

SECTION 13

RULES AND DEFINITIONS

- 13.0 Rules
- 13.1 Definitions

13.0 Rules. The rules and definitions contained in this section shall be observed and applied in the interpretation of all other sections herein, except when the context clearly indicates otherwise.

13.01 Words used in the present tense shall include the future; words used in the singular number shall include the plural number, and the plural the singular.

13.02 The word "shall" is mandatory and not discretionary.

13.03 The word "may" is permissive.

13.04 The word "lot" shall include the words "plot," "piece" and "parcel"; the word "building" includes all other structures or improvements of every kind, regardless of similarity to buildings; and the phrase "used for" shall include the phrases "arranged for," "designed for," "intended for," "maintained for" and "occupied for."

13.05 The word "person" includes a firm, association, organization, partnership, trust, company or corporation, as well as an individual.

13.06 The masculine gender includes the feminine and neuter.

13.1 DEFINITIONS. The following words and terms, when used in this ordinance, shall have the meaning set forth, except where otherwise specifically indicated.

ACCESSORY BUILDING OR USE. An accessory building or use is one which:

is subordinate to and serves a principal building or principal use.

contributes to the comfort, convenience or necessity of occupants of the principal building or principal use served.

is located on the same zoning lot as the principal building or principal use served, with the single exception of such accessory off-street parking facilities as are permitted to locate elsewhere than on the same zoning lot with the building or use served.

occupies not more than ten per cent (10%) of the area of the lot on which the main building is situated, and which is not higher than the principal building, and which conforms to all setback requirements, and in residentially zoned districts shall not exceed fifteen feet (15') in height.

**ADJACENT.** Lying near or in the immediate vicinity.

**ADJOINING.** Touching or contiguous.

**AGRICULTURE.** The use of land for agricultural purposes, including farming, dairying, pasturage, apiculture, horticulture, floriculture, viticulture and animal and poultry husbandry, and the necessary accessory uses for packing, treating or storing the produce; provided, however, that the operation of any such accessory uses shall be secondary to that of the normal agricultural activities.

Agriculture shall not include the commercial feeding of garbage or offal to swine or other animals.

**AGRICULTURAL BUILDING OR STRUCTURE.** For the purpose of this ordinance, an "agricultural building or structure" shall imply any building or structure existing or erected on land used principally for agricultural purposes, with the exception of dwelling units.

**ALLEY.** A public or private way, at the rear or side of property, permanently reserved as a means of secondary vehicular access to abutting property. Frontage on said alley shall not be construed as satisfying the requirements of this ordinance related to frontage on a dedicated street.

**APARTMENT.** One or more rooms in an apartment building or combination apartment and commercial building, arranged, intended, designed or occupied as a dwelling unit of a single family, an individual or a group of individuals.

**APARTMENT BUILDING.** A multifamily dwelling originally designed and constructed to accommodate three or more apartments, designed with more than one dwelling unit connecting to a common corridor or entranceway, in contrast to single or two family dwellings converted for multifamily use.

**ALTERATION.** A change in size, shape, character, occupancy or use of a building or structure.

**AUTO REPAIRS, MAJOR.** Engine rebuilding or major reconditioning of worn or damaged motor vehicles or trailers, collision service, including body, frame or fender straightening or repair, and overall painting of vehicles.

**AUTO REPAIRS, MINOR.** Incidental repairs, replacement of parts and motor service to automobiles, but excluding any operation specified under "Automobile Repair, Major."

**AUTOMOBILE LAUNDRY.** A building, or portion thereof, containing facilities for washing more than two automobiles, using production line methods with a chain conveyor, blower, steam cleaning device or other mechanical devices.

**AUTOMOBILE SERVICE STATION.** Any building or premises used for the dispensing, sale or offering for sale at retail to the public, automobile fuels stored only in underground tanks and located wholly within the lot lines; lubricating oil or grease for the operation of automobiles; and the sale and installation of tires, batteries, other minor accessories and minor auto repair, but not including a bulk plant, conduct of major auto repairs, automobile wrecking, automobile sales or automobile laundries; provided, however, that the washing of individual automobiles where no chain conveyor is employed may be included.

