

ORDINANCE # 2000- 05

**AMENDMENT TO SECTION 8 of the  
KENDALL COUNTY ZONING ORDINANCE**

WHEREAS, the Kendall County regulates development under authority of its Zoning Ordinance and related ordinances; and

WHEREAS, the Kendall County Board amends these ordinances from time to time in the public's interest; and

WHEREAS, the Kendall County Board adopted Kendall County Ordinance #90-16 on May 8, 1990; and

WHEREAS, said Ordinance deleted the R-4 through R-7 residential zoning districts in their entirety from Section 8 of the Kendall County Zoning Ordinance; and

WHEREAS, the Kendall County Board desires to re-establish the standards for the R-4 through R-7 residential districts previously deleted and to retire them as permitted rezoning classifications; and

WHEREAS, all administrative procedures for amendments have been followed including a Public Hearing held before the Kendall County Zoning Board of Appeals;

NOW, THEREFORE, BE IT ORDAINED, the Kendall County Board hereby amends Kendall County Zoning Ordinance to include the following:

1. Insert the following text in Section 6.01 between "Section 8.03" and "Section 9.01:"

8.04	R-4 One Family Residence District	30,000 sq. ft.
8.05	R-5 One Family Residence District	15,000 sq. ft.
8.06	R-6 One Family Residence District	7,000 sq. ft.
8.07	R-7 General Residence District	<i>Varies</i>

2. Insert the following text after Sub-Section 8.03:  
The following districts shall not be considered for re-zoning classifications after February 15, 2000.

8.04 R-4 ONE-FAMILY RESIDENCE DISTRICT

A. PERMITTED USES. The following uses are permitted:

1. One family detached dwellings.
2. Churches, when the principal structure is located twenty (20) feet or more from the nearest lot line of a residential lot.

3. Home Occupations.
  4. Sales offices in a model dwelling unit, or recreational and accessory building during the period of construction and occupancy of the residential development.
  5. Parks, forest preserves and recreational areas, when publicly owned and operated.
  6. Temporary buildings or structures for construction offices or storage, on the same zoning lot, for a period not to exceed such construction.
  7. Accessory uses.
  8. Signs, as permitted and regulated by Section 12.
  9. Off-street parking facilities, as required or permitted in accordance with the provisions of Section 11.
- B. SPECIAL USES. The following uses may be allowed by special use permit in accordance with the provisions of Section 13.00:
1. Schools, public , elementary, junior high, and high, including playgrounds, garages for school buses, and athletic fields.
  2. Rectories, seminaries, convents, monasteries and similar religious institutions, including dormitories and other accessory uses required for operation.
  3. Golf courses, regulation size, but not including "Par 3" golf courses, commercially operated driving ranges or miniature golf courses.
  4. Colleges and universities, including dormitories, fraternities, sororities and other accessory buildings and structures when located on the college or university grounds, but not including business colleges or trade schools when operated for profit.
  5. Filling of holes, pits, or lowlands with non-combustible material free from refuse and food wastes.
  6. Rest homes, nursing homes, hospitals, halfway houses, and sanitariums, for human beings only.

7. Public service uses:
  - a. Filtration plant, pumping station, and water reservoir.
  - b. Sewage treatment plant.
  - c. Police and fire station.
  - d. Telephone exchange.
  - e. Electric substations stations.
  - f. Other governmental uses.
8. Institutions for the aged and for children.
9. Schools, day or nursery, public or private.
10. Planned residential or institutional developments, under single ownership or control, in which incidental business or recreational facilities for the convenience of the occupants may be furnished, provided the property proposed for development shall have a gross area of at least twenty (20) acres. For such developments, the County Board may vary the bulk regulations subject to the conditions in this ordinance, provided such variations are consistent with the general purpose and intent of this ordinance, and will result in better site planning and thus be of greater benefit to the occupants of the development and to the surrounding area.
11. Institutions, public or private, for the training or education of adults, including instructional, administrative and recreational uses, garages, and parking areas, with or without living quarters, dining rooms, heating plants, office and other incidental facilities for students, instructors and employees.

