

**TOWN OF CICERO
ARCHITECTURAL REVIEW COMMITTEE
APPLICATION FOR NON-STANDARD LOT REVIEW**

(\$500.00 NON-REFUNDABLE APPLICATION FEE)

**ONE (1) COPY OF ARCHITECTURAL DRAWINGS SHOULD BE SUBMITTED
EACH PAGE MUST INCLUDE ADDRESS AND PIN OF PROPERTY**

APPLICATION MUST BE FILLED OUT COMPLETELY OR IT WILL BE REJECTED
(TYPE OR PRINT CLEARLY)

DATE: _____

NAME OF APPLICANT: _____

(Please attach documents showing interest in property, I.E. Lease or Deed)

ADDRESS OF APPLICANT: _____

TELEPHONE NUMBER: _____

ATTORNEY OR REPRESENTATIVE: _____

ADDRESS & PHONE #: _____

(If an attorney represents you, all notices will be sent to address provided)

ADDRESS OF PROPERTY FOR WHICH REVIEW IS REQUIRED: _____

P.I.N. OF PROPERTY FOR WHICH REVIEW IS REQUIRED: _____

NAME (S) OF RECORD OWNER (S) OF PROPERTY FOR WHICH REVIEW IS REQUIRED: _____

(OVER)



ORDINANCE NO. 122-06

AN ORDINANCE AMENDING SECTION 4, SUBSECTION A. 3, SECTION 4, SUBSECTION A. 15, SECTION 4, SUBSECTION A. 16, SECTION 4, SUBSECTION C. 3, SECTION 5, SUBSECTION B. 1 AND SECTION 6, SUBSECTION C. 1 OF AN ORDINANCE ESTABLISHING ZONING REGULATIONS FOR THE TOWN OF CICERO, ILLINOIS FOR THE TOWN OF CICERO, COUNTY OF COOK, STATE OF ILLINOIS.

WHEREAS, the Town of Cicero (the "Town") was created by a charter enacted by the Illinois General Assembly (the "Charter"); and

WHEREAS, the Corporate Authorities of the Town (as defined below) are governed by the Charter and the Constitution of the State of Illinois and the statutes of the State of Illinois when not specified in the Charter; and

WHEREAS, the Town is a home rule unit of local government as is provided by Article VII, Section 6 of the Illinois Constitution of 1970, and as a home rule unit of local government the Town may exercise any power and perform any function pertaining to its government and affairs; and

WHEREAS, the Town has established certain Zoning Regulations, which are set forth in "An Ordinance Establishing Zoning Regulations for the Town of Cicero, Illinois" (the "Cicero Zoning Ordinance"); and

WHEREAS, within the Town there are numerous parcels of real property comprised of less than three thousand five hundred (3,500) square feet (collectively, the "Real Estate"); and

WHEREAS, previously the Town determined that the best interests of its populace would most effectively be served by establishing and maintaining a general, but flexible prohibition against building on the Real Estate to guard against the possibility of increased density and the congestion of residences, which may lead to fire control issues and increased

parking congestion; and

WHEREAS, the Cicero Zoning Ordinance also prohibited the construction of structures on the Real Estate; and

WHEREAS, as the Real Estate has been left vacant and undeveloped, it has become an attractive location for rodents and other vermin to nest and solid waste carriers to fly dump; and

WHEREAS, staff members, consultants and attorneys reviewed the social ills associated with leaving the Real Estate vacant and determined that the aforementioned problems could be mitigated if the Real Estate was developed; and

WHEREAS, the Town's staff members, consultants and attorneys also reviewed the ~~previously made public policy determinations related to the possibility of increased~~ congestion occurring in residential neighborhoods if the Real Estate was developed; and

WHEREAS, Town's staff members, consultants and attorneys decided that the aforementioned social ills, including the possibility of increased congestion, can be controlled, mitigated and/or eliminated without wholly prohibiting the construction of structures on the Real Estate by amending the Cicero Zoning Ordinance to allow for the development of the Real Estate; and

WHEREAS, allowing builders, contractors, developers and residents to develop the Real Estate increases the stock of developable real property in the Town, guards against real estate waste, increases the Town's tax base, and decreases the number of attractive residences for rodents and other vermin in the Town and additional locations for fly dumping; and

WHEREAS, the Town President (the "President") and the Board of Trustees of the Town (the "Town Board" and with the President, the "Corporate Authorities") have

determined that those sections of the Cicero Zoning Ordinance that prohibit building on the Real Estate can be altered to allow for the development of the Real Estate while still guarding against the social ills associated with overcrowding; and

WHEREAS, the Town's appointed officials, consultants, agents, attorneys and Corporate Authorities have, after long and careful deliberation, determined that amending the Cicero Zoning Ordinance to allow for the flexible development of detached single-family homes on the Real Estate would be in the best interests of the Town; and

WHEREAS, the Corporate Authorities have determined that it is both advisable and in the best interests of the Town and its inhabitants to amend the Cicero Zoning Ordinance to allow for the development of the Real Estate; and

NOW, THEREFORE, BE IT ORDAINED by the President and the Board of Trustees of the Town of Cicero, County of Cook, State of Illinois, as follows:

ARTICLE I. IN GENERAL

Section 1.00 Incorporation Clause.

