

## CHAPTER 1

### TITLE; DEFINITIONS

#### SECTION:

- 5-1-1: Short Title  
5-1-2: Definitions

**5-1-1: SHORT TITLE:** This Title shall be known and may be cited as the Village of Arthur, Illinois and contiguous area Zoning Ordinance.

**5-1-2: DEFINITIONS:** For the purpose of this Title certain terms or words used herein shall be interpreted or defined as follows:

Words used in the present tense include the future tense.

The singular number includes the plural.

The word "person" includes a corporation as well as an individual.

The word "lot" includes the word "plot" or "parcel".

The term "shall" is always mandatory.

The word "used" or "occupied" as applied to any land or building shall be construed to include the words "intended, arranged or designed to be used or occupied".

The term "contiguous area" relates to that unincorporated area located in Douglas County, adjacent to and within one and one-half (1 ½) miles of the Village at the time of adoption of this Title. Such contiguous area is indicated on the map entitled, "Zoning Districts, Arthur, Illinois and Contiguous Area".

**ACCESSORY USE or BUILDING:** A use customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or buildings.

**ALTERATIONS:** As applied to a building or structure, is a change or rearrangement in the structural parts or in the exit facilities; or an

enlargement whether by extending on a side or by increasing height; or the moving from one location or position to another.

**AREA, BUILDING:** The total of areas taken on a horizontal plane at the main grade level of the principal building and all accessory buildings, exclusive of uncovered porches, terraces and steps.

**BUILDING:** A structure designed, built or occupied as a shelter or roofed enclosure for persons, animals or property, including tents, lunch wagons, dining cars, camp cars, trailers and other roofed structures on wheels or other supports used for residential business, mercantile, storage, commercial, industrial, institutional, assembly, educational or recreational purposes. For the purpose of this definition "roof" shall include an awning or other similar covering, whether or not permanent in nature.

**BUILDING, FRONT LINE OF:** The line of that face of the building nearest the front line of the lot. This face includes sun parlors and covered porches whether enclosed or unenclosed but does not include steps.

**BUILDING, HEIGHT OF:** The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs; to the deck line of mansard roofs; and to the mean height between eaves and ridge for gable, hip and gambrel roofs.

**BUILDING, PRINCIPAL:** A building in which is conducted the main or principal use of the lot on which said building is situated.

**COVERAGE:** That percentage of the plot or lot area covered by the building area.

**DWELLING, MULTIPLE:** A building used or designed as a residence for two (2) or more families living independently of each other and doing their own cooking therein, including apartment houses, apartment hotels, group houses and row houses.

**DWELLING, UNIT:** A dwelling or portion thereof providing complete living facilities for one family.

**FAMILY:** A group of one (1) or more persons occupying a premises and living as a single housekeeping unit, whether or not related to each other by birth, adoption or marriage, but no unrelated group shall consist of more than five (5) persons, as distinguished from a group occupying a

**GARAGE, PRIVATE:** A accessory building housing not more than four (4) motor vehicles, not more than one (1) of which may be a commercial vehicle of not more than one and one-half (1 ½) tons capacity, for the use of the occupants of the lot on which the private garage is located, or for others pursuant to previous arrangements and not to transients, and at which automobile fuels and oils are not sold, and motor vehicles are not equipped, repaired, hired or sold.

**GARAGE, PUBLIC:** Any garage other than a private garage, available to the public, operated for gain, and which is used for storage, repair, rental, greasing, washing, servicing, adjusting or equipping of automobiles or other motor vehicles.

**LOT:** A portion or parcel of land considered as a unit, devoted to a certain use or occupied by a building or a group of buildings that are united by a common interest or use, and the customary accessories and open spaces belonging to the same.

**NONCONFORMING STRUCTURE:** A structure lawfully existing at the time of adoption of this Title, or any amendment thereto and which does not conform to the regulations of the district in which it is located.

**NONCONFORMING USE:** A use which lawfully occupied a structure or land at the time of adoption of this Title, or any amendment thereto, and which does not conform with the regulations of the district in which it is located.

**PARKING SPACE:** An all-weather surfaced area within the lot lines, enclosed in the main building, in an accessory building, or unenclosed, sufficient in size to store one (1) standard automobile, and if the space is enclosed comprising an area of not less than one hundred forty (140) square feet; if unenclosed, at least twenty feet by ten feet (20' x 10'), with an all-weather surface permitting satisfactory ingress and egress of an automobile.

**RESIDENCE DISTRICT OR ZONE:** Any one (1) or all of the R-1, R-2 and R-3 Districts.

**SERVICE STATION:** Any building or premises used for the dispensing, sale or offering for sale at retail of any automobile fuel or oils. When the dispensing, sale or offering for sale is incidental to the conduct of a public garage, the premises are classified as a public offering for sale is

incidental to the conduct of a public garage, the premises are classified as a public garage.

**STORY:** That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between any floor and the ceiling next above it. The cellar shall not be considered a story for the purposes of height measurement, in determining the permissible number of stories.

**STORY, HALF:** A story under a gable, hip or gambrel roof, the wall plates of which on at least two (2) opposite exterior walls are not more than two feet (2') above the floor of such story.

**STREET:** A public or private thoroughfare which affords the principal means of access to abutting property.

**STRUCTURE:** Structure means a combination of materials, other than a building, to form a construction that is safe and stable and includes among other things stadiums, platforms, radio towers, sheds, storage bins, fences and display signs.

**TRAILER COACH:** Any enclosure or vehicle used for living, sleeping, business or storage purposes which is, has been or reasonable may be equipped with wheels or other devices for transporting it from place to place. A trailer coach is not considered a dwelling in the use of this Title.

**TRAILER COURT:** The premises upon which five (5) or more occupied trailer coaches are located.

**YARD, FRONT:** An open unoccupied space on the same lot with a main building, extending the full width of the lot and situated between the street line and the front line of the building projected to the side lines of the lot. The depth of the front yard shall be measured between the front line of the building and the street line or the proposed street line as indicated by the Official Map if the existing street is less than the proposed width.

**YARD, REAR:** An open unoccupied space on the same lot with a main building, extending the full width of the lot and situated between the rear line of the lot and the rear line of the building projected to the side lines of the lot, or the centerline of the alley if there be an alley and the rear line or the building.

**YARD, SIDE:** An open unoccupied space on the same lot with a main building situated between the side line of the building and the adjacent

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side line of the lot and extending from the rear line of the front yard to the front line of the rear yard. If no front yard is required, the front boundary of the side yard shall be the front line of the lot and if no rear yard is required, the rear boundary of the side yard shall be the rear line of the lot.