GENERAL DISTRICT REGULATIONS AND STANDARDS

§ 153.020 UNIFORMITY OF APPLICATION.

The regulations and standards set by this chapter within each district shall be minimum regulations and standards and shall apply uniformly to each class, kind or type of structure, use or land except as hereinafter provided.

§ 153.021 CONFORMITY WITH DISTRICT REGULATIONS AND STANDARDS.

No structure or land shall hereafter be used or occupied and no structure or part thereof shall hereafter be constructed, erected, altered, remodeled, extended or moved unless In conformity with all the regulations and standards herein specified for the district in which it shall be located.
Penalty, see § 153.999

§ 153.022 STRUCTURES.

(A) No structure shall hereafter be constructed, erected, altered, remodeled, extended or moved:

(1) To exceed the height;

(2) To occupy or house a greater number of families;

(3) To occupy a greater percentage of the lot area;

(4) To exceed the floor area ratio;

(5) To have smaller or less habitable floor area per dwelling unit or lodging unit;

(6) To exceed the maximum floor area;

than hereinafter required or in any manner contrary to the regulations and standards of the district in which it is located.

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than hereinafter required or in any manner contrary to the regulations and standards of the district in which it is located.

(B) In no case other than in planned developments shall there be more than one main or principal structure, or main or principal use on one lot or tract of land.

(C) No accessory use shall be established prior to the establishment of the main or principal use, and no accessory structure shall be constructed, erected, altered, remodeled, extended or moved prior to the establishment or construction of the main or principal structure except those accessory uses and structures of a temporary nature required for the establishment of the main or principal use, or for the construction of the main or principal structure.

(D) All multi family dwellings, two-family dwellings, condominiums, as defined by the State of Illinois, and each zero lot line duplex shall have a fire wall to separate dwelling units.
Penalty, see § 153.999 (Am. Ord. 786, passed 4-27-09)

§ 153.023 ACCESS.

No structure shall be constructed or erected on a lot or tract of land or moved to a lot or tract of land which does not abut a public street or permanent easement of access to a public street. Such easement shall have a minimum width of 20 feet unless an easement of less width was on record prior to the effective date hereof.
Penalty, see § 153.999

§ 153.024 EXISTING STRUCTURES.

Nothing in this chapter shall be deemed to require any change in the plans, construction or designated use of any structure existing or upon which construction was lawfully begun prior to the effective date hereof; provided, that such structure shall be completed within one calendar year from the effective date hereof.
Penalty, see § 153.999

§ 153.025 MINIMUM FLOOR ELEVATION.

Minimum floor elevation of any building constructed on land subject to flood shall be at least two feet above the highest known high water line.
Penalty, see § 153.999

§ 153.026 APPLICATION OF STANDARDS.

The performance standards, regulations and standards, rules, requirements, provisions and restrictions set by this chapter shall apply to all structure, use-lots and tracts of land created or established after the effective date hereof and shall not be deemed to require any change in the structures, uses, lots and/or tracts of land lawfully existing on the effective date of hereof except as expressly specified hereinafter.

§ 153.027 PERMITTED USES IN DISTRICTS.

The uses permitted in one district shall not be permitted in any other district unless specifically stated.

§ 153.028 OPEN SPACES.

(A) No part of a yard, buffer strip or other open space, off-street parking space or loading berth, or lot area required about or in connection with any structure or use for the purpose of complying with the regulations and standards of this chapter shall be included as part of a yard, buffer strip or other open space, off-street parking space or loading berth, or lot area similarly required for any other structure or use.

(B) No yard, buffer strip or other open space, off-street parking space or loading berth, or lot existing on the effective date hereof shall be reduced in dimension or area below the requirements set forth hereinafter. Yards, buffer strips or other open spaces, off-street parking spaces or loading berths, or lots created or established after the effective date hereof shall meet at least the minimum requirements established by this chapter.
Penalty, see § 153.999

§ 153.029 (RESERVED).

§ 153.030 SETBACK LINES.

All buildings and all main or principal structures shall be positioned in conformity with the setback line regulations and standards specified hereinafter for the district in which they are located.
Penalty, see § 153.999

§ 153.031 YARDS.

(A) Notwithstanding any other provisions of this chapter, the minimum yard dimensions in this subchapter shall not be reduced except through action by the Zoning Board, the County Board or by operation of law.

(B) The following yard regulations and to apply to all lots or tracts of land on which a structure is located:

(1) Yards shall be kept unobstructed for their entire depth except as specified hereinafter.

(2) Private driveways, service drives, easements, sidewalks, flag poles, arbors, trellises, fences, alls, columns, light poles, hydrants patios, accessory signs and other decorative recreational and utility devices and equipment may be placed in any yard.

(3) Notwithstanding any other provisions of this chapter, the following visibility regulations and standards shall apply:

(a) Fences, walls and/or hedges may be placed in any yard, provided that no fence, wall and/or hedge along the sides or front edge of the front yard of an interior lot shall exceed the height herein permitted:

1. Along the front property line, and the side property lines to the building setback line, a height of four feet.

2. From the building setback line along the side and rear property line a fence, wall and/or hedge may be placed not to exceed eight feet in height.

(b) On a corner lot nothing shall be constructed, erected, placed, planted or allowed to grow in such manner as to obstruct the vision of traffic approaching the corner from either direction. A fence, wall and/or hedge may be placed on a corner lot beginning at the building setback line, along the side and rear property line not to exceed eight feet in height.

(c) Junk yards and automobile salvage yards shall have a solid fence or wall eight feet in height placed along the front of the property at the building setback line, and along the side and/or rear property line to screen the property from view, entrance gates to the property shall also be constructed of a solid material the same height as the fence.
Penalty, see § 153.999

§ 153.032 LOTS.

