Chapter 700 ZONING

ARTICLE 1 – GENERAL

Section 700-1.01 Title
Section 700-1.02 Authority
Section 700-1.03 Intent of the County Board
Section 700-1.04 Minimum Standards
Section 700-1.05 Specific to Apply over General
Section 700-1.06 Sever ability
Section 700-1.07 Application to Unincorporated Areas
Section 700-1.08 Liberal Construction
Section 700-1.09 Private Rights

ARTICLE 2 – EXEMPTED AREAS

Section 700-2.01 Certain Areas Exempted
Section 700-2.02 Agricultural Use Not Affected
Section 700-2.03 Utilities

ARTICLE 3 – DEFINITIONS

Section 700-3.01 Rules of Construction
Section 700-3.02 Definitions

ARTICLE 4 – ZONING DISTRICTS

Section 700-4.01 Zoning Districts
Section 700-4.02 Map
Section 700-4.03 Boundaries

ARTICLE 5 – AG-1 AGRICULTURAL DISTRICT REGULATIONS

Section 700-5.01 AG-1 District Intent
Section 700-5.02 Permitted Uses in an AG-1 District Section
Section 700-5.03 Uses by Special Permit in an AG-1 District
Section 700-5.04 Minimum Lot Requirements
Section 700-5.05 Minimum Setback Requirements

ARTICLE 6 – B-1 DISTRICT REGULATIONS

Section 700-6.01 B-1 District Intent
Section 700-6.02 Permitted Uses in a B-1 District Section
Section 700-6.03 Uses by Special Permit in a B-1 District
Section 700-6.04 Minimum Lot Requirements
Section 700-6.05 Minimum Setback Requirements

ARTICLE 7 – C-1 DISTRICT REGULATIONS

Section 700-7.01 C-1 District Intent
Section 700-7.02 Permitted Uses in a C-1 District Section
Section 700-7.03 Uses by Special Permit in a C-1 District
Section 700-7.04 Minimum Lot Requirements
Section 700-7.05 Minimum Setback Requirements

ARTICLE 8 – I-1 DISTRICT REGULATIONS

Section 700-8.01 I-1 District Intent
Section 700-8.02 Permitted Uses in I-1 District Section
Section 700-8.03 Uses by Special Permit in I-1 District
Section 700-8.04 Minimum Lot Sizes
Section 700-8.05 Minimum Setback Requirements

ARTICLE 9 – I-2 DISTRICT REGULATIONS

Section 700-9.01 I-2 District Intent
Section 700-9.02 Permitted Uses in I-2 District Section
Section 700-9.03 Uses by Special Permit in I-2 District
Section 700-9.04 Minimum Lot Requirement
Section 700-9.05 Minimum Setback Requirements

ARTICLE 10 - AP-1 DISTRICT REGULATIONS

Section 70010.01 AP-1 District Intent
Section 700-10.02 Permitted Uses in an AP-1 District
Section 700-10.03 Uses by Special Permit in AP-1 District
Section 700-10.04 Minimum Lot Requirements
Section 700-10.05 Minimum Setback Requirements

ARTICLE 11 – R-1 DISTRICT REGULATIONS

Section 700-11.01 R-1 District Intent
Section 700-11.02 Permitted Uses in an R-1 District Section
Section 700-11.03 Uses by Special Permit in an R-1 District
Section 700-11.04 Minimum Lot Requirement
Section 700-11.05 Minimum Setback Requirements

ARTICLE 12 – R-2 DISTRICT REQUIREMENTS

Section 700-12.02 R-2 District Intent
Section 700-12.02 Permitted Uses in an R-2 District Section
Section 700-12.03 Uses by Special Permit in an R-2 District
Section 700-12.04 Minimum Lot Requirements
Section 700-12.05 Minimum Setback Requirements

ARTICLE 13 – REC-1 DISTRICT REQUIREMENTS

Section 700-13.01 REC-1 District Intent
Section 700-13.02 Permitted Uses in a REC-1 District Section
Section 700-13.03 Uses by Special Permit in a REC-1 District
Section 700-13.04 Minimum Lot Requirements
Section 700-13.05 Minimum Setback Requirements

ARTICLE 14 – MHP-1 DISTRICT REQUIREMENTS

Section 700-14.01 Purpose
Section 700-14.02 Use Permit
Section 700-14.03 Acreage Required Section
Section700-14.04 Set Back Requirements
Section 700-14.05 Building Height Section
Section700-14.06 Signs
Section 700-14.07 Off-Street Parking and Loading Section
Section 700-14.09 Miscellaneous Conditions

ARTICLE 15 – SPECIAL REGULATIONS

Section 700-15.01 Special Regulations Apply to all Districts
Section 700-15.02 Residential Feature Protections
Section 700-15.03 Glare
Section 700-15.04 Explosives
Section 700-15.05 Vibration
Section 700-15.06 Refuse
Section 700-15.07 Traffic Visibility at Intersections
Section 700-15.08 Drainage
Section 700-15.09 Construction within Floodplain
Section 700-15.10 Parking
Section 700-15.11 Off-Street Loading and Unloading Requirements
Section 700-15.12 Signs – Miscellaneous Requirements
Section 700-15.13 Minimum Residential Floor Area
Section 700-15.14 Manufactured Housing
Section 700-15.15 Non-Conforming Lots
Section 700-15.16 Separation of Buildings
Section 700-15.17 Conservation of Natural Features and Amenities
Section 700-15.18 Basement Homes
Section 700-15.19 Setback from Roadways
Section 700-15.20 Street Access
Section 700-15.21 Reserve (Flag) Lots
Section 700-15.22 Sewage Treatment and Water Supply
Section 700-15.23 Home Occupations

ARTICLE 16 – PLANNED RESIDENTIAL DEVELOPMENT

Section 700-16.01 Planned Residential Development

ARTICLE 17 – ZONING OFFICER

Section 700-17.01 Appointment
Section 700-17.02 Duties

ARTICLE 18 – ZONING BOARD OF APPEALS

Section 700-18.01 Establishment of Zoning Board of Appeals
Section 700-18.02 Duties
Section 700-18.03 Zoning Board of Appeals – Appeals
Section 700-18.04 Appeal Process

ARTICLE 19 – VARIANCES

Section 700-19.01 Variances
Section 700-19.02 Exhibits Required.
Section 700-19.03 Application Procedure.
Section 700-19.04 Variance of Ten Percent or less.
Section 700-19.05 Standards for Granting Variances
Section 700-19.06 Reapplication

ARTICLE 20 – NON-CONFORMING STRUCTURES AND USES

Section 700-20.01 Non-Conforming Structures and Uses

ARTICLE 21 – SPECIAL USE PERMITS

Section 700-21.01 Special Use Permits
Section 700-21.02 Exhibits Required.
Section 700-21.03 Application Procedure
Section 700-21.04 Standards for Granting Special Use Permits Section
Section 700-21.05 Noncompliance/Revocation of Special Use Permit
Section 700-21.06 Reapplication

ARTICLE 22 – TEMPORARY USE PERMITS

Section 700-22.01 Temporary Use Permit
Section 700-22.02 Exhibits Required
Section 700-22.03 Application Procedure
Section 700-22.04 Fee

ARTICLE 23 – AMENDMENTS

Section 700-23.01 Amendments
Section 700-23.02 Initiating an Amendment
Section 700-23.03 Procedure to Initiate Amendment
Section 700-23.04 Exhibits Required
Section 700-23.05 Application Procedure
Section 700-23.06 Reapplication

ARTICLE 24 – VIOLATIONS

Section 700-24.01 Fines and Separate Offenses
Section 700-24.02 Service of Complaint Section
Section 700-24.03 Civil Suits Authorized
Section 700-24.04 Fines for Building Agricultural Structures without permit

Chapter 700 ZONING

ARTICLE 1 – GENERAL

Section 700-1.01 Title
This ordinance, including the Zoning Use Districts Map, shall be known as the Carroll County Amendatory Zoning Ordinance and shall be construed to amend and re-codify the zoning ordinance in effect in the County of Carroll on the date of its adoption.

Section 700-1.02 Authority
The amendatory ordinance is established pursuant to the authority granted by the General Assembly to the County Board under the Counties Code (55 ILCS 5/1-1001 et seq.)

Section 700-1.03 Intent of the County Board
It is the Intention of the County Board in adopting this ordinance:

(a) To promote the public health, safety, convenience, comfort and welfare;
(b) To conserve the value of properties throughout the county;
(c) To protect the character and the stability of existing residential, agricultural, business and industrial use in accordance with long range plans for land use approved by the County Board;
(d) To promote the orderly and beneficial development of new areas for residential, business and industrial use in accordance with long range plans for land use approved by the County Board;
(e) To lessen or avoid the hazards to persons and damage to property resulting from the accumulation or runoff of storm or flood waters;
(f) To preserve and protect areas of significant natural, cultural or historical value;
(g) To provide a simple and expedient procedure by which land use may be regulated and violations of this ordinance may be remedied.

Section 700-1.04 Minimum Standards
The requirements of this ordinance shall constitute the findings of the County Board as to the minimums required in order to serve the intent of the County Board as set forth in Section 700-1.03.

Section 700-1.05 Specific to Apply over General
Where a regulation of this ordinance may conflict with a regulation imposed by another ordinance of the County of Carroll, the more specific provision of either shall apply over the more general.

Section 700-1.06 Severability
Should any provision of this ordinance be found invalid for any reason or should any provision of this ordinance be stricken by an act of the County Board, the remainder of this ordinance shall remain effective as if the subject provision had never been included in this ordinance.

Section 700-1.07 Application to Unincorporated Areas
This ordinance shall apply to the unincorporated area of the county and to any municipality in the county that elects to use it.

Section 700-1.08 Liberal Construction
The provisions of this ordinance shall be liberally construed to protect the right of the property owner to use his land in a manner consistent with the basic requirements of the public health, safety and welfare.

Section 700-1.09 Private Rights
The ordinance is not intended to abrogate any easement, covenant, or other private agreement, provided that where the regulations of this ordinance are more restrictive or impose higher standards or requirements than such private agreement, the regulation of this ordinance shall govern.

