

## CHAPTER 8 - THE RESIDENTIAL DISTRICT REQUIREMENTS

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#### 9-8-1 General Purpose Statement.

The residential districts set forth herein are established to perpetuate the existing high quality residential character of the Village by preserving established neighborhoods while encouraging new residential development. Taken together, the residential districts blend to provide a broad range of housing alternatives.

#### 9-8-2 General Cross-reference Guide for Additional Regulations.

- A. Land Use Interpretation. All applications for a permitted or special use which are not listed in Table 9-8-3.1 (The Residential District Use Matrix) shall be submitted to the Zoning Official for a use interpretation pursuant to the standards and procedures set forth in Section 9-4-8 (Administrative Interpretations).
- B. Temporary Uses. Certain temporary uses are permitted in the residential districts subject to the provisions of Section 9-14-13 (Temporary Uses) and the securing of a temporary use permit pursuant to Section 9-4-10 (Temporary Use Permit).
- C. Parking and Loading. The parking and loading requirements applicable in the residential districts are set forth in Chapter 16 (Off-Street Parking and Loading).
- D. Signs. Sign regulations applicable in the residential districts are set forth in Chapter 18 (Signs).
- E. Erosion and Sedimentation Control. Requirements relating to erosion and sedimentation control in the residential districts are set forth in Chapter 6 (General Provisions).
- F. Performance Standards. Requirements relating to performance standards in the residential districts are set forth in Chapter 15 (Performance Standards).
- G. Landscaping and Screening. Requirements relating to landscaping, screening, and buffering in the residential districts are set forth in Chapter 17 (Landscaping and Screening).

- H. Fences. Requirements relating to fences in the residential districts are set forth in Chapter 14 (Specific Use Provisions).
- I. Nonconforming Lots. Requirements relating to nonconforming lots in the residential districts are set forth in Chapter 5 (Nonconforming Uses and Structures).

### **9-8-3 Residential District Regulations.**

- A. Permitted Uses. The uses permitted in the residential districts established herein are listed in the Residential District Use Matrix set forth in Table 9-8-3.1 and shall be considered permitted as of right, subject to any limitations therein, this Title, or other Village Title, and the securing of a Zoning Certificate.
- B. Special Uses. The uses allowed as special uses in the residential districts established herein are listed in the Residential District Use Matrix set forth in Table 9-8-3.1 and may be allowed subject to any limitations therein, this Title, or other Village Title, and the securing of a special use permit pursuant to Section 9-4-5 (Special Use Permits).
- C. Accessory Uses. Accessory uses, buildings and structures customarily incidental to and commonly associated with a principal use may be permitted, subject the provisions of Chapter 14 (Specific Use Provisions) and any limitation contained herein. Specifically permitted or allowed accessory uses, buildings and structures are listed in Table 9-8-3.2 (Residential District Accessory Use Matrix).
- D. Bulk Regulations. Subject to the limitations contained therein and elsewhere in this Title, the bulk regulations that apply to the Residential Districts are listed in Table 9-8-3.3 (The Residential District Bulk Matrix).
- E. Prohibited Uses. Uses not listed as permitted or special uses in the Residential District Use Matrix set forth in Table 9-8-3.1 are hereby strictly prohibited.

### **9-8-4 E-1 Estate Residential District.**

- A. Purpose. The E-1 Estate Residential District is hereby established to provide lands for large lots, single-family residential uses which are the optimum use because of location, topography, soil characteristics, wetness, vegetation, or other natural or man-induced factors and where portions of the land may be kept open to protect and conserve hilly areas, wetlands, prairies, wooded regions, and other unique areas for the public benefit and perpetuation of the diversity of natural Eco-systems. The E-1 District is also established to provide the opportunity to keep horses, or other large animals, and the right to practice in a limited manner agriculture, floriculture, horticulture, silvaculture, cultivation of field or garden crops, and similar related activities, but within the limits of smaller lots.
- B. Policy. To achieve the purpose of the E-1 Residential District, it shall be the policy of the Village to:
  - 1. Foster uses where adequate police and fire protection is available;
  - 2. Allow a minimum two and one-half acre lot for single-family residential use and other permitted compatible uses where each domicile may be served by an on-site sewage disposal system; and

3. Zone E-1 lands least adaptable for sustained long-term agriculture uses and /or least suitable for dense urbanized development because of location, topography, geology, soil types, hydrologic characteristics, or other natural features of the land.