**AUTOMOBILE SALVAGE YARD.** Any place where two or more motor vehicles not in running condition, or parts thereof, are stored in the open and are not being restored to operation, or any land, building or structure used for wrecking or storing of such motor vehicles or farm machinery, or parts thereof, stored in the open and not being restored to operating condition; and including the commercial salvaging of any other goods, articles or merchandise.

**BASEMENT.** A story having part, but not more than one-half, of its height below grade. A basement is counted as a story for the purpose of height regulation if subdivided and used for dwelling purposes other than by a janitor employed on the premises.

**BILLBOARD.** See, SIGN, ADVERTISING.

**BLOCK.** That property abutting on one side of a street between two (2) nearest intersecting streets, railroad rights of way or natural barriers; provided, however, that where a street curves so that any two chords thereof form an angle of one hundred and twenty (120) degrees or less, measured on the lot side, such curve shall be construed as an intersecting street.

**BOARD.** The Zoning Board of Appeals.

**BOARDING HOUSE OR LODGING HOUSE.** A building or premises where meals are regularly served by pre-arrangement for definite periods for compensation for three (3) or more persons, not a family, but not exceeding twelve (12) persons, not open to transient guests, in contradistinction to hotels or restaurants open to transients.

**BOUNDARY LINE.** A line on the Zoning District Map designating the edge of a use district. Such a boundary line may be a boundary line for two use districts depending on the particular use district located on each side of said line.

**BUILDABLE AREA.** The space remaining on the zoning lot after the minimum open space requirements of this ordinance have been complied with.

**BUILDING.** A structure having a roof, supported by columns or walls, for the shelter, support or enclosure of persons, animals or chattels; and when separated by division walls from the ground up and without openings, each portion of such building shall be deemed as a separate building.

**BUILDING LINE.** A line between which and any street line of a district, lot, tract or parcel of land, no buildings or parts of buildings may be erected, altered or maintained.

**BUILDING LINE SETBACK.** The distance between the building line and the street right of way line.

**BUILDING, NON-CONFORMING.** See NON-CONFORMING BUILDING.

**BUILDING, PRINCIPAL.** A non-accessory building in which a principal use on the zoning lot on which it is located is conducted.

**BUILDING, UNIT GROUP.** Two or more buildings (other than dwellings) grouped upon a lot and held under one ownership, such as universities, hospitals, institutions, churches and temples, and industrial plants and shopping centers.

**BUILDING AND ZONING COMMISSIONER.** The individual appointed by the Village President by and with the consent of the Board of Trustees, to administer and enforce the zoning ordinance.

**BULK.** The term used to indicate the size and setbacks of buildings or structures and location of same with respect to one another, and includes the following:

Size and height of buildings.

Location of exterior walls at all levels in relation to lot lines, streets or to other buildings.

Gross floor area of buildings in relation to lot area (floor area ratio.)

All open spaces allocated to buildings.

Amount of lot area per dwelling unit.

**BULK PLANT.** A bulk storage plant shall mean any place where flammable liquids of 10,000 gallons or more are received by tanker, barge, pipeline, tank car, tank vessel or truck and are stored or blended in bulk for the purpose of distributing such liquids by tank truck, pipeline, tank car, tank vessel or container.

**BUSINESS.** The word "business" or the word "commerce" when used in this ordinance, means the engaging in the purchase, sale, barter or exchange of goods, wares or merchandise, or the maintenance or operation of offices or recreational or amusement enterprises.

**CARPORT.** A roofed automobile shelter with one or more open sides.

**CAPACITY IN PERSONS** The maximum number of persons that can avail themselves of the services (or goods) of an establishment, at any one time, with reasonable comfort and safety.

**CELLAR.** A story having more than one-half of its height below the curb level or below the highest level of the adjoining ground. A cellar shall not be counted as a story for the purposes of height measurement.

**COMMON OPEN SPACE.** Land unoccupied by structures, buildings, streets, rights of way and automobile parking lots and designed and intended for the use or enjoyment of residents of a planned development. Common open space may contain structures for recreational use. No area within thirty feet (30') of any building or structure, except a structure used for recreational use, shall be includable as common open space.

