

CHAPTER 4

RESIDENCE DISTRICTS

SECTION:

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5-4-1: REQUIRED CONDITIONS: The following uses are permitted in all residential zones subject to the following conditions:

Churches or similar places of worship, parish houses, convents, where located at least twenty-five feet (25') from any other lot in any residence district.

Public, parochial and private schools, where located at least twenty-five feet (25') from any other lot in any residence district.

Public libraries, public museums and public art galleries, where located at least twenty-five feet (25') from any other lot in any residence district.

Municipal, State or Federal administrative or service buildings, where located at least twenty-five feet (25') from any other lot in any residence district.

Public parks, playgrounds and community centers, provided that any buildings shall be located at least twenty-five feet (25') from any other lot in any residence district.

Existing railroad rights-of-way, providing there is no switching, storage, freight yard or siding.

No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot, except ordinary household pets, provided they are not kept, bred or maintained for commercial uses. **HOUSEHOLD PET DEFINED:** A domesticated animal, such as a dog, cat, bird, rodent (including a rabbit), fish, or turtle that is traditionally kept in the home for pleasure rather than for commercial purposes. Animals (trained and certified by licensed

providers) that are used to assist persons with disabilities may be exempted by application to and approval by the Village Board.

Any occupation of profession for gain or support carried on customarily entirely within a dwelling by a member or members of the immediate family, residing on the premises, which use is clearly incidental and accessory to the use of the dwelling for dwelling purposes, in connection with which there is used no sign other than a plate showing only one individual's name not more than one (1) square foot in area or no display that will indicate from the exterior that the building is being utilized for any purpose other than that of a residential building; and in which no person is employed other than a member of the immediate family residing on the premises; and provided that no article is sold or offered for sale except such as may be produced in the household by members of the immediate family, and no mechanical equipment is used except such as is customarily used for purely domestic or household purposes.

One sign advertising the sale or rent of the land or buildings upon which it is located. Such sign shall not exceed ten (10) square feet in area, and shall be distant from the street line not less than one-half (1/2) of the front yard depth.

One sign or bulletin board not exceeding twelve (12) square feet in area in connection with churches or public buildings.

A nonconforming business use may have exterior signs aggregating not more than twelve (12) square feet in area on any lot.

The taking of boarders or leasing of rooms by a resident family, provided the total number of boarders and roomers does not exceed two (2) in any one-family dwelling, or one (1) per dwelling unit in any multiple dwelling.

Other customary accessory uses and buildings, provided such uses are incidental to the principal use and do not include any activity commonly conducted as a business. Any accessory building shall be located on the same lot with the principal building and not nearer than three feet (3') to any wall thereof; provided, however, no part of any accessory building may be used for residence purposes, except that domestic employees of the owner, lessee or occupants of the principal building, and the family of such employee may have quarters in such accessory building. No accessory building shall exceed fifteen feet (15') in height. No required front yard shall be used for the open air parking or storage of motor vehicles.

Any building used as a residence shall contain on the ground floor at least one thousand (1,000) square feet of livable floor space.

Cemeteries, provided the location thereof is approved by resolution of the Board of Trustees after public hearing held and recommendation made by the Planning Commission.

No fence in excess of four feet (4') above ground level shall be constructed in an area zoned for residential purposes within the area between the lot line and the front yard building setback line and such fence shall be of a type that shall allow visibility through the fence. A fence having visibility as described herein shall include a chain link fence or a split rail fence. For purposes of this paragraph, a corner lot shall have two (2) front yard setback lines.

5-4-2: R-1 DISTRICTS: The following regulations shall apply in all R-1 Limited One-Family Residential Districts:

- (A) Uses Permitted: One-family dwellings.
- (B) Building and Structure Height Limit: Two and one-half (2 ½) stories, but not exceeding thirty-five feet (35').
- (C) Required Lot Area and Width in the R-1 District:

<u>Single Family Dwellings</u>	<u>Min. Lot Area Per Family (Square Feet)</u>	<u>Min. Lot Width Per Structure (Feet)</u>
with public water and public sanitary sewer*	6,000	60
with public water supply or public sanitary sewer	10,000	80
with neither public water supply nor public sanitary sewer	20,000	100

* Sewage treatment on an individual lot basis (such as individual septic tanks) shall not be interpreted as public sanitary sewer in this table.

