

**Plan Commission Meeting  
Village of Gilberts  
87 Galligan Road  
Gilberts, IL 60136  
April 22, 2015  
7:00 p.m.**

**AGENDA**

**1. CALL TO ORDER**

**2. ROLL CALL/ESTABLISH QUORUM**

**3. APPROVAL OF MINUTES**

A. October 8, 2014

**4. NEW BUSINESS**

- A. Public hearing on a petition by Mr. Demitri Stavropoulos to rezone property commonly known as 214 Galligan Road from P Conservancy to I-1 General Industrial Zoning District
- B. Public hearing to rezone property along Galligan Road, Railroad Street, Higgins Road, Turner Street, Jackson Street, Matteson Street, Willey Street and Union Street from R-3 Urban Residence Zoning District to the OT Old Town Zoning District

**5. OLD BUSINESS**

**6. COMMUNICATIONS**

**7. ADJOURNMENT**

Village of Gilberts  
87 Galligan Road  
Gilberts, Illinois 60136  
Plan Commission Meeting Minutes  
October 8, 2014  
7:00 p.m.

**Call to Order**

Chairman Mills called the meeting to order at 7:00 p.m.

**Roll Call/Establish Quorum**

Present were Commissioners Borgardt, del Vecchio, McHone, Sullivan, and Chairman Mills. Also present was Village Administrator Keller. Not present were Commissioner Knudsen and Vice Chairperson Davidowski.

**Approval of Minutes**

**August 13, 2014**

**A motion was made by Commissioner Borgardt and seconded by Commissioner McHone to approve the minutes of August 13, 2014.** Roll Call. Vote: 4 ayes. (Commissioners Borgardt, McHone, Sullivan, and Chairman Mills). 0-nays. 1-abstain (Commissioner del Vecchio). Motion carried.

**New Business**

None

**Old Business**

**Continued public hearing on a petition by Mr. Ken Copenhaver for a special use permit to allow materials recycling on property within the I-1 General Industrial Zoning District located at 75 Koppie Drive.**

Mr. Ken Copenhaver did provide a site plan which indicates all of the materials will be contained per the Commissioners request. As stated by Mr. Copenhaver his hours have been limited from 7:00 am – 5:00 pm, excluding holidays and weekends. The special use permit for recycling will strictly be for soils. Concrete and other materials will not be recycled. Mr. Copenhaver will have to follow the Village's recycling license restrictions. Mr. Copenhaver is in the process of hiring a new engineer. Once he does so, he will be required to provide a topographical survey to the Village.

Commissioner Borgardt questioned the distance of the piles from Galligan Road. Administrator Keller did not have the survey at the meeting, but Commissioner Borgardt was aware that the piles were in the back corner, as far away from Galligan as possible.

**A motion was made by Commissioner Borgardt and seconded by Commissioner Sullivan to close the public hearing.** Roll Call: Vote: 5 ayes. (Commissioners Borgardt, del Vecchio, McHone, Sullivan, and Chairman Mills). 0-nays. 0-abstain. Motion carried.

Commissioner McHone stated that he originally had a concern for the dust, but since the piles are located far back on the site it shouldn't be an issue. Commissioner Borgardt added that the piles will be sprayed with water, and Administrator Keller reminded the Commissioners that Mr. Copenhaver will have a dust control plan in place.

**A motion was made by Commissioner Borgardt and seconded by Commissioner Sullivan to recommend approval to the Village Board for the special use permit to allow materials recycling on property within the I-1 General Industrial Zoning District located at 75 Koppie Drive subject to the "Finding of Fact and Recommendations" memo including the 13 conditions listed on pages 2-3.** Roll Call: Vote: 5 ayes. (Commissioners Borgardt, del Vecchio, McHone, Sullivan, and Chairman Mills). 0-nays. 0-abstain. Motion carried.

#### **Communications**

The next scheduled plan commission meeting may be held on November 12. There currently isn't anything scheduled on the agenda; however, they will have to work on the rezoning of Old Town.

#### **Adjournment**

**A motion was made by Chairman Mills and seconded by Commissioner McHone to adjourn from the meeting at 7:10 p.m.** Roll Call: Voice Vote: all ayes. (Commissioners Borgardt, del Vecchio, McHone, Sullivan, and Chairman Mills). 0-nays. 0-abstain. Motion carried.

Respectfully Submitted,  
Karen Danca

# *Village of Gilberts*

**Village Hall**  
87 Galligan Road, Gilberts, Illinois 60136  
Ph. 847-428-2861 Fax: 847-428-2955  
[www.villageofgilberts.com](http://www.villageofgilberts.com)

## **VILLAGE OF GILBERTS STAFF REPORT April 17, 2015**

**TO:** Village of Gilberts Plan Commission

**RE:** Zoning Map Amendment – 214 Galligan Road

### **I. GENERAL INFORMATION**

- |    |                                  |  |
|----|----------------------------------|--|
| A. | Purpose                          | To rezone property from P Conservancy to I-1 General Industrial  |
| B. | Location                         | 214 Galligan Road  |
| C. | Access                           | Galligan Road  |
| D. | Size                             | 1.78 acres   |
| E. | Existing Zoning                  | P Conservancy (1971 Code)  |
| F. | Proposed Zoning                  | I-1 General Industrial   |
| G. | Surrounding Zoning and Land Uses | North: I-1, agricultural<br>South: A-1, agricultural<br>East: I-1, agricultural<br>West: Kane County Forest Preserve |
| H. | Floodplain                       | Zone X (not in floodplain zones)   |
| I. | Comprehensive Plan Designation   | Old Town Center  |

### **II. APPLICANT'S REQUEST**

Mr. Demitiri Stavropoulos, petitioner, has requested a zoning map amendment (rezoning) for his property at 214 Galligan Road, Gilberts, IL from “P” Conservancy to “I-1” General Industrial.

### **III. CHARACTERISTICS OF SUBJECT PROPERTY AND SURROUNDING LAND USES AND ZONING CLASSIFICATIONS**

The subject property is 1.78 acres in size and is located on the west side of Galligan Road, about one-quarter mile south of Koppie Drive and about 800 feet north of Willey Street. The property is currently zoned P Park-Conservancy, a zoning classification from the 1971 Zoning Ordinance that has since been repealed by later zoning regulations. The property is unpaved and undeveloped, except for a 4,000 square foot (100x40) metal building. The property is surrounded on all sides by undeveloped property, including long-standing retention/detention area to the south and wetlands and retention areas the east.

### **IV. DISCUSSION**

The property is currently zoned P Park-Conservancy, an archaic zoning classification that was established by the 1971 Zoning Code, but was not included in the subsequent 1985 Zoning Code or the Unified Development Ordinance adopted in 2014.

According to the 1971 Zoning Code, the P zoning district intended to “preserve scenic and natural areas in the Village and to regulate development of marginal lands so as to prevent potential hazards to public and private property.” However, the P zoning district also allowed “gravel or sand pits and quarries” as conditional uses. The subject property appears to have been used as the contractor’s office/yard for the “clay hole” excavation immediately to the south of the subject property. Since then, the property has been intermittently used as a contractor’s yard. In 2014, the site had become a de facto scrap/junk yard and was the subject of an intense cleanup effort due to the Village’s code enforcement efforts. The property was subsequently sold to the petitioner, who in turn intends to resell the property upon its rezoning to I-1 General Industrial.

The proposed rezoning would remove an archaic classification from the zoning map and would apply the current UDO requirements to the future use and/or development of the subject property. The property has been used for industrial-oriented businesses for several years; rezoning the property to I-1 General Industrial would be consistent with the property’s past use. Because the preexisting contractor’s yard use has been discontinued for more than six months, the property’s legal nonconforming (“grandfathered”) status has expired as set forth by Section 10-10-2 of the UDO. The use and/or development of the property would be required to comply with all applicable UDO standards, such as fencing and screening around parking areas and site coverage limitations. The existing metal building would retain its legal nonconforming status and would not be required to upgrade its facade to comply with the UDO, but any changes to the building (e.g. replacement or expansion) would trigger the applicable UDO and building code requirements.