**COMMUNITY RESIDENCE.** A group home or specialized residential care home serving unrelated persons with disabilities living in a family-like setting and constituting a single housekeeping unit. Community residence does not include a residence which serves persons as an alternative to incarceration for a criminal offense, for runaway youth, delinquent youth in need of supervision, persons whose

primary reason for placement is substance or alcohol abuse, or for treatment of a communicable or other disease.

**COMMUNITY RESIDENCE-SMALL.** A community residence serving 8 or fewer persons with disabilities in a family-like atmosphere.

**COMMUNITY RESIDENCE-LARGE.** A community residence serving 9 to 15 persons with disabilities.

**CORNER LOT.** See **LOT, CORNER.**

**COURT.** An open unoccupied space, other than a yard, on the same lot with a building, which is totally or partially enclosed by a building or buildings and is completely open to the sky.

**CURB LEVEL.** The level of the established curb in front of the building measured at the center of such front. Where a building faces on more than one street, the "curb level" shall be the average of the levels of the curbs at the center front of each street. Where no curb elevation has been established, the level of the centerline of the street shall be considered the "curb level".

**DENSITY.** The numerical value obtained by dividing the total dwelling units in a development by the gross area of the tract of land upon which the dwelling units are located.

**DISTRICT.** A portion of the incorporated territory of Bridgeview within which certain uniform regulations and requirements, or various combinations thereof, apply under the provisions of this ordinance.

**DRIVE-IN-ESTABLISHMENT.** An establishment which is designed to provide, either wholly or in part, service to customers while in their automobiles parked upon the premises.

**DWELLING.** A building or portion thereof, but not including a house trailer or mobile home, designed or used exclusively for residential occupancy, including one family dwelling units,

two family dwelling units and multifamily dwelling units, but not including hotels, boarding or lodging houses.

**DWELLING UNIT.** One or more rooms in a dwelling or apartment hotel designed for occupancy by one family for living purposes and having its own permanently installed cooking and sanitary facilities.

**DWELLING, ATTACHED** (Group, row or town houses.) A dwelling containing two (2) or more dwelling units and joined to other dwellings by party wall or walls, originally constructed for said purpose.

**DWELLING, CONVERTED.** Any building which was originally designed and constructed as one, two or three family dwelling, but which has been changed or altered by the construction of additional dwelling units to provide for more families than the original building.

**DWELLING, DETACHED.** A dwelling which is surrounded on all sides by open space on the same lot.

**DWELLING, MULTIFAMILY.** A dwelling containing three (3) or more dwelling units, originally constructed for said purpose, and not including converted dwellings.

**DWELLING, SEMI-ATTACHED.** A dwelling which is joined to another dwelling by a garage, carport, recreation structure or other non-residential facility.

**DWELLING, SINGLE FAMILY.** A dwelling containing accommodations for and occupied by one family only.

**DWELLING, TWO FAMILY.** A building designed exclusively for occupancy by two families living independently of each other.

**DWELLING, GROUND FLOOR AREA.** The first floor area in square feet measured from the outside of the exterior walls, but excluding cellars, basements, open porches, breezeways, garages and other infrequently used spaces.



**EDUCATIONAL INSTITUTION.** A public, parochial, charitable or non-profit junior college, college or university, other than trade or business schools, including instructional and recreational uses, with or without living quarters, dining rooms, restaurants, heating plants and other incidental facilities for students, teachers and employees.

**EFFICIENCY UNIT.** A dwelling unit consisting of one principal room, exclusive of bathroom, kitchen, hallway, closets or dining alcove directly off the principal room.

**ELEEMOSYNARY AND PHILANTHROPIC USES.** A building or group of buildings supported by and devoted to charity.

**FAMILY.** An individual, or two or more persons related by blood, marriage or adoption, or a group of not more than three persons (excluding servants) not related by blood, marriage or adoption, living together as a single housekeeping unit in a dwelling unit, but not including sororities, fraternities or other similar organizations.

**FENCE.** Any construction of wood, metal, wire mesh, masonry or other material, erected for the purpose of assuring privacy or protection.