The Corporate Authorities hereby find that all of the recitals hereinbefore stated as contained in the preambles to this Ordinance are full, true and correct and do hereby, by reference, incorporate and make them part of this Ordinance as legislative findings.

Section 2.00 Purpose.

The purpose of this Ordinance is to amend the Cicero Zoning Ordinance to allow for the development of the Real Estate in a uniform and systematic manner.

ARTICLE II.
AMENDMENT TO SECTION 4, SUBSECTION A. 3, SECTION 4, SUBSECTION A.
15, SECTION 4, SUBSECTION A. 16, SECTION 4, SUBSECTION C. 3, SECTION 5,
SUBSECTION B. 1 AND SECTION 6, SUBSECTION C. 1 OF AN ORDINANCE
ESTABLISHING ZONING REGULATIONS FOR THE
TOWN OF CICERO, ILLINOIS

Section 3.00 Amendment to Section 4, Subsection A. 3.

The Cicero Zoning Ordinance is hereby amended, notwithstanding any provision, ordinance, resolution or section of the Code of Ordinances of the Town of Cicero, Illinois (the "Town Code") or the Cicero Zoning Ordinance to the contrary, by amending Section 4, Subsection A. 3, which section shall read as follows:

3. Lot Area.

Not less than 3,500 square feet.

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- a. Except as expressly set forth below, all standard buildable lots in an R-1 District must have a minimum lot area of three thousand five hundred (3,500) square feet ("Standard Lots").
 - b. The Architectural Review Committee shall review and thereafter approve outright, approve with modification(s) or deny outright all requests for buildings on any lot that is greater than three thousand (3,000) square feet and less than three thousand five hundred (3,500) square feet ("Non-Standard Lots"), in accordance with Section 11 of the Cicero Zoning Ordinance. The construction of multiple family dwellings and structures to be used for public, civic, commercial or manufacturing uses is expressly prohibited on Non-Standard Lots. It is intended that Non-Standard Lots will be used to accommodate the development of single-family detached homes on individual lots.
 - c. The Architectural Review Committee shall review and thereafter approve outright, approve with modification(s) or deny outright all requests for buildings on any lot that is three thousand (3,000) square feet or less ("Accessory Lots"), in accordance with Section 11 of the Cicero Zoning Ordinance. The construction of single-family or multiple family dwellings and structures to be used for public, civic, commercial or manufacturing uses is expressly prohibited on Accessory Lots. It is intended that Accessory Lots will be used to establish residential green spaces, residential garages, residential carports or similar residential

sheltered vehicular off-street parking facilities for use by neighboring lot owners.

Section 3.01 Amendment to Section 4, Subsection A. 15.

The Cicero Zoning Ordinance is hereby amended, notwithstanding any provision, ordinance, resolution or section of the Town Code or the Cicero Zoning Ordinance to the contrary, by adding Section 4, Subsection A. 15, which section shall read as follows:

15. Non-Standard Lots

a. Permitted Uses for Non-Standard Lots.

1. Single-family detached homes to be built on elevated concrete slabs.
2. Home occupations in single-family detached homes.
3. Parks and playgrounds, publicly owned and operated.
4. Accessory buildings and uses to the above permitted uses, including, but not limited to, off-street parking and off-street loading.
5. Group homes of up to two (2) persons unrelated by blood, marriage or adoption.

b. Special Uses.

1. Child Care Nurseries - provided that no retail sales are conducted on the premises.
2. Parks and playgrounds, privately owned and operated.

c. Lot Area.

Greater than three thousand (3,000) square feet and less than three thousand five hundred (3,500) square feet.

d. Lot Width.

Not less than twenty-five (25) feet.

e. Floor Area Ratio - Non-Residential Permitted Use and Special Uses.

Not to exceed 0.65.

f. Building Height - Single and Two-Family Dwelling Uses.

Not to exceed two and one-half (2 ½) stories or twenty-seven (27) feet.

g. Lot Coverage.

No building shall occupy more than fifty percent (50%) of the lot area of an interior lot and sixty-five percent (65%) of a corner lot, including the garage.

h. Front Yards.

1. Front Yard – Single-Family Dwellings.

No less than thirteen (13) feet in depth.

2. Permitted Uses in Front Yard.

A. One-story bay windows projecting three (3) feet or less into the yard and overhung eaves and gutters projecting two (2) feet up.