C. Lot Size.

1. One family detached dwellings:
  - a. Lot: 30,000 square feet minimum with a width at the established building line equal to forty (40) percent of the depth.
  - b. Density: Shall not exceed twelve (12) dwelling units per each ten (10) gross acre.
  - c. Utilities: All lots in this district shall be served by public sewerage facilities.
2. Non-residential: All non-residential principal uses of building as permitted in this section shall be located on a tract of land having an area of not less than five (5) acres and a width at the established building line of not

less than forty (40) percent of the depth of the lot, except municipal projects and developments.

3. Special uses: Lot size for special uses shall be specified in the special use permit, unless specified as minimum herein.

D. Yard Areas.

1. Front Yard. Every building hereafter erected or enlarged shall provide and maintain a front yard in accordance with the following requirements:

- a. Freeway and Arterial Roads, as defined by the Land Resource Management Plan - Forty (40) feet from the right-of-way line.
- b. Major and Minor Collector Roads, as defined by the Land Resource Management Plan - Thirty (30) feet from the right-of-way line.
- c. All other roads - Twenty-five (25) feet from the right-of-way line.
- d. Exception. Where lots comprising fifty (50) percent of the frontage on the same street and within the same block are developed with buildings having front yards with a variation of not more than ten (10) feet in depth, the average of such front yards shall establish the minimum front yard depth for the entire frontage, but in no case shall a front yard of more than that stipulated above for the applicable classification of a street on which the property is located be required.

2. Side Yard. A side yard on each side of the lot equal to ten (10) percent of the lot width for interior side yards. A side yard to a street shall be not less than thirty (30) feet.

3. Rear Yard. A rear yard of not less than thirty (30) feet.

- E. Lot Coverage. Not more than twenty (20) percent of the area of a zoning lot may be covered by buildings or structures including accessory buildings.

- F. Maximum Building Height. Same regulations shall apply as permitted or required in the R-1 One-Family Estate Residence, Section 8.01 F.

8.05 R-5 ONE-FAMILY RESIDENCE DISTRICT

- A. PERMITTED USES. The following uses are permitted: Any permitted use in the R-4 One-Family Residence District, Section 8.04 A.

- B. SPECIAL USES. The following uses may be allowed by special use permit in

accordance with the provisions of Section 13.00: Any use permitted as a special use in the R-4 One-Family Residence District, Section 8.04 B, except that Planned Development may be considered where the zoning lot proposed for development has a gross area of not less than twenty (20) acres.

C. Lot Size.

1. One family detached dwellings:
  - a. Lot: 15,000 square feet minimum with a width at the established building line equal to forty (40) percent of the depth.
  - b. Density: Shall not exceed twenty-two (22) dwelling units per each ten (10) gross acre.
  - c. Utilities: All lots in this district shall be served by public sewerage facilities.
2. Non-residential: All non-residential principal uses of building as permitted in this section shall be located on a tract of land having an area of not less than five (5) acres and a width at the established building line of not less than forty (40) percent of the depth of the lot, except municipal projects and developments.
3. Special uses: Lot size for special uses shall be specified in the special use permit, unless specified as minimum herein.

D. Yard Areas.

1. Front Yard. Every building hereafter erected or enlarged shall provide and maintain a front yard in accordance with the following requirements:
  - a. Freeway and Arterial Roads, as defined by the Land Resource Management Plan - Forty (40) feet from the right-of-way line.
  - b. Major and Minor Collector Roads, as defined by the Land Resource Management Plan - Thirty (30) feet from the right-of-way line.
  - c. All other roads - Twenty-five (25) feet from the right-of-way line.
  - d. Exception. Where lots comprising fifty (50) percent of the frontage on the same street and within the same block are developed with buildings having front yards with a variation of not more than ten (10) feet in depth, the average of such front yards shall establish the minimum front yard depth for the entire frontage, but in no case shall a front yard of more than that stipulated above for the applicable classification of a street on which the property is located be required.