**FLOOR AREA.** (For determining floor area ratio.) The sum of the gross horizontal areas of the several floors of the building measured from the exterior faces of the exterior walls or from the center line of walls separating two buildings. The "floor area" of a building shall include the basement floor area when more than one-half of the basement height is above the established curb level, off-street parking space, elevator shafts, and stairwells at each floor, floor space used for mechanical equipment (except equipment, open or enclosed, located on the roof), penthouses, attic space having headroom of seven feet, ten inches (7'10") or more, interior balconies and mezzanines, enclosed porches and floor area devoted to accessory uses.

The "floor area" of structures, devoted to bulk storage of materials, including, but not limited to, grain elevators and petroleum storage tanks, shall be determined on the basis of

the height of such structures in feet; ten feet (10') in height shall be deemed to be equal to one floor (if a structure measures more than five feet (5') over such floor equivalent, it shall be construed to have an additional floor.)

**FLOOR AREA RATIO.** The numerical value obtained by dividing the floor area within a building or buildings on a lot by the area of such lot. The floor area ratio as designated for each district, when multiplied by the lot area in square feet, shall determine the maximum permissible floor area for the building or buildings on the lot.

**FRONTAGE.** All the property fronting on one side of a street between the two nearest intersecting streets, measured along the line of the street, or if dead ended, then all of the property abutting on one side between an intersecting street and the dead end of the street.

**GARAGE, BUS OR TRUCK.** A building which is used or intended to be used for the storage of motor vehicles; trucks, truck trailers, tractors and commercial vehicles exceeding one and one-half tons capacity.

**GARAGE, PRIVATE.** A detached accessory building or portion of the main building, designed, arranged, use or intended to be used for the storage of passenger automobiles of the occupants of the premises.

**GARAGE, PUBLIC.** A building other than a private garage, used for the care, incidental servicing and sale of automobile supplies, or where motor vehicles are parked or stored for remuneration, hire, or sale within the structure, but not including trucks, tractors, truck trailers and commercial vehicles exceeding one and one-half tons capacity.

**HEIGHT OF BUILDINGS.** The vertical distance from the average contact ground level at the front wall of the building to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the mean height level between eaves and ridge for gable, hip or gambrel roofs.

**HOME OCCUPATION** An accessory use of a dwelling unit which is utilized for gainful employment involving the manufacture, provision or sale of commodities and/or services by a member of the family who is residing in the dwelling unit in which the home occupation is being conducted.

**HOTEL.** A building in which lodging or board and lodging are provided and offered to the public for compensation and in which ingress and egress to and from all rooms is made through an inside lobby or office supervised by a person in charge at all hours. As such it is open to the public in contradistinction to a boarding house, a lodging house or an apartment hotel, which are separately defined.

**HOTEL, APARTMENT.** A hotel in which at least ninety per cent (90%) of the hotel accommodations are occupied by permanent guests.

**HOSPITAL OR SANITARIUM.** An institution devoted primarily to the maintenance and operation of facilities for the diagnosis, treatment or care for not less than twenty-four (24) hours in any week, of three or more non-related individuals suffering from illness, disease, injury, deformity or other abnormal physical conditions. The term "hospital" as used in this ordinance does not apply to institutions operating primarily for treatment of insane persons, drug addicts, liquor addicts or other types of cases necessitating restraint of patients and the term "hospital" shall not include convalescent, nursing, shelter or boarding houses.

**JUNK YARD.** Any parcel of land where waste, scrap metal, paper, rags, or similar materials are bought, sold, exchanged, stored, baled, packed, disassembled or handled, including auto and building wrecking yards, but excluding similar uses taking place entirely within a completely enclosed building.

**JUNKER.** An automobile, truck or other motor vehicle which has been damaged to such an extent that it cannot be operated under its own power and will require major repairs before being made usable, or such a vehicle which does not comply with state or village laws or ordinances.

**KENNEL, COMMERCIAL.** Any lot or premises or portion thereof on which more than four (4) dogs or cats, or other household domestic animals over four (4) months of age, are kept or on which more than two (2) such animals are boarded for compensation or kept for sale.

