A landscaped area intended to separate and partially obstruct the view of two (2) adjacent land uses or properties from one another.

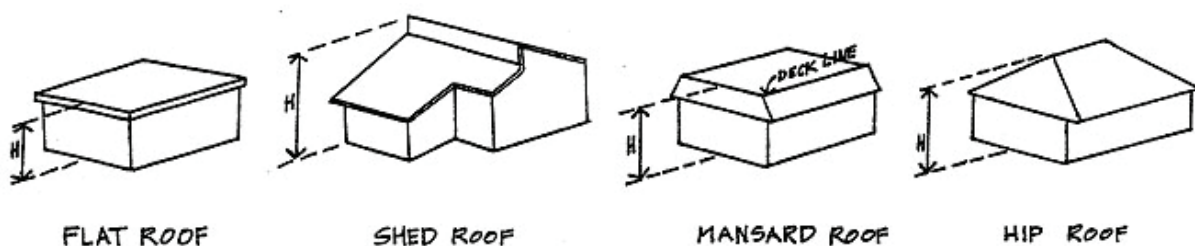


Building: A permanently located, roofed structure affixed to the land which is designed or intended for the enclosure, shelter or protection of persons, animals or moveable property of any kind.

Building Height: The vertical distance measured from the established grade to the highest elevation of the roof.

The following appurtenances shall not be included in the calculation of building height:

- Chimneys, flues, stacks, fire escapes, gas holders, elevator enclosures, ventilators, skylights, water tanks and similar roof structures needed to operate and maintain the building on which they are located.
- Flag poles, television aerials mounted on rooftops, and water towers and tanks.
- Decorative rooftop finials or spires up to four feet in height. (Am. Ord. 3229, passed 10.07.19)



Building Line: The line nearest the front of, and across a zoning lot, establishing the minimum open space to be provided between the front line of a building or structure and the street right-of-way line.

Building, Principal: A non-accessory building in which a principal use of the lot on which it is located is conducted.

Driveway. On residential properties, a driveway shall be the paved area which provides exclusive access to the garage.

Dump: A lot of land or part thereof used primarily for the disposal, by abandonment, dumping, burial, burning or any other means, of garbage, sewage, trash, refuse, junk, discarded machinery, vehicles or parts thereof, or waste material of any kind.

Dwellings: A building, or portion thereof, but not a mobile or manufactured home, designed or used for residential occupancy.

Dwelling, Attached: A residential building which is joined to another dwelling at one or more sides by a party wall or walls.

Dwelling, Detached: A residential building which is entirely surrounded by open space on the same lot.

Dwelling, Multiple Family: A residential building containing three (3) or more dwelling units.

Dwelling, Single Family: A residential building containing one (1) dwelling unit only.

Dwelling, Two-Family: A residential building containing two (2) dwelling units only.

Dwelling Unit: One or more rooms in a residential building, or residential portion of a building, which are arranged, designed, used or intended for use by one family, and which includes cooking space and lawful, sanitary facilities reserved for the occupants thereof.

Easement: The area of land set aside or over or through which a privilege, distinct from ownership of the land, is granted to the public or some particular person, quasi-public entity (such as a homeowners' association), or part of the public.

Efficiency Apartment: A dwelling unit containing one or more rooms, but no bedroom, designed for occupancy by one family.

Environmental Performance Standards: A criterion to control noise, odor, smoke, toxic or noxious matter, vibration, fire and explosive hazards, or glare or heat generated by or inherent to uses of land or buildings.

Façade: The exterior wall of a building exposed to public view or that wall viewed by persons not within the building.

Factory-Built Housing: A factory-built structure designed for long-term residential use. For the purposes of these regulations, factory-built housing consists of three types: modular homes, manufactured homes, and mobile homes.

Family: Either (a) an individual, or two (2) or more persons related by blood, marriage or adoption, maintaining a common household in a dwelling unit; (b) a group of not more than four (4) persons who are not related by blood, marriage, or adoptions living as a common

Heliport: An area of land and/or a structure or building which is used or intended for use for the landing and taking off of helicopters, and any appurtenant areas which are used or intended for use for heliport buildings or other heliport facilities or rights-of-way, including all necessary pads, helicopter storage and tie down areas, hangars and other necessary buildings and open spaces.