The property was designated as “Old Town Center” as an intended future land use by the 2003 Comprehensive Plan, though the subject property is roughly 800 feet away from the “Old Town” residential area and is buffered by the “clay hole” retention/detention area. To minimize the traffic and noise impacts of the property on the nearby Old Town area, Village staff is recommending the Board’s approval of an ordinance prohibiting heavy truck traffic on all Old Town streets, starting on Galligan Road just south of the subject property. The petitioner has already been advised so that truck traffic from the subject property would be required to head

north to Koppie Drive to access Tyrrell/Galligan Roads. This truck restriction ordinance is independent of the rezoning request, but will be prepared for the Board's consideration parallel to the ordinance approving the rezoning of the subject property.

## **V. STANDARDS OF REZONING**

The following information addresses the "Standards for (Map) Amendments" as set forth by UDO Section 10-11-9, Paragraph E:

**a. Identification of the existing uses of property within the general area of the affected property.**

The subject property is surrounded by undeveloped land, including historic detention/retention area to the south and wetland and retention areas to the east. The property is approximately 800 feet away from the closest residential use and about 1,200 feet from industrial uses located along Koppie Drive to the north.

**b. Identification of the zoning classification of property within the general area of the affected property.**

The immediately adjacent properties are zoned P Conservancy (1971 Zoning Code), A-1 Agricultural and R-4/PUD (Town Center PUD). Properties zoned I-1 General Industrial and R-3 Urban Residential can be found 800+ feet away from the subject property.

**c. Determination as to the suitability of the property in question to the uses permitted under the existing classification or district and under the proposed classification or district.**

The subject property has been used intermittently as a contractor's office and yard, which is a permitted use in the property I-1 General Industrial zoning district. Any further use or development of the property would be subject to the regulations set forth by the UDO.

**d. The trend of development, if any, in the general area of the affected property, including changes, if any, which have taken place since the date the affected property was placed in its present zoning classification or district.**

The adjacent properties that are currently zoned P Conservancy and A-1 Agricultural have not been developed since the property's first use as a contractor's office/yard or the property's Conservancy zoning. The property to the east was preserved as a natural wetland/retention area for the Town Center residential development and will remain undeveloped. Other than the future use of the subject property, there is not a clear "trend of development" for the surrounding area.

**e. The trend or development, if any, as to the proposed uses of property within the general area of the affected property, as represented on the Comprehensive Plan.**

The 2003 Comprehensive Plan designated the property for "Old Town Center," though the subject property is well removed from the rest of the "Old Town" residential area and is more

similar to the industrial-zoned properties to the north. The Comprehensive Plan does not reflect many current conditions, such as the realignment of Tyrrell Road or the development of the Town Center area as a residential development, and therefore does not closely match the current or likely future uses of the subject or nearby properties. The proposed property would likely be used again as a contractor's office/yard or a small manufacturing use, as permitted in the I-1 General Industrial zoning district.

**f. The length of time the property has been vacant as zoned, considered in the context of the land development and the area surrounding the subject property.**

The property has been intermittently used as a contractor office/yard as a nonconforming use, particularly as the property has been zoned for a classification that has not been in effect since 1985. Claims to any preexisting legal nonconforming use(s) have expired as set forth by UDO Section 10-10-2, leaving the property undevelopable or unusable until a new zoning classification is applied to the property.

**g. The extent to which property values are diminished, if at all, by particular zoning restrictions.**

The property's value will not be diminished by the proposed rezoning. The current zoning classification is no longer in effect and the previous nonconforming use as a contractor's office/yard has expired. The rezoning of the subject property will implement an updated list of permitted and special uses, which will be conditional upon the satisfaction of other development requirements as set forth by the UDO. The proposed rezoning would enable the future use and/or development of the property, giving the property potential value as usable property.

## **VI. CITIZEN INPUT**

To date, the Village has not received any written comments regarding the proposed rezoning.

## **VII. CONCLUSIONS AND RECOMMENDATIONS**

Mr. Demitiri Stavropoulos, petitioner, has requested a zoning map amendment (rezoning) for his property at 214 Galligan Road, Gilberts, IL from "P" Conservancy to "I-1" General Industrial. The Conservancy zoning district is an archaic classification that was established by the 1971 Zoning Code but eliminated from the 1985 Zoning Code and the 2014 Unified Development Ordinance. The proposed rezoning to I-1 General Commercial would remove the Conservancy district from the zoning map and establish an updated list of permitted and special uses for the property, which would be allowed subject to the requirements found in the UDO. The future use and/or development of the property for industrial use allowed by the rezoning would be consistent with the property's historic uses. Therefore, Staff recommend approval of the proposed rezoning to I-1 General Industrial.

Respectfully Submitted,

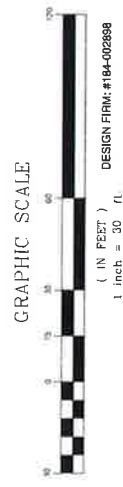
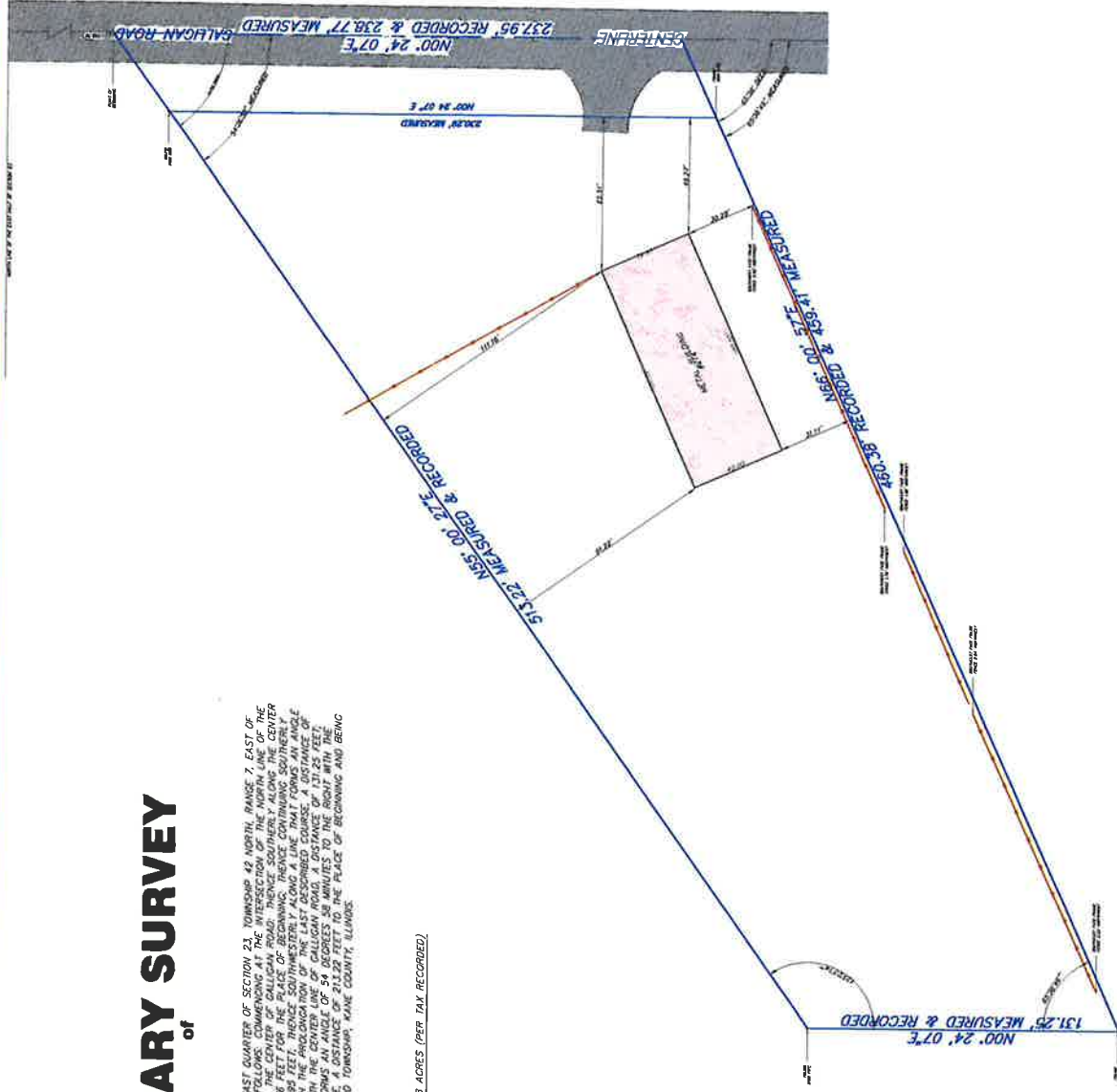
BY: Ray Keller, ICMA-CM, AICP  
Village Administrator