**LIMITED ACCESS HIGHWAY.** A traffic way, including expressways and toll roads for through traffic, in respect to which owners or occupants of abutting property or lands and other persons have no legal right of access to or from the same, except at such points only and in such manner as may be determined by the public authority having jurisdiction over such traffic way.

**LOADING AND UNLOADING SPACE, OFF-STREET.** An open, hard-surfaced area of land, other than a street or public way, the principal use of which is for the standing, loading and unloading of motor trucks, tractors and trailers. Such space is not less than ten feet (10') in width thirty five feet (35') in length, and fourteen feet (14') in height, exclusive of access aisles and maneuvering space.

**LOT.** A parcel of land occupied or to be occupied by one building and accessory buildings and uses, or a unit group of buildings and including the open spaces required under these regulations. A lot may be land so recorded on official records or it may include parts or a combination of such lots when adjacent to one another, provided such ground is used for only one improvement, or may be a parcel of land described by metes and bounds.

**LOT AREA.** The area of a horizontal plane bounded by the front, side and rear lot line.

**LOT, CORNER.** A lot located at the intersection of two (2) streets or a lot bounded on two (2) sides by a curving street and any two (2) chords of which form an angle of one hundred twenty (120) degrees or less measured on the lot side.

**LOT COVERAGE.** The area of a zoning lot occupied by the principal building or buildings and accessory buildings.

**LOT DEPTH.** The mean horizontal distance between the front and rear lot lines.

**LOT, DOUBLE FRONTAGE.** A lot other than a corner lot having frontage on two (2) or more streets. An alley shall not be considered a street.

**LOT, FRONTAGE.** The front of a lot shall be construed to be the portion nearest the street. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to streets shall be considered frontage, and yards shall be provided as indicated under "Yards" in this section.

**LOT, INTERIOR.** A lot other than a corner or reversed corner lot.

**LOT, REVERSED CORNER.** A corner lot at right angles or approximately right angles to the general pattern of the area.

**LOT LINE, FRONT.** The front property line of a zoning lot.

**LOT LINE, INTERIOR.** A side lot line common with another lot.

**LOT LINE, REAR.** The rear lot line is the lot line or lot lines most nearly parallel to and most remote from the front lot line. Lot lines other than front or rear lot lines are side lot lines.

**LOT OF RECORD.** A lot which is a part of a subdivision, the plat of which has been legally recorded.

**LOT WIDTH.** The horizontal distance between the side lot lines measured at right angles to the lot depth at the established front building line.

**MARQUEE OR CANOPY.** A roof like structure of a permanent nature which projects from the wall of a building and overhangs the public way.

**MASTER PLAN.** The officially adopted Master Plan of the Village of Bridgeview.

**MOBILE HOME.** Any vehicle or similar portable structure designed, used or so constructed as to permit its being used as a conveyance upon the public streets and to permit the year-round occupancy thereof for one or more persons.

**MOBILE HOME PARK.** A parcel or tract of land developed with facilities for locating here or more mobile homes, provided each mobile home contains kitchen, flush toilet and shower or bath, and that such mobile home park shall be for use only by non-transient dwellers remaining continuously for more than one month, whether or not a change is made. It shall not include a sales lot in which motor vehicles or unoccupied trailers are parked for the purpose of inspection or sale.

**MOTOR VEHICLE REPAIR, MAJOR AND MINOR.** See **AUTO REPAIR, MAJOR AND MINOR.**

**MOTEL.** An establishment consisting of a group of attached or detached living or sleeping accommodations with bathroom and closet space, located on a single zoning lot and designed for use by transient automobile tourists. A motel furnishes customary hotel services such as maid service and laundering of linen, telephone and secretarial or desk service, and the use and upkeep of furniture. In a motel, less than fifty per cent (50%) of the living and sleeping accommodations are occupied or designed for occupancy by persons other than transient automobile tourists.

**MOTOR VEHICLE.** Any passenger vehicle, truck, tractor, tractor-trailer, truck-trailer, trailer or semi-trailer propelled or drawn by mechanical power.