Historic District: An area containing buildings or places in which historic events occurred or having special public value because of notable architectural or other features relating to the cultural or artistic heritage of the community, of such significance as to warrant conservation and preservation.

Home Day Care Center: A family home which receives up to three (3) children, or up to three (3) seniors or adults requiring care, for less than twenty-four (24) hours a day for compensation.

Home Occupation: A gainful occupation or profession engaged in by an occupant of a dwelling unit as a use that is clearly incidental to the use of the dwelling unit for residential purposes.

Homeowners' Association: A non-profit membership corporation or entity which serves as an association of homeowners within a Subdivision, Certified Survey Plat, or Condominium who have shared common interest responsibilities with respect to the costs and upkeep of common private property of such Subdivision, Certified Survey Plat, or Condominium. Such common property includes private recreation and open space areas within the Subdivision, Certified Survey Plat, or Condominium. For the purposes of this Code, Homeowners' Associations include Condominium Associations.

Hospital: An institution devoted primarily to the maintenance and operation of facilities for the diagnosis, treatment, or care for not less than twenty-four (24) hours in any week, of three (3) or more non-related individuals suffering from illness, disease, injury, deformity or other abnormal physical conditions. The term "hospital" as used in this Ordinance does not apply to institutions operating primarily for treatment of mental illness, drug addicts, liquor addicts, or other types of cases necessitating restraint of patients, and the term "hospital" shall not include assisted or independent living facilities, nursing homes, shelters or boarding houses.

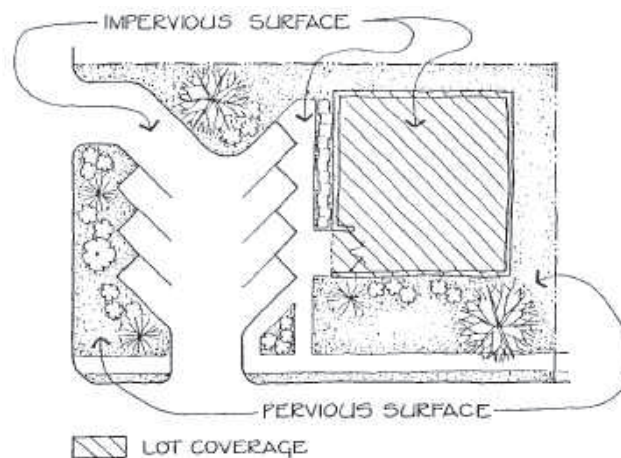
Hotel: An establishment which is open to transient guests, in contradistinction to a boarding house, lodging house or apartment hotel, and is commonly known as a hotel in the community in which it is located; and which provides customary hotel services such as maid service, the furnishing and laundering of linen, telephone and secretarial or desk service, the use and upkeep of furniture, and bellboy service.

Impervious Lot Coverage: A ratio determined by dividing that area of a lot which is occupied or covered by all impervious surfaces, by the net area of that lot.

Impervious Surface: A surface which does not absorb water.

- a. Impervious surfaces shall include, but not be limited to:
 1. Primary buildings

2. Accessory structures (except laundry drying equipment)
3. Driveways (paved or gravel)
4. Sidewalks
5. Sports courts
6. Swimming pools (including the decking)
7. Porches (enclosed or unenclosed)
8. Decks (attached or detached)
9. Carports
10. Parking lots (including parking spaces and drive aisles)
11. Any areas of concrete or asphalt
12. For lumber yards or similar uses, areas of stored lumber