The provisions of this section shall not apply to property zoned M - mobile home park.

(A) Unless the regulations and standards of the district in which lots are located require greater lot areas, lot widths or lot depths, the following regulations and standards shall apply to lots platted or created after the effective date hereof.

(1) A lot without a public water supply system and without a public sanitary sewer system shall be not less than 20,000 square feet in area.

(2) A lot served by either a public water supply system or a public sanitary sewer system shall be not less than 8,500 square feet in area.

(3) Notwithstanding the district regulations, within the agriculture district, a lot may be created on which is located, on the effective date hereof, an existing dwelling, such as a tenant farm home, or a farm manager's dwelling; provided, such lot shall be not less than 20,000 square feet in area, and a lot of not less than 100 feet.

(B) Lots hereafter platted or created shall have adequate lot area, width and lot depth to provide for off-street parking spaces and loading berths, yards, buffer strips and other open spaces required.

(C) Lots hereafter platted or created shall not be reduced in area, width and/or depth by sale, development or subdivision so that lot area, lot width, lot depth, lot area per dwelling unit, lot area per loading unit, yards, buffer strips or other open spaces required are narrower or smaller than specified hereinafter.

(D) No lot hereafter platted or created shall be less than 100 feet in depth.

(E) The minimum lot depth shall be measured along the shorter side lot line.

(F) The lot width shall be measured at the setback line.
(Am. Ord. 658, passed 10-14-02) Penalty, see § 153.999

§ 153.033 EXEMPTED STRUCTURES AND USES.

The following structures and uses are exempted from the application of the district regulations and standards and are permitted in any district:

(A) *Utility fixtures, etc.* Poles, towers, wires, cables, conduits, vaults, laterals, pipe mains, valves or any other similar distributing equipment for telephone or other communications, electric power, gas, water and sewer lines, railroad right-of-way, water reservoir, provides that the installation shall conform where applicable with the rules and regulations of the Illinois Commerce Commission, the Civil Aeronautics Administration and of other public authorities having jurisdiction.

(B) *Agricultural purposes.* Land used or to be used for agricultural purposes and the erection, maintenance, repair, alteration, remodeling or extensions of buildings or structures used or to be used for agricultural purposes, except that buildings or structures used for agricultural purposes shall be required to conform to setback lines in the district where located.

(C) *Landfill.* Filling of holes, pits, low lands and gullies with noncombustible material other than refuse and food wastes. A permit is not required for clean soil, sand or gravel filling.

(D) *Golf courses.* Standard golf courses, provided that all buildings, structures and parking spaces appurtenant thereto conform to the setback lines and yard requirements of the district in which located, and further provided that if the fairways or greens or any part thereof are illuminated for night playing, it shall be located as a special use under §§ 153.140 through 153.149.

(E) *Libraries.* Libraries, provided that any buildings or parking spaces shall conform to the setback lines and yard requirements of the district in which located.

§ 153.034 ZONING OF VACATED AREAS.

Whenever any street, alley or other public way within the village shall be vacated, such street, alley, or other public way or portion thereof shall automatically be classified in the same zoning district as the property to which it attaches. In those instances where a street, alley or other public way serves as a zoning district boundary and is vacated, the center line of such vacated street, alley or public way shall be considered the zoning district boundary. Any street, alley or public way within the village that has previously been vacated shall automatically be classified as provided aforesaid immediately upon the effective date of the adoption of this section.
(Ord. 596, passed 3-27-00)

§ 153.035 FENCE.

The following restrictions shall apply to any fence that is directed after the effective date of this section in any zoning district:

(A) A fence shall be erected in such a manner so that any support member on the side of the fence shall only be erected on the property to which the fence is an accessory.

(B) The finished side of the fence shall face away from the property for which the fence is an accessory.

(C) Fences shall be repaired and maintained at all times to insure the integrity of the fence.

(D) A fence shall not be installed that interferes or impedes the natural flow of surface drainage.

(E) Fences shall not contain electric current or charge of electricity and may not be any type wire fence, including but not limited to agricultural type, barbed wire, livestock fence and chicken wire.
(Ord. 780, passed 1-26-09)

§ 153.036 STORAGE SHEDS.

No more than one storage shed may be located on any lot in any zoning district.
(Ord. 781, passed 1-26-09)

§ 153.037 CARPORTS.

(A) A carport is an accessory structure as defined herein. No carport shall be constructed, erected or placed on any lot in the village unless the carport is anchored to the ground or other fixed surface. The anchoring of a carport shall be sufficient if the carport is anchored to concrete pilings, piers or a foundation, or to another structure permanently affixed to the lot.

(B) Any carport constructed, erected or placed on any lot within the Village of Mackinaw shall be of a complementary color scheme to that already established on the main or principal structure on the lot.

(C) A carport shall not be a principal structure on any lot in the village.

(D) No carports except for prefabricated carports shall be located, placed or erected on any lot in the village.

(E) No carport shall be constructed, erected or placed on any lot line in the village unless the area covered by the carport structure is improved for parking with rock, gravel, macadam, asphalt, concrete, or other comparable materials.

(F) Not more than one carport shall be located on any parcel within the village.
(Ord. 894, passed 1-26-15)

§ 153.038 PAVEMENT PERMIT.

No person shall construct, reconstruct or resurface (exclusive of sealcoating) any asphalt, concrete or similar pavement type surface on any lot within the village whether such pavement surface is intended as a driveway, a patio, a basketball court, or for any other purpose without first having applied for and obtained a permit pursuant to this chapter. There shall be no fee for a pavement permit. The application for a pavement permit shall be on a form supplied by the village.
(Ord. 945, passed 7-24-17)