**NON-CONFORMING BUILDING.** A building or structure or portion thereof lawfully existing at the time of adoption of this ordinance, or amendment thereto, which was designed, erected, or structurally altered for a use that does not conform to the use regulations of the district in which it is located.

**NON-CONFORMING USE.** A use which lawfully occupies a building or land at the time of adoption of this ordinance, or amendment thereto, and which does not conform with the use regulations of the district in which it is located.

**NURSERY, CHILD CARE.** An establishment for the part time care of five (5) or more children of pre-elementary school age, in addition to the members of the family residing therein.

**NURSING HOME.** A home for the aged, chronically ill, care of children, infirm or incurable persons, or a place of rest for those members of the immediate family residing on the premises, are received, kept or

provided with food and shelter or care, but not including hospitals, clinics or similar institutions devoted primarily to the diagnosis and treatment of disease or injury, maternity cases or mental illness.

**OPEN SALES LOT.** Land used or occupied for the purpose of buying or selling merchandise stored or displayed out of doors prior to sale. (Such merchandise includes, but is not limited to, passenger cars, trucks, motor scooters, motorcycles, boats and monuments.)

**PARKING SPACE, AUTOMOBILE.** Space within a public or private parking area of not less than one hundred and eighty (180) square feet (9' x 20') exclusive of access drives for the storage of one passenger automobile or commercial vehicle under one and one-half tons capacity.

**PERFORMANCE STANDARD.** A criterion established to control noise, odor, smoke, toxic or noxious matter, vibration, fire and explosive hazards or glare or heat generated by, or inherent in, uses of land or buildings. The more frequently used performance criteria include:

**Closed cup flash point** is the lowest temperature at which a combustible liquid, under prescribed conditions, will give off a flammable vapor which will burn momentarily.

**Decibel** is a unit of measurement of the intensity (loudness) of sound. Sound level meters which are employed to measure the intensity of sound are calibrated in decibels.

**Earthborne vibrations** is the periodic displacement, measured in inches, of earth. Continuous vibrations include those of a frequency greater than ten (10) per hour. Impulsive vibrations include those of a frequency greater than eight (8) per twenty-four (24) hours, but less than ten (10) per hour.

**Foot candle** is a unit of illumination. Technically, the illumination at all points one foot distant from a uniform point source of one candle power.

**Free burning** implies a rate of combustion described by a material which burns actively, and easily supports combustion.

**Frequency** signifies the number of oscillations per second in a sound wave and is an index of the pitch of the resulting sound.

**Impact noise** is a short duration sound which is incapable of being accurately measured on a sound level meter.

**Impulsive noise** is a sound which is no longer than two (2) seconds in duration, followed by no less than a two second rest.

**Intense burning** implies a rate of combustion described by a material that burns with a high degree of activity and is consumed rapidly.

**Moderate burning** implies a rate of combustion described by a material which supports combustion and is consumed slowly as it burns.

**Noxious matter** is a material which is capable of causing injury to living organisms by chemical reaction or is capable of causing detrimental effects upon the physical or economic well-being of individuals.

**Octave band** is a prescribed interval of sound frequencies which permits classifying sound according to its pitch.

**Odor threshold** is the lowest concentration of odorous substance in the air that will produce a response in the normal human nose.

**Odorous matter** is any matter or material that yields an odor which is offensive in any way.

**Particulate matter** is dust, smoke, or any other form of airborne pollution in the form of minute separate particles.

**Ringelmann Chart** is one which is described in the U.S. Bureau of Mines Information Circular 6888 or its successor, and on which are illustrated graduated shades of grey for use in estimating the light-obscuring capacity of smoke.

**Slow burning or incombustible** implies materials which do not in themselves constitute an active fuel for the spread of combustion. A material which will not ignite, nor actively support combustion during an exposure for five (5) minutes to a temperature of 1200°F. shall be designated "incombustible".



**Smoke** is small gasborne particles other than water that from a visible plume in the air.

**Sound level** of an operation or use is the intensity of sound, measured in decibels, produced by such operation or use.

**Toxic matter** are those materials which are capable of causing injury to living organisms by chemical means when present in relatively small amounts.