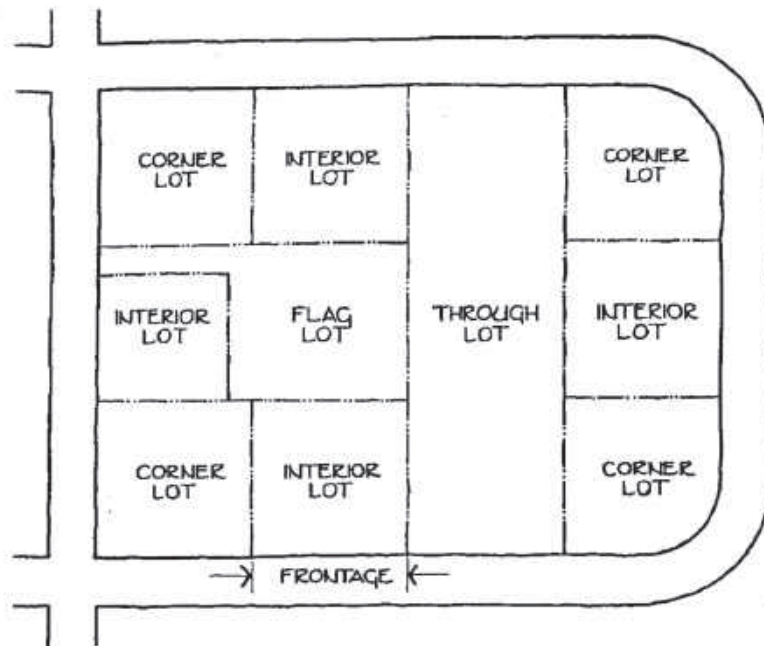
Independent Living Facility: Specially planned, designed, and managed multi-unit housing for the elderly with self-contained dwelling units. These communities are typically designed to provide supportive environments for older adults and to accommodate a relatively independent lifestyle. A limited number of support services, such as meals, laundry, housekeeping, transportation, and social and recreational activities may be provided. This definition shall not include group homes, health clinics, hospitals or treatment facilities, as defined by this Ordinance. (Am. Ord. 2247, passed 12.05.05)

Indoor Business Sales and Service: Uses which display or conduct, entirely within an enclosed building, the sale or rental of business-oriented products, equipment, merchandise, or services that are non-personal and non-professional in nature. Examples may include: duplicating or photocopying sales and service; addressing, mailing, or stenographic sales and services; locksmith shops; computer sales and service; employment agencies; and similar land uses.

Indoor Civic, Cultural, Religious, or Institutional Use: Civic, cultural, religious, or institutional uses which occur within an enclosed building. Examples may include: government offices, libraries, museums, aquariums, community centers, post office, fire/police/rescue station, hospitals, convention center, service/fraternal club or lodge, civic/social organization, labor union/organization, political organization, charitable organization, church, synagogue, temple, mosque, non-profit organization, educational institution (including

Long-Term Care Facility: A building or premises which must be licensed pursuant to the Illinois Nursing Home Care Act (210 ILCS 45/1-101 et seq.). This definition shall not include group homes, health clinics, hospitals or treatment facilities, as defined by this Ordinance. (Am. Ord. 2247, passed 12.05.05)

Lot: A platted parcel of land intended to be separately owned, developed and otherwise used as a unit.



Lot Area, Minimum: The minimum area of a horizontal plane bounded by the front, side and rear lot lines.

Lot, Corner: A lot which adjoins the point of intersection or meeting of two or more streets, and in which the interior angle formed by the street lines is 135 degrees or less. If the street lines are curved, the angle shall be measured at the point of intersection of the extensions of the street lines in the directions which they take at the intersections of the street line, with the side lot line and with the rear lot line of the lot. If the street line is curved at its point of intersection with the side lot line or rear lot line, the tangent to the curve at that point shall be considered the direction of the street.

Lot Coverage: That percentage of a lot which, when measured from exterior walls or posts on the first floor level, would be covered by primary and accessory structures, excluding projecting roof eaves measuring less than two (2) feet. For purposes of calculating maximum lot coverage, structures shall not include swimming pools, patios, decks, sports courts, mechanical equipment (A/C, generators, pool pumps) or similar accessory structures without a roof.

Sign, Double-Faced: A double faced sign has two faces with identical copy on each face and with the maximum angle between said faces no greater than forty-five (45) degrees.

Sign Location: The sign location is determined by measuring from the furthestmost projecting point of the sign to the front lot line.

Site Plan: A plan, prepared to scale, showing accurately and with complete dimensions, the boundaries of a site and the location of all buildings, structures, uses and principal site development features proposed for a specific parcel of land.

Smoke: Small gas-borne particles other than water that form a visible plume in the air.

Sports court, residential: An outdoor hard-surface court located in a residential zone district designed for athletic purposes. Temporary or permanent goals located adjacent to a hard surface shall constitute a sports court, except as noted in Article 1, Section I, Part 1, (c).

a. Residential sports courts shall include, but not be limited to:

1. Tennis courts
2. Basketball courts
3. Volleyball courts
4. Shuffleboard courts
5. Hockey rinks
6. And similar courts

Standard Cubic Feet (SCF): Standard cubic feet, which is the measure of the volume of a gas reduced to 14.73 pounds per square inch pressure absolute and 60° F.