Hymon

±1.78 ACRES (PER TAX RECORDED)



**EDMUND F. WANDERLING**  
**ATTORNEY AT LAW**



**PYRAMID**

**PYRAMID LAND SURVEYORS**

Land Surveyors Illinois and Wisconsin

16 SOUTH LIBERTY DRIVE  
SPRINGFIELD, ILLINOIS 62709  
PHONE 630-437-1937 FAX 630-438-6019

FIELD WORK COMPLETED: JAN. 24, 2015

DRAWN BY: G.V.S.

SCALE: 1"=30'

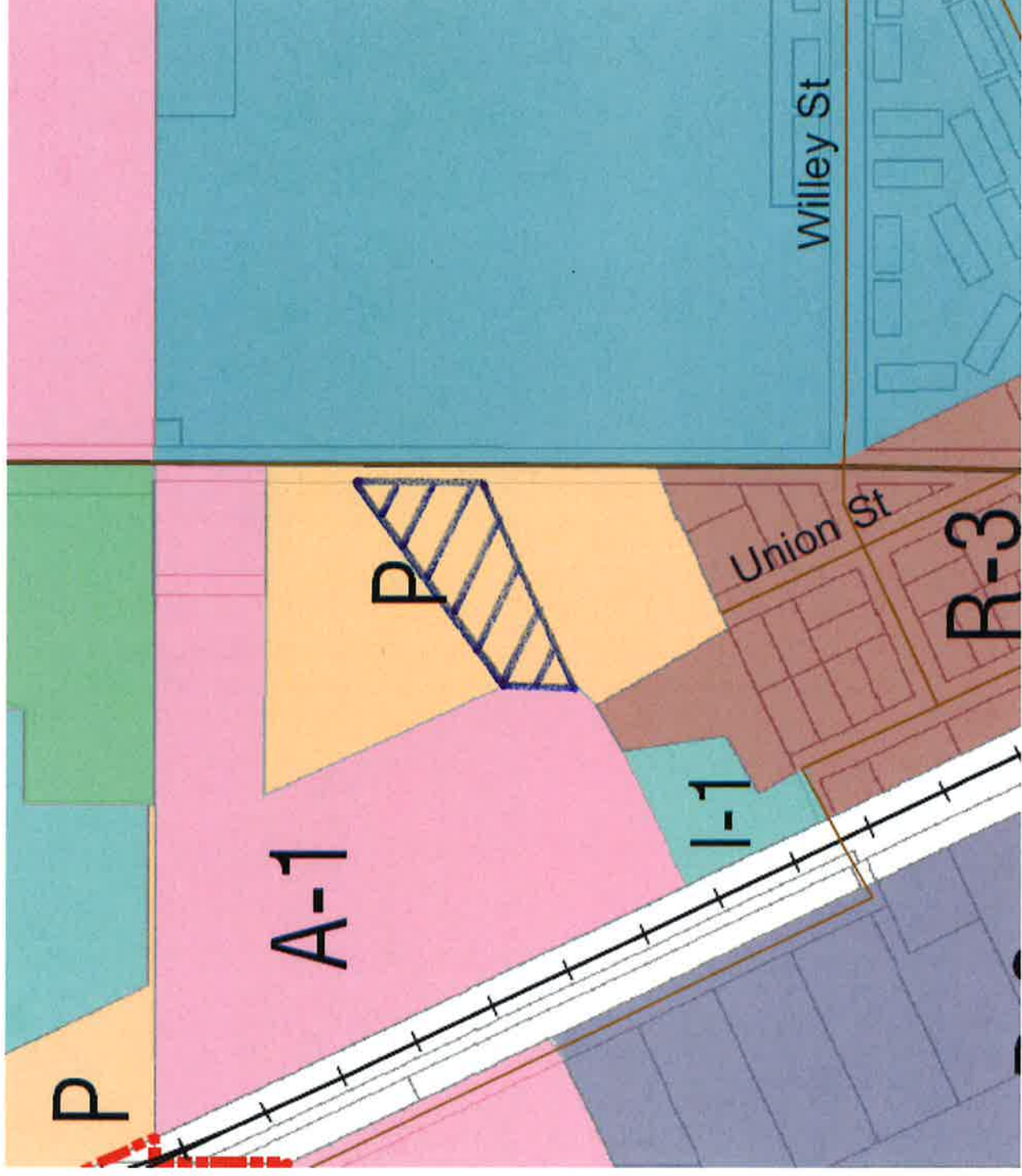
BOOK NUMBER: 1501-25

DRAWING NUMBER: 117-150159

examined@pylsw.com



214 Galligan Road – Zoning Map Excerpt



## LEGAL NOTICE

NOTICE is hereby given that a public hearing will be held before the Gilberts Plan Commission at their meeting on April 22, 2015, at 7:00 p.m. at the Gilberts Village Hall, 87 Galligan Road, Gilberts, Illinois, on a proposal by Mr. Demitri Stavropoulos to rezone property to I-1 General Industrial zoning district. The subject property is commonly known as 214 Galligan Road, Gilberts, Illinois. PIN: 02-23-227-003.

All interested persons are invited to appear and be heard at the time and place listed above. Additional information about the proposed rezoning and the public hearing are available from the Village of Gilberts at (847) 428-2861. The hearing may be continued by the Plan Commission without further publication of notice.

Randy Mills, Chairman  
Gilberts Plan Commission  
Village of Gilberts

APPLICATION FOR  
REZONING

Case #: 201-2015  
Revision #1: \_\_\_\_\_  
Revision #2: \_\_\_\_\_  
Revision #3: \_\_\_\_\_  
For office use only

Development Name: 214 GALLIGAN RD Date of Submission: 3/16/2015

I. APPLICANT:

Demitri Stavropoulos 123 Properties Inc.  
Name Corporation

123 Twin Oaks Drive  
Street

Oak Brook IL 60523  
City State Zip Code

Demitri Stavropoulos (708) 705-0066 demitristav@msn.  
Contact Person Telephone Number ~~Fax Number~~ email com

Same  
Relationship of Applicant to subject Property (e.g. Owner, Developer, Contract Purchaser, etc.)

II. ACTION REQUESTED (Check applicable boxes):

- ☐ Rezoning from PCONSERVANCY to I-1 Industrial  
☐ Special Use for \_\_\_\_\_

Any additional requests, which are being processed with the Rezoning (i.e. variances, subdivision, etc.):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Is this development within the Village limits?

- ☒ Yes.  
☐ No, requesting annexation.  
☐ Under review by another governmental agency and requires review due to 1.5 mile jurisdictional requirements.

