ARTICLE 21

ACCESSORY USES AND HOME OCCUPATIONS

21-100. ACCESSORY USES:

In each district, there may be established those uses which are accessory to a principal use permitted by the district regulations.

21-100.1. Accessory Use Defined: An accessory use is a building, structure or use that:

21-100.1.1. Is customarily incidental to and serves a principal use;

21-100.1.2. Is subordinate in area, extent and purpose to the principal use served;

21-100.1.3. Contributes to the comfort, convenience or necessity of users of the principal use served; and

21-100.1.4. Is located on the same zoning lot as the principal use served, except that parking may be located in accordance with **Sections 23-101.2.9** and **23-101.2.10**.

21-100.2. Specific Examples Permitted: (***Ord. #986, 4-3-91***)

21.100.2.1. Accessory Buildings

21.100.2.1.1. Garages, and other off street parking facilities, but only to the extent permitted by Article 23 of this Ordinance.

21.100.2.1.2. One building per lot for storage incidental to a permitted use, provided that the floor area of such building shall not exceed one percent of total lot area or 200 sq. ft. whichever is less. In no event shall such building be required to be less than 100 sq. ft.

21.100.2.1.3. A child's playhouse at grade level.

21.100.2.1.4. Bath house or cabana associated with a private swimming pool.

21.100.2.2. Accessory Structures

21.100.2.2.1. Decks, patios and terraces.

21.100.2.2.2. A private swimming pool and required deck that meet the requirements of Section 33 of the Building Code.

21.100.2.2.3. Customary domestic pet shelter.

21.100.2.2.4. A Gazebo not exceeding 150 sq. ft. in area. A Gazebo may not contain enclosed areas, sleeping facilities, kitchens, bathrooms or domestic water service. ***(Ord. #1646, 11-3-08)***

21.100.2.3. Accessory "Uses"

21.100.2.3.1. Fences and walls in accordance with **Section 21-100.6.**

21.100.2.3.2. Barbecue equipment, flag poles, clothes poles and lines, recreational equipment (excluding basketball hoops and recreational vehicles) and hedges.

21.100.2.3.3. Signs to the extent permitted by Article 22.

21-100.2.3.4. Parking and Storage of major recreational equipment in accordance with Article 23.

21-100.3. Specific Prohibitions: None of the following shall in any event be an accessory use:

21-100.3.1. A commercial kennel in a residential district.

21-100.3.2. Parking of house trailers in a residential district.

21-100.3.3. Outdoor storage of any items of personal property, except as permitted by **Section 21-100.2** or by district regulations.

21-100.4. Bulk Regulations for Accessory Uses:

21-100.4.1. All accessory uses shall comply with the bulk regulations of the district in which they are located.

21-100.4.2. No accessory building or structure shall be located within ten (10) feet of a principal building, nor shall it be located within five (5) feet of another accessory building or structure.

21-100.4.3. No accessory building or structure shall be closer to any street adjoining a zoning lot than is the principal building on the same zoning lot.

21-100.4.4. No accessory building shall exceed the height of the principal building on the lot, nor shall any building accessory to a residence exceed fifteen (15) feet in height measured from the top of the accessory building's foundation.

21-100.4.5. Air conditioning units shall be located within the buildable area of a lot; provided that such units shall be located only in provided rear or side yards and not between the front line of the principal building and the street line, and in the case of corner lots not between either the front or side line of the principal building and the adjacent street line; provided further, that in no event shall such units be located less than ten (10) feet from any lot line.

21-100.4.6. Any enclosure provided for the enclosure of a dangerous or vicious animal, as provided by the Animal Control Act of Illinois, is an accessory use and is not a fence. Such enclosures shall comply with the site and structure requirements for accessory uses of the district in which they are located. ***(Ord. #1410, 4/1/02)***

21-100.5. Time of Construction: No accessory use shall be established or erected before the establishment or erection of the principal use to which it is accessory.