ARTICLE 2 – EXEMPTED AREAS

Section 700-2.01 Certain Areas Exempted
The only provisions within this ordinance which shall apply to or have any control over lands owned by or under option to the developer of a recreational development area, any portion of which had been platted or subdivided as of June 11, 1973 and which had on file as of a preliminary master plan, are sections 14.02, 14.03, 14.04, 14.05, 14.06, 14.07, 14.08, 14.09,
14.10, 14.11, 14.12, 14.13, 14.14, 14.15, 14.16, 14.17, 14.18, 16.01, 16.02, 16.03, 16.04, 16.05, 17.01, 17.02, 18.01, 18.02, 18.03, 18.04, 19.01, 19.02, 19.03, 19.04, 19.05, 20.01, 21.01, 21.02, 21.03, 21.04, 21.05, 23.01, 23.02, 23.03, 23.04, 23.05, 24.01, 24.02, 24.03, 24.04

Section 700-2.02 Agricultural Uses Not Affected
Nothing contained within this ordinance shall prevent the use of the land for agricultural purposes; however, the roadway setback regulations contained in this ordinance shall apply to all agricultural structures.

Section 700-2.03 Utilities
Nothing contained within this ordinance shall have any control over the type or location of any poles, towers, wires, cables, conduits, vaults, laterals or any other similar distributing equipment of a public utility as defined in "An Act Concerning Public Utilities" enacted by the General Assembly of the State of Illinois, except certain facilities of the telecommunications carriers shall be located only with the provisions of Section 5-12001.1 of the Counties Code [55 ILCS 5/5-12001.1].

ARTICLE 3 – DEFINITIONS

Section 700-3.01 Rules of Construction

This ordinance shall be interpreted in accordance with the following rules, except when the context clearly indicates otherwise.

(a) Words used in the present tense shall include the future.
(b) Words used in the singular shall include the plural and the singular.
(c) The word "shall" is mandatory and not merely directory.
(d) The word "may" is permissive.

Section 700-3.02 Definitions

Accessory Building or Use – Any subordinate building or use which is customarily incident to the principal building or use and which is located on the same lot as such principal building or use.

Agricultural Structures and Agricultural Use – Any structure or use principally devoted to one of the following: the growing of farm crops, truck garden crops, animal and poultry husbandry, apiculture, aquaculture, dairying, floriculture, horticulture, nurseries, pasturage, viticulture, greenhouses (wholesale); and accessory uses customarily incidental to agricultural activities. A dwelling is not an agricultural dwelling unless a substantial portion of the income of the resident is derived from agriculture.

Agricultural Tenant – One who leases land or its structures for the purposes of agricultural pursuits as defined under agriculture.

Alley – A public right-of-way usually 16 to 20 feet wide that normally affords a secondary means of assess to abutting property.

Auto Salvage Yard - Any establishment or premises used for storing, buying, or selling wrecked, ruined, dismantled, or inoperative motor vehicles or their parts. These sites are typically regulated as commercial, industrial, or scrap operations requiring specific fencing and zoning. Also known as an "automobile graveyard"

Auxiliary (Accessory) Dwelling Unit (ADU) – A subordinate, self-contained residential unit with permanent provisions for sleeping, cooking, sanitation, and living, located on the same lot as a lawful principal dwelling or farmstead. Includes attached, internal/converted (e.g., upper story, basement, or attached garage), and detached forms.

Automobile Service Station – A building designed primarily for the supplying of motor fuel, oil, lubrication, and accessories to motor vehicles.

Energy Storage System (ESS) - a facility with an aggregate energy capacity that is greater than 1,000 kilowatts and that is capable of absorbing energy and storing it for use at a later time, including, but not limited to, electrochemical and electromechanical technologies.

Bed and Breakfast – An owner-occupied residence providing accommodations for a charge to the public with no more than 5 guest rooms for rent, in operation for MORE than 10 nights in a 1-year period. The term bed and breakfast shall not include guest house/home, motels, hotels, boarding houses, or food service establishments.

Berm – A mound of earth or the act of pushing earth into a mound.

Billboard – An advertising sign located off the premises where the advertised product is sold or offered. It is usually but not necessarily owned by an advertising agency.

Buildable Area – The space remaining on a lot after the minimum open space requirements have been met (setbacks and side yard, buffer zones, etc.)

Building – Any structure built for the support, shelter or enclosure of persons, animals, chattels, or movable property of any kind, and which is permanently affixed to the land.

Building, Non-conforming – A building so constructed or so located on a lot that it does not comply with the building requirements or with the minimum lot requirements of the district within which it is located.

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

Commerce – An enterprise that involves the offering of a product, service or entertainment for compensation.

Common Lots – two or more contiguous lots served by common water and sewage infrastructure.

Dwelling – A building, or portion thereof, designed or used predominantly for residential occupancy, including one family dwelling, two-family dwellings and multiple family dwellings, but not including hotels, motels, boarding or rooming houses, tourist homes or mobile homes (house trailers).

Dwelling, attached – One that is joined to another dwelling or building on one or more sides by a party wall or walls.

Dwelling, detached – One which is entirely surrounded by open space on the same lot.

Dwelling Unit – One or more rooms containing complete kitchen facilities, permanently installed, which are arranged, designed, used or intended for use exclusively as living quarters for one family and not more than an aggregate of two roomers or boarders.

Dwelling, one-family – A residential structure containing one dwelling unit only. **Dwelling, two-**

family (Duplex) – A residential structure two dwelling units only.

Dwelling, multiple-family (Apartment Building) – A building or portion thereof containing three or more dwelling units but not including a motel, or rooming house.

Family – Two or more persons related by blood, marriage, or adoption or a group of not more than five persons not so related, maintaining a common household in a dwelling unit.

Financial Assurance – Reasonable assurance from a credit worthy party, examples of which include a surety bond, trust instrument, cash escrow, or irrevocable letter of credit.

Floor Area – The sum of the gross horizontal areas of the several floors of a building or buildings – measured from the exterior faces of buildings. In particular, "floor area" shall include:

(a) Basement space if at least one-half of the basement story is above established curb level, or where the curb level has not been established, above the average level of the finished grade.
(b) Elevator shafts and stairwells at each floor.
(c) Attic floor space where the structural headroom exceeds seven and one-half feet.
(d) Enclosed porches, but not terraces and breezeways.
(e) Accessory uses, other than floor space devoted exclusively to accessory off-street parking or loading.

Floor Area Ratio (FAR) – The total floor area on a zoning lot divided by the area of that zoning lot.

Frontage – The length of any one property line of a premises, which property line abuts a legally accessible street right-of-way.

Garage, private – An accessory building designed or used for the storage of not more than four motor-driven vehicles owned and used by the occupants of the building to which it is accessory.

Guest House/Home – A single-family dwelling rented out on a transient basis for the purpose of providing guest accommodations to the public for a charge.

Height of Building – The vertical distance from the average elevation of the finished lot grade at the front of the building to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to the average height between the plate and the ridge of a gable, hip or gambrel roof.

Home Occupation – Any occupation, profession, enterprise, or activity conducted on a property that is clearly incidental and subordinate to the principal residential or agricultural use of the premises and conducted entirely within a dwelling or permitted accessory structure.

Industry – An enterprise which involves the production processing or storage of materials, goods or products.

Landscape Screening – At the stated landscape screening setback, a row of vegetation (trees, hedges, bushes, etc.) sufficient to create a transition from one zoning district to another, and blocking unattractive uses, i.e., junkyards, gravel pits from view of other properties.

Livestock – Any animals bred or kept for use and/or commercial profit. Livestock shall include, but not be limited to cattle, horses, sheep, goats, swine, poultry, or any other domestic animals or foul which are raised for sale or use.

Loading Space" – An off-street space on the same lot with a building or continuous to a group of buildings for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, and which abuts on a street or other appropriate means of access.

Lot" – A piece, parcel or plot of land intended for building development or as a unit for transfer of ownership.

Lot, corner" – A lot situated at the intersection of two streets, the interior angle of such intersection

not exceeding 135 degrees.

Lot, double frontage – An interior lot having frontage on two streets. "Lot, interior" – A lot other than a corner lot.

Lot Area – The area of a horizontal plane bounded by the front, side, and rear lot line of a lot measured within the lot boundaries.

Lot Depth – The mean horizontal distance between the front line and the rear lot line of a lot measured within the lot boundaries.

Lot Width – The horizontal distance between the side lot lines measured at the building setback line.

Medical Cannabis Cultivation Center – Is to mean a facility operated by an organization or business that is registered by the IL State Department of Agriculture to perform necessary activities to provide only registered medical cannabis dispensing organizations with usable medical cannabis.

Medical Cannabis Dispensing Center – Is to mean a facility operated by an organization or business that is registered by the IL State Department of Financial and Professional Regulation to acquire medical cannabis from a registered cultivation center for the purpose of dispensing.

Mixed Use Building – A building in the Business (B-1) District which is primarily used in a business or commercial nature, but allowed by special permit to have a separate segregated portion dedicated to residential living space.

Mobile Homes and Manufactured Housing – A building assembly or system of building subassemblies, designed for habitation as a dwelling for one or more persons including the necessary electrical, plumbing, heating, ventilating and other service systems, which is of closed or open construction and which is made or assembled by a manufacturer, on or off the building site, for installation, or assembly and installation, on the building site. Synonymous with manufactured home.

Mobile Home Park – A lot, parcel or tract of land developed with facilities for accommodating two (2) or more mobile homes, only by non-transient dwellers remaining continuously for more than one month, whether or not a charge is made. It shall not include a sales lot in which unoccupied mobile homes located on a site in the mobile home park which are occupied or vacant for not more than ninety (90) days after occupancy may be sold or offered for sale.

Motel (Tourist Court) – A building or group of detached, semi-detached or attached buildings on a lot containing guest rooms or dwellings with garages or parking spaces conveniently located to each unit and which is designed, used or intended to be used primarily for the accommodation of automobile transients. Motels do not include hotels, boarding houses or mobile home courts.

Noxious Matter or Material – A material which is capable of causing injury to living organisms by chemical reaction, or is capable of causing detrimental effects on the physical or economic well-being of individuals.

Parking Space, automobile – A suitably surfaced and permanently maintained area off the public street right-of-way, either within or outside of a building of sufficient size to store one

standard automobile, but in no event less than 180 square feet, exclusive of passageways, driveways, or other means of circulation access.

Particular Matter – Dust, smoke or any other form of airborne pollution in the form of minute separate particles.

Planned Unit Development – A means by the County Board to vary from the lot requirements of the conventional zoning ordinance in order to provide a means of achieving greater flexibility in the development of land in a manner not possible in conventional zones, which encourages more innovative and imaginative design of projects.