Street: A public or private thoroughfare used, or intended to be used, for passage or travel by motor vehicles. Streets are further classified by the functions they perform. See also Major Highway; Major Industrial Roadway; Road, Private; Road, Public; Street, Arterial; Street, Major Collector; Street, Minor; and Street, Neighborhood Collector.

Street, Arterial: A federal, state, or county marked route normally having four (4) lanes for traffic and some form of median marker or may be a Village-designated “arterial street” in the adopted Comprehensive Plan. Parking may be banned. A street used, or intended to be used, primarily for fast or heavy through traffic providing for the expeditious movement of through traffic into, out of, and within the community. Arterial streets shall be located to minimize the penetration of such streets through existing and proposed residential areas. Arterial streets shall be designed to convey an average daily traffic (ADT) of ten thousand (10,000) and greater.

Street, Major Collector: A street used, or intended to be used, to carry traffic from minor streets to the system of arterial streets including principal entrance streets to residential developments and/or activity/employment centers. Collector streets shall be designed to convey an average daily traffic (ADT) of between five thousand (5,000) and ten thousand (10,000).



Memo

To: Plan Commission/Zoning Board of Appeals

From: Michael J. Schwarz, AICP, Director of Community and Economic Development

Date: January 27, 2022

Re: Workshop: Potential Text Amendments to the Zoning Ordinance to Clarify Article 12 (Rules and Definitions) and Article 5 (Use Regulations), Section B (Table of Permitted and Special Uses) for the terms "Indoor Recreation", "Outdoor Recreation", "Indoor Entertainment", and "Outdoor Entertainment"

Staff believes it would be helpful to clarify Article 12 (Rules and Definitions) in the Zoning Ordinance regarding the current definitions for the terms "*Indoor Recreation and Entertainment*" and "*Outdoor Recreation and Entertainment*". We believe that "indoor" and "outdoor" uses should be defined separately and that "recreation" and "entertainment" uses should be defined separately. We also suggest that there are some additional activities that can be added to fall under these terms.

Section D (Amendments), Part 2 (Initiation of Amendment) of the Zoning Ordinance states that amendments (including Text Amendments) may be proposed by the Board of Trustees, the Plan Commission, or by any person having an ownership or contractual purchase interest in affected property.

At the Committee-of-the-Whole meeting on January 12, the Committee authorized staff to process a Village-initiated application for a Text Amendment to the Zoning Ordinance to Clarify Article 12 (Rules and Definitions) and Article 5 (Use Regulations), Section B (Table of Permitted and Special Uses) for the terms *Indoor Recreation*, *Outdoor Recreation*, *Indoor Entertainment*, and *Outdoor Entertainment*.

Please find the attached current and proposed definitions for these terms as well as a proposed update to the Table of Permitted and Special Uses in the Zoning Ordinance.

CURRENT DEFINITIONS

Indoor Recreation and Entertainment: The indoor recreation and entertainment use classification applies to all uses which provide recreation or entertainment services entirely within an enclosed building. Examples may include: skating rink, arcades, billiards, bowling alley, dance hall/club, dance/music school or studio, gymnastic facility, martial arts facility, sports training facility, health/fitness club, country club indoor facilities, and similar land uses. (Am. Ord. 2495, passed 08.04.08)

Outdoor Recreation and Entertainment: Uses which involve recreational activities or provide entertainment services partially or wholly outside of an enclosed building, on public private property. Examples may include: arboretums, natural areas, open grassed areas, picnic areas, picnic shelters, gardens, fishing areas, country clubs, playcourts (tennis, basketball, etc.), tot lots, outdoor swimming pools, swimming beach areas, fitness courses, golf courses, driving ranges, hiking/biking/cross country ski trails, horse trails, pet walking areas, miniature golf facilities, amusement parks, go-kart tracks, racetracks, and similar land uses.

PROPOSED AMENDMENTS TO DEFINITIONS (new activities shown in bold)

Indoor Recreation: The indoor recreation use classification applies to all uses which provide recreation activities entirely within an enclosed building. Examples may include skating rink, billiards, bowling alley, dance studio, gymnastics facility, martial arts facility, **rock-climbing facility**, sports training facility, health/fitness club, swimming pool, country club indoor facilities, and similar land uses.