- (D) Percentage of Lot Coverage: All buildings including accessory buildings shall not in the aggregate occupy more than forty percent (40%) of the area of the lot.
- (E) Yards Required: Yards of the following minimum depths shall be provided:
1. Front Yard: No less than one-half (1/2) of the height of the building, but in no event less than twenty feet (20') unless the dwelling unit is constructed in an established area on one side of the street between two (2) intersecting streets which is improved with buildings that have observed a front yard depth of less than twenty feet (20'). In such established districts the front yard depth may be the same as, but not less than, the building immediately adjacent to either side of the proposed building structure. Where a lot is located at the intersection of two (2) or more streets, there shall be a front yard on each street side of the lot, except that the buildable width of such lot shall not be reduced to less than thirty-two feet (32'). No accessory building shall project beyond the front yard line on either street.
 2. Side Yards: Each not less than one-third (1/3) the building height, but in no event less than five feet (5') wide, and where building is more than three (3) stories in height, not less than ten feet (10') wide.
 3. Rear Yard: No less than one-half (1/2) the building height, but in no event less than twenty percent (20%) of the depth of the lot.
- (F) Automobile Storage or Parking Space: Adequate off-street parking in accordance with the provisions of Section 5-7-5 of this Code.

5-4-3: R-2 DISTRICTS: The following regulations shall apply in all R-2 One-Family Residential Districts:

- (A) Uses Permitted:
1. Any use permitted in an R-1 District; trailer coaches providing they are located in an approved trailer park (see subsection 2 below).

2. Trailer courts with permanent accommodations (or mobile homes) after public hearing by Board of Appeals, approved by Board of Trustees and providing each such trailer park meets the following requirements: (a) Such trailer park will have permanent accommodations for a minimum of five (5) trailers, (b) trailer accommodations will include for each trailer individual underground sewer and water connections, concrete trailer platform, (c) the plan of development will provide a minimum of three thousand (3,000) square feet per trailer space, (d) the trailer spaces will not be located any closer to the bounding property lines of the park than the appropriate yard requirements for the adjacent district would allow, and (e) where a newly established trailer park is to abut an existing residential area, the trailer park shall provide on that adjacent property line, a dense hedge, tree row, or other suitable landscape device. A certificate of occupancy shall be required for each individual trailer to be located in the park prior to occupancy.

3. Tourist homes and rooming houses

(B) Building Height Limit: Same as those required in R-1 Districts.

(C) Required Lot Area and Width in the R-2 District:

Min. Lot Area Per Family or Rental Unit (Square Feet)	Min. Lot Width Per Structure (Feet)
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Single-Family Dwelling (As required in R-1 District)

Rooming or Lodging House 1,500 50

with public water and
public sanitary sewer 1,500 50

with public water supply
or public sanitary sewer 3,000 80

with neither public
water supply nor public
sanitary sewer 6,000 100

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- (D) Percentage of Lot Coverage: Same as those required in R-1 Districts.
- (E) Yards Required: Yards of the following minimum depths shall be provided:
 - 1. Front Yard: Same as those required in R-1 Districts.
 - 2. Side Yards: Same as those required in R-1 Districts
 - 3. Rear Yard: Same as those required in R-1 Districts.
- (F) Automobile Storage or Parking Space: Adequate off-street parking in accordance with the provisions of Section 5-7-5 of this Code.

5-4-4: R-3 DISTRICTS: The following regulations shall apply in all R-3 Multiple Family Residential Districts:

- (A) Uses Permitted:
 - 1. Any use permitted in an R-1 District.
 - 2. Multiple-family dwelling.
 - 3. Rooming and boarding houses.
 - 4. Tourist homes.
 - 5. Clubs and lodges, excepting such clubs or lodges the chief activity of which is a service customarily carried on as a business or primarily for gain. In conjunction with such club or lodge a dining room may be operated provided it is incidental to the activities of said club or lodge and is conducted for the benefit of the members thereof only, and further provided no sign is displayed advertising such activity.
 - 6. Hospitals, sanitariums, rest homes, philanthropic and eleemosynary institutions and similar uses. No such use, however, shall be established or permitted on a parcel of land less than two (2) acres in area, nor shall any part or portion of such use be permitted within fifty feet (50') of any street or lot line.