Primary Structure – For each property, the structure that one or more persons occupy the majority of time on that property for either business or personal reasons. Primary Structure includes structures such as residences, commercial buildings, hospitals, schools, and day care facilities. Primary Structure excludes structures such as hunting sheds, storage sheds, pool houses, unattached garages and barns.

Professional Engineer – A qualified individual who is licensed as a professional engineer in a state in the United States.

Recreational Development Area – An area containing platted lots and recreational facilities (such as a lake or ski slope or swimming pool or tennis court or riding stable or golf course) which can be used by owners of lots within said area or any part thereof, and whether or not the usage of said recreational facilities is free or for a fee.

Refuse – All waste products resulting from human habitation, except sewage.

Residence – A building, which is used predominantly for permanent dwelling purposes. It may contain one or more housing units.

Roadside Stand – A structure for the display and sale of agricultural products, with no space for customers within the structure itself.

Roadway, arterial – Those roadways designated as arterial roadways on the Carroll County Comprehensive Plan and including those state and county highways which are part of the Federal Aid Secondary Highway System.

Roadway, collector – Those roadways designated as collector roadways on the Carroll County Comprehensive Plan and including those state and county highways which are part of the Federal Aid Secondary Highway System.

Roadway, local – Those township roads and county highways not designated as arterial or collector roadways on the Carroll County Comprehensive Plan.

Setback – The minimum horizontal distance between a building and the street centerline or property line, disregarding steps, unroofed porches and overhangs.

Sign – Any device for visual communication that is used for the purpose of bringing the subject thereof to the attention of the public, but not including any flag, badge, or insignia of any government or governmental agency, or of any civic, charitable, religious, patriotic, fraternal, or similar

organization. Such Device may be either stationary or movable.

Sign, advertising – A sign which directs attention to a commodity, service, or entertainment that is sold or offered either elsewhere or upon the premises where such sign is located, or to which it is affixed.

Sign, directional – A sign which is for the purpose of making specific commercial, industrial, or public or semi-public locations known and to assist in finding these locations.

Sign, identification – A sign which identifies a residential, commercial, industrial or public or semi-public use located upon the premises where such sign is located or affixed.

Sign, temporary – A sign which is erected or displayed for a limited period of time including any sign, banner, pennant, valance or display constructed of cloth, canvas, light fabric, cardboard, wallboard or other light material, with or without frames.

Solar Farm – Power station using photovoltaic modules and inverters for utility electricity generation.

Storey – That part of a building between the surface of a floor and the ceiling immediately above; however, a basement is not considered a storey.

Structure – Anything constructed, built or placed above ground, the use of which will require a semi-permanent or fixed location; Or that is built attached to something having such a location.

Toxic Matter or Material – Those materials which are capable of causing injury to living organisms by chemical means when present in relatively small amounts.

Transient Resident – Any person who occupies a Guest House/Home for less than thirty (30) consecutive days.

Travel Trailer – A vehicular portable structure built on a chassis designed to be used as a temporary dwelling for travel, recreation and vacation use.

Use – The purpose of activity for which the land or building thereon is designed, arranged or intended, or for which is occupied or maintained.

Use, accessory – A use that is subordinate to the principal use or building on the same lot and customarily incidental thereto as well as detached there from.

Use, incompatible – A use which is incapable of direct association with certain uses because it is contradictory, incongruent or discordant.

Use, non-conforming – Any lawfully established use of a building or premise which on the effective date of this ordinance does not comply with the use regulations of the zoning district in which such building or premises shall be located.

Use, permitted – A use which may be lawfully established in a particular district or districts, provided it conforms with all requirements, regulations and performance standards, if any, of such district.

Use, principal – The main use of land or buildings as distinguished from a subordinate or accessory use.

Use, special – A use, either public or private, which, because of the unique characteristics, cannot be properly classified as a permitted use in a particular district. After due consideration in each case, of the impact of such use upon neighboring land, and of the public need from the particular use at the particular location, such "special use" may or may not be granted.

WEGF Applicant – Means the entity or person who submits to the County, pursuant to Section 700-5.06 of this Ordinance, an application for the siting of any WEGF or Substation.

WEGF Operator – The entity responsible for the day-to-day operation and maintenance of the WEGF, including any third-party subcontractors.

WEGF Owner – The entity or entities with an equity interest in the WEGF(s), including their respective successors and assigns. Owner does not mean the property owner from whom land is leased for locating the WEGF (i) unless the property owner has an equity interest in the WEGF; or (ii) any person holding a security interest in the WEGF(s)solely to secure an extension of credit, or a person foreclosing on such security interest provided that after foreclosure, such person seeks to sell the WEGF(s) at the earliest practicable date.

WEGF Project – The collection of WEGF(s) and substations as specified in the siting approval application pursuant to Section 700-5.06 of this Ordinance.

WEGF Substation – The apparatus that connects the electrical collection system of the WEGF(s) and increases the voltage for connection with the utility's transmission lines.

WEGF Tower – The support structure to which the nacelle and rotor are attached.

WEGF Tower Height – The distance from the rotor blade at its highest point to the top surface of the WEGF foundation.

Wind Energy Generating Facilities (WEGF) – All necessary devices that together convert wind energy into electricity, including the rotor, nacelle, generator, WEGF Tower, electrical components, WEGF foundation, transformer, and electrical cabling from the WEGF tower to the substation(s).

Yard – An open space on a lot, which is unobstructed from its lowest level to the sky, except as hereinafter permitted. A yard extends along a lot line and at right angles to such lot line to a depth or width specified in the yard regulations for the district in which such lot is located.

Yard, front – A yard extending along the full width of the front line between side lot lines.

Yard, side – A yard extending along a side lot line between the front and rear yards.

Yard, rear – The portion of the yard on the same lot with the building between the rear line of the building and the rear line of the lot for the full width of the lot.

Zoning District – An area or areas within the limits of Carroll County for which the regulations

and requirements governing use, lot and bulk of the buildings and premises are uniform.

Zoning Map – The map setting out the boundaries of the Zoning Districts of Carroll County, which map is a part of this Ordinance.

ARTICLE 4 – ZONING DISTRICTS

Section 700-4.01 Zoning Districts

In order to carry out the purposes of this ordinance the unincorporated area of Carroll County is hereby divided into the following use districts:

AG-1	General Agricultural District
B-1	Highway/Tourist Oriented/Service Business District
C-1	General Commercial District
I-1	General Industrial District
I-2	Heavy Industrial District
AP-1	Airport District
R-1	Single Family Residential District
R-2	Multi-Family District
REC-1	Recreational District
MHP-1	Mobile Home Park District

Section 700-4.02 Map

The locations and the boundaries of the Zoning Districts established by this ordinance are set forth on the Zoning Use Districts Map, which is incorporated as a part of this ordinance.

Section 700-4.03 Boundaries

District boundary lines as indicated on the Zoning Use Districts Map follow

(a) the center lines of streets, alleys, highways, easements, or waterways;
(b) the boundary lines of sections, quarter sections, and divisions of sections;
(c) property lines of record on the effective date of this ordinance for tracts and lots; or
(d) such lines extended if said boundary lines do not follow any of the above-described lines, the district boundary lines are established as drawn on the Zoning Use Districts Map.

ARTICLE 5 – AG-1 DISTRICT REGULATIONS

Section 700-5.01 AG-1 District Intent

The intent of this ordinance in establishing an agricultural district is to allow maximum freedom of operation for agricultural uses, and to protect such uses from encroachment by potential conflicting uses. It is also the intent to protect the County's natural amenities, particularly the Mississippi River shoreline and the wooded hills and valleys, from harmful exploitation.

Section 700-5.02 Allowed in an AG-1 District

(a) All agricultural uses including new agricultural dwellings, subject to 700-5.04(a).
(b) Public parks and other recreational uses of a noncommercial nature.
(c) Churches, schools and cemeteries
(d) Nurseries and greenhouses
(e) Forestry
(f) Structures for the storage of farm crop products such as grain and corn.

(g) Customary home occupations provided that:
  (1) Such occupation is carried on in the principal building.
  (2) Not more than 25 percent of the gross floor area of the residence is used for this purpose.
  (3) No person is employed other than a member of the household residing on the premises.
  (4) Such occupations shall not adversely affect other uses in the area by creating disturbing characteristics such as but not limited to: inappropriate signage, excessive traffic, parking and noise.

(h) Customary accessory uses incidental to the foregoing principal uses such as private garages, screen houses, signs and play equipment.

(i) Roadside farm stands.

(j) Governmental buildings.

(k) Meat processing plants

(l) Botanical Gardens

(m) Hospitals/Medical clinics

(n) Dairies

(o) Guest House/Home
  (1) Following the regulations for proper licenses as listed in Chapter 745, Carroll County Guest Home License Ordinance

(p) One new single-family non-agricultural dwelling per lot, subject to 700-5.04 (a), including access thereto, provided the lot receive a Low or Moderate Rating For Protection as determined by a Land Evaluation Site Assessment (LESA) Report. Lots receiving a High LESA Rating will not be given a new dwelling building permit.

(q) One pre-existing single-family dwelling per lot, subject to 700-5.04 (a), including access thereto. If a pre-existing dwelling has been or is being removed, a building permit must be obtained within 48 months in order to remain a qualifying pre-existing dwelling site and therefore exempt from the LESA for rebuilding.

Section 700-5.03 Allowed by Special Use Permit in an AG-1 District

(a) Dog kennels and veterinary establishments.

(b) Auto Salvage Yards
  (1) Must follow regulations as stated within Carroll County Ordinance Chapter 755

(c) Transportation Chartering

(d) Public and semi-public uses of a public service nature, such as rest areas.

(e) Mining, drilling and/or extraction of material, sand, gravel, topsoil or other aggregates, including equipment, buildings, or structures for the screening, crushing, rinsing, washing or storage provided that, with the exception that any quarry that has not discontinued use that was in existence prior to September 16, 1999 may have an open pit within 50 feet of the property boundaries:
  (1) No open pit or shaft is located less than 75 feet from the centerline of any public road.
  (2) All buildings or structures are located not less than 100 feet from the centerline of any public road.
  (3) No open pit or shaft is less than 200 feet from any property line.
  (4) The borders of the property adjacent to or across the roadway form any district other than an industrial or commercial district is fenced with a fence of at least 6 feet in height.
  (5) A landscape buffer located at 25 feet from those property lines/borders adjacent to a residential property.
  (6) A plan for reclamation must accompany the application.