**9-8-5 R-1 Single Family Residential District.**

- A. Purpose. The R-1 Residential Zoning District is hereby established to provide for an environment of predominantly large lot single-family dwellings with certain additional compatible uses that serve the residents living in the districts. The R-1 District is also established to implement the intent and policy for residential districts by providing a net density of less than one and nine one-hundredths (1.09) units per acre; where provisions for compatible community facilities and services are available or can be made available in the near future or where location or physical characteristic of the property are uniquely suited to residential lots of one acre.
- B. Policy. To achieve the purpose of the R-1 Residential District, it shall be the policy of the Village to:
  1. So locate R-1 Districts to other districts nearby or adjacent to available Municipal police and fire protection so as to protect these residential areas from the danger of fire, explosion, or noxious fumes and the irritations of offensive odors, noise, smoke, vibrations, glare, or other threats to health and well being unless the property possesses exceptional characteristics or an exceptional location making it unusually suitable for one acre residential purposes; and
  2. So locate R-1 Districts where paved roads meeting current Village standards may serve the residents providing convenience and safety in transportation; where mobility is not impeded and where hazards and the intensity or potential for accidents are avoided or minimized.

**9-8-6 R-2 Single Family Residential District.**

- A. Purpose. The R-2 Residential District is hereby established to provide for an environment of predominantly single-family dwellings with certain additional compatible uses, which serve the residents living in the Districts. The R-2 District is also established to implement the purpose and intent for residential districts by providing a net density not greater than two and eighteen one-hundredths (2.18) units per acre; where provision for compatible community facilities and services are available or can be made available in the near future.
- B. Policy. To achieve the purpose of the R-2 Residential District, it shall be the policy of the Village to:
  1. So locate R-2 Districts to other districts nearby or adjacent to available Municipal police and fire protection so as to protect these residential areas from the danger of fire, explosion, or noxious fumes and the irritations of offensive odors, noise, smoke, vibrations, glare, or other threats to health and well being;
  2. So locate R-2 Districts where paved roads meeting current Village standards may serve the residents providing convenience and safety in transportation; where mobility is not impeded and where hazards and the intensity or potential for accidents are avoided or

minimized; and

3. So locate R-2 Districts near to present or future mass transit facilities to lessen or avoid congestion in public streets and highways.

**9-8-7 R-3 Single Family Residential District.**

**A. Purpose.** The R-3 Residential District is hereby established to provide for an environment of predominantly single-family dwellings with certain additional compatible uses that serve the residents living in the Districts. The R-3 District is also established to implement the purpose and intent for residential districts by providing a net density not greater than two and nine-tenths (2.9) units per acre; where provision for compatible community facilities and services are available or can be made available in the near future.

**B. Policy.** To achieve the purpose of the R-3 Residential District, it shall be the policy of the Village to:

1. So locate R-3 Districts to other districts nearby or adjacent to available Municipal police and fire protection so as to protect these residential areas from the danger of fire, explosion, or noxious fumes and the irritations of offensive odors, noise, smoke, vibrations, glare, or other threats to health and well being.
2. So locate R-3 Districts where paved roads meeting current Village standards may serve the residents providing convenience and safety in transportation; where mobility is not impeded and where hazards and the intensity or potential for accidents are avoided or minimized.
3. So locate R-3 Districts near to present or future mass transit facilities to lessen or avoid congestion in public streets and highways.