### III. DEVELOPERS STAFF:

Attorney: \_\_\_\_\_ Telephone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_  
Builder: \_\_\_\_\_ Telephone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_  
Developer: \_\_\_\_\_ Telephone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_  
Engineer: \_\_\_\_\_ Telephone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

### IV. PROJECT DATA:

1. General Location: 214 GALLIGAN RD.

a. County: KANE

b. Township: GILBERT RUTLAND

c. PIN#(s): 02-23-2277003-0000

2. General description of the site: Approx 1.78 Acres, Fenced in lot with 4,000 sf pole barn.

3. Existing zoning on the site: Pconservancy

4. Acreage of the site: 1.78

5. Character of surrounding area:

	Zoning	Jurisdiction	Existing Land Use	Adopted Village Plan
North				
South				
East				
West				

6. List Controlling Ordinances (zoning, annexation agreements, site plans, etc.): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## DISCLOSURE OF BENEFICIARIES

Name \_\_\_\_\_

Address \_\_\_\_\_

2) Nature of Benefit sought: \_\_\_\_\_

3) Nature of Applicant: (please check one)

☐ a. Natural Person

☐ b. Corporation

☐ c. Land Trust/Trustee

☐ d. Trust/Trustee

☐ e. Partnership

☐ f. Joint Venture

4) If applicant is an entity other than described above, briefly state the nature and characteristics of applicant:  
\_\_\_\_\_

5) If in your answer to Section 3 you checked box b, c, d, e or f. identify by name and address each person or entity which is a 5% shareholder in the case of a corporation, a beneficiary in the case of a trust or land trust, a joint venture in the case of C3Se of a joint venture, or who otherwise has a proprietary interest, interest in profits and losses or right to control such entity:

	Name	Address	Interest
a.	_____	_____	_____
b.	_____	_____	_____
c.	_____	_____	_____
d.	_____	_____	_____

6) Name, address and capacity of person making this disclosure on behalf of the applicant:  
\_\_\_\_\_

**IMPORTANT NOTE: In the event your answer to Section 5 identifies entities other than a natural person, additional disclosures are required for each entity.**

### VERIFICATION

I, \_\_\_\_\_ being first duly sworn under oath, depose and state that I am the person making this disclosure on behalf of the applicant, that I am duly authorized to make this disclosure, that I have read the above and foregoing Disclosure of Beneficiaries, and that the statements contained therein are true in both substance and fact.

Subscribed and Sworn to before me this 6<sup>th</sup> day of March 2015

Debra Meadows  
Notary Public



- 5) The proposed Rezoning meets the requirements for granting a Rezoning because:
- (a) The amendment promotes the public health, safety, comfort, convenience and general welfare and complies with the policies and Official Land Use Plan and other official plans of the Village.
  - (b) The trend of development in the area of the subject property is consistent with the requested amendment.
  - (c) The requested zoning classification permits uses which are more suitable than the uses permitted under the existing zoning classification.
  - (d) The property cannot yield a reasonable return if permitted to be used only under the conditions allowed under the existing zoning classification.
  - (e) The subject property has not been utilized under the existing zoning classification for a substantial period of time.
  - (f) The amendment, if granted, will not alter the essential character of the neighborhood and will not be a substantial detriment to adjacent property.
- 6) Granting the Rezoning described above is appropriate because:

***[List factors that demonstrate why the Rezoning is appropriate]***

**WHEREFORE**, the Petitioner requests that with respect to the Subject Property, the Village Board and the Zoning Board take action in accordance the Gilberts Municipal Code to approve an ordinance granting a Rezoning in accordance with Exhibit "-" to Rezone the Subject property to the:

*[repeat the description of the zoning designation as requested in the Recital Section]*

Respectfully Submitted,

By: 

[Type in name of signatory under signature block]

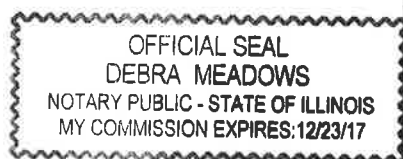
[Type in title or nature of individual (i.e. applicant)]

STATE OF ILLINOIS  
COUNTY OF \_\_\_\_\_ )

The foregoing petition was acknowledged before me by \_\_\_\_\_  
on the 16<sup>th</sup> day of March, 2015 A.D.

By: 

[Type in name of signatory under signature block]  
[Type in title of person notarizing] and Notary Public



## CHAPTER 6

### INDUSTRIAL DISTRICTS

#### 10-6-1 PURPOSES

The I-1 General Industrial District is intended to provide opportunities within certain specified areas of the village for a range of manufacturing, wholesaling, warehousing, and administrative uses. The regulations of this district are designed to permit the operation of most industrial and ancillary uses in a clean and quiet manner while simultaneously providing adequate protection for uses allowed in adjacent zoning districts. Typically, the I-1 District is situated only in those locations which have direct access to an existing or proposed arterial roadway, offer potential rail connection, and are compatible with adjacent land uses.

#### 10-6-2 PERMITTED USES

The following uses and no other are permitted as of right in the I-1 district:

1. Industrial and Manufacturing Uses
  - a. Construction and contractor's offices and yards
  - b. Facilities for manufacturing, processing, assembly, and packaging of:
    1. Advertising, trade show and product displays
    2. Apparel and other finished products made from fabric and similar products
    3. Electrical and electronic machinery, equipment, and supplies
    4. Fabricated metal products
    5. Food and kindred products
    6. Furniture and fixtures
    7. Jewelry, silverware, and plated ware
    8. Lead pencils, crayons, and artists materials
    9. Leather and leather products
    10. Lumber and wood products
    11. Machinery
    12. Musical instruments
    13. Paper and allied products
    14. Primary metal products
    15. Rubber and plastics products
    16. Stone, clay and glass products
    17. Textile mill products
    18. Tobacco products
    19. Toys and amusement, sporting, and athletic goods
    20. Transportation equipment
2. Office and Professional Uses
  - a. Office and professional uses, general, except as noted elsewhere

3. Retail Business Uses

- a. Agriculture implement sales and service
- b. Air condition sales and service
- c. Appliance sales and service
- d. Bicycle sales and service
- e. Building materials and garden supply stores
- f. Business machine sales and service
- g. Electrical supply and equipment stores
- h. Farm supply stores
- i. Feed and grain stores
- j. Lawn mower sales and service
- k. Plumbing appliance and equipment stores
- l. Tire, battery, and accessory sales and service
- m. Tool sales and service

4. Service Uses

- a. Ambulance services
- b. Automobile body shops
- c. Automobile repair and service
- d. Blue printing, copying, and small duplicating establishments
- e. Diaper, linen, and towel services
- f. Equipment rental and leasing
- g. Exterminating and fumigating services
- h. Furniture cleaning, upholstery and repair shops
- i. Glass cutting and glazing services
- j. Kennels
- k. Motor vehicle rental agencies
- l. Motor vehicle towing services
- m. Parcel pick-up and delivery services
- n. Sewer and septic cleaning and rodding services

5. Health, Medical, and Care Facilities

- a. Health treatment centers
- b. Hospitals
- c. Medical laboratories
- d. Medical offices

6. Public and Utility Uses

- a. Fire stations
- b. Government offices
- c. Police stations
- d. Post offices
- e. Radio and television broadcasting facilities
- f. Railroad stations
- g. Sewage treatment and distribution facilities
- h. Utility substations
- i. Utility yards



- j. Water treatment and distribution facilities
- k. Water wells, reservoirs, towers, and storage facilities
- l. Village uses, buildings, and facilities, subject to section 10-1-3.

7. Cultural, Recreational, and Entertainment Uses

- a. Athletic fields
- b. Parks and playgrounds

8. Educational Uses

- a. Business and technical schools
- b. Barber and beauty colleges
- c. Personnel training centers
- d. Trade and vocational schools

9. Agriculture uses, buildings, and facilities lawfully existing as of the effective date of this code, subject to the nonconformity regulations of chapter 10 and the regulations contained in section 10-8-6.

10. Similar and Compatible Uses. Other uses that are similar and compatible to those allowed as permitted uses in the I-1 District, as determined by the Zoning Administrator.

**10-6-3 SPECIAL USES**

The following uses may be permitted in the I-1 District, subject to the issuance of a special use permit as provided in section 10-11-11 of this code and subject to the additional standards set forth in this section.

1. Planned unit developments, but only subject to the special procedures and standards set forth in section 10-11-12 of this code.