(f) Private airplane landing strips.
(g) Bed & Breakfast establishments
(h) Riding and Boarding Stables
(i) Self-Storage
(j) Model Homes – provided the minimum required acreage, etc. are met.
(k) Wind Energy Generating Facilities (WEGF) that generate electricity to be sold to wholesale or retail markets provided that the standards for siting such facilities in section 700-5.06 are met.
(l) Commercial Solar Facilities greater than 100 KW, See Chapter 725 Commercial Solar
(m) Commercial Wind Energy Conversion Systems, See Chapter 750 Commercial Wind
(n) ESS Facilities
    (1) Must follow regulations as stated within Chapter 765 Energy Storage Systems
(o) Adult-Use Cannabis Craft Grower, Adult-Use Cannabis Cultivation Center, Adult-Use Cannabis Infuser Organization, Adult-Use Cannabis Processing Organization, Adult-Use Cannabis Transporting Organization
(p) Auxiliary Dwelling Unit
    (1) Must follow the regulations as stated in Carroll County Ordinance Chapter 360
(q) Other uses similar in nature to the above uses and which, in the opinion of the Carroll County Board, will not be detrimental to the integrity of the Agricultural district.

Section 700-5.04 Minimum Lot Requirements:

(a) The minimum lot requirements for Pre-Existing, New LESA and New AG Dwellings, in accordance with 700-5.02 (p) & (q) shall meet the following:
    (1) Area: Two acres
    (2) Width: 150 feet
    (3) Depth: 150 feet
    (4) Frontage: 150 feet, unless a Reserve (Flag) Lot (Sec. 700-15.21)
    (5) Existing dwellings will be allowed on lots of less area if the lot was recorded as a lawful conforming lot prior to the adoption of this ordinance as amended on February 18, 2010.
(b) All other uses shall meet each of the following lot requirements:
    (1) Area: Five acres
    (2) Width: 150 feet
    (3) Depth: 150 feet
    (4) Frontage: 150 feet, unless a Reserve (Flag) Lot

Section 700-5.05 Minimum Setback Requirements

(a) Setback from roadways
    (1) 60 feet from centerline of township roads.
    (2) 100 feet from centerline of county and state highways.
    (3) 30 feet from centerline of road in platted subdivisions **without** a setback line indicated.
(b) Side yard and rear yard setbacks
    (1) 10 feet from property lines.
    (2) 7 feet from property lines in platted subdivisions **without** building setback lines indicated.
(c) Landscape Buffer/Screening: Not required.

ARTICLE 6 – B-1 DISTRICT REGULATIONS

Section 700-6.01 B-1 District Intent

The intent of this ordinance in establishing a Highway/Tourist Oriented/Service Business District is to

provide appropriate areas for commercial establishments not necessarily suited to locations within established communities. Such district is in recognition of the fact that tourism and commercial developments are now a very definite economic factor in Carroll County.

Section 700-6.02 Allowed in a B-1 District

(a) Service Office Businesses
(b) Botanical Gardens
(c) Banking/Investment Facilities
(d) Insurance Agencies
(e) Real Estate Agencies
(f) Travel Agencies
(g) Barber/Beauty Shops
(h) Car Washes
(i) Computer Data Services
(j) Dance Halls – No alcohol served
(k) Dental and Medical Clinics
(l) Medical Cannabis Dispensing Center.
(m) Sporting Good Stores
(n) Bait Shops
(o) Electronic Sales/Repair Shops
(p) Hotels/Motels/Bed & Breakfasts
(q) Self-Storage Facilities
(r) Restaurants/Diners/Supper Clubs
(s) Gas Stations/Auto/Truck/Boat Repair
(t) Agriculture
(u) Other uses similar in nature to other permitted uses in the B-1 district, which are of a tourist service and/or retail-oriented nature.

Section 700-6.03 Allowed by Special Use Permit in a B-1 District

(a) Salvage operations, auto, construction, etc.
(b) Other uses which in the opinion of the County Board after review by the Zoning Board of Appeals are of a similar nature to the above uses, and which will not be detrimental to the integrity of the Highway/Tourist, Service Oriented Business Districts.
(c) Mixed Use Building, with one floor or fifty percent (%50) of gross floor space dedicated to business.
(d) Adult-Use Cannabis Craft Grower, Adult-Use Cannabis Dispensing Organization, Adult-Use Cannabis Infuser Organization, Adult-Use Cannabis Processing Organization, Adult-Use Cannabis Transporting Organization

Section 700 6.04 Minimum Lot Requirements

(a) Area:
(1) Uses served by common sanitary sewage systems 15,000 square feet; and
(2) Uses served by individual sanitary sewage systems one acre.
(b) Width: 100 feet
(c) Depth: 150 feet
(d) Frontage: 100 feet

Section 700-6.05 Minimum Setback Requirements

(a) Setback from roadways:
(1) 60 feet from centerline of township roads
(2) 100 feet from centerline of county and state highways

(3) 30 feet from centerline of road in platted subdivisions without a setback line indicated.

(b) Setback from side yards and rear yards
  (1) 15 feet from properties bordering other commercial zoning
  (2) 50 feet from properties containing residences
  (3) 100 feet for agriculture buildings on all boundaries.

(c) Landscape Buffer/Screening: 25 feet from property line

ARTICLE 7 – C-1 DISTRICT REGULATIONS

Section 700-7.01 C-1 District Intent

The intent of this ordinance in establishing a General Commercial District is to allow for the placement of retail and service business that require a larger retail area for merchandise display either indoors or out of doors.

Section 700-7.02 Allowed in a C-1 District

(a) All Allowed Uses in a B-1 District
(b) Auto Rental
(c) Auto Dealers, New & Used
(d) Auto/Truck/Boat Repair Facilities
(e) Marine Dealers
(f) Transportation Chartering Services
(g) Building Supply
(h) Light Manufacturing (electronics, etc.)
(i) Mobile Home Dealers
(j) Manufactured Home Dealers
(k) Motorcycle Dealers
(l) Self-Storage
(m) Publishing
(n) Sale of agricultural equipment, implements, feed, and seed directly to the end agricultural user.
(o) Other retail and service business uses, which are permitted in an I-1 district, when found to have economic compatibility with the established uses of the adjoining properties.
(p) Agriculture
(q) Adult Entertainment Business
(r) Other uses similar in nature to other permitted uses in C-1 district, which are of a commercial nature requiring a larger display area.

Section 700-7.03 Allowed by Special Use Permit in a C-1 District

(a) Meat processing plants
(b) Model Homes not to be occupied as residences
(c) Cement Plants
(d) Trucking Companies
(e) Adult-Use Cannabis Craft Grower, Adult-Use Cannabis Cultivation Center, Adult-Use Cannabis Dispensing Organization, Adult-Use Cannabis Infuser Organization, Adult-Use Cannabis Processing Organization, Adult-Use Cannabis Transporting Organization
(f) Other uses which in the opinion of the County Board, after a review by the Zoning Board of Appeals are of a similar nature to the above stated special permitted uses, and which will not be detrimental to the integrity of the C-1 district.

Section 700-7.04 Minimum Lot Requirement

(a) Area: Two acres
(b) Width: 150 feet
(c) Depth: 150 feet
(d) Frontage: 150 feet

Section 700 7.05 Minimum Setback Requirements

(a) Roadways:
  (1) 60 feet from centerline of township roads
  (2) 100 feet from centerline of state and county highways
(b) Side yards and Rear yards
  (1) 15 feet from properties bordering other commercial zoning
  (2) 50 feet from properties containing residences
  (3) 25 feet from all other non-commercial zoning, not containing residences.
  (4) 100 feet for agriculture buildings on all boundaries.
(c) Landscaping Buffer/Screening: 25 feet
(d) No adult entertainment business shall be located within 1000 feet of another adult entertainment business.
(g) No adult entertainment business shall be located within 1000 feet of any residence, church, public park, school, public library or public forest preserve.

ARTICLE 8 – I-1 DISTRICT REGULATIONS

Section 700-8.01 I-1 District Intent

It is the intent of this ordinance that most of the future new or expanded industrial developments will and should take place within established communities.

Section 700-8.02 Allowed in an I-1 District

(a) Beverage Processing
(b) Binding, Printing, Publishing
(c) Paper Mills
(d) Warehousing/Shipping
(e) Cement Plants
(f) Textile Production
(g) Drug Production/Packaging
(h) Medical Cannabis Cultivation Center.
(i) Food Production
(j) Food Processing
(k) Metal Working
(l) Governmental Correctional Facilities
(m) Solar Farms
(n) Agriculture
(o) Other uses similar in nature to other stated permitted uses in an I-1 district, which are of an industrial oriented nature.

Section 700-8.03 Allowed by Special Use Permitted in an I-1 District

(a) Chemical Production
(b) Auto Salvage
  1. Must follow regulations as stated within Carroll County Ordinance Chapter 755
(c) Adult-Use Cannabis Craft Grower, Adult-Use Cannabis Cultivation Center, Adult-Use

Cannabis Dispensing Organization, Adult-Use Cannabis Infuser Organization, Adult-Use Cannabis Processing Organization, Adult-Use Cannabis Transporting Organization

(d) ESS Facilities
   1. Must follow the regulations as stated within Carroll County Ordinance Chapter 765 Energy Storage Systems

(e) Other uses which in the opinion of the County Board, after a review by the Zoning Board of Appeals are of a similar nature to the above special permitted uses, and which will not be detrimental to the integrity of the I-1 industrial district.

Section 700-8.04 Minimum Lot Requirement

(a) Area: Two Acres
(b) Width: 150 feet
(c) Depth: 150 feet
(d) Frontage: 150 feet

Section 700-8.05 Minimum Setback Requirements:

(a) Roadways
   (1) 100 feet from the centerline of township roads.
   (2) 100 feet from the centerline of county and state highways.

(b) Side yard and Rear yard
   (1) 15 feet along properties zoned industrial
   (2) 100 feet along properties containing residences
   (3) 50 feet from all other zoning district not containing residences
   (4) 500 feet for all agriculture buildings on all boundaries

ARTICLE 9 – I-2 DISTRICT REGULATIONS

Section 700-9.01 I-2 District Intent

The intent of this ordinance in establishing an I-2 Heavy Industrial District is to encourage the orderly placement of commercial and industrial manufacturing, processing and warehousing developments that may require additional area for safety and protection of surrounding uses.