**9-8-8 R-4 Single Family Residential District.**

**A. Purpose.** The R-4 Residential District as hereby established to provide for an environment of predominantly single-family dwellings with certain additional compatible uses which serve the residents living in the Districts. The R-4 District is also established to implement the purpose and intent for residential districts by providing a net density not greater than three and fortyeight one-hundredths (3.48) units per acre; where provision for compatible community facilities and services are available or can be made available in the near future.

**B. Policy.** To achieve the purpose of the R-4 Residential District, it shall be the policy of the Village to:

1. So locate R-4 Districts to other districts nearby or adjacent to available Municipal police and fire protection so as to protect these residential areas from the danger of fire, explosion, or noxious fumes and the irritations of offensive odors, noise, smoke, vibrations, glare, or other threats to health and well being;
2. So locate R-4 Districts where paved roads meeting current Village standards may serve the residents providing convenience and safety in transportation; where mobility is not impeded and where hazards and the intensity or potential for accidents are avoided or minimized; and

3. So locate R-4 Districts near to present or future mass transit facilities to lessen or avoid congestion in public streets and highways.

**9-8-9 R-5 Single Family Residential District.**

- A. Purpose.** The R-5 Residential District is hereby established to provide for an environment of predominantly single-family dwellings with certain additional compatible uses that serve the residents living in the Districts. The R-5 District is also established to implement the purpose and intent for residential districts by providing a net density not greater than five and eight-tenths (5.8) units per acre; where provision for compatible community facilities and services are available or can be made available in the near future.

The R-5 District is intended to preserve existing R-5 zoned neighborhoods, while at the same time, facilitate development in and around those same neighborhoods. The R-5 District shall not be used to facilitate future developments.

- B. Policy.** To achieve the purpose of the R-5 Residential District, it shall be the policy of the Village to:

1. So locate R-5 Districts to other districts nearby or adjacent to available Municipal police and fire protection so as to protect these residential areas from the danger of fire, explosion, or noxious fumes and the irritations of offensive odors, noise, smoke, vibrations, glare, or other threats to health and well being;
2. So locate R-5 Districts where paved roads meeting current Village standards may serve the residents providing convenience and safety in transportation; where mobility is not impeded and where hazards and the intensity or potential for accidents are avoided or minimized;
3. So locate R-5 Districts near to present or future mass transit facilities to lessen or avoid congestion in public streets and highways; and
4. So locate R-5 Districts solely to preserve existing R-5 neighborhoods and allow development in and around existing R-5 neighborhoods.

**9-8-10 R-6 Multiple Family Residential District.**

- A. Purpose.** The R-6 Residential District is hereby established to permit existing multi-family developments and to provide an environment for new developments of predominantly attached, semi-attached and two-family dwellings with certain additional compatible uses that serve the residents living in the District. The R-6 District is also established to implement the purpose and intent for residential districts by providing an appropriate density where provision for compatible community facilities and services are available or can be made available in the near future.

- B. Policy.** To achieve the purpose of the R-6 District, it shall be the policy of the Village to:

1. So locate R-6 Districts to other districts where Municipal police and fire protection are provided so as to protect these residential areas from the dangers of fire, explosion, or noxious fumes and the irritations of offensive odors, noise, smoke, vibrations, glare, or other threats to health and well being;

2. So locate R-6 Districts where paved roads meeting current Village standards may serve the residents providing convenience in transportation, mobility, and where hazards and the intensity or potential for accidents to both local and through traffic are lessened or avoided; and
3. So locate R-6 Districts near present mass transit facilities to lessen or avoid congestion in public streets and highways.