2. Side Yard. A side yard on each side of the lot equal to ten (10) percent of the lot width for interior side yards. A side yard to a street shall be not less than thirty (30) feet.
  3. Rear Yard. A rear yard of not less than thirty (30) feet.
  - E. Lot Coverage. Not more than thirty-five (35) percent of the area of a zoning lot may be covered by buildings or structures including accessory buildings.
  - F. Maximum Building Height. Same regulations shall apply as permitted or required in the R-1 One-Family Estate Residence, Section 8.01 F.
- 8.06 R-6 ONE-FAMILY RESIDENCE DISTRICT
- A. PERMITTED USES. The following uses are permitted: Any permitted use in the R-4 One-Family Residence District, Section 8.04 A.
  - B. SPECIAL USES. The following uses may be allowed by special use permit in accordance with the provisions of Section 13.00: Any use permitted as a special use in the R-4 One-Family Residence District, Section 8.04 B, except that Planned Development may be considered where the zoning lot proposed for development has a gross area of not less than twenty (20) acres.
  - C. Lot Size.
    1. One family detached dwellings:
      - a. Lot: 7,000 square feet minimum with a width at the established building line equal to forty (40) percent of the depth.
      - b. Density: Shall not exceed three and one-half (3.5) dwelling units per each one (1) gross acre.
      - c. Utilities: All lots in this district shall be served by public sewerage and water facilities.
    2. Non-residential: All non-residential principal uses of building as permitted in this section shall be located on a tract of land having an area of not less than five (5) acres and a width at the established building line of not less than forty (40) percent of the depth of the lot, except municipal projects and developments.
    3. Special uses: Lot size for special uses shall be specified in the special use permit, unless specified as minimum herein.
  - D. Yard Areas.

1. Front Yard. Every building hereafter erected or enlarged shall provide and maintain a front yard in accordance with the following requirements:
    - a. Freeway and Arterial Roads, as defined by the Land Resource Management Plan - Forty (40) feet from the right-of-way line.
    - b. Major and Minor Collector Roads, as defined by the Land Resource Management Plan - Thirty (30) feet from the right-of-way line.
    - c. All other roads - Twenty-five (25) feet from the right-of-way line.
    - d. Exception. Where lots comprising fifty (50) percent of the frontage on the same street and within the same block are developed with buildings having front yards with a variation of not more than ten (10) feet in depth, the average of such front yards shall establish the minimum front yard depth for the entire frontage, but in no case shall a front yard of more than that stipulated above for the applicable classification of a street on which the property is located be required.
  2. Side Yard. A side yard on each side of the lot equal to ten (10) percent of the lot width for interior side yards. A side yard to a street shall be not less than thirty (30) feet.
  3. Rear Yard. A rear yard of not less than thirty (30) feet.
  - E. Lot Coverage. Not more than thirty-five (35) percent of the area of a zoning lot may be covered by buildings or structures including accessory buildings.
  - F. Maximum Building Height. Same regulations shall apply as permitted or required in the R-1 One-Family Estate Residence, Section 8.01 F.
- 8.07 R-7 GENERAL RESIDENCE DISTRICT
- A. PERMITTED USES. The following uses are permitted:
    1. Any of the permitted uses in the R-4 One-Family Residence District, Section 8.04 A.
    2. Multiple-family dwellings.
    3. Single-family semi-detached dwellings.
    4. Single-family attached dwellings, but not more than one hundred eighty (180) feet in length.

5. Two-family detached dwellings.

B. SPECIAL USES. The following uses may be allowed by special use permit in accordance with the provisions of Section 13.00:

1. Any use permitted as a special use in the R-4 One-Family Residence District, Section 8.04 B, except that Planned Development may be considered where the zoning lot proposed for development has a gross area of not less than twenty (20) acres.