Section 700 9.02 Allowed in an I-2 District

(a) All Allowed Uses in the I-1 District
(b) Chemical Plants
(c) Industrial Chemical Plants
(d) Fertilizer Plants
(e) Refining, Raw Materials
(f) Refining, Synthetic Materials
(g) Trucking Companies
(h) Warehousing and Shipping
(i) Commercial Storage
(j) Retail Sale of agricultural fertilizers and chemicals directly to the end agricultural user
(k) Agriculture
(l) Uses similar in nature to stated permitted uses in the I-2 district which are of a heavy industrial nature

Section 700-9.03 Allowed by Special Use Permitted in I-2 District

(a) Adult-Use Cannabis Craft Grower, Adult-Use Cannabis Cultivation Center, Adult-Use

Cannabis Dispensing Organization, Adult-Use Cannabis Infuser Organization, Adult-Use Cannabis Processing Organization, Adult-Use Cannabis Transporting Organization

(b) ESS Facilities

(1) Must follow the regulations as stated within Carroll County Ordinance Chapter 765 Energy Storage Systems

Section 700-9.04 Minimum Lot Requirement

(a) Area: Five Acres
(b) Width: 150 feet
(c) Depth: 150 feet
(d) Frontage: 150 feet

Section 700-9.05 Minimum Setback Requirements

(a) Roadways
  (1) 100 feet from centerline of township roads
  (2) 100 feet from centerline of county and state highways
(b) Side yard and Rear yard
  (1) 100 feet, unless other state or federal requirements warrant otherwise.
  (2) 500 feet for agriculture buildings on all boundaries.

(c) Landscape Buffering: 25 feet from bordering properties containing residences.

ARTICLE 10 – AP-1 DISTRICT REGULATIONS

Section 700-10.01 AP-1 District Intent

The intent of this ordinance in establishing an airport district is to provide for the safe operation of the airports by protecting the airport area from conflicting or dangerous uses.

Section 700-10.02 Allowed in an AP-1 District

(a) Airport Facilities
(b) Hangers
(c) Landing Strips
(d) Vehicle Parking Lots
(e) Heliports
(f) Public Water Wells and Filtration Plants
(g) Freight Terminals
(h) Agriculture
(i) Uses similar in nature to stated permitted uses in the AP-1 district, which are not detrimental to the operation of airstrip/airport.

Section 700-10.03 Allowed by Special Use Permit in an AP-1 District

(a) Fire Stations
(b) Government Buildings

Section 700-10.04 Minimum Lot Requirements

(a) Area: All uses – one acre
(b) Width: All uses – 150 feet
(c) Depth: All uses – 100 feet
(d) Frontage: 150 feet

Section 700-10.05 Minimum Setback Requirements

(a) Roadways
  (1) 60 feet from centerline of township roads.
  (2) 100 feet from centerline of County and State highways.

(b) Side yard and Rear yard
  (1) 6 feet from property lines when structure has no windows facing adjacent property.
  (2) 10 feet from property lines when structure has windows facing adjacent property.
  (3) 500 feet for agriculture buildings on all boundaries.

(c) Landscape Buffer/Screening: None Required.

ARTICLE 11 – R-1 DISTRICT REGULATIONS

Section 700-11.01 R-1 District Intent

The intent of this ordinance in establishing a Residential District is to provide for an area or areas where residential development may take place at a density other than that permitted in the Agriculture District; where such development will not have an adverse effect upon the environment or upon the public service systems such as roads, schools, or utilities. It is the premise of this ordinance that most of the new residential development will and should take place within established communities where public service systems are adequate to handle such development. All subdivisions are subject to existing covenants and restrictions before county zoning regulations will be applied to the parcel of land.

Section 700-11.02 Allowed in an R-1 District

(a) Single Family Residences.
(b) Home Occupations
(c) Agriculture, with livestock prohibited on lots less than one acre unless raising chickens.
(d) Customary accessory uses incidental to the foregoing principal uses such as private garages, screened houses, and play equipment.
(e) Guest House/Home
  (1) Following the regulations for proper licenses as stated in Chapter 745, Carroll County Guest Home License Ordinance

Section 700-11.03 Allowed by Special Use Permit in an R-1 District

(a) Daycare facilities
(b) Communal facilities
(c) Churches
(d) Bed and Breakfast establishment

Section 700-11.04 Minimum Lot Requirements

(a) Area:
  (1) Residences served by individual sanitary sewage disposal and individual water supply systems – one acre;
  (2) Residences served by common water supply system and sewage disposal system, recorded by deed as common lots – 15,000 square feet. In cases of re-platting, infrastructure shall be in place before lots are buildable.
  (3) A lot area of more than the minimum may be required where percolation rates; topography or other special conditions may warrant; and
  (4) Nonresidential uses – one acre.

(b) Width:
  (1) Residential served by individual sanitary sewage disposal – 150 feet;
  (2) Residential served by common sanitary sewage disposal system – 90 feet; and
  (3) Nonresidential uses – 175 feet.

(c) Depth: All uses – 100 feet.
(d) Frontage: 90 feet, unless a Reserve (Flag) Lot

Section 700-11.05 Minimum Setback Requirements

(a) Roadways:
  (1) 60 feet from centerline of township roads;
  (2) 100 feet from centerline of county roads;
  (3) In a platted subdivision, 25 feet from the right of way of the road, unless otherwise specified by recorded plat.
  (4) 100 feet for agriculture buildings on all boundaries.
(b) Side yard and rear yard setbacks:
  (1) 10 feet from property lines.
  (2) 7 feet from property lines in platted subdivisions without building setback lines indicated.
(c) Landscape Buffer/Screening: None required.

ARTICLE 12 – R-2 DISTRICT REQUIREMENTS

Section 700-12.01 R-2 District Intent

The intent of the R-2 Multi-family zoning District is to provide for a wider variety of dwelling accommodations with a higher density of dwelling units; to provide for multiple family dwellings with adequate space for family living; and to provide for a transition between nonresidential and one-family areas of lower density.

Section 700-12.02 Allowed in an R-2 District

(a) Condominiums
(b) Group Homes, i.e., senior housing
(c) Developmentally and Mentally disabled housing
(d) Rooming/Boarding houses
(e) Apartment complexes, with communal areas
(f) Dormitories
(g) One family row-dwellings (sharing a common wall) with no more than six (6) dwellings in a row or building
(h) Townhouses
(i) Agriculture, with the exception of raising livestock.
(j) Accessory buildings and common/communal recreational and utility facilities serving only the residents and guests

Section 700-12.03 Allowed by Special Use Permit in an R-2 District

(a) Daycare facilities
(b) Churches
(c) Specialty Schools

Section 700-12.04 Minimum Lot Requirements

(a) Area:

(1) When served by private septic system a minimum of one-half acre for family unit proposed with a minimum of one additional quarter acre set-aside for septic field expansion/replacement. This additional property cannot be developed at anytime, unless hooked to a public system.
    (a) The Illinois Department of Public Health will review all proposals and additional land may be required to accommodate sewage facilities plan.
(2) When served by a public sanitary septic system a minimum of one-quarter acre for each family dwelling unit.

(b) Depth: 150 feet
(c) Width: 150 feet
(d) Frontage: 150 feet

Section 700-12.05 Minimum Setback Requirements

(a) Roadways: 100 feet from center of all roadways.
(b) Side yard and Rear yards:
    (1) 35 feet from all property lines
    (2) 100 feet for agriculture buildings on all boundaries.
(c) Landscape Buffer/Screening: 15 feet from all property lines
(d) Parking: Minimum of two parking spaces to accommodate a standard size automobile.
(e) Height: Maximum 3 stories.

ARTICLE 13 – REC-1 DISTRICT REQUIREMENTS

Section 700-13.01 REC-1 District Intent

The intent of establishing a Recreational District to accommodate the growing industry of outdoor recreation, promote tourism and preserve open spaces.

Section 700-13.02 Allowed in a REC-1 District

(a) Commercial Campgrounds
(b) Golf Courses
(c) Resorts
(d) Bunk Houses and Tourist Cabins
(e) Public Swimming Facilities
(f) Outdoor Recreational Facilities
(g) Riding Stables/Trails
(h) Rodeos
(i) Concession Stands and accessory ventures that directly support the operation of the facilities.
(j) Agriculture
(k) Uses similar in nature to stated permitted uses in the REC-1 district which are of an outdoor recreational nature.

Section 700-13.03 Allowed by Special Use Permit in a REC-1 District:

(a) Hunt Clubs
(b) Pistol and Rifle Shooting Ranges
(c) Archery Ranges
(d) Skeet Shooting Ranges

Section 700-13.04 Minimum Lot Requirements

(a) Area: Ten acres
(b) Depth: 100 feet
(c) Width: 150 feet
(d) Frontage: 150 feet

Section 700-13.05 Minimum Setback Requirements

(a) Roadways:
  (1) 100 feet from centerline of township roads
  (2) 100 feet from centerline of county and state highways
(b) Side yard and Rear yard:
  (1) 100 feet from all property boundaries
  (2) 100 feet for agriculture buildings on all boundaries
(c) Parking: All parking must be contained within the property boundaries, and not along roadways.
(d) Landscape buffer/screening: 50 feet from property boundaries that face properties with residences.

ARTICLE 14 – MHP-1 DISTRICT

Section 70014.01 Purpose

A Mobile Home Park District is established to provide a location for the long-term parking of mobile homes in an area where service and facilities and open space is provided in a residential setting.

Section 700-14.02 Allowed in an MHP-1 District

(a) Single or double wide, single family mobile homes, which comply with the conditions provided herein.
(b) No mobile home permit shall be required for the placement of a mobile home within a mobile home park district.

Section 700-14.03 Acreage Required

All mobile home park districts shall be at least 5 acres in area.

Section 700-14.04 Set Backs

Every mobile home placed within a mobile home park district shall be set back in accordance with the following:

A. All mobile homes and all buildings constructed within the district shall be set back at least 100 feet from the center line of all existing or planned federal, state and county highways and roads. The minimum setback along township roads shall be 60 feet from the centerline. The minimum setback along streets within the mobile home park shall be 10 feet from the edge of the roadway.

B. Every mobile home, including additions attached to the mobile home, or out buildings placed within a mobile home park district shall be setback from the rear and side mobile home lot lines a minimum of 7.5 (seven and one-half) feet

Section 700-14.05 Building Height

No building placed within the MHP-1 district shall have a height that exceeds twenty-four (24) feet

Section 700-14.06 Signs

One sign not more than twenty (20) square feet in area located on the same zoning lot or tract as a mobile home or park or trailer camp is allowed. Such sign may be illuminated, but no flashing or intermittent illumination shall be permitted.