**Table 9-8-3.1 Residential District Use Matrix.**

USES	E-1	R-1	R-2	R-3	R-4	R-5	R-6 <sup>(1)</sup>
Assisted living facilities							S
Cemeteries	S	S					
Community centers - public	P	P	P	P	P	P	P
Country Clubs, golf courses, tennis clubs, swim clubs, and other outdoor recreational facilities	S	S	S	S	S	S	S
Dwellings - single-family detached	P	P	P	P	P/S <sup>(2)</sup>	P	
Dwellings - two-family							P
Dwellings - multiple-family attached and semi-attached (not exceeding 4 units per building)							P
Dwellings - multiple-family attached and semi-attached (not exceeding 8 units per building)							S
Dwellings - multiple family							S
Government buildings	P	P	P	P	P	P	P
Hospitals, clinics, and sanitariums							S
Kennels	S <sup>(3)</sup>						
Libraries - public		P	P	P	P	P	
Municipal buildings & utilities	P	P	P	P	P	P	P
Nurseries and greenhouses (wholesale only)	S						
Parks and playgrounds - public	P	P	P	P	P	P	P
Places of worship	P <sup>(4)</sup>	P <sup>(4)</sup>					
Planned developments	S	S	S	S	S	S	S
Public transportation centers and railroad R.O.W. (no rail yards or shops)	S	S	S	S	S	S	S
Public Utilities	S	S	S	S	S	S	S
Residential care homes							
Small	P	P	P	P	P	P	P
Large	S					S	P
Schools - public and private	P	P	P	P	P	P	P
P = Permitted / S = Special Use Permit Required							

1. Residential developments having a net density greater than 7.5 units per acre may be approved through the Special Use process.
2. Single family homes on lots less than 12,500 square feet or on lots having less than 90 feet in frontage, existing of record at the time this Title becomes effective, may be approved through the Special Use process provided that the lot area approved is not less than 10,000 square feet and the minimum frontage approved is not less than 80 feet.
3. Owners shall reside on the same premises as the kennel and nuisance abatement controls shall be in place prior to the issuance of the Special Use Permit.
4. The use shall be located on a primary or secondary street or thoroughfare.

**Table 9-8-3.2 Residential Districts Accessory Use Matrix.**

ACCESSORY USES	E-1	R-1	R-2	R-3	R-4	R-5	R-6
Accessory uses customary and incidental to a permitted or special use	P	P	P	P	P	P	P
Additional detached accessory structure designed and intended to store automobiles	S	S	S	S	S	S	S
Additional detached accessory structure designed and intended domestic storage	S	S	S	S	S	S	S
Garages and carports	P	P	P	P	P	P	P
Gardening and farming (no poultry or livestock)	P <sup>(1)</sup>						
Greenhouses and other facilities for raising plants and vegetables	P <sup>(1)</sup>						
Home occupations (See 9-14-4)	P	P	P	P	P	P	P
Horses	P <sup>(2)</sup>	P <sup>(2)</sup>					
Household pets - exclusive to resident	P	P	P	P	P	P	P
Real estate signs (see also chapter 18 )	P	P	P	P	P	P	P
Retail Grocery							S <sup>(3)</sup>
Swimming pools	P <sup>(1)</sup>						
P = Permitted / S = Special Use Permit Required							

1. The accessory use shall be for the sole enjoyment and benefit of the residents of the premises. No commercial activity shall be permitted.
2. The accessory use shall be limited to one horse per one acre. All horses shall be housed in a barn and the barn shall be located at least 100 feet from any property line. Furthermore, horses shall not be grazed in any front or side yard.
3. The retail grocery shall supply commodities on the premises and shall be incidental and accessory to a residential permitted or special use.

**Table 9-8-3.3 Residential District Bulk Matrix.**

**R-6 Multiple-Family Residence District Dwelling Unit Size Matrix**

R-6 Multiple-Family Residence District	
Dwelling Unit Type	Minimum Size of Dwelling Unit
Efficient unit	1,000 sq. ft.
One Bedroom	1,100 sq. ft.
Two Bedroom	1,200 sq. ft.
Three Bedroom	1,400 sq. ft.
Each additional bedroom unit over three	150 sq. ft.