2. Mobile home park, on a lot not less than (10) acres in area.

3. Tourist homes having not more than five (5) room for transient guests.

C. Lot Area and Allowable Density.

1. One family detached dwellings:

a. Utilities: All lots in this district shall be served by public sewerage facilities.

b. Every single-family detached dwelling and every two-family detached dwelling shall be on a lot conforming with the area requirements for a single-family detached dwelling in the R-6 Residence District.

c. All residential structures containing two (2) or more attached dwelling units shall be located on a lot which provides the following minimum land area per dwelling unit:

Type of Dwelling Unit	Minimum Lot Area Per Dwelling Unit (in Sq. Ft.)
4 or more bedrooms	4,000
3 bedroom	3,500
2 bedroom	3,000
1 bedroom	2,000
Efficiency	1,000

d. For the purposes of determining lot area, any room other than a living room, dining room, kitchen or bath shall be counted as a bedroom.

e. Density: The maximum density allowed based upon the gross area shall be fifteen (15) dwelling units per acre.

2. Non-residential: All non-residential principal uses of building as permitted in this section shall be located on a tract of land having an area of not less than five (5) acres and a width at the established building line of not less than forty (40) percent of the depth of the lot, except municipal projects and developments.



3. Special uses: Lot size for special uses shall be specified in the special use permit, unless specified as minimum herein.
- D. Lot Width. Every lot shall have a width equal to at least forty (40) percent of the lot depth.
- E. Floor Area Ratio.
1. Not applicable for one and two-family dwellings.
  2. For multiple family buildings - 0.5.
  3. For permitted non-residential uses - 0.7.
- F. Yard Areas.
1. All yard areas for single family and two-family buildings shall be the same as the regulations required in the R-6 One-Family Residence District, Section 8.06 D.
  2. For multiple family buildings, the following yards shall be provided:
    - A. Front Yard. Every building hereafter erected or enlarged shall provide and maintain a front yard in accordance with the following requirements:
      - a. Freeway and Arterial Roads, as defined by the Land Resource Management Plan - Fifty (50) feet from the right-of-way line.
      - b. Major and Minor Collector Roads, as defined by the Land Resource Management Plan - Forty (40) feet from the right-of-way line.
      - c. All other roads - Thirty (30) feet from the right-of-way line.
      - d. Exception. Where lots comprising fifty (50) percent of the frontage on the same street and within the same block are developed with buildings having front yards with a variation of not more than ten (10) feet in depth, the average of such front yards shall establish the minimum front yard depth for the entire frontage, but in no case shall a front yard of more than that stipulated above for the applicable classification of a street on which the property is located be required.
    - B. Side Yard. Two (2) side yards each not less than ten (10) feet in width, except a side yard adjoining a street shall not be less than thirty (30) feet in width and for structures more than thirty (30) feet in length measured perpendicularly to the front lot line, an interior side yard shall be increased in width by one-half (0.5) foot

for each one (1) foot the building exceeds thirty (30) feet in length.

C. Rear Yard. A rear yard of not less than thirty (30) feet.

G. Lot Coverage.

1. For single-family and two-family dwelling structures, not more than thirty-five (35) percent of the area of a zoning lot may be covered by buildings or structures including accessory buildings.
2. For buildings containing three (3) or more dwelling units, there shall be maintained not less than fifty (50) percent of the lot in open space; off-street parking may not be included, but a roofed parking facility may be counted when designed for recreational use.


H. Maximum Building Height.

1. Single-family detached dwellings. Same regulations shall apply as permitted or required in the R-1 One-Family Estate Residence, Section 8.01 F.
2. All other dwelling types, not more than two (2) stories or twenty-four (24) feet, whichever is lower.

IN WITNESS OF, this Amendment to the Kendall County Zoning Ordinance was approved by the Kendall County Board on February 15, 2000.

  
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John A. Church  
Kendall County Board Chairman

Attest:

  
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Paul Anderson  
Kendall County Clerk