Outdoor Recreation: Uses which involve recreational activities partially or wholly outside of an enclosed building, on public private property. Examples may include arboretums, natural areas, open grassed areas, picnic areas, picnic shelters, gardens, fishing areas, country clubs, play courts (tennis, basketball, etc.), tot lots, outdoor swimming pools, swimming beach areas, fitness courses, golf courses, **golf** driving ranges, hiking/biking/cross country ski trails, horse trails, pet walking areas, miniature golf facilities, **rock-climbing facility**, and similar land uses.

Indoor Entertainment: The indoor entertainment use classification applies to all uses which provide entertainment activities entirely within an enclosed building. Examples may include arcade, dance hall/club, music school or studio, **music venue, live performance venue, auditorium, movie theatre, museum, planetarium, aquarium, simulated skydiving, escape rooms, laser-tag, golf/ sport simulators, water park, amusement parks, go-kart tracks, adventure or rope course, drone racing, remote control race tracks, gallery and/or exhibition space**, and similar land uses.

Outdoor Entertainment: Uses which involve entertainment activities partially or wholly outside of an enclosed building, on public or private property. Examples may include fitness courses, **golf** driving ranges, dance hall/club, **music venue, live performance venue**, miniature golf facilities, amusement parks, go-kart tracks, racetracks, **adventure or rope course, drone racing, remote control race tracks**, and similar land uses.

PROPOSED AMENDMENTS TO TABLE OF PERMITTED AND SPECIAL USES

(See Attached)

Table of Permitted and Special Uses

P Permitted Use
S Special Use
Blank Not permitted

	E-R	R-1	R-2	R-3	R-4	AG	H-R	B-1	B-2	B-3	B-4	OR	I-1	I-2	H-1	Use Standards
Residential Uses																
Single-family detached dwelling	P	P	P	P			P									
Single-family dwelling, only if ancillary						P										
Two-family residences contained in one building				P	P											
Attached single family dwelling units constructed as a rowhouse, town home and/or condominium containing a maximum of 4 individual dwelling units					P											
A single building containing more than 4 individual dwelling units					S											

	E-R	R-1	R-2	R-3	R-4	AG	H-R	B-1	B-2	B-3	B-4	OR	I-1	I-2	H-1	Use Standards
Manufactured homes, factory-built homes or any other similar homes					S											5.C.11
Small group home	S	S	S	S	S		S									5.C.7
Large group home					S											5.C.7
Bed and breakfast inn															S	5.C.4
Dwelling unit(s) above first floor commercial use (Am. Ord. 2495, passed 08.04.08)								S							P	
Hotel and/or motel										S	S	S			S	
Long-term care facility, assisted living facility or independent living facility (Am. Ord. 2247, passed 12.05.05)					S				S	P					S	
Residence of the proprietor of a commercial use								S			S				P	5.C.15
Public, Cultural, Recreation, and Other Institutional Uses																
Ambulance service (Am. Ord. 2495, passed 08.04.08)													S	P		5.C.20
Cemetery	S	S	S	S	S	P	S									
College or university									S	S	S	S	S			

	E-R	R-1	R-2	R-3	R-4	AG	H-R	B-1	B-2	B-3	B-4	OR	I-1	I-2	H-1	Use Standards
Indoor civic, cultural, religious and institutional (including elementary and high schools, hospitals, and government buildings)	S	S	S	S	S	S	S	S	S	S	S	S	S		S	5.C.9
Indoor recreation and entertainment (other than schools) (Am. Ord. 2342, passed 12.18.06)					S				S	S			S	S	S	
Indoor entertainment (other than schools)					S				S	S			S	S	S	
Outdoor recreation and entertainment (public and private) over 1 acre (Am. Ord. 2495, passed 08.04.08)	S	S	S	S	S	P			S	S		S	S	S		5.C.23
Outdoor recreation and entertainment (public and private) under 1 acre (see Article 5, Part 3, Section k) (Am. Ord. 2495, passed 08.04.08)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	S	5.C.23

Outdoor entertainment (public and private) over 1 acre	S	S	S	S	S	P			S	S		S	S	S		5.C.23
Outdoor entertainment (public and private) under 1 acre (see Article 5, Part 3, Section k)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	S	5.C.23
Agriculture, Farming, and Mining Uses																
Agriculture on a Lot of not less than 40 feet						P										
Agriculture Warehouse						P								P		
Arboretum or botanical garden	S	S	S	S	S	P										