Section 700-14.07 Off-Street Parking and Loading

Automobile parking and loading facilities shall be provided as required or permitted herein.

Section 700-14.08 Miscellaneous Conditions

A. The district shall be located on a well-drained site, properly graded to insure rapid drainage and free from stagnant pools of water.

B. Community sewer and water facilities, which comply with all applicable State regulations, or adequate area to accommodate individual well and septic systems in accordance with State regulations, shall be provided for each mobile home.

C. Each district shall provide mobile home spaces, and each space shall be clearly defined or delineated. The minimum area of all such mobile spaces shall be not less than five thousand (5,000) square feet and the minimum width of all spaces shall not be less than fifty (50) feet.

D. Mobile homes, or additions attached to mobile homes, or outbuildings shall be so located on each space that there shall be not less than fifteen (15) feet clearance between mobile homes and or additions or outbuildings.

E. No mobile home shall be located closer than forty (40) feet to any community building, including any workroom, toilet or laundry facilities provided in said mobile home park.

F. Wherever a mobile home park district abuts upon an R-1 (single family residential) District, screening, as defined in this Ordinance, shall be provided along each lot line which abuts such residential district.

G. A buffer strip not less than twenty (20) feet wide for the purpose of creating a screening as defined in this Ordinance shall be established and maintained between a mobile home park and any state Park or a forest and/or nature preserve.

H. Exterior lighting fixtures shall be shaded wherever necessary to avoid casting direct light upon any residence or any property located in a residence district or upon any public street or park.

I. In all other respect, mobile home parks shall comply with all applicable Statutes of the State of Illinois, and all applicable regulations of all departments, commissions and agencies of the State of Illinois.

ARTICLE 15 – SPECIAL REGULATIONS

Section 700-15.01 Special Regulations to Apply in All Districts

The following regulations shall apply to all zoning districts unless specifically stated otherwise. The Carroll County Board shall make determination of potential or actual noncompliance with such special regulations or such Board's duly appointed agent.

Section 700-15.02 Residential Feature Protections

No activity or operation shall be established or maintained which by reason of its nature or manner of operation will cause the emission of noise, odor, toxic or noxious fumes, smoke, or dust and particulate matter in such concentration as to be detrimental to or endanger the public health, welfare, comfort, and safety or cause injury to property or business.

Section 700-15.03 Glare

Must follow the regulations listed within State Statute 415ILCS 200. Any lighting used to illuminate an off-street parking area or sign shall be arranged so as to deflect light away from any adjoining residential property or from the public streets. Direct or sky-reflected glare whether from flood lights or from high-temperature processes such as combustion or welding, shall not be directed into any adjoining property.

Section 700-15.04 Explosives

No activities involving the storage, utilization or manufacture of materials, goods or products that could decompose by detonation shall be permitted except as are specifically licensed by the U.S. Government; State of Illinois; or the Carroll County Board.

Section 700-15.05 Vibration

No activity or operation shall cause earth vibrations perceptible beyond the limits of the property upon which the operation is located.

Section 700-15.06 Refuse

All waste material, debris, refuse or garbage not disposed of through other means shall be kept in an enclosed building or properly contained in a closed container designed for such purposes. The owner of vacant land shall be responsible for keeping such land free of refuse.

Section 700-15.07 Traffic Visibility at Intersections

No structure shall be erected or any vegetation maintained other than trees trimmed to a height of eight feet above street level, and shrubs and hedges trimmed below a height of three feet above street level, for a distance of 30 feet from the intersection of the property lines of the two streets.

Section 700-15.08 Drainage

No land shall be developed or put into use which results in a change in runoff, flooding or erosion on adjacent properties. In such instances it shall be the responsibility of land owner(s) to properly channel runoff into a storm drain, watercourse, ponding areas, or other public facility.

Section 700-15.09 Construction within Floodplain

No structure shall be permitted on any land that is subject to flooding unless the requirements of Chapter 720, the Flood Damage Prevention are met.

Section 700-15.10 Parking

(a) Minimum Number of Parking Spaces Required:

(1) Dwellings: One space per dwelling unit.

(2) Retail Commerce: One space per each 100 square feet of gross building floor space, except that eating and drinking places shall provide one space per every two seats.

(3) Service Commerce: One space per every 200 square feet of gross building floor space.

(4) Industry, including Wholesaling: One space per every two persons of maximum employment during any work period.

(5) Churches, Auditoriums and other places of assembly: One space per every four seats.

(6) Sanitariums, Convalescent Homes and Nursing Homes: One space per every six beds.
(7) Other Uses: As determined to be necessary by the Carroll County Board.

(b) Minimum Size of a Parking Space: 250 square feet of standing and maneuvering space. Fractional spaces over one-half count as one space.

(c) Location of Parking Spaces:
(1) Spaces for Dwellings: on the same lot as the dwelling unit.
(2) Spaces for Commercial Uses for Public or Semi-public Uses: within 300 feet of the main entrance of the building served.
(3) Spaces for Industrial Uses: within 800 feet of the main entrance of the building being served.

(d) Off-street parking areas and access ways other than those for one- and two-family dwellings shall be surfaced with a durable material to control dust, and shall be graded so as to dispose of all surface water.

Section 700-15.11 Off-street Loading and Unloading Requirements

(a) An adequate number of off-street loading spaces shall be provided for all structures, which require the receipt of distribution of materials or merchandise by trucks or similar vehicles, so as to assure unrestricted movement by both pedestrians and motor vehicles throughout the County.

(b) Minimum Size of Off-street Loading Berths:
(1) Width: 10 feet
(2) Length: 25 feet
(3) Vertical Clearance: 14 feet

(c) Location of Off-street Loading Berths: No closer than 25 feet from the intersection of tow street right-of-way.

(d) Surfacing and Drainage: Off-street loading berths and access ways shall be hard surfaced to control dust and shall be graded to dispose of all surface water.

Section 700-15.12 Signs – Miscellaneous Requirements

(a) All signs must conform to the Chapter 705, Carroll County Sign Ordinance.

Section 700-15.13 Minimum Residential Floor Area

The minimum gross floor area for a residence shall be 800 square feet.

Section 700-15.14 Manufactured Housing

Manufactured homes that are not less than twenty-four feet (24') in width, built after June 30, 1976, having a valid HUD approval plate, and installed to manufacturers' specifications may be issued a building permit as a single-family dwelling. Manufactured homes less than 24 feet in width will only be allowed in a mobile home park.

Section 700-15.15 Non-Conforming Lots

A one-family dwelling may be erected on a lot having less than the minimum required area and width provided the lot existed by virtue of a record plat or deed on June 11, 1973; however, in no event shall a one-family dwelling be erected on a lot less than 6,000 square feet in area or less than 60 feet in width.

Section 700-15.16 Separation of Buildings

In cases where several buildings might be constructed on one lot of record excluding residential lots, the minimum space between such building shall be no less than a distance equal to one-half the building heights of the two buildings involved.

Section 700-15.17 Conservation of Natural features and Amenities

(a) In the development of land, due regard shall be shown for all-natural features which if preserved will add attractiveness and stability to the proposed developments.

(b) In the development of hilly areas for residential purposes, minimum lot area shall be one dwelling per three acres for slopes exceeding 25 percent unless the Carroll County Board grants special permission.

Section 700-15.18 Basement Homes

No interior space below ground level shall be occupied for dwelling purposes for more than three years unless such space is part of a structure having at least one full story above ground level and having its exterior portion in a structurally finished state. This section shall be construed to affect basement homes, and shall not be a prohibition to the construction of any underground home.

Section 700-15.19 Set Back from Roadways

All buildings must follow current setbacks as listed within the zoning district regulations within this Chapter.

Section 700-15.20 Street Access

All lots shall directly abut a public street other than an alley unless a permanent easement of access to a public street was of record prior to the adoption of this ordinance.

Section 700-15.21 Reserve (Flag) Lots

Reserve (flag) lots may be created subject to the following standards:

(a) No more than two (2) reserve (flag) lots may be created to facilitate creation of two but not more than three lots/parcels out of a parcel that has not less than the minimum lot size for the district, but insufficient width to be divided.

(b) The access strip of a reserve (flag) lot shall directly access a publicly dedicated street right-of-way.

(c) The access strip of a reserve (flag) lot shall be not less than forty (40) feet in width at its narrowest point.

(d) The minimum street/road setback on a reserve (flag) lot shall be established at a distance equal to the required street/road setback from the property line that is most parallel to the street/road lot line (road right-of-way line). The lot width at this minimum required setback shall be not less than otherwise required by this Ordinance.

(e) The area within the access strip of a reserve (flag) lot shall not be counted as lot area for the purpose of meeting the minimum lot area requirements of this Ordinance.

(f) If required by the highway authority having jurisdiction over the road on which the reserve (flag) lot(s) will take access, the access strip of the lot(s), or portion thereof, shall contain an access easement to allow the adjoining lot to share access to the road. In no case shall the access strip of a reserve (flag) lot serve as an access easement for more than three (3) dwelling units.

(g) Reserve (Flag) Lots may only be created in R-1 and AG-1 districts.

Section 700-15.22 Sewage Treatment and Water Supply

(a) Soil percolation tests as specified by the Illinois Department of Public Health or Carroll County Health Department shall be undertaken for all buildings to be inhabited by humans to determine

the requirements for a subsurface seepage field or sand filter when such buildings are not to be connected to a common sewage disposal system, either private or public in nature.

(b) It shall be unlawful to construct a building for human habitation upon land that is found to be unsuitable for the proper function of private sewage disposal systems, unless such use is to be served by a common disposal system, either private or public nature.

(c) Regardless of other provisions of this ordinance, there shall be, if required, additional lot area over the minimum lot area designated for and use in all districts to provide for sufficient ground area, unoccupied by a building, structure or paving, for installation of property systems of sewage treatment and water supply conforming with the standards and requirements of the Illinois Department of Public Health.

(d) Buildings and structures, other than residential dwellings, that will be occupied by humans, shall be required to submit to tests as determined by the Illinois Department of Public Health or Carroll County Health Department to determine that waste disposal plans will be sufficient to accommodate size and usage. This will exclude agricultural and accessory buildings. The Zoning Officer will have the authority to waive this requirement.

