

ORDINANCE 2017 – O - 27

**AN ORDINANCE AMENDING CERTAIN LOT REQUIREMENTS
IN THE R-3 ZONING DISTRICT**

WHEREAS, the Village Director of Community Development petitioned the Planning and Zoning Board to consider making certain modifications to the codified lot requirements in the R-3 residential zoning district, under Docket 08-PZB-17, with the intention of increasing the potential for building additional or enlarged structures on the existing inventory of non-conforming lots without causing undue issues relating to the potential for overcrowding, and

WHEREAS, the PZB held a public hearing on the said petition on November 14, 2017, concluding with a unanimous recommendation to the Village Board to accept the suggested text amendments along with a recommendation to add a reference date for the lot of record rules, and

WHEREAS, the Village Board has considered the said petition and recommendation and finds that the same will enhance the opportunities for property owners to improve their properties without unduly intruding upon the rights of others nearby and without causing danger of overcrowding,

NOW THEREFORE, BE IT ORDAINED by the Village of Winthrop Harbor, Lake County, Illinois, as follows:

SECTION ONE: Section 154.008 of the Winthrop Harbor Municipal Code is hereby repealed and replaced in its entirety and it shall hereafter read as follows:

154.008 LOTS OF RECORD.

Any lot of record on the effective date of this chapter (February 18, 1964) which does not comply with the requirements of the district in which it is located may be used for any use permitted within the zoning district provided that all setback requirements, street frontages according to section 154.012 (Front Footage and Access to Lots) and building lines are complied with and that all remaining requirements of this chapter are complied with, and that the owner of such lot did not, directly or indirectly, have legal title to or enjoy the beneficial interest in the lot or lots contiguous thereto on the effective date of this chapter.

SECTION TWO: Section 154.012 of the Winthrop Harbor Municipal Code is hereby amended and it shall hereafter read as follows (deletions ~~stricken~~, additions underlined):

154.012 FRONT FOOTAGE AND ACCESS TO LOTS.

All lots shall have a minimum frontage of not less than the minimum lot width required in each zoning district or the width of an existing Lot of Record along a street, road, or public way dedicated to, or approved by, the village and necessary by the County

Highway Commissioner, Superintendent of Highways, and the Department of Transportation. Such lots shall also have direct access to any such public way. Private easements shall not be allowed as a sole means of access for any new principal use.

SECTION THREE: Section 154.057 of the Winthrop Harbor Municipal Code is hereby amended and it shall hereafter read as follows (deletions ~~stricken~~, additions underlined):

§ 154.057 LOT SIZE REQUIREMENTS.

(A) The minimum lot area shall be as follows:

(1) For single-family dwellings: ~~9,000~~ 7,000 square feet.

(2) For all other buildings and structures: 20,000 square feet.

(B) The minimum lot width shall be as follows:

(1) For single-family dwellings: ~~75~~ 50 feet.

(2) For all other buildings and structures: 100 feet.

SECTION FOUR: Section 154.058 of the Winthrop Harbor Municipal Code is hereby amended and it shall hereafter read as follows (deletions ~~stricken~~, additions underlined):

§ 154.058 BUILDING BULK REGULATIONS.

(A) The maximum building height shall be 25 feet, provided that a building or structure may exceed this maximum if it is set back from each lot line an additional 2 feet for each 1 foot by which it exceeds 25 feet in height.

(B) The lot coverage shall not exceed 45% of the area of the lot.

(C) No residential building shall contain more than 2 floors devoted to residential occupancy.

(D) Yard requirements shall be as follows:

(1) For single-family dwellings:

(a) A front yard of not less than 25 feet.

(b) A side yard on each side of the lot of not less than 8 feet and a combined total of side yards that is not less than 18 feet. On a corner lot the side yard adjacent to the street shall be not less than 10 feet wide.

(c) A rear yard of not less than ~~20 feet or 20% of the lot depth, whichever is the lesser~~ 8 feet.

(2) All buildings or other structures located on a lot that fronts on a major or a secondary street, as defined in § 154.003, shall be set back from the center line of such street as follows:

(a) On major streets: 75 feet.

(b) On secondary streets: 65 feet.

SECTION FIVE: This Ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

PASSED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF WINTHROP HARBOR,
ILLINOIS, ON THIS 5th DAY OF November, 2017 .

ATTEST:

DR. MICHAEL BRUNO, MAYOR

JULIE RITTENHOUSE, VILLAGE CLERK