	E-R	R-1	R-2	R-3	R-4	AG	H-R	B-1	B-2	B-3	B-4	OR	I-1	I-2	H-1	Use Standards
Breeding facilities	S					P										
Cultivation of field and garden crops						P										
Dairy farm, including processing						P										
Flower farm with no retail trade						P										
Grain storage						P								S		
Grass or sod farm						P										
Hatchery, poultry						P										
Mining and extraction						S								S		5.C.12
Outdoor discharge of firearms within a controlled environment on the premises of a duly licensed shooting gallery, gun club, or rifle club. (Am. Ord. 2240, passed 10.21.05)						S										
Business Uses																
Animal Clinic						P			S	P	S					
Animal hospital and kennel (Am. Ord. 2495, passed 08.04.08)						P			S	S	S		S	S		5.C.21
Automobile fueling station									S	S						
Automobile rental agency (Am. Ord. 1887, passed 04.15.02)						S			S	S			S	S		
Automobile repair and service									S	S			S	S		5.C.2

	E-R	R-1	R-2	R-3	R-4	AG	H-R	B-1	B-2	B-3	B-4	OR	I-1	I-2	H-1	Use Standards
Automobile sales (Am. Ord. 1887, passed 04.15.02)									S	S			S	S		
Bakery								P	P	P	S				S	5.C.3
Boat, camper, equipment (large), manufactured home, RV or motorcycle rental, sales and service (Am. Ord. 1887, passed 04.15.02)									S	S			S	S		5.C.5
Body piercing and/or tattooing establishments where body piercing and/or tattooing is performed only by licensed physicians (Am. Ord. 2174, passed 07.05.05)											S					
Catering Service (Am. Ord. 2495, passed 08.04.08)									P	P			P			5.C.24
Car wash									S	S			P	P		
Convenience store								S	P	P	S	S			S	
Crematoria								S	S	S	S					5.C.32
Day care center or nursery	S	S	S	S			S	S	S	S	S	S			S	
Dry cleaning central plant serving not more than one retail outlet									P	P	S	P			S	
Equipment (small) rental									P	P						

	E-R	R-1	R-2	R-3	R-4	AG	H-R	B-1	B-2	B-3	B-4	OR	I-1	I-2	H-1	Use Standards
Health clinic/office								P	P	P	P	P			P	
Indoor business sales and service, over 100,000 square feet (Am. Ord. 1887, passed 04.15.02)										P			P	P		
Indoor business sales and service, between 10,000 and 100,000 square feet (Am. Ord. 1887, passed 04.15.02)									P	P			P	P	S	
Indoor business sales and service, between 5,000 and 10,000 square feet (Am. Ord. 1887, passed 04.15.02)								P	P	P	S	S	P	P	S	
Indoor business sales and service, under 5,000 square feet (Am. Ord. 1887, passed 04.15.02)								P	P	P	S	S	P	P	P	
Indoor retail sales of goods, over 100,000 square feet										P						5.C.10
Indoor retail sales of goods, between 10,000 and 100,000 square feet									P	P					S	

	E-R	R-1	R-2	R-3	R-4	AG	H-R	B-1	B-2	B-3	B-4	OR	I-1	I-2	H-1	Use Standards
Indoor retail sales of goods, between 5,000 and 10,000 square feet								P	P	P	S	S			S	
Indoor retail sales of goods, under 5,000 square feet								P	P	P	S	S			P	
Laundromat, launderette, or any self-service laundry facility (Am. Ord. 2240, passed 11.21.05)										S						
Massage Establishment (Am. Ord. 2904, passed 05.05.14)									S		S				S	5.C.11.1
Medical Cannabis Cultivation Center (Am. Ord. 2894, Passed 02.03.14)														S		5.C.34
Medical Cannabis Dispensary (Am. Ord. 2894, Passed 02.03.14)														S		5.C.35
Microbrewery / Distillery / Winery with Sampling Area (Am. Ord. 3041, passed 07.18.16)									S	S			S	S	S	5.C.25 5.C.36
Office and professional service								P	P	P	P	P	P		P	5.C.13
Accessory liquor sales									S	S	S	S			S	5.C.26
Packaged liquor store									S	S						5.C.25 5.C.27