7. Professional offices and medical clinics.
8. Signs pertaining to any permitted use of a building may be placed thereon provided any such signs are in the form of a name plate or announcement sign, and provided further that the total area of all such signs may not exceed twelve (12) square feet.

(B) Building Height Limit: Three and one-half (3 ½) stories, but not exceeding forty-two feet (42').

(C) Required Lot Area and Width in the R-3 District:

Min. Lot Area	
Per Family or	Min. Lot Width
Rental Unit	Per Structure
(Square Feet)	(Feet)

Single-Family Dwelling

with public water and
public sanitary sewer 5,000 50

with public water or
public sanitary sewer 8,000 65

with neither public
water nor public
sanitary sewer 15,000 100

Multiple Dwelling Unit

permitted in R-3 District
providing connection is
made to public water and
public sanitary sewer 2,500 50

(D) Percentage of Lot Coverage: All buildings including accessory buildings shall not in the aggregate occupy more than fifty percent (50%) of the area of the lot.

(E) Yards Required: Yards of the following minimum depths shall be provided:

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1. Front Yard: Same as those required in R-1 Districts.
 2. Side Yards: Each not less than one-fourth (1/4) the building height, but in no event less than five feet (5') wide, and where building is more than three (3) stories in height, not less than ten feet (10') wide.
 3. Rear Yard: Not less than one-third (1/3) the building height, but in no event less than twenty percent (20%) of the depth of the lot.
- (F) Automobile Storage or Parking Space: Adequate off-street parking in accordance with the provisions of Section 5-7-5 of this Code.

5-4-5: R-3A DISTRICTS: The following regulations shall apply in all R-3A Restricted Residential Districts:

- (A) Uses Permitted: One (1) family residences and two (2) family duplexes.
- (B) Building and Structure Height Limit: Two and one-half (2 ½) stories, but not exceeding thirty-five feet (35').
- (C) Required Lot Area and Width: Same as R-3 Districts.
- (D) Percentage of Lot Coverage: Same as R-3 Districts.
- (E) Automobile Storage or Parking Space: Same as R-3 Districts.

5-4-6: NORTH VINE STREET SUBDIVISION REGULATIONS: The following regulations shall apply to Lots 1 – 57 in the North Vine Street Subdivision, Arthur, Illinois, in addition to any other provisions of the Village of Arthur Zoning Code:

- (A) Dwelling Specifications:
 1. Only one (1) residential dwelling shall be allowed on any lot, except those Lots designated as R-3A, except that outbuildings of a generally accepted design will be permitted.

2. The ground floor area of the dwelling, exclusive of attached garages, open terraces, screened porches and breezeways or like areas shall be a minimum of one thousand (1,000) square feet and the roof must have pitch of no lower than 5/12.
 3. Each dwelling SHALL have an attached garage for a minimum of one (1) full sized automobile. Minimum garage floor elevations for the North Vine Street Subdivision lots shall be the HIGHER elevation of six inches (6") above the highest point of the frontage pedestrian sidewalk crossing each respective lot OR Lots 1 thru 4 – Elevation 660.00; Lots 5 thru 8 – Elevation 659.00; Lots 9 thru 13 – Elevation 659.00; Lots 53 thru 57 – Elevation 659.25. The Village of Arthur shall provide a permanent local benchmark to be used in determining these minimum elevations.
- (B) Any construction and landscaping shall be completed within one (1) year of issuance of the building permit.
- (C) No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot except common ordinary household pets, provided they are not kept, bred or maintained for commercial purposes.
- (D) No parking shall be allowed in the parkway or boulevard areas. All lots must include off street parking for the number of licensed automobiles in use by the owner or residents of the lot. No storage or parking of junk cars, trailers, boats or campers shall be allowed on the street or in any area visible to the public.