Section 700-15.23 Home Occupations

(a) Purpose.

The purpose of this section is to permit limited home-based business activities that are clearly incidental and secondary to the agricultural and residential use of the property, and which do not adversely impact surrounding properties or the rural character thereof.

(b) Prohibited Home Occupations.

The following uses shall not be permitted as home occupations:

a. Auto repair, salvage, or materials handling.
b. Commercial storage or distribution of goods not produced on-site.
c. Any use involving heavy equipment, ~~outdoor processing~~, or activities incompatible with agricultural or residential uses.

(c) Permitted Use. Home occupations shall be a permitted use in the Agricultural and Residential Districts subject to compliance with the standards set forth herein. If one or more of the following general standards cannot be met, an approved Special Use Permit shall be required.

(d) General Standards. All home occupations shall comply with the following requirements:

1. Incidental to Residential Use. The home occupation shall be clearly incidental and subordinate to the principal residential use of the property.
2. Location. The home occupation shall be conducted entirely within the principal dwelling or an accessory structure customarily associated with residential or agricultural use.
3. Exterior Evidence. There shall be no exterior display, outdoor storage of materials, equipment, or merchandise, and no alteration to the exterior appearance of the property that would indicate the presence of a business, except as permitted for signage.
4. Signage. Subject to Chapter 705 Signs.
5. Nuisance. The home occupation shall not create noise, vibration, odor, dust, glare, electrical interference, traffic nuisance, or other nuisances detectable beyond the property lines.
6. Utilities. The home occupation shall not require utility services or infrastructure beyond what is typical for residential or agricultural use.

ARTICLE 16 – PLANNED RESIDENTIAL DEVELOPMENT

Section 700-16.01 Planned Unit Development

The County Board after review by the Zoning board of Appeals shall have the power to vary from the lot requirements of the Carroll County Zoning and Subdivision Ordinances in order to provide a means of achieving greater flexibility in development of land in a manner not possible in conventional zones; to encourage a more imaginative and innovative design of projects; to promote a more durable community environment; and to retain maximum control over both the structure and future operation of the development as required in the Carroll County Planned Unit Development Ordinance Chapter 710.

ARTICLE 17 – ZONING OFFICER

Section 700-17.01 Appointment

It shall be the duty of the Chairman of the County Board acting as the County Zoning Officer, to administer and enforce the provisions of this ordinance until such time that the County Board determines that a separate department is desirable. At that time, the Chairman of the Carroll County Board shall appoint a Zoning Officer, but such appointment shall require the approval of the majority of the voting board members. The County Board may remove the Zoning Officer only after holding a public hearing thereon.

Section 700-17.02 Duties

The specific duties of the Zoning Officer shall include:

(a) Providing zoning information upon request.
(b) Receiving applications for building; reviewing such applications to determine if they comply with the ordinance provisions; and issuing or denying permits.
(c) Receiving applications for special use permits, variances and amendments; referring such applications to the appropriate bodies for public hearing; and publishing notices of such hearings.
(d) Conducting inspections.
(e) Investigating violations.
(f) Keeping the zoning map and text up to date.

ARTICLE 18 – ZONING BOARD OF APPEALS

Section 700-18.01 Establishment of the Zoning Board of Appeals

A Zoning Board of Appeals is hereby established, vested with such administrative authority as is hereinafter provided or as provided by State law. Such Board shall consist of five Carroll County citizens, each a resident of a separate congressional township. The five citizens shall be appointed by the Chairman of the County Board, and approved by the members of the Carroll County Board. The Carroll County Board may remove any member of the Board of Appeals after holding a public hearing thereon.

Section 700-18.02 Duties

The duties of the Zoning Board of Appeals shall be:

(a) To hear and decide appeals from any order, requirement, decision or determination of the Zoning Officer.
(b) To interpret the meaning of the ordinance and make rulings with respect to the application of the ordinance.
(c) To hold public hearings on proposed amendments to this ordinance, applications for variances and applications for special use permits. It shall act in a purely advisory manner making its recommendations in all such matters to the County Board.

Section 700-18.03 Zoning Board of Appeals – Appeals

Applicants not satisfied by judgments made by the Zoning Officer may bring appeal, complaint or grievance to the Zoning Board of Appeals.

Section 700-18.04 Appeal Process

(a) Grievances will be heard at the next scheduled Zoning Board of Appeals meeting that will allow the proper notification to be made, pursuant to the "Illinois Open Meetings Act", unless a delay will cause peril to life and/or property, then a special hearing may be called with the proper notification.

(b) All parties involved will be notified by regular mail, as to the time, place and reason for the hearing. Parties may appear in person, by agent or attorney.

(c) The Zoning Board of Appeals may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination as in its opinion ought to be made in the premises, and to that end shall have all the powers of the officer from whom the appeal is taken.

ARTICLE 19 – VARIANCES

Section 700-19.01 Variances

The County Board may grant variations from the provisions of this ordinance after the Zoning Board of Appeals has held a public hearing. The County Board may impose such restrictions and conditions upon the premises benefited by a variance as the public health, safety and general welfare may require.

Section 700-19.02 Exhibits Required

Applications for variances shall be made to the Zoning Officer. The following exhibits must accompany all applications unless waived by the Zoning Officer.

(a) The boundary survey and plot plan as required for building permit applications.

(b) Other information as deemed necessary by the Zoning Officer.

Section 700-19.03 Application Procedure

The procedures for applying for a variance form the regulations of this ordinance are as follows:

(a) The property owner or his agent shall meet with the Zoning Officer to explain his situation, learn the procedures, and obtain an application form.

(b) The applicant shall file the completed application form together with the required exhibits with the Zoning Officer and shall pay a filing fee per Chapter 360 Building Regulations.

(c) The Zoning Officer shall transmit the application and support documentation to the Board of Appeals prior to the next scheduled meeting.

(d) The Zoning Officer will search property records to determine the owners of all properties that are within 250 feet of the property requesting the variance. However, the failure of any property owner to receive such notification after reasonable effort by the Zoning Officer shall not invalidate the proceeds.

(e) The Zoning Officer shall publish notice of the public hearing as required by State law.

(f) The Zoning Board of Appeals shall conduct a public hearing at the next scheduled Zoning Board of Appeals meeting that meets the notification process of the "Illinois Open Meetings Act". At the conclusion of the hearing, the Zoning Board of Appeals shall either:

(1) Make findings of fact relating to the application and recommend to the County Board that the application be granted, denied or granted with conditions; or

(2) Adjourn the hearing on the application to another date not later than 45 days thereafter; or

(3) The Carroll County Board shall not pass a variation, which fails to receive the approval of the Zoning Board of Appeals, by less than a ¾ vote of all the members of the County

Board.

(g) The Carroll County Board shall act on the application within 60 days after receiving the recommendation of the Zoning Board of Appeals.

Section 700-19.04 Variance of Ten Percent or Less

If building is less than 10 percent (10%) of the bulk requirement, the Zoning Officer has the authorization to grant the variance without public hearing, provided that:

(a) The application meets all requirements for the granting of a variance.

(b) All adjoining property owners are notified by certified mail.

(c) All notified property owners will be given 15 days to respond to the application request to indicate:

(1) They support the variance being granted.

(2) They do not support the variance being granted.

(d) If objection is received, then the application will be forwarded to the next Zoning Board of Appeals to be heard at the next regularly scheduled hearing.

(e) Filing fee paid per Chapter 360 Building Regulations.

Section 700-19.05 Standards for Granting Variances

(a) The Board of Appeals may vary the regulations of this ordinance when supporting evidence in each specific case indicates that:

(1) Because of the particular physical surroundings, shape, or topographic conditions of the specified parcel of land involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.

(2) The conditions upon which the petition for a variance is based are unique to the parcel of land for which the variance is sought and one not applicable, generally, to other property with the same zoning classification.

(3) The purpose of the variance is not based exclusively upon a desire to increase the value of income potential of the parcel of land.

(4) The alleged difficulty or hardship is caused by the provisions of this ordinance and has not been created by any persons presently or formerly having an interest in the parcel of land.

(5) The granting of the variance will not be detrimental to the public welfare or injurious to other land or improvements in the vicinity in which the parcel of land is located.

(a) The proposed variance will not impair an adequate supply of light and air to adjacent property or substantially increase the congesting of the public safety, or substantially diminish or impair property values within the vicinity.

Section 700-19.06 Reapplication

Reapplication for a variance that has been denied by the Carroll County Board will be subject to a 180-day waiting period before another request for the same variance may be applied for upon the same parcel.

ARTICLE 20 – NON-CONFORMING STRUCTURES AND USES

Section 700-20.01 Non-Conforming Structures and Uses

The lawful use of any buildings or land existing at the time of the adoption of this ordinance may be continued, even if such use does not conform to the regulation of this ordinance, except as provided below:

(a) Non-conforming Structures or Buildings

(1) Alterations – A non-conforming structure or building shall not be reconstructed or altered to an extent exceeding 25 percent of its bulk structure unless said building or structure is

changed to conform to the regulations of this ordinance.

(2) Enlargement – A non-conforming building or structure shall not be added to or enlarged in any manner unless such additions or enlargements are made so as to bring said building or structure into conformity with the regulation of this ordinance.

(3) Restoration – A non-conforming building or structure which is damaged by fire or other cause to the extent of more than 25 percent of its bulk structure shall not be restored except in conformity with the regulations of this ordinance.

(4) Abandonment – A non-conforming use of a building or structure which has been discontinued for a period of six (6) months shall not be reestablished, and any future use shall be in conformity with the regulations of this ordinance.

A. An addition to a lawfully existing non-conforming building or structure that would not meet the strict letter of this Ordinance but would not extend further than the original building or structure into any required setback(s) or yard area(s) of the zoning lot that the original building or structure is located may be permitted. Before issuing a zoning certificate for an addition to be constructed under this provision, a notice of the intent to issue such zoning certificate shall be sent by certified mail to all adjoining land owners within 250 feet of the property in question and any affected highway authority. If any notified adjoining land owner or affected highway authority files a written objection with the Zoning Officer within fifteen (15) days receipt of such notice, a zoning certificate shall not be issued. The applicant may, however, proceed with an application for a variation as set forth in Section 700-19.03 of this Ordinance. Filing fee paid per Chapter 360 Building Regulations.

(b) Non-conforming Use of Land

(1) Extension – A non-conforming use of land shall not be extended or enlarged.