	E-R	R-1	R-2	R-3	R-4	AG	H-R	B-1	B-2	B-3	B-4	OR	I-1	I-2	H-1	Use Standards
Personal Service								P	P	P	S	S			P	
Restaurant, carry-out (Am. Ord. 2495, passed 08.04.08)									S	S	S	S	S		S	5.C.24
Restaurant, full service (Am. Ord. 1887, passed 04.15.02 and Am. Ord. 2495, passed 08.04.08)								S	P	P	S	S	S		S	5.C.24
Restaurant, full service, with liquor sales									S	S	S	S			S	5.C.24 5.C.25 5.C.28
Restaurant/Tavern									S	S					S	5.C.24 5.C.25 5.C.29
Tasting Room									P	P						5.C.25 5.C.30
Tavern									S	S					S	5.C.25 5.C.31
Theater, indoor										P	S					
Tobacco Store (Am. Ord. 2780, passed 06.04.12)									S	S						5.C.33
Treatment facility (Am. Ord. 2247, passed 12.05.05)											S	S	S			
Undertaking establishment or funeral parlor								S	P	P	S				S	
Industrial and Higher Intensity Uses																

	E-R	R-1	R-2	R-3	R-4	AG	H-R	B-1	B-2	B-3	B-4	OR	I-1	I-2	H-1	Use Standards
Animal feed preparation, grinding, mixing and storage						S								S		
Automotive and scrap salvage yard, if in a completely enclosed building														P		
Automotive body shop													S	P		5.C.2
Building trades' and contractor's office													P	P		5.C.6
Commercial testing laboratory											S	P	P			
Construction or demolition landfill														S		
Industry and manufacturing, heavy														P		5.C.8
Industry and manufacturing, light												P	P	P		5.C.8
Landscape Company (Am. Ord. 2495, passed 08.04.08)						P							S	S		
Limited retail sales in association with a warehouse use (Am. Ord. 2240, passed 11.21.05 and Am. Ord. 2495, passed 08.04.08)													S	S		5.C.19

	E-R	R-1	R-2	R-3	R-4	AG	H-R	B-1	B-2	B-3	B-4	OR	I-1	I-2	H-1	Use Standards
Manufacture, storage and sale of mobile homes and/or trailers, farm implements and other similar equipment on a paved open lot														P		
Printing, publishing or lithography establishments											P	P	P	P		
Radio and television studios, stations						S		S	S	S	S	S	S	S	S	
Research facilities											P	P	P	P	S	
Sale, distribution, or discharge of firearms, or ammunition within an indoor controlled environment (Am. Ord. 2240, passed 11.21.05)														S		5.C.37
Self-service storage facility														S		5.C.16
Taxicab association (Am. Ord. 2495, passed 08.04.08)													S	P		5.C.22
Telecommunication stations and transmission devices	S					S		S	S	S	S	S	S	S	S	5.C.17
Towing service with storage of vehicles													S	S		5.C.18

	E-R	R-1	R-2	R-3	R-4	AG	H-R	B-1	B-2	B-3	B-4	OR	I-1	I-2	H-1	Use Standards
Utility facilities	S	S	S	S	S	S	S	S	S	S	S	S	S	P	S	
Warehouse and wholesale establishments												P	P	P		5.C.19
Transportation-Related Uses																
Airport and heliport						S								S		
Public garages								S	P	P	S	P	P	P	S	
Railroad freight station (Am. Ord. 2495, passed 08.04.08)													S	P		
Transit and transportation facilities									S	S	S	S	S	S	S	
Truck terminals														S		
Miscellaneous																
Adult use														S		5.C.19
Drive-up service windows associated with permitted uses								S	S	S	S	S	S			
Off-street parking facility on a separate zoning lot from the associated use								P	P	P	P	P	P	P	S	
Outdoor seating associated with a permitted restaurant (Am. Ord. 2495, passed 08.04.08)								S	S	S	S	S	S		S	5.C.14
Outdoor sales										S						

	E-R	R-1	R-2	R-3	R-4	AG	H-R	B-1	B-2	B-3	B-4	OR	I-1	I-2	H-1	Use Standards
Outdoor storage except uncontained materials (Am. Ord. 2495, passed 08.04.08)						S				S			S	P		
Outdoor storage of un-contained bulk materials (Am. Ord. 2495, passed 08.04.08)						S								S		
Planned unit development	S	S	S	S	S		S	S	S	S	S	S	S	S	S	