

Section 10
RESIDENTIAL DISTRICTS

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10.1 **PURPOSE:**

The Residential Districts set forth herein are established in order to protect public health and promote public safety, convenience, comfort, morals, prosperity and welfare. These general goals include, among others, the following specific purposes:

- A. To protect residential areas against fire, explosion, noxious fumes, offensive odors, noise, smoke, vibrations, dust, heat, glare and other objectionable factors.
- B. To protect residential areas to the extent possible and appropriate in each area against unduly heavy motor vehicle traffic, especially through-traffic, and to alleviate congestion by promoting off-street parking.
- C. To protect residential areas against undue congestion of public streets and other public facilities by controlling the density of population through regulation of the bulk of buildings.
- D. To protect and promote the public health and comfort by providing for ample light and air to buildings and the windows thereof.
- E. To promote public comfort and welfare by providing for usable open space on the same zoning lot with residential development.
- F. To provide sufficient space in appropriate locations to meet the probable need for future residential expansion and to meet the need for necessary and desirable services in the vicinity of residences, which increase safety and amenity for residents and which do not exert objectionable influences.
- G. To promote the best use and development of residential land in accordance with a comprehensive land use plan, to promote stability of residential development and protect the character and desirable development and protect the value of land and improvements and so strengthen the economic base of the Village.

10.2 **R-1 ONE-FAMILY DWELLING RESIDENTIAL DISTRICT:** *Amended, 19-26, 08-11, 06-31, 06-28, 04-18, 01-33, 01-07, 00-23, 00-02, 99-29*

10.2-1 **Legislative Intent:** The purpose of the R-1 One-Family Dwelling Residential District is to provide areas for low-density residential development. Public utility service would ordinarily be available to service areas with this type of development.

10.2-2 Permitted Uses: In addition to the uses in Appendix A of this Zoning Code, the following uses are permitted in the R-1 One Family Dwelling Residential District:

- A. One-family detached dwellings on individually platted parcels or lots.
- B. Temporary buildings, structures and uses for construction purposes for a period not to exceed one year, however an extension up to six months may be granted by the Building Commissioner provided an extension permit is purchased in accordance with Chapter 19 of the Lakewood Municipal Code.
- C. Accessory buildings, structures, and uses as defined in this Code and as regulated or permitted by Section 7.
- D. Off-street parking facilities, as defined in this Code and as regulated or permitted by Section 8.
- E. Parks and Open Space, except park facilities containing lighting fixtures for night time use or buildings in excess of 100 square feet.
- F. Signs as defined in this Code and as regulated or permitted by Section 9.
- G. Watercraft, watercraft trailers, snowmobiles and snowmobile trailers shall be stored pursuant to Section 15.12 of the Lakewood Municipal Code.
- H. Village buildings, structures and uses (i.e., lift stations, potable wells and associated infrastructure, potable water treatment plants, police facilities, public works facilities, recreation facilities, sanitary sewage treatment plants, water towers, Village Hall).

10.2-3 Special Uses: The following special uses may be permitted upon review and approval in accordance with the procedures and standards described in Section 15 of this Zoning Code:

- A. Planned unit developments (as defined in Section 16 of this Zoning Code).
- B. A group home, that is licensed or certified by the State of Illinois, and that is supervised, and those which have five or more persons plus staff, subject to the following, which may be waived by the Village Board:
 - I. A minimum distance of 1,000 feet is maintained between group homes; and
 - II. The group home conforms to all current provisions of this Zoning Code, Village building codes and State of Illinois licensing standards, if applicable to the use.
- C. Short term rental. 22-16

10.2-4 Prohibited Uses: The following uses are prohibited in the R-1 One-Family Residential

Dwelling District:

- A. No building shall be erected or maintained on any portion of R-1 for manufacturing or industrial purposes; and no noxious or offensive trade shall be carried on upon any portion of R-1 nor shall anything be done thereon which may be or become a legal nuisance to the neighborhood.
- B. No stables or other quarters shall be erected, maintained or used on any portion of R-1 for stabling or accommodating any horses, cattle, swine, goats, sheep, or fowl.
- C. No visible tank for the storage of oil, gas or any other material shall be erected or maintained on any portion of the R-1.
- D. Above ground swimming pools are not permitted.
- E. No building shall be erected or maintained on any lot unless it be a dwelling unit designed and equipped for occupancy as a private residence by a single family only, provided that at the time of or after (but not before) the erection of any such dwelling unit, accessory buildings, structures or uses may be erected and maintained as appurtenances of such dwelling unit. No more than one such dwelling unit and the accessory buildings, structures and uses appurtenant thereto shall be maintained on any one lot at the same time.

