

VILLAGE OF ANTIOCH

Ordinance No. 10-04-14

***AN ORDINANCE AMENDING TITLE 10 CHAPTER 3 SECTION 5 OF THE
VILLAGE CODE REGARDING SUPPLEMENTARY REGULATIONS***

ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES

OF THE

VILLAGE OF ANTIOCH, ILLINOIS

ON

APRIL 19, 2010

**Published in pamphlet form by authority of the Village Board
of the Village of Antioch, Lake County, Illinois,
this 21st day of April, 2010**

LAWRENCE M. HANSON	President	DENNIS B. CROSBY	Trustee
		JAY JOZWIAK	Trustee
CANDI L. ROWE	Clerk	SCOTT A. PIERCE	Trustee
		TED P. POULOS	Trustee
ROBERT J. LONG	Attorney	GEORGE C. SAKAS	Trustee
		MICHAEL W. WOLCZYK	Trustee

ORDINANCE NO. 10-04-14

**AN ORDINANCE AMENDING TITLE 10 CHAPTER 3 SECTION 5 OF
THE VILLAGE CODE REGARDING SUPPLEMENTARY REGULATIONS**

WHEREAS, the Village of Antioch is a Non-Home Rule Illinois Municipal Corporation organized and operating under the Illinois Municipal Code, 65 ILCS 5/1 et seq.; and

WHEREAS, through 65 ILCS 5/11-30-4 of the Illinois Municipal Code, the Village has the authority to prescribe the strength and manner of constructing all buildings within the Village; and

WHEREAS, pursuant to Chapter 14 of Title 10 of the Antioch Village Code, a public hearing was commenced and adjourned by the Combined Planning Commission and Zoning Board on April 08th, 2010 after due notice by newspaper publication, pursuant to the application of Dustin Nilsen, on Behalf of the Village of Antioch ("Petitioner") to amend Title 10 of the Village Zoning Code; and

WHEREAS, the Combined Planning Commission and Zoning Board, following adjournment of the public hearing and consideration of all the evidence presented by the Applicant, staff and public, voted to recommend approval of a text amendment of Chapter 3 of Title 10 entitled Supplemental Regulations (the "Amendment"); and

WHEREAS, the Corporate Authorities have concluded and found that the Amendment, subject to and in conformance with the terms and conditions of this Ordinance, is necessary or desirable to permit services or facilities which are in the interest of public convenience, will contribute to the general welfare of the neighborhood or community, and will not, under the circumstances permitted by this Ordinance, be detrimental to the health, safety, morals or general welfare of persons residing or working in the vicinity, or injurious to property values or improvements in the vicinity; and

WHEREAS, the Corporate Authorities have concluded and found that the Amendment will enhance and promote the general welfare of the Village and the health, safety and welfare of the residents of the Village.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Antioch, Lake County, Illinois, as follows:

SECTION I: The foregoing recitals represent the purpose and intent of this ordinance and insofar as each recital does it is incorporated by reference as a substantive provision as though fully set forth herein and

SECTION II: That Section 10-3-5 of Title 10 of the Antioch Village Code be and is hereby amended and shall hereafter provide as follows with underline (insert) denoting inserted language and ~~delete~~ denoting deleted language:

10-3-5: ACCESSORY ~~BUILDINGS~~ STRUCTURES:

- A. Where an accessory building or structure is attached to a main building, it shall be considered an addition and be subject to, and conform to, all regulations of this chapter applicable to the main building.
- B. Accessory Structures in Business and Manufacturing Zones shall comply with the required and applicable setback, separation, and landscape buffer yard areas listed under Title 9 and 10 of the Village Code.
- C. ~~An accessory building may not be located nearer to any interior lot line than the main building when any part of this accessory building is on line with the main building, if extended. However, when an accessory building is located in the rear yard, it may then be located within three feet (3') of the interior lot line, but not nearer than five feet (5') of the rear lot line.~~ Accessory Structures in Residential Zones: An accessory structure in a residential zone shall meet the front and side yard setback and buffer requirements of the underlying zone and, unless regulated by a more specific code, rule, or standard, shall not be located any closer than 5 feet from the rear and rear side lot line. Where overlap occurs among code standards the more restrictive shall apply. No accessory building shall be more than eighteen feet (18') in height as measured from ground level to the roof peak of the building.
- D. An accessory building shall not be erected prior to the establishment or construction of the main building to which it is accessory.
- E. ~~On a reversed corner lot in a residential district, and within fifteen feet (15') of adjacent property to the rear in a residential district, no accessory building or portion thereof located in a required rear yard shall be closer to the side lot line abutting the street than a distance equal to sixty percent (60%) of the least depth which would be required under this title for the front yard on such adjacent property to the rear. Further, in the above instance, no accessory building shall be located within five feet (5') of any part of a rear lot line which coincides with a side lot line or portion thereof of property in a residential district. (1976 Code § 450.045)~~
- F. Unless a stricter side yard setback is required by the code, underlying zone, or site specific development plan, no accessory structure to a single family detached residence shall be located within fifteen feet (15') of a side yard lot line abutting a street.

- G. Private pools as accessory to residential uses shall be located within the rear yard and follow the requirements listed in Section 10-5-3, Permitted Obstructions. Above Ground Pools shall meet the yard area requirements of a principal structure.
- H. These regulations are not indented to abbreviate or circumvent easements, planned development ordinances, building code regulations, variances, exceptions listed under overlay districts, or other limitations placed upon parcels by Village Corporate Authorities.
- I. Accessory structures cannot be larger than the principal building. The maximum size allowed for accessory structures shall be limited to the area of the principal building's footprint.