21-100.6. Fences: Fences are permitted accessory uses in all districts. The following regulations shall govern the type, location and construction of all fences: (*See also* **Section 24-106**, Non-conforming Fences)

21-100.6.1. Residential Districts: (***Ord. #792, 12/3/85***)

21-100.6.1.1. Fences may be erected in or on the boundary of required or provided rear yards. The total height shall not exceed six (6) feet above the existing grade.

21-100.6.1.2. Fences are prohibited in or on the boundary of any provided front or side yard, except as provided in **Sections 21-100.6.1.3** and **21-100.6.1.4.**

21-100.6.1.3. A fence may be erected to a height of six (6) feet to screen a patio, but not in any required yard.

21-100.6.1.4. A fence may be erected to a height of six (6) feet to surround a swimming pool.

21-100.6.2. Business Districts:

21-100.6.2.1. When a business use adjoins a residential district, a solid fence or planting screen to a height of six (6) feet above existing grade shall be erected along any lot line that adjoins the residential district.

21-100.6.2.2. A solid fence or planting screen shall be erected to a height of six (6) feet to enclose and screen all refuse collection areas or facilities.

21-100.6.2.3. An open fence may be erected in the interior side yard or rear yard of any business district to a height of six (6) feet above existing grade.

21-100.6.3. Public, Public Utility and Recreational Uses:

21-100.6.3.1. Open fences may be installed in any side or rear yard to a height of not more than eight (8) feet.

21-100.6.3.2. Public utility uses such as transformer substations, or other hazardous uses, shall be fenced. The top of such fences may include barbed wire when deemed necessary for public safety by the Zoning Administrator.

When the lot line of such utility uses coincides with a lot line in a residential district, the fencing installed shall provide adequate screening. The screening may be of a solid fence or an open or semi-open fence, or an open fence with shrubbery to a height of not less than five (5) feet. The plan for such screening shall be approved by the Plan Commission. When a public utility use fronts on a public street, similar fencing and landscaping shall be installed.

21-100.6.3.3. Public recreation areas including tennis courts and other similar uses may be fenced, in keeping with national standards for such uses.

Where a fence is required for an existing business or public utility use, and such has not been installed, the fence requirements must be met not less than three (3) years from the date of adoption of this Ordinance.

21-101. HOME OCCUPATION:

Customary home occupations not prohibited in **Section 21-101** are permitted in any dwelling unit, provided that such home occupation shall comply with the following standards:

21-101.1. Standards: In addition to the standards applicable in the district in which it is located, any home occupation shall comply with the following standards:

21-101.1.1. No persons other than members of the immediate family occupying the dwelling unit shall be engaged in such occupation.

21-101.1.2. No stock in trade shall be displayed on the premises, and no sales of merchandise shall be made.

21-101.1.3. There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupations.

21-101.1.4. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and no special place shall be designed, constructed, altered or arranged for such occupation.

21-101.1.5. The home occupation shall be conducted entirely within the principal building that is used as the dwelling. It shall not be conducted in an accessory building, and no outdoor storage shall be permitted.

21-101.1.6. No daily pedestrian or vehicular traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood.

21-101.1.7. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odor or electrical interference detectable to the normal senses off the lot, if the occupation is conducted in a single-family residence, or outside the dwelling unit if conducted in other than a single-family residence. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receiver off the premises, or causes fluctuations in line voltage off the premises.

21-101.2. Particular Home Occupations Prohibited: Permitted home occupations shall not in any event include:

Animal hospital.

Beauty parlor or barber shop.

Clinic or hospital.

Music or dancing school or instructions except those that limit instruction to not more than three (3) pupils at a time.

Mortuary.

Nursery school or kindergarten.

Private club.

Renting of any motorized or non-motorized vehicles or vehicular equipment or other machinery or equipment.

Repair shop or service establishment.

Restaurant.

Stable or kennel.

Tourist home.

The sale of firearm(s) including, but not limited to, catalog, telephone and mail order sales. (***Ord. #1228, 7/7/97***)