10.2-5 Height of Buildings: The maximum height of one-family detached dwellings shall be 35 feet and not exceed two stories.

10.2-6 Lot Size and Driveway Access:

- A. The lot size shall not be less than 32,670 square feet (three-quarters of an acre) with a minimum lot width of 150 feet (see definition of lot width).
- B. No part of lots 111, 118, 130, 131, 138, 153, 159, 176, 181, 182, 183, 184 and 185 of the Turnberry Subdivision shall be used for, or have constructed or maintained thereon a driveway that opens on to Turnberry Trail.

10.2-7 Yard Areas: No building shall be erected or enlarged unless the following yards are provided and maintained in connection with such building, structure or enlargement.

10.2-7.1 Front Yard: Each lot upon which a dwelling or non-residential use is constructed shall have a front yard of not less than 40 feet. Nevertheless, the front yard building setback line shall be increased beyond this minimum on lots with curved frontages so that the required lot width is achieved at the building setback line.

10.2-7.2 Side Yard: On each lot upon which a dwelling is constructed, there shall be a side yard on each side equal to not less than 10 percent of the width of the lot or 15 feet, whichever is greater.

- 10.2-7.3 Rear Yard: Each lot or parcel of land upon which a building is constructed shall have a rear yard of not less than 30 feet.
- 10.2-7.4 Fences in the R-1 One-Family Dwelling Residential District shall be subject to the regulations of Section 5.12, except for fences governed by Section 5.12-4D and 5.12-4E, which shall be prohibited.
- 10.2-7.5 Dwelling Standards: *Amended, 20-06, 14-07*
- A. Every one story dwelling, hereafter erected in any R-1 One-Family Dwelling Residential District, shall have a total ground floor area of not less than 2,500 square feet measured from the outside of the exterior walls, excluding cellars, walk-out basements, basements, open porches, breezeways, garages and other spaces that are not used frequently or during extended periods for living, eating or sleeping purposes.
 - B. Every dwelling of more than one story, hereafter erected in any R-1 One-Family Dwelling Residential District, shall have a total floor area, measured from the outside of the exterior walls, of not less than 1,800 square feet on the first floor at grade level (grade level being any area at the main entrance level) and not less than 1,000 square feet on the second floor, with a combined total of not less than 2,800 square feet, excluding cellars, walk-out basements, basements, open porches, breezeways, garages and other spaces that are not used frequently or during extended periods for living, eating or sleeping purposes.
 - C. No similar style houses shall be built within a 1,500 feet radius of another house of the same style.
 - D. No dwelling, accessory building or structure shall be erected, and no exterior alteration shall be made to any such dwelling, accessory building or structure until and unless the plans and specifications for the same have been submitted to the Village Architect for review and approval in accordance with the provisions of Chapter 36, Architectural Review Process, of the Lakewood Municipal Code.
 - E. Landscaping: Landscaping shall be installed in accordance with the provisions of Chapter 21, Landscaping Code, of the Lakewood Municipal Code.
 - F. Driveways: All driveways shall be installed in accordance with Chapter 19 of the Lakewood Municipal Code.
- 10.2-8 Building Lot Coverage, Impervious Surface Coverage and FAR: The FAR for each lot in the R-1 One Family Dwelling Residential District which is 10,000 square feet or more shall be no more than .5, impervious surface coverage shall not exceed 40% of a lot, and building lot coverage shall not exceed 35%. With respect to each lot in the R-1 One-Family Dwelling Residential District which is less than 10,000 square feet, the FAR for such lot shall not exceed .4, the impervious surface