SECTION III: That Section 10-3-6 of Title 10 of the Antioch Village Code be and is hereby amended and shall hereafter provide as follows with underline (insert) denoting inserted language and ~~delete~~ denoting deleted language:

10-3-6. Commercial Outdoor Storage not Accessory to Retail

(A) Generally. It shall be unlawful for any owner or occupant to place, deposit, or maintain outdoor storage on any premises or property except as permitted in this chapter. All storage areas shall be fully screened from view from adjacent properties by an approved treatment that may include building placement, walls, fencing, and landscaping. Such storage areas shall not be located in the building setbacks landscape buffer yards, nor dedicated easements.

(B) Outdoor Storage. Outdoor storage shall be allowed in the Manufacturing Zoning District shall be allowed, subject to site plan approval, if listed in the specific district regulations.

Railroad boxcars and trailers may not be used for storage or warehousing purposes. Outdoor storage shall be screened with a visual barrier that adequately conceals material from the view of residential areas, public rights-of-way, trails or public open space. Outdoor storage shall be behind required setbacks and outside buffer areas.

All outdoor storage facilities for manufacturing equipment, fuel, raw materials, subassemblies, finished goods and defective or repairable goods shall be enclosed by an opaque fence and other appropriate treatment. Such fence or treatment shall be adequate to conceal such facilities from adjacent property. Acceptable barriers include opaque fencing, berming, and/or other landscape treatment. Chain link fencing with slats for screening is prohibited.

The Board of Trustees may grant a variance to screening requirements for outdoor

storage upon approval of a preliminary plan or PUD. The exception shall be based on a visual analysis of the site and proposed development identification of unusual topographic or elevation conditions, strategic design treatment, and demonstration that the strict enforcement of screening is not practical. Views into the site will determine the amount and location of landscaping.

Additional Outdoor Storage Requirements.

Terminals for public transit vehicles; parking or storage of motor vehicles, including towing services; truck rentals, motor freight terminals; contractor yards for vehicles, materials, equipment and supplies; automobile wrecking or dismantling; outdoor storage; solid waster transfer stations; and landscape contractor yards shall comply with the following conditions:

(A) The site is properly graded for drainage; surfaced with a concrete or asphalted surface approved by the village engineer; storage areas shall be bounded by curb and getter, graded and designed to manage stormwater, and be maintained in good condition, free of weeds, trash, and debris;

(B) The site is provided with barriers of such dimensions that occupants of adjacent structures are not unreasonably disturbed, either by day or by night, by the movement of vehicles, machinery, equipment, or supplies;

(C) The site is provided with entrances and exits located to minimize traffic congestion;

(D) The site is provided with barriers and located so that no parts of the parked vehicles extend into a landscape buffer yard space or into a required setback;

(E) The site is appropriately screened from view from adjacent properties by an opaque approved treatment that may include a combination of landscaping, decorative walls, or fencing. All shall be in compliance with the Village landscape Ordinance. Chain link fencing with slats for screening is prohibited.

(F) Lighting facilities are arranged so that they neither unreasonably disturb occupants of adjacent residential properties nor interfere with traffic; and

SECTION IV: Nothing in this Ordinance shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action arising, acquired or existing under any act or ordinance or portion thereof hereby repealed or amended by this ordinance; nor shall any just or legal right, claim, penalty or remedy of any character of the corporate authority existing on the effective date hereof be lost, impaired or affected by this Ordinance.

SECTION V: If any provision, clause, sentence, paragraph, section, or part of this ordinance or application thereof to any person, firm, corporation, public agency or circumstance, shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, said judgment shall not affect, impair or invalidate the remainder of this ordinance and the application of such provision to other persons, firms, corporation, or circumstances, but shall be confined in its operation to the provision, clause, sentence, paragraph, section, or part thereof directly involved in the controversy in which such judgment shall have been rendered and to the person, firm, corporation, or circumstances involved. It is hereby declared to be the legislative intent of the corporate authorities that this ordinance would have been adopted had such unconstitutional or invalid provision, clause, sentence, paragraph, section, or part thereof not been included.

SECTION VI: This ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as required by law.

APPROVED this 19th day of April 2010.

AYES: 5: Poulos, Sakas, Crosby, Wolczyk and Jozwiak.

NAYS: 0.

ABSENT: 1: Pierce.


LAWRENCE M. HANSON, President

ATTEST:


CANDI L. ROWE, Village Clerk



STATE OF ILLINOIS)
) SS
COUNTY OF LAKE)

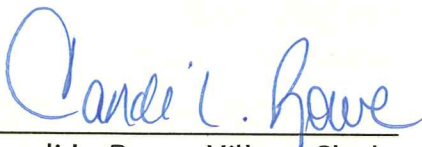
CERTIFICATE

I, Candi L. Rowe, certify that I am the duly appointed Municipal Clerk of the Village of Antioch, Lake County, Illinois.

I certify that on April 19, 2010, the Corporate Authorities of such municipality passed and approved **Ordinance No. 10-04-14**, entitled "**AN ORDINANCE AMENDING TITLE 10 CHAPTER 3 SECTION 5 OF THE VILLAGE CODE REGARDING SUPPLEMENTARY REGULATIONS**" which provided by its terms that it should be published in pamphlet form.

The pamphlet form of **Ordinance No. 10-04-14**, including the Ordinance and cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on April 21, 2010, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Municipal Clerk.

DATED at Antioch, Illinois, this 21st day of April, 2010.



Candi L. Rowe, Village Clerk