**PLANNED UNIT DEVELOPMENT.** A tract of land which is developed as a unit under single ownership or unified control, which includes two (2) or more principal building or uses, and is processed under the planned development procedure of this ordinance.

**PORCH.** A roofed-over structure projecting out from the wall or wall of a main structure and commonly open to the weather in part.

**PROPERTY LINE.** An imaginary line at the edge or boundary of a zoning lot.

**PUBLIC WAY.** Any sidewalk, street, alley, highway or other public thoroughfare.

**PUBLIC UTILITY.** Any person, firm or corporation duly authorized to furnish under public regulation to the public, electricity, gas, steam, telephone, telegraph, transportation, water or sewerage systems.

**RAILROAD RIGHT OF WAY.** A strip of land with tracks and auxiliary facilities for track operation, but not including freight depots or stations, loading platforms, train sheds, warehouses, car or locomotive shops or car yards.

**RESERVOIR PARKING.** Off-street parking spaces or lot area allocated to temporary standing motor vehicles awaiting entrance to a particular establishment.

**REST HOME OF NURSING HOME.** A private home for the care of children or the aged or infirm or any other person in need of nursing care. Such home does not contain equipment for surgical care or for treatment of disease or injury, and is not primarily designed for mental patients or alcoholics.

**RESEARCH LABORATORY.** A building or group of buildings in which are located facilities for scientific research, investigation, testing or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory.

**RESTAURANT.** A business where the dispensing of edible foodstuff and/or beverages on the premises is the principal business operation; including a café, cafeteria, coffee shop, lunch room, tea room and dining room, but not including a drive-in restaurant.

**RESTAURANT, DRIVE-IN OR CARRY OUT.** A restaurant, whose principal business operation is the dispensing of edible foodstuff and/or beverages, ready for consumption on the premises, in automobiles, at outdoor tables, or at stand-up counters, or to be carried off the premises. One or more of the following conditions shall prevail:

- j. Total seating area located within the enclosed portion of the premises shall be less than fifty percent (50%) of the total floor area.
- k. Total automobile parking spaces on the premises shall exceed the total indoor seats provided for customers.

**RETAIL, RETAIL STORE.** Sale to the ultimate consumer for direct consumption and not for resale.

**SCHOOL.** A public or private institution which offers instruction in any of the branches of learning and study comparable to that taught in the public schools under the Illinois school laws, including pre-kindergarten, kindergarten, elementary school and junior and senior high schools, but not excluding trade, business or commercial schools.

**SETBACK.** The minimum horizontal distance between the street wall of a building and the street property line.

**SPECIAL USE.** A specific use of land or buildings, or both, described and permitted herein, subject to special provisions and which, because of its unique characteristics, cannot be properly classified as a permitted use.

**STORAGE, OUTDOOR.** The outdoor accumulation of vehicles, equipment or products, or materials for permanent or temporary holding. No unlicensed vehicle shall be permitted as "outdoor storage" under any zoning classification unless that vehicle is classified as an "antique".

**STORY.** That portion of a building included between the surface of any floor and the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling next above it. Any portion of a story exceeding fourteen feet (14') in height shall be considered as an additional story for each fourteen feet (14') or fraction thereof.

**STORY, HALF.** That portion of a building under a gable, hip or mansard roof, the wall plates of which, on at least two (2) opposite exterior walls, are not more than four and one-half feet (4 ½') above the finished floor of such story. In the case of one family dwelling, two family dwellings and multifamily dwellings less than three (3) stories in height, a half-story in a sloping roof shall not be counted as a story for the purposes of this ordinance. In the case of multifamily dwellings three (3) or more stories in height, a half-story shall be counted as a story.

**STREET.** All property dedicated or intended for public highway, freeway or roadway purposes or subject to public easements.

**STREET FRONTAGE.** All of the property fronting on one side of a street between two intersecting streets, or in the case of a dead end street, all of the property along one side of a street between an intersecting street and the end of such dead end street.

**STREET LINE.** The division line between private property and a dedicated street or way, usually uninterrupted from corner to corner in any given block.