(2) Relocation – A non-conforming use of land shall not be moved to any other part of the parcel of land upon which the same was conducted at the time of passage of this ordinance.

(3) Abandonment – A non-conforming use of land that has been discontinued for a period of six (6) months shall not be reestablished, and any future use shall be in conformity with the regulations of this ordinance.

ARTICLE 21 – SPECIAL USE PERMITS

Section 700-21.01 Special Use Permits

No property or structure may be used in a manner, which this ordinance classifies as "allowed by special use permit" until such special use permit has been issued. Only the County Board after review and recommendation by the Zoning Board of Appeals shall have the authority to issue a special use permit.

Section 700-21.02 Exhibits Required

The following exhibits shall be required unless waived by the Zoning Officer:

(a) The boundary survey and plot plan as required for the building permit application.

(b) Detailed plan of operation, to include ingress/egress; buildings used or proposed to be built; hours of operation and other items required by the Zoning Officer.

Section 700-21.03 Application Procedure

The procedure for obtaining a Special Use Permit is as follows:

(a) The property owner or his agent shall meet with the Zoning Officer to explain his situation, learn the procedures, and obtain an application form.

(b) The applicant shall file the completed application form together with the required exhibits

with the Zoning Officer and shall pay the filing fee per Chapter 360 Building Regulations.

(c) The Zoning Officer will forward the application and information prior to the next scheduled Zoning Board of Appeals hearing in the following manner:
   (1) To the members of the Zoning Board of Appeals prior to the next scheduled hearing date.
   (2) To the governing body of a municipality within one and one-half mile of the property that is subject of the special use permit. The municipality in such instance shall be advisory to the Zoning Board of Appeals only.
   (3) Those school districts affected by the zoning request.

(d) The Zoning Officer shall make the following notification:
   (1) Publication Notice of Hearing published in a newspaper of general circulation within the county, at least 15 days prior to the next regularly scheduled Zoning Board of Appeals hearing.
   (2) Send letters of notification to property owners, by regular mail, within 250 feet of the subject property.

(e) The Zoning Board of Appeals shall conduct the public hearing at the next scheduled hearing date that meets the notification requirements of the "Illinois Open Meetings Act." At the conclusion of the hearing, the Zoning Board of Appeals shall either:
   (1) Make findings of fact relation to the application and recommendation to the County Board that the application be granted, denied, or granted with conditions; or
   (2) Adjourn the hearing on the application to the next meeting, but not to exceed 45 days thereafter; or

(f) The Carroll County Board shall act on the application within 60 days after receiving the recommendation of the Zoning Board of Appeals.

Section 700-21.04 Standards for Granting Special Use Permits

(a) The Carroll County Board may grant a special use permit after demonstration by evidence that:
   (1) The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.
   (2) The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted and will not substantially diminish and impair property values within the area.
   (3) The establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.
   (4) Adequate utilities, access roads, drainage and necessary facilities have been or will be provided.
   (5) Adequate measures have been or will be taken to provide ingress or egress so designed as to minimize congestion in the public streets.
   (6) The special use shall in all other respects conform to the applicable regulations of the district in which it is located.
   (7) A special use permit allows the intended use under the applicable District Regulations.

(b) The Zoning Board of Appeals may recommend, and the Carroll County Board may stipulate, such conditions and restrictions upon the establishment, location, construction, maintenance, and operation of the special use as deemed necessary for the protection of the public interest and to secure compliance with the requirements specified in this ordinance.

Section 700-21.05 Noncompliance/Revocation of Special Use Permits

Where a special use permit has been issued pursuant to the provisions of this ordinance, such permit shall become null and void without further action by the Zoning Board of Appeals or the Carroll County

Board, unless work thereon commences within one year of the date of granting such special use. A special use permit shall be deemed to authorize only one particular use and shall expire if that use shall cease for more than twelve consecutive months.

Noncompliance. The failure to comply with any of the conditions or restrictions imposed on a special use permit or a violation of a county ordinance that occurs on the property for which the special use has been issued. Any permit shall be subject to restriction or revocation at any time by the county board, on its own motion or on the recommendation of the Zoning Board of Appeals, if it appears that:

(1) The operator of such special use has failed to comply with any conditions or restrictions imposed on such permit and, after 30 days' notice of such failure to comply, has failed to remedy such noncompliance; or

(2) The operator of such special use or any affiliate is engaged in any other area of the county in any activity for which a special use permit is required but for which no permit has been obtained, or if such operator or affiliate has failed to remedy any noncompliance with any conditions or restrictions on any other special use permit after 30 days' notice thereof.

Section 700-21.06 Reapplication

Reapplication for a special use permit that has been denied by the Carroll County Board will be subject to a 180-day waiting period before another request for the same special use may be applied for upon the same parcel.

ARTICLE 22 – TEMPORARY USE PERMITS

Section 700-22.01 Temporary Use Permit

The purpose of a Temporary Use Permit is to allow for activities in the unincorporated areas of the county that by their nature are not permanent zoning changes, i.e., circuses, festivals, etc. These activities can be conducted for no more than 60 days with approval of the Carroll County Board.

Section 700-22.02 Exhibits Required

The following exhibits must be provided to the Carroll County Zoning Officer at the time of application:

(a) Description of activities to be conducted and location.
(b) Evidence of adequate Liability Insurance for activities conducted.
(c) Other information as requested by the Zoning Officer.

Section 700-22.03 Application Procedure

The Applicant will meet with the Carroll County Zoning Officer and complete a temporary use application and supply requested information and fee.

(a) The application will be received at least 30 days prior to the next scheduled Carroll County Board meeting for recommendations or comments by:
    (1) The Carroll County Sheriff's Department.
    (2) The Township/County or State Highway Departments affected.
    (3) Property owner's 250 feet surrounding the proposed location.
    (4) Other organizations as deemed required by Zoning Officer.
(b) A review of the application and comments will be conducted by the Carroll County board and may issue a temporary use permit with a majority vote. The Carroll County Board may issue such a permit with conditions.
(c) Upon approval the Zoning Officer will issue the temporary use permit which will be in effect 60 days from date of approval.

Section 700-22.04 Fee

Filing fee paid per Chapter 360 Building Regulations.

ARTICLE 23 – AMENDMENTS

Section 700-23.01 Amendments

This ordinance may be amended, changed, or altered only by a favorable vote of the Carroll County Board and only after a public hearing has been duly advertised and held by the Zoning Board of Appeals. In the event the property in question is located in one and one-half miles of a municipality in Carroll County, and amendment may be adopted only after review and recommendation by the governing body of such municipality.

Section 700-23.02 Initiating an Amendment

An Amendment to this ordinance may be one of the following:

(a) A change in a district's boundary (rezoning).
(b) A change in a district's regulations.
(c) A change in any other provision of this ordinance.

Section 700-23.03 Procedure to Initiate Amendment

Proceedings for amending this ordinance shall be initiated by:

(a) Petition of an owner or owners of property which is proposed to be rezoned, or for which district regulation changes are proposed, or
(b) Action of the Carroll County Board.

Section 700-23.04 Exhibits Required

Required exhibits for rezoning of district regulation changes initiated by property owners:

(a) The boundary survey and plot plan as required for building permit application.
(b) A Natural Resource Inventory review by the Natural Resource and Conservation Service (Form NRI2202a)

Section 700-23.05 Application Procedure

The procedure for a property owner to initiate rezoning or district regulation change applying to his property is as follows:

(a) The property owner or his agent shall meet with the Zoning Officer to explain his situation, learn the procedures, and obtain an application form.
(b) The applicant shall file the completed application form together with the required exhibits with the Zoning Officer and shall pay the filing fee per Chapter 360 Building Regulations.
(c) The Zoning Officer will forward the application and information prior to the next scheduled Zoning Board of Appeals hearing in the following manner:
    (1) To the members of the Zoning Board of Appeals prior to the next scheduled hearing date.
    (2) To the governing body of a municipality within one and one-half mile of the property that is subject of the amendment. The municipality in such instance shall be advisory to the Zoning Board of Appeals only.
    (3) Those school districts affected by the zoning request.
(d) The Zoning Officer shall make the following notification:
    (1) Publication Notice of Hearing published in a newspaper of general circulation within the county, at least 15 days prior to the next regularly scheduled Zoning Board of Appeals hearing.
    (2) Send letters of notification to property owners, by regular mail, within 250 feet of the subject property.

(e) The Zoning Board of Appeals shall conduct the public hearing at the next scheduled hearing date that meets the notification requirements of the "Illinois Open Meeting Act." At the conclusion of the hearing, the Zoning Board of Appeals shall either:
   (1) Make findings of fact relating to the application and recommendation to the County Board that the Application be granted, denied or granted with conditions; or
   (2) Adjourn the hearing on the application to the next meeting, but not to exceed 45 days thereafter; or

(f) The Carroll County Board shall act on the application within 60 days after receiving the recommendation of the Zoning Board of Appeals.

Section 700-23.06 Reapplication

Reapplication for a rezoning amendment that has been denied by the Carroll County Board will be subject to a 180-day waiting period before another request for the same rezoning may be applied for upon the same parcel.

ARTICLE 24 – VIOLATIONS

Section 700-24.01 Fines and Separate Offenses

A person who violates, disobeys, omits, neglects or refuses to comply with or resists the enforcement of any of the zoning provisions of this ordinance may be fined up to $500.00.

(a) Upon evidence that a building and/or zoning violation has been committed the Zoning Officer will conduct the following:
   (1) Notify the property owner of the violation by regular mail, giving a timeframe determined by the Zoning Officer in which to secure the permit and/or pay a fine.
      (a) The fine will constitute twice the cost of a permit for the building being erected or having been erected.
      (b) Contractors/builders found to have built or building without the evidence of a permit being issued may also be fined $250.00.
   (2) Each week violation or failure to comply exists will constitute as a separate offense.

Section 700-24.02 Service of Complaint

The Zoning Officer is authorized to serve upon any person in violation of this ordinance a complaint of the violation in the form of a uniform non-traffic citation, which shall require the violator's appearance before the circuit court.

Section 700-24.03 Civil Suits Authorized

The State's Attorney may bring suit seeking to permanently enjoin any ongoing violation of this ordinance.

Section 700-24.04 Fines for Building Agricultural Structures without Permit Agriculture structures erected without the required building permit shall have a fine not to exceed $25.00 for each offense committed.

Passed as amended the _____ day of _____ by the County Board of Carroll County.

_____
County Board Chairman