2. Industrial and Manufacturing Uses

- a. Facilities for manufacturing, processing, assembly, and packaging of:
  - 1. Chemicals and allied products
  - 2. Petroleum refining and related industries
- b. Motor freight terminals
- c. Motor vehicle wrecking and salvage yards
- d. Plants for asphalt, cement, concrete, and similar products
- e. Recycling centers

3. Retail and Service Uses

- a. Any drive-through accessory to a bank, pharmacy, dry cleaner, restaurant, or other use
- b. Automobile, motorcycle, and truck sales and services
- c. Boat, snowmobile and other motorized vehicle/equipment sales and service
- d. Taxicab offices and storage

4. Public and Utility Uses, except as exempt under section 10-1-3
  - a. Airports
  - b. Forest preserves, nature preserves and sanctuaries
  - c. Railroad stations
5. Cultural, Recreational, and Entertainment Uses
  - a. Amusement parks, indoor only
  - b. Auditoriums, private
  - c. Gymnasiums, school and park
  - d. Health clubs
  - e. Ice skating rinks, indoor
  - f. Race tracks
  - g. Stables and riding academies
  - h. Swimming clubs and pools
  - i. Tennis, racquetball, handball, and other private recreational clubs
6. Adult uses, subject to section 10-8-4 of this code.
7. New agricultural uses, buildings, and facilities established after the effective date of this code, subject to the regulations contained in section 10-8-6.
8. Similar and Compatible Uses. Other uses that are similar and compatible to those allowed as special uses in the I-1 District, as determined by the Zoning Administrator.

**10-6-4 USE LIMITATIONS**

- A. Site Plan Review. Any exterior construction, change in use, or increase in the intensity of an existing use in the I-1 District, excluding normal repair and maintenance activities, shall require site plan review in accordance with section 10-11-14 of this code.
- B. Operation within an Enclosed Structure. All business, service, storage, and display of goods shall be conducted within completely enclosed structures, except for the following:
  1. Agricultural uses subject to section 10-8-6 of this code
  2. Automobile service stations
  3. Motor vehicle sales
  4. Off-street parking and storage
  5. Outdoor storage, when associated with and ancillary to a permitted or special use and provided the storage does not consist of uncontained bulk material

6. Sale or display of merchandise sold or offered for sale through vending machines, provided the machines do not occupy an aggregate ground area of more than 16 square feet.
  7. Accessory uses, subject to section 10-8-1 of this code.
  8. Temporary uses, subject to section 10-8-3 of this code.
- C. Outdoor Storage. Outdoor storage areas allowed in the I-1 District shall be effectively screened and enclosed to a minimum height of six feet by a reasonably secured solid fence, wall, or other comparable barrier to conceal the areas from adjacent zoning lots and from public rights of way. All such areas shall be graded to prevent the accumulation of surface water and be provided with a permanent, durable, dustless surface.
- D. Exterior of Buildings.
1. No exterior wall facing any road or street of any building in the I-1 District shall be constructed using any of the following materials: wrinkled aluminum, flat concrete masonry, masonry cinder block, wood, vinyl, or plastic or similar materials.
  2. Not more than 65% of the square foot area of any side of the exterior wall of any building, other than a wall facing a road or street as described in section 1, shall be constructed of the following materials: wrinkled aluminum, flat concrete masonry, masonry cinder block, wood, vinyl, or plastic or similar materials.

#### **10-6-5 DISTRICT REGULATIONS**

- A. Accessory Structures and Uses. Accessory structures and uses are subject to the provisions of section 10-8-1 of this code.
- B. Temporary Uses. Temporary uses are subject to the provisions of section 10-8-3 of this code.
- C. Antennas and Support Structures. Antennas and support structures are subject to the provisions of section 10-8-7 of this code.
- D. Adult Uses. Adult uses are subject to the provisions of section 10-8-4 of this code.
- E. Site Development Regulations. The site development regulations applicable in the industrial district, including parking, signs, fencing, landscaping, trees, lighting, storm water, utilities, access ways, and performance standards are set forth in chapter 9 of this code.
- F. Agricultural Uses. Agricultural uses are subject to the provisions of section 10-8-6 of this code.

**10-6-6 BULK, SPACE, AND YARD REQUIREMENTS**

- A. Requirements. The building height, lot area, setback, lot coverage, lot width, and floor area ratio (FAR) requirements applicable in the I-1 District are set forth in the table on the following page. Where the Village has approved specific bulk, space, and yard requirements for subdivisions existing as of the date of approval of this code that are different than the otherwise applicable district requirements, those special requirements will apply. Thus, owners of land subject to special zoning or annexation approvals or private covenants, conditions, or restrictions should consult these approvals to determine whether supplemental or more restrictive regulations will apply. Footnote references appear in subsection B of this section at the end of the table.

	<b>I-1</b>
Minimum District Area ( <i>note 1</i> )	4 acres
Minimum Lot Area ( <i>note 2</i> )	N/A
Minimum Lot Width (feet)	100
Maximum Lot Coverage for all buildings	45% of lot area
Maximum Floor Area Ratio for all buildings	60% of lot area
Maximum Building Height (feet) ( <i>note 3</i> )	45
Minimum Front and Corner Side Yard Setback (feet) ( <i>note 2</i> )( <i>note 4</i> )	30 (buildings) 25 feet (off street parking and loading)
Minimum Interior Side Yard Setback (feet) ( <i>note 5</i> )	15 feet (buildings) 0 feet (off street parking and loading)
Minimum Rear Yard Setback (feet) ( <i>note 5</i> )	15 feet (buildings) 0 feet (off street parking and loading)

B. Notes.

1. Lot Area Combined. A property owner may combine land it owns in the O-1 or C-1 District that is immediately abutting property zoned in the I-1 District to meet the minimum lot area requirement.
2. Nonconforming Lots. See section 10-10-5 of this code for lot requirements with respect to legal nonconforming lots of record.
3. Height Exceptions. Agricultural buildings may exceed the maximum permitted height as set forth in section 10-8-6 (agricultural buildings).
4. Special Front and Corner Side Yard Setback. The front and corner side yard setback for buildings shall be increased by one foot for each foot that a building exceeds 16 feet in height.
5. Special Setback Abutting Residential District. Where a lot line abuts a Residential Zoning District, the off-street parking and loading areas shall be setback a minimum of 10 feet from the abutting lot line.

# *Village of Gilberts*

## **Village Hall**

87 Galligan Road, Gilberts, Illinois 60136  
Ph. 847-428-2861 Fax: 847-428-2955  
[www.villageofgilberts.com](http://www.villageofgilberts.com)

## **VILLAGE OF GILBERTS**

### **STAFF REPORT**

April 17, 2015

**TO:** Village of Gilberts Plan Commission

**RE:** Zoning Map Amendment – Old Town

#### **I. GENERAL INFORMATION**

- |    |                                  |   |
|----|----------------------------------|---|
| A. | Purpose                          | To rezone property from R-3 Urban Residential to OT Old Town  |
| B. | Location                         | Galligan Road, Railroad Street, Higgins Road, Turner Street, Jackson Street, Matteson Street, Willey Street and Union Street      |
| C. | Access                           | Galligan Road, Railroad Street, Higgins Road, Turner Street, Jackson Street, Matteson Street, Willey Street and Union Street      |
| D. | Size                             | variable  |
| E. | Existing Zoning                  | R-3 Urban Residential   |
| F. | Proposed Zoning                  | OT Old Town   |
| G. | Surrounding Zoning and Land Uses | North: R-3 Residential, I-1 Industrial<br>South: C-1, commercial uses<br>East: R-3/R-4/PUD, residential<br>West: R-2, Residential |
| H. | Floodplain                       | Zone X (not in floodplain zones)  |
| I. | Comprehensive Plan Designation   | Old Town Center   |

## **II. APPLICANT'S REQUEST**

The Village of Gilberts proposes to rezone 62 parcels from the R-3 Urban Residence zoning district to the OT Old Town zoning district. These properties are located along Galligan Road, Railroad Street, Higgins Road, Turner Street, Jackson Street, Matteson Street, Willey Street and Union Street. Please refer to the attached legal notice for the list of parcel numbers and addresses of the properties to be rezoned.