**STRUCTURE.** Anything constructed or erected, the use of which requires permanent location on the ground or attached to something having a permanent location on the ground, including but without limiting the generality of the foregoing, to advertising signs, billboards, back stops for tennis courts and pergolas.

**STRUCTURAL ALTERATIONS.** Any change in the supporting members of a building such as bearing walls or partitions, columns, beams or girders, excepting such alterations as may be required for the safety of the building.

**TERRACE, OPEN, AND PATIO.** A level plane or platform which, for the purpose of this ordinance, is located adjacent to one or more faces of the principal structure and which is constructed not more than four feet

(4') in height above the average level of the adjoining ground.

**THROUGH LOT.** A lot having its front and rear lot lines on adjacent and substantially parallel streets, otherwise known as a double-frontage lot.

**TRAILER.** A vehicle without motive power used or adaptable for living, sleeping, business or storage purposes, having no foundation other than wheels, blocks, skids, jacks, horses or skirting, and has been or reasonably may be equipped with wheels or other devices for transporting the structure from place. The term trailer shall include "camp car" and "house car". A permanent foundation shall not change its character unless the entire structure is erected in accordance with the village building code.

**TRAILER, HOUSE.** See **MOBILE HOME.**

**UNIFIED CONTROL.** The combination of two (2) or more tracts of land wherein each owner has agreed that his tract of land shall be developed as part of a planned unit development and shall be subject to the control applicable to the planned development.

**USE.** The purposes for which land or a building thereon is designed, arranged or intended, or for which it is occupied, maintained, let or leased.

**USE, LAWFUL.** The use of any structure or land that conforms with all of the regulations of this ordinance or any amendment hereto, and which conforms with all of the codes, ordinances, and other legal requirements, as existing at the time of the enactment of this ordinance or any amendment thereto, for the structure or land that is being examined.

**USE, PERMITTED.** A use which may be lawfully established in a particular district or districts, provided it conforms with all requirements, regulations and performance standards (if any) of such districts.

**USE, PRINCIPAL.** The main use of land or buildings as distinguished from a subordinate or accessory use. A principal use may be either a permitted use or a special use.

**USE, SPECIAL.** See **SPECIAL USE.**

**USED CAR LOT.** A zoning lot on which used or new cars, trailers or trucks are displayed for sale or trade outside of buildings.

**UTILITY SHED.** A free standing metal or wood shelter not more than eighty-four inches (84") in height, consisting of four walls and a roof with an access door and having a maximum floor area of one hundred (100) square feet when located on a lot improved with a single family or two family residence and having a maximum square foot floor area limitation of thirty (30) square feet per dwelling unit, up to a maximum floor area of one hundred eighty (180) square feet when located on a lot improved with a multifamily structure, such shed to be utilized for storage of domestic articles regularly used by the occupants of the premises.

**VALUATION.** For the purpose of this ordinance, valuation of a building shall be the assessed valuation, or where no assessed valuation exists, its appraised valuation.

**VILLAGE PLANNER.** The individual appointed by the Village President by and with the consent of the Board of Trustees, to function, when authorized by ordinance or by the President, in the administrative review of specific planning and zoning applications.

**WHOLESALE.** Sale for resale, not for direct consumption.

**YARD.** An open space on the same zoning lot with a principal building or group of buildings which is unoccupied and unobstructed from its lowest level upward, except as otherwise permitted in this ordinance, and which extends along lot line and at right angles thereto to a depth or width specified in the yard regulations for the district in which the zoning lot is located.

**YARD, FRONT.** A yard extending across the full width of the zoning lot in accordance with the setback requirements of this ordinance. (See definition of "setback".)

**YARD, REAR.** A yard extending across the rear of the lot between the side yards. Double frontage and reverse corner lots will have no rear yard.

**YARD, SIDE.** A yard extending from the rear line of the front yard to the lot line most nearly parallel to that rear line.

**ZONING LOT.** A parcel of land of sufficient size to meet the minimum requirements of this ordinance concerning use, coverage, width, area, yards and other open space and having frontage on an improved public street.

**ZONING MAP.** The map or maps incorporated into this ordinance as a part hereof, designating zoning districts.