**Table 9-8-3.3 Residential District Bulk Matrix (continued).**

Development Standards	Districts						
	E-1	R-1	R-2	R-3	R-4 <sup>(6)</sup>	R-5	R-6
<b>Min. Lot Size</b>	2.5 acres	40,000 sq. ft.	20,000 sq. ft.	15,000 sq. ft.	12,500 sq. ft. <sup>(3)</sup>	7,500 sq. ft.	6,250 sq. ft. <sup>(5)</sup> per D/U
<b>Min. Lot Frontage<sup>(8)</sup></b>	200 ft.	120 ft.	100 ft.	100 ft.	90 ft. <sup>(3)</sup>	60 ft.	90 ft. for 2 unit bldgs. & 120 ft. for 4 unit bldgs.
<b>Yards</b>							
Front	50 ft.	40 ft.	35 ft.	35 ft.	30 ft.	30 ft.	30 ft.
Side	20 ft. or 10% of lot frontage <sup>(1)</sup>	12 ft. or 10% of lot frontage <sup>(1)</sup>	10 ft. or 10% of lot frontage <sup>(1)</sup>	10 ft. or 10% of lot frontage <sup>(1)</sup>	10 ft. or 10% of lot frontage <sup>(1)</sup>	5 ft. or 10% of lot frontage <sup>(1)</sup>	15 ft.
Rear	40 ft.	40 ft.	40 ft.	30 ft.	30 ft.	25 ft.	40 ft.
<b>Max Height</b>							
Principal	35 ft.	35 ft.	3 stories or 35 ft.				
Accessory							
<i>detached garages</i>	20 ft.	20 ft.	15 ft.	15 ft.	15 ft.	15 ft.	15 ft.
<i>other structures<sup>(7)</sup></i>	15 ft.	15 ft.	12 ft.	12 ft.	12 ft.	12 ft.	12 ft.
<b>Floor Area Ratio</b>	0.3	0.3	0.3	0.5	0.5	0.3	0.7
<b>Minimum Size of Dwelling Unit</b>	*2,000sqft. **2,200sqft. (2)	*2,000 sqft. **2,200sqft. (2)	*2,000sqft. **2,200sqft. (2)	*1,800 sqft. **2,000sqft. (2)	*1,800sqft. **2,000sqft. (2)	*1,400 sqft. **1,600sqft. (4)	see chart above
<b>Maximum Permitted Density</b>	n/a	n/a	n/a	n/a	n/a	n/a	7.5 units per acre (net)

\* = Ranch and Split Levels      \*\* = 2-Story

1. The side yard required will be the greater of the two development standards provided above.
2. This figure represents floor area, exclusive of garages and any story below grade. All residential units shall be required to have an attached garage with the minimum space to accommodate the parking requirements set forth in Chapter 17, Section 9-17-7 (Specific Requirements).
3. Through the Special Use process the minimum lot size and the minimum frontage requirement may be reduced to 10,000 square feet and 80 feet respectively, provided circumstances warrant approval of the Special Use permit.
4. This figure represents floor area, exclusive of garages and any story below grade. All residential units shall be required to have an attached garage with the minimum space to accommodate one passenger automobile.
5. This standard may be increased through the Special Use process, provided circumstances warrant approval of the Special Use permit.
6. Accessory uses and structures located on substandard lots in the R-4 District may be setback from a side or rear property line a minimum of five feet, provided such accessory uses conform to all other requirements relating accessory uses set forth in this Title.
7. Flag Poles may be allowed to a height of thirty feet.
8. Where lots front upon a cul-de-sac or curved road or street having a radius of two-hundred feet (200') or less, the minimum width of the frontage of the lot may be measured at the building line, with the width at said right-of-way line to be not less than fifty four feet (54') with said width being measured on the arc of the street right-of-way line.