## **III. CHARACTERISTICS OF SUBJECT PROPERTY AND SURROUNDING LAND USES AND ZONING CLASSIFICATIONS**

The subject properties are zoned R-3 Urban Residential and constitute the originally platted core of the Village of Gilberts. The area is predominantly residential in character, interspersed with a few public uses (Village Hall, Police Station) and legal nonconforming commercial uses (Drift Inn, Advance Design). The subject area is almost entirely built out, with 6 lots that could theoretically be developed independently if served by infrastructure and/or disconnected from the residential uses to which they are now attached. The subject properties are all legal nonconforming, as their lot dimensions predate and do not conform to the minimum 12,000-14,000 square foot lot size requirements for R-3 zoned properties.

## **IV. DISCUSSION**

The Unified Development Ordinance established a new "Old Town" classification that would apply zoning standards that more closely fit the existing conditions currently found in the Old Town area. The R-3 zoning classification, intended for "residential use in a suburban environment," requires 12,000 square foot minimum lots (14,000 s.f. for corner lots) with 30-foot front and rear-yard setbacks. As Old Town was primarily platted with 132 x 166-foot (8,712 square feet) lots, the application of the R-3 setbacks would render most Old Town lots unbuildable without variances.

The application of the Old Town zoning would reduce the minimum lot size to 8,712, with minimum front and rear yard setbacks of 15 feet and 10-foot side-yard setbacks. The Old Town zoning establishes that even smaller lots of record platted before 1960 are "buildable nonconforming lots," allowing a lot to be used so long as the setback requirements are met and the lots are not reduced further. The Old Town district also provides a variable front-yard setback that can be reduced further so long as it is no closer to the right of way than half of the buildings within 100 feet of it. For example, a lot's front yard setback could be reduced to 10 feet if its neighboring house already had a 10 foot setback from the right of way.

Because most of the subject properties are built out, the application of new setback and lot size standards would not affect the area in a significant way in the short term, though it may allow some properties the flexibility to add a deck or small addition if there is sufficient space. The lot size, lot coverage, setback and height restrictions would most likely affect one of the few remaining unbuilt lots or the repair/replacement of a structure that were irrevocably damaged due to a fire or other disaster. In such a situation, a variance may still be required to rebuild an existing structure, but the degree to which zoning relief would be needed would be lessened.

The application of the Old Town zoning district would grant current owners greater flexibility with the future use of their properties. While still intended for single-family residential use, the Old Town district expands the list of permitted and special uses to include small retail, service and professional shops. These uses were included in the Old Town district because they would have minimal noise or traffic impacts on nearby residential uses, while providing greater long-term flexibility with the use of the existing structures that may not be as desirable as single-family residential structures. Any new nonresidential use would still need to address all applicable UDO requirements, including off street parking and building code updates, if required.

Two commercial properties – the Drift Inn (77 Railroad) and Advance Design (30 Railroad) were not included in the rezoning application as proposed Old Town zoning district would not fit their structures or businesses any better than their current R-3 classifications. Staff anticipate that a future petition may be initiated by the Village to rezone these properties to G-1 General Commercial to more closely fit their current uses and structures. The multi-unit residential building at 153 Railroad Street was also left out of the rezoning petition as the Old Town district does not accommodate multi-family residential; the use and structure remain legal nonconforming under the property's R-3 zoning classification. Village Hall and the Police Station were included in the Old Town rezoning petition for continuity with the surrounding area; public uses remain "permitted" in any zoning district.

## **V. STANDARDS OF REZONING**

The following information addresses the "Standards for (Map) Amendments" as set forth by UDO Section 10-11-9, Paragraph E:

### **a. Identification of the existing uses of property within the general area of the affected property.**

The subject properties are built out, with lot dimensions and structures that predate the current UDO requirements. The subject properties would be brought into or closer to conformity with the Old Town zoning regulations as set forth in the UDO.

### **b. Identification of the zoning classification of property within the general area of the affected property.**

The area is zoned R-3 "Urban Residential," a classification that does not fit the existing "Old Town" lot dimensions, structures or character. Nearby properties zoned for C-1 Commercial or R-2 Rural Residence would not be adversely affected by the rezoning of the subject properties to the Old Town classification.

### **c. Determination as to the suitability of the property in question to the uses permitted under the existing classification or district and under the proposed classification or district.**

The subject properties are almost entirely built out, with legally nonconforming lot dimensions and structures that predate the UDO or the previous 1985 Zoning Code. The application of the

Old Town zoning regulations would bring the existing lots and structures into closer conformity with the UDO, while providing greater long-term flexibility of uses for the existing structures.

- d. The trend of development, if any, in the general area of the affected property, including changes, if any, which have taken place since the date the affected property was placed in its present zoning classification or district.**

There is not a clear “trend of development” for the subject properties or the surrounding area, as the area was built out many years ago. The rezoning of the subject area to the Old Town classification would encourage the reinvestment in and/or reuse of existing structures, possibly as repurposed low-impact commercial and service businesses

- e. The trend or development, if any, as to the proposed uses of property within the general area of the affected property, as represented on the Comprehensive Plan.**

The 2003 Comprehensive Plan designated the property for “Old Town Center,” with the plan intending the area to be primarily “commercial and public use.” As the Old Town neighborhood is predominantly residential in character, the proposed Old Town district reduces lot size, setback and other building envelope regulations to better fit the existing lot sizes. The proposed rezoning also supports long-term reuse of existing structures for low-impact commercial and service businesses.

- f. The length of time the property has been vacant as zoned, considered in the context of the land development and the area surrounding the subject property.**

The subject properties are built out, except for six lots that are remain developable and/or are currently attached as a larger front or back yard to an existing residential use. The proposed rezoning would provide greater flexibility for the future use of the unbuilt lots, within the context of the Old Town character and zoning regulations.

- g. The extent to which property values are diminished, if at all, by particular zoning restrictions.**

The subject property values will not be diminished by the proposed rezoning. The current R-3 zoning classification renders the entire area nonconforming, limiting owners’ options to reinvest, expand or reuse the existing structures. The proposed rezoning would allow property owners greater flexibility to add decks or small additions, if sufficient space is available, or reuse their residential structures for low-impact commercial uses.

## **VI. CITIZEN INPUT**

To date, the Village has not received any written comments regarding the proposed rezoning. The Village held an open house meeting on March 23 at which 5 residents came to ask questions about the proposed rezoning and the Village’s upcoming road reconstruction project.



## **VII. CONCLUSIONS AND RECOMMENDATIONS**

The Village of Gilberts proposes to rezone 62 parcels from the R-3 Urban Residence zoning district to the OT Old Town zoning district. These properties are located along Galligan Road, Railroad Street, Higgins Road, Turner Street, Jackson Street, Matteson Street, Willey Street and Union Street. The Old Town zoning classification was established by the UDO with the intent of preserving the character of the neighborhood, by apply zoning regulations that more closely fit existing conditions and support continued use as either residential or low-impact commercial uses. The proposed rezoning would bring the existing properties and structures into closer conformity with the UDO. Therefore, Staff recommend approval of the proposed rezoning of the subject properties to the OT Old Town zoning district.

Respectfully Submitted,

BY: Ray Keller, ICMA-CM, AICP  
Village Administrator

A handwritten signature in black ink, appearing to be 'RK' with a stylized flourish.

## LEGAL NOTICE

NOTICE is hereby given that a public hearing will be held before the Gilberts Plan Commission at their meeting on April 22, 2015, at 7:00 p.m. at the Gilberts Village Hall, 87 Galligan Road, Gilberts, Illinois, on a petition by the Village of Gilberts to rezone properties along Galligan Road, Railroad Street, Higgins Road, Turner Street, Jackson Street, Matteson Street, Willey Street and Union Street from R-3 Urban Residence zoning district to the OT Old Town zoning district as set forth in Chapter 7 of the Village of Gilberts Unified Development Ordinance.

The properties to be rezoned are:

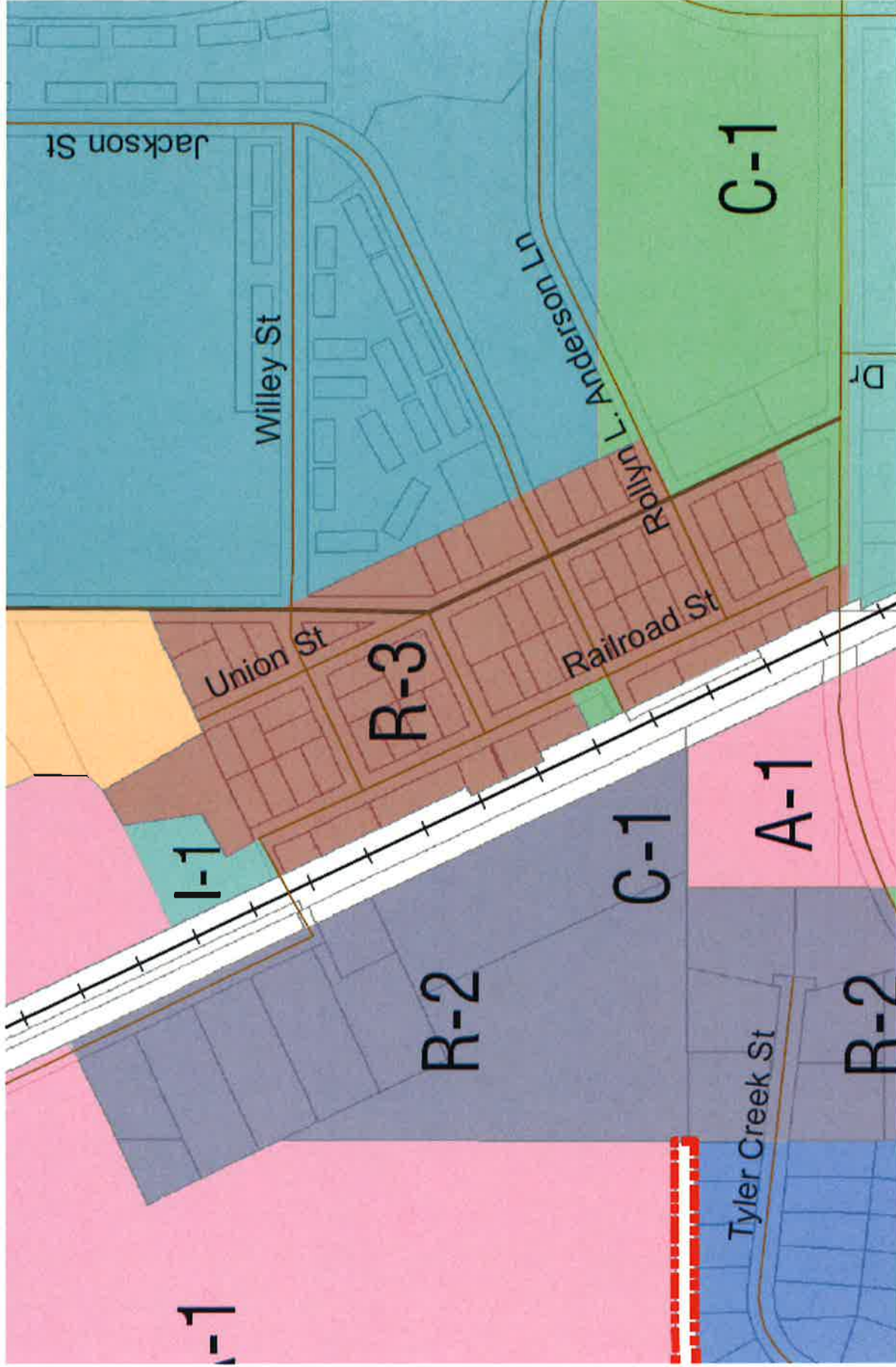
<b>PIN</b>	<b>PROPERTY ADDRESS</b>
02-23-279-003	NORTH OF 10 WILLEY STREET
02-23-279-004	10 WILLEY STREET
02-23-278-002	130 GALLIGAN ROAD
02-23-278-011	NORTH OF 150 UNION STREET
02-23-278-006	150 UNION STREET
02-23-278-004	26-28 WILLEY STREET
02-23-278-005	22 WILLEY STREET
02-23-281-005	27 WILLEY STREET
02-23-281-006	25 WILLEY STREET
02-23-281-004	10 MATTESON ST
02-23-284-005	7 MATTESON ST
02-23-284-006	84 GALLIGAN ROAD
02-23-284-007	76 GALLIGAN ROAD
02-24-152-005	121 JACKSON STREET
02-24-152-006	11 JACKSON STREET
02-24-152-010	62 GALLIGAN ROAD
02-24-152-007	54 GALLIGAN ROAD
02-24-152-008	54 GALLIGAN ROAD
02-24-154-006	36 GALLIGAN ROAD
02-24-154-007	28 GALLIGAN ROAD
02-24-154-008	22 GALLIGAN ROAD
02-24-154-009	18 GALLIGAN ROAD
02-24-154-012	26 EAST HIGGINS RD
02-24-154-004	11 RAILROAD STREET
02-24-154-003	11 RAILROAD STREET
02-24-154-002	19 RAILROAD STREET
02-24-154-001	9 TURNER STREET
02-24-152-004	6 TURNER STREET
02-24-152-004	43 RAILROAD STREET
02-24-152-009	51 RAILROAD STREET
02-24-152-001	57 RAILROAD STREET

02-23-284-004	65 RAILROAD STREET
02-23-284-001	83 N. RAILROAD STREET
02-23-281-004	24 MATTESON STREET
02-23-281-003	24 MATTESON STREET
02-23-281-002	107 RAILROAD STREET
02-23-281-001	113 RAILROAD STREET
02-23-278-008	125 RAILROAD STREET
02-23-278-009	133 RAILROAD STREET
02-23-278-007	139 RAILROAD STREET
02-23-278-010	145 RAILROAD STREET
02-23-277-005	136 RAILROAD STREET
02-23-277-004	124 RAILROAD STREET
02-23-280-003	98 RAILROAD STREET
02-23-280-007	94 RAILROAD STREET
02-23-280-008	86 RAILROAD STREET
02-23-283-005	86 RAILROAD STREET
02-23-283-002	70 RAILROAD STREET
02-23-283-003	60 RAILROAD STREET
02-23-285-007	50 RAILROAD STREET
02-23-285-008	30 RAILROAD STREET
02-23-286-005	24 RAILROAD STREET
02-23-286-004	6 RAILROAD STREET
02-23-286-003	6 RAILROAD STREET
02-24-153-004	NORTHEAST CORNER OF GALLIGAN ROAD AND ROLLYN L. ANDERSON LANE
02-24-153-003	55 GALLIGAN ROAD
02-24-153-002	61 GALLIGAN ROAD
02-24-153-001	69 GALLIGAN ROAD
02-24-151-004	87 GALLIGAN ROAD
02-24-151-003	93 GALLIGAN ROAD
02-24-151-002	99 GALLIGAN ROAD
02-24-151-005	105 GALLIGAN ROAD

All interested persons are invited to appear and be heard at the time and place listed above. Additional information about the proposed rezoning and the public hearing are available from the Village of Gilberts at (847) 428-2861. The hearing may be continued by the Plan Commission without further publication of notice.

Randy Mills, Chairman  
Gilberts Plan Commission  
Village of Gilberts

Old Town area – Zoning Map excerpt





## OLD TOWN



**CHAPTER 7****OLD TOWN (OT) DISTRICT****10-7-1 PURPOSE**

The Old Town (OT) district regulations are intended to provide a suitable setting for the comingling of single-family residential uses with a variety of low-intensity commercial services, small offices and retail shopping within a neighborhood setting. The regulations of the district are designed to accommodate small retail, office and service commercial uses that are compatible in intensity and appearance with the residential uses also present in the district.

