

§ 154.25 USE REGULATIONS.

(A) *Principal permitted uses.* A building or lot or other land area in this district shall be used only for the following principal permitted uses:

- (1) Single-family dwellings.
- (2) Public water tower or reservoir;
- (3) Farms, provided that no farm animals shall be kept on any property that is smaller than ten acres.

(B) *Accessory uses.*

(1) Home occupation. A professional or business activity conducted in a dwelling unit, provided:

- (a) No person other than members of the family residing on the premises, and one additional individual at any one time who need not be a member of the family, shall be engaged in such occupation;
- (b) The use of the dwelling unit for the home occupation shall be clearly subordinate to its use for residential purposes by its occupants, and not more than 25% of the floor area of the dwelling unit shall be used in the conduct of the home occupation;
- (c) There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one sign, not exceeding one square foot in area, nonilluminated, and if unattached, positioned on the premises with the bottom at a height not exceeding 12 inches.
- (d) No home occupation shall be conducted in any accessory building. Except for automobiles used in connection with the home occupation, no tools, equipment, implements, machinery, supplies, inventory or product of a home occupation shall be stored on the premises unless stored in the principal dwelling or in an accessory building located on the premises;
- (e) There shall be no sales made in connection with such home occupation to customers who come onto the premises;
- (f) Homeowner operated service businesses are permitted subject to restrictions within these regulations.
- (g) No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street and other than in a required front yard;
- (h) No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio, television receiver, telephone, garage door opener, etc. off the premises, or causes fluctuations in line voltage off the premises;
- (i) Any person wishing to conduct a home occupation shall apply for an accessory use permit from the Village Manager, submitting all information as required by the Village Manager to demonstrate that the provisions of this section will be met. The Village Manager may issue a permit to the applicant for a period of not more than two years. Upon expiration of the permit, the Village Manager may issue a new permit if satisfied that the applicant continues to be in compliance with the provisions of this section. A permit may be revoked at any time the Village Manager determines that the provisions of this section are not being met by the permit holder. Before issuing a permit, the Village Manager shall collect a fee of \$10.

(2) Garages.

- (a) Attached garages may not exceed 1,500 square feet or 40% of the floor area of the remaining principal structure, whichever is less. A garage may not have its principal access face a street. Detached garages are treated as accessory structures.
- (b) No automobiles, other motor driven vehicles or trailers shall be parked or stored in such structures or buildings unless owned and used by the occupants of the dwelling to which the structure or building is accessory or is a part of or attached.

(3) Pools. See Ch. 98, § 98.01 and § 98.02.

(4) Temporary buildings for uses incidental to construction work, which buildings shall be removed on completion or abandonment of the construction work.

(5) Bulletin boards and signs as follows:

- (a) Church or public building bulletin boards not exceeding ten square feet in area.
- (b) Temporary signs not over 40 inches from the ground and not exceeding six square feet in area, the purpose of which is to communicate information about the lease or sale of a building or lot, which signs shall be removed as soon as the property is leased or sold.
- (c) Small announcements or professional signs not over one square foot in area;
- (d) Highway directional and traffic safety signs erected and maintained by public agencies;

(e) Outdoor election signs, provided that they may not be erected prior to four weeks before the day of election and that the owner of the property on which the sign is located must cause the sign to be removed within 72 hours after the election; a sign permitted under this section shall not exceed 12 square feet in area and the aggregate of all signs placed on any parcel of real property in one ownership shall not exceed 60 square feet, nor shall they be posted such that the bottom edge of each sign is more than 40 inches from the ground;

(f) No sign may be posted on public property or within the public right-of-way along public roads, except village corporation signs, highway directional or regulatory signs and traffic safety signs erected and maintained by public agencies. All signs shall be placed in such manner that they will not obstruct the vision of drivers with regard to oncoming or intersecting traffic on any public or private roads or driveways.

(6) No equipment or process shall be used as a hobby or vocation which created noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio, television receiver, telephone, garage door openers, etc. off the premises, or causes fluctuations in line voltage off the premises.

(C) *Conditional uses.* Buildings, and village owned land, designed to be occupied by or to serve the general public may be constructed and/or utilized in Residence A and Residence B Districts provided they are authorized pursuant to a conditional use permit granted by the Board of Zoning Appeals. Public buildings subject to the conditional use permit regulations are: libraries, museums, community buildings, municipal buildings, police or fire stations, churches, and off-street parking to service such structures. The Board of Zoning Appeals may grant a conditional use permit for any of the foregoing structures if, upon application by the instrumentality that proposes to construct and operate the building and after a hearing, the Board of Zoning Appeals determines the following:

(1) The construction and operation of the proposed public building will not be detrimental to the peaceful occupancy of proximate dwelling houses;

(2) The construction and operation of the public building will not have a detrimental effect upon the property values in the neighborhood;

(3) The design of the proposed public building is such that it will not have an adverse impact upon the residential quality of the neighborhood;

(4) The public building will have off-street parking on the same parcel of land equal to one parking space for each three seats of seating capacity in the structure, or one parking space for each 200 square feet of floor space in any building which does not provide seating capacity. The off-street parking shall be set back a minimum of 100 feet from all abutting streets and a minimum of 25 feet from any lot line of any contiguous lot;

(5) If the plan for a public building includes a fenced area to be used for outdoor games, recreation or play, the fenced areas designed for these uses shall be set back from all lot lines by a distance of at least 50 feet;

(6) Any use authorized by the Board of Zoning Appeals as a conditional use shall not be used for any bazaar, fete or any other such outdoor activity and provided further that said land and building shall not be used for any commercial activity unless sponsored or directed by the regular and primary occupant of said building. As used herein, **COMMERCIAL** shall mean having financial profit as its primary aim but shall not include the renting of facilities for religious occasions, to charitable or civic organizations for meetings or to individuals or groups for weddings, anniversaries and other similar celebrations.

('69 Code, § 151.25) (Ord. C-285, passed 7-8-68, Am. Ord. C-303, passed 8-11-69, Am. Ord. C-431, passed 10-11-76; Am. Ord. C-496, passed 3-10-80; Am. Ord. C-666, passed 10-10-89; Am. Ord. C-692, passed 10-9-90; Am. Ord. C-808, passed 11-13-95; Am. Ord. 2001-14, passed 6-11-01; Am. Ord. 2009-14, passed 7-28-09; Am. Ord. 2018-13, passed 2-11-19)
Penalty, see § 154.99