B. Overhang eaves and gutters projecting two (2) feet or less into the yard.

C. Awnings and canopies projecting not more than thirty (30) inches into the yard.

D. Steps not more than four (4) feet above grade for purposes of access to a permitted building.

E. Flag poles.

F. Fences shall not be permitted.

i. Side Yards – Single-Family Dwellings.

1. Two side yards having a combined width of not less than five (5) feet, and neither side yard being less than two and one-half (2 ½) feet in width.

2. A side yard abutting a street not to be less than six (6) feet wide.

j. Permitted Side Yard Obstructions.

1. Awnings and canopies projecting in the side yard not more than one-half (1/2) of the width of the side yard.
2. Fences meeting the requirements set forth above and chain link fences.
3. Overhanging eaves and gutters.

k. Rear Yard – Single-Family Dwellings.

No less than twenty-three (23) feet deep.

l. Off-Street Parking.

Each single-family detached home under this subsection of the Cicero Zoning Ordinance shall be required to establish a two (2) car enclosed garage. In all other instances, Section 7 of the Cicero Zoning Ordinance shall control and dictate.

m. Application of Ordinance.

The intent of the Town in establishing these provisions regarding the lots applicable hereto is to provide for the development of residential lots in a uniform manner and in accord with the standards set forth above. All of the standards set forth above have been determined by the Corporate Authorities to be fair and reasonable for the development of the lots. The Town has considered the possibility of altering or varying the aforementioned standards and has determined that any variation from the aforementioned standards is not in the best interests of the Town or its residents and that the variation from the aforementioned standards will alter the essential character of the locality and would not serve to remedy a unique blight upon a land owner.

Section 3.02 Amendment to Section 4, Subsection A. 16.

The Cicero Zoning Ordinance is hereby amended, notwithstanding any provision, ordinance, resolution or section of the Town Code or the Cicero Zoning Ordinance to the contrary, by adding Section 4, Subsection A. 16, which section shall read as follows:

16. R-1 Single-Family Residential Districts: Accessory Lots

a. Permitted Uses.

1. Enclosed garages for neighboring single-family detached homes, if the lots are owned by a common person or entity.
2. Gazebos, open spaces, parks and playgrounds, publicly owned and operated.

b. Special Uses.

1. Parks and playgrounds, publicly owned and operated.

c. Lot Area.

No greater than three thousand (3,000) square feet.

d. Lot Width.

Not less than twenty-five (25) feet.

e. Floor Area Ratio - Non-Residential Permitted Use and Special Uses.

Not to exceed 0.25.

f. Building Height - Garages and Gazebos.

Not to exceed twelve (12) feet.

g. Lot Coverage.

No building shall occupy more than twenty-five percent (25%) of the lot area.

h. Front Yards.

1. Front Yard - Garages and Gazebos.

No less than twenty-five (25) feet in depth.

2. Permitted Uses in Front Yard.

A. Flag Poles

i. Side Yards – Single-Family Dwellings.

None

j. Permitted Side Yard Obstructions.

None

k. Rear Yard -- Single-Family Dwellings.

No less than twelve (12) feet deep.

l. Off-Street Parking.

In all instances, Section 7 of the Cicero Zoning Ordinance shall control and dictate.

m. Adherence to Ordinance.

The intent of the Town in establishing these provisions regarding the lots applicable hereto is to provide for the development of residential lots in accord with the standards set forth above. All of the standards set forth above have been determined by the Corporate Authorities to be fair and reasonable for the development of the lots. The Town has considered the possibility of altering or varying the aforementioned standards and has determined that any variation from the aforementioned standards is not in the best interests of the Town or its residents and that the variation from the aforementioned standards will alter the essential character of the locality and would not serve to remedy a unique blight upon a land owner.

Section 3.03 Amendment to Section 4, Subsection C. 3.

The Cicero Zoning Ordinance is hereby amended, notwithstanding any provision, ordinance, resolution or section of the Town Code or the Cicero Zoning Ordinance to the contrary, by amending Section 4, Subsection C. 3, which section shall read as follows:

3. Lot Area.

- a. Not less than 3,500 square feet for single and two-family dwellings. Except as expressly set forth below, all standard buildable lots in an R-3 District must have a minimum lot area of three thousand five hundred (3,500) square feet ("Standard Lots").
- b. The Architectural Review Committee shall review and thereafter approve outright, approve with modification(s) or deny outright all

requests for buildings on any lot that is greater than three thousand (3,000) square feet and less than three thousand five hundred (3,500) square feet ("Non-Standard Lots"), in accordance with Section 11 of the Cicero Zoning Ordinance. The construction of multiple family dwellings and structures to be used for public, civic, commercial or manufacturing uses is expressly prohibited on Non-Standard Lots. It is intended that Non-Standard Lots will be used to accommodate the development of single-family detached homes on individual lots.

- c. The Architectural Review Committee shall review and thereafter approve outright, approve with modification(s) or deny outright all requests for buildings on any lot that is three thousand (3,000) square feet or less ("Accessory Lots"), in accordance with Section 11 of the Cicero Zoning Ordinance. The construction of single-family or multiple family dwellings and structures to be used for public, civic, commercial or manufacturing uses is expressly prohibited on Accessory Lots. It is intended that Accessory Lots will be used to establish residential green spaces, residential garages, residential carports or similar residential sheltered vehicular off-street parking facilities for use by neighboring lot owners.

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- b-d. Multiple-family dwellings must have a minimum of five hundred (500) square feet of lot area per dwelling unit, in addition to the area requirements for other uses on the property.

Section 3.04 Amendment to Section 5, Subsection B. 1.

The Cicero Zoning Ordinance is hereby amended, notwithstanding any provision, ordinance, resolution or section of the Town Code or the Cicero Zoning Ordinance to the contrary, by amending Section 5, Subsection B. 1, which section shall read as follows:

1. Permitted Uses.

- t. Detached single-family residences on single lots (with the approval of the Architectural Review Committee as set forth in Section 11 of the Cicero Zoning Ordinance and in accord with the square footage restrictions as set forth in the R-1 District).
- u. Park/green spaces.
- v. Residential garages and sheltered off-street and parking facilities.

Section 3.05 Amendment to Section 6, Subsection C. 1.

The Cicero Zoning Ordinance is hereby amended, notwithstanding any provision, ordinance, resolution or section of the Town Code or the Cicero Zoning Ordinance to the contrary, by amending Section 6, Subsection C. 1, which section shall read as follows:

1. Permitted Uses.

- a. The following uses are permitted provided they conform with applicable requirements set forth in General Requirements and Performance Standards of this Section, save for items 24, 25 and 26, which are uses that shall not be required to meet the General Requirements and Performance Standards of this Section and shall be permitted as a right.

24. Detached single-family residences on single lots (with the approval of the Architectural Review Committee as set forth in Section 11 of the Cicero Zoning Ordinance and in accord with the square footage restrictions as set forth in the R-1 District)

25. Park/green spaces.

26. Residential garages and sheltered off-street and parking facilities.

Section 3.06 Other Actions Authorized.

The officers, employees and/or agents of the Town shall take all action necessary or reasonably required to carry out, give effect to and establish the Committee and to take all action necessary in conformity therewith. The officers, employees and/or agents of the Town are specifically authorized and directed to draft and disseminate any and all necessary forms to be utilized in connection with the amendments contemplated herein.

ARTICLE III.
SAVING CLAUSES,
PUBLICATION, EFFECTIVE DATE

Section 4.00 Headings.

The headings for the articles, sections, paragraphs and sub-paragraphs of this Ordinance are inserted solely for the convenience of reference and form no substantive part of this Ordinance nor should they be used in any interpretation or construction of any substantive provision of this Ordinance.

Section 5.00 Severability.

The provisions of this Ordinance are hereby declared to be severable and should any provision, clause, sentence, paragraph, sub-paragraph, section or part of this Ordinance be ~~determined to be in conflict with any law, statute or regulation by a court of competent~~ jurisdiction, said provision shall be excluded and deemed inoperative, unenforceable, and as though not provided for herein, and all other provisions shall remain unaffected, unimpaired, valid and in full force and effect. It is hereby declared to be the legislative intent of the Town Board that this Ordinance would have been adopted had such unconstitutional or invalid provision, clause, sentence, paragraph, sub-paragraph, section or part thereof not been included.

Section 6.00 Superseder.

All code provisions, ordinances, resolutions and orders, or parts thereof, in conflict herewith, are to the extent of such conflict hereby superseded.

Section 7.00 Publication.

A full, true and complete copy of this Ordinance shall be published in pamphlet form or in a newspaper published and of general circulation within the Town as provided by the Illinois Municipal Code, as amended.

Section 8.00 Effective Date.


This Ordinance shall be in full force and effect upon its passage, approval, and publication as required by law.

(THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK)


ADOPTED this 14 day of November, 2006, pursuant to a roll call vote as follows:

	YES	NO	ABSENT	PRESENT
Virruso	X	—	—	—
Alanis	X	—	—	—
Reitz	X	—	—	—
Ayala	X	—	—	—
Punzo-Arias	—	—	X	—
Raleigh	X	—	—	—
Walsh	X	—	—	—
(President Dominick)	—	—	—	—
TOTAL	6	0	1	0

APPROVED by the President on November 14, 2006


LARRY DOMINICK
PRESIDENT

ATTEST:


MARILYN COLPO
TOWN CLERK