**10-7-2 PERMITTED USES**

The following uses and no other are permitted as of right in the OT district:

1. Residential Uses
  - a. Single family detached dwellings.
2. Retail Business Uses
  - a. Antique shops
  - b. Art and school supplies
  - c. Art sales and studios
  - d. Bicycle sales and service
  - e. Bookstores
  - f. Camera shops/photography studios, including film developing
  - g. Candy shops
  - h. Cigar, cigarette, and tobacco stores
  - i. Florists
  - j. Gift and novelty shops
  - k. Hobby/crafts shops
  - l. Jewelry stores
  - m. Lawn mower sales and service
  - n. Newspaper and magazine stores
  - o. Shoe sales and repair
3. Service Uses
  - a. Barber and beauty shops
  - b. Blue printing, copying, and small duplicating establishments
  - c. Employment agencies
  - d. Furniture cleaning, upholstery and repair shops
  - e. Glass cutting and glazing services
  - f. Travel agencies
  - g. Service uses, general, except as noted elsewhere

4. Office and Professional Uses
  - a. Political organization offices
  - b. Real estate sales and brokerage offices
  - c. Office and professional uses, general, except as noted elsewhere
5. Public and Utility Uses
  - a. Village uses, buildings, and facilities, subject to section 10-1-3.
6. Cultural, Recreational, and Entertainment Uses
  - a. Libraries
  - b. Parks and playgrounds
  - c. Open space
7. Agriculture uses, buildings, and facilities lawfully existing as of the effective date of this code, subject to the nonconformity regulations of chapter 10 and the regulations contained in section 10-8-6.
8. Similar and Compatible Uses. Other uses that are similar and compatible to those allowed as permitted uses in the OT District, as determined by the Zoning Administrator.

### **10-7-3 SPECIAL USES**

The following uses may be permitted in the OT district, subject to the issuance of a special use permit as provided in section 10-11-11 of this code and subject to the additional standards set forth in this section.

1. Planned unit developments, but only subject to the special procedures and standards set forth in section 10-11-12 of this code.
2. Retail Business Uses
  - a. Pet shops
  - b. Building materials and garden supply stores
3. Service Uses
  - a. Laundromats / dry-cleaning, without on-site processing
  - b. Hotels and motels
  - c. Funeral homes
  - d. Parcel pick-up and delivery services
4. Health, Medical, and Care Facilities
  - a. Convalescent homes, day care facilities, and nursing homes
  - b. Nursery schools
  - c. Medical laboratories
  - d. Health treatment centers

- e. Medical offices
- 5. Public and Utility Uses, except those uses exempt under section 10-1-3
  - a. Fire stations
  - b. Government offices
  - c. Police stations
  - d. Post offices
  - e. Forest preserves, nature preserves and sanctuaries
  - f. Radio and television broadcasting facilities
  - g. Railroad stations
  - h. Utility substations
  - i. Sewage treatment and distribution facilities
  - j. Water treatment and distribution facilities
  - k. Water wells, reservoirs, towers, and storage facilities
- 6. Educational Uses
  - a. Barber and beauty schools
  - b. Business and technical schools
  - c. Personnel training centers
  - d. Trade and vocational schools
  - e. Colleges and universities
- 7. Cultural, Recreational, and Entertainment Uses
  - a. Clubs, lodges, and fraternal organizations
  - b. Dance halls and studios
- 8. Assembly uses pursuant to section 10-8-5 of this code.
- 9. Similar and Compatible Uses. Other uses that are similar and compatible to those allowed as special uses in the OT District, as determined by the Zoning Administrator.

#### 10-7-4 USE LIMITATIONS

- A. Site Plan Review. Any exterior construction of a non-residential use, change in a nonresidential use, or increase in the intensity of an existing nonresidential use in the OT District, excluding normal repair and maintenance activities, shall require site plan review in accordance with section 10-11-14 of this code.
- B. Operation within an Enclosed Structure. All business, service, storage, and display of goods shall be conducted within completely enclosed structures, except for the following:
  - 1. Agricultural uses subject to section 10-8-6 of this code.
  - 2. Off-street parking and loading.



3. Temporary outdoor seating areas accessory to bars, restaurants, and taverns, subject to a temporary use permit, and permanent outdoor seating areas accessory to bars, restaurants, and taverns pursuant to a special use permit.
  4. Refuse disposal area, subject to section 10-8-1 of this code.
  5. Sale or display of merchandise sold or offered for sale through vending machines, provided the machines do not occupy an aggregate ground area of more than 16 square feet.
  6. Accessory uses, subject to section 10-8-1 of this code.
  7. Temporary uses, subject to section 10-8-3 of this code.
- C. Exterior of Buildings. No exterior wall of any building in the OT District shall be constructed using any of the following materials: wrinkled aluminum, flat concrete masonry, masonry cinder block, or plastic or similar materials.

#### **10-7-5 DISTRICT REGULATIONS**

- A. Accessory Structures and Uses. Accessory structures and uses are subject to the provisions of section 10-8-1 of this code.
- B. Temporary Uses. Temporary uses are subject to the provisions of section 10-8-3 of this code.
- C. Home Occupations. Home occupations are subject to the provisions of section 10-8-2 of this code.
- D. Antennas and Support Structures. Antennas and support structures are subject to the provisions of section 10-8-7 of this code.
- E. Site Development Regulations. The site development regulations applicable in the OT district, including parking, signs, fencing, landscaping, trees, lighting, storm water, utilities, access ways, and performance standards are set forth in chapters 8 and 9 of this title, and in the Village Code.
- F. Agricultural Uses. Agricultural uses are subject to the provisions of section 10-8-6 of this code.

#### **10-7-6 BULK, SPACE, AND YARD REQUIREMENTS**

- A. Requirements. The building height, lot area, setback, lot coverage, lot width, and floor area ratio (FAR) requirements applicable in the OT District are set forth in the table on the following page. Where the Village has approved specific bulk, space, and yard requirements for developments existing as of the date of approval of this code that are different than the otherwise applicable district requirements, those special requirements will apply. Thus, owners of land subject to special zoning or annexation approvals or private covenants, conditions, or restrictions should consult these approvals to determine whether

supplemental or more restrictive regulations will apply. Footnote references appear in subsection B of this section at the end of the table.

	OT
Minimum District Area	1 acre
Minimum Lot Area ( <i>note 1</i> )	8,712 s.f.
Minimum Lot Width at frontage ( <i>note 1</i> )	66
Minimum Lot Depth ( <i>note 1</i> )	132
Maximum Lot Coverage for all buildings	40% of lot area
Maximum Floor Area Ratio for all buildings	40% of lot area
Maximum Principal Building Height ( <i>note 2</i> )	35
Maximum Accessory Building Height ( <i>note 2</i> )	20
Minimum Front and Corner Side Yard Setback ( <i>note 3</i> )	15 (buildings)
	10 feet (off street parking and loading)
Minimum Interior Side Yard Setback ( <i>note 4</i> )	10 feet (buildings)
	5 feet (off street parking and loading or accessory structure)
Minimum Rear Yard Setback ( <i>note 4</i> )	15 feet (buildings)
	5 feet (off street parking and loading or accessory structure)

B. Notes.

1. Minimum Lot Size. Existing lots that are less than 8,712 square feet in area or do not meet the minimum lot width and/or depth requirements and were platted before 1960 are buildable nonconforming lots of record, provided that said lots are not reduced in size or altered to increase their nonconformity. Nonconforming lots of record may be built in compliance with all other bulk, space and yard requirements.
2. Height Exceptions. Agricultural buildings and religious steeples and towers may exceed the maximum permitted height as set forth in section 10-8-6 (agricultural buildings) and section 10-8-5 (assembly uses) of this code.
3. Front Yard Setback Exception in the OT District. Where fifty (50) percent or more of the lots on one side of a street between two intersecting streets are developed with buildings that do not conform to the required front yard setback; the required building setback may be adjusted as follows:
  - a. Where a building is to be erected on a parcel of land that is within one-hundred (100) feet of existing buildings on both sides, the minimum required front yard building setback shall be a straight line

drawn between the two closest front corners of the adjacent buildings on the two sides, or

- b. Where a building is to be erected on a parcel of land that is within one-hundred (100) feet of an existing building on one side only, such building may be erected at the same or greater setback as the existing adjacent building.
4. Special Setback Abutting Residential District. Where a lot line abuts a Residential Zoning District, the off-street parking and loading areas shall be setback a minimum of 10 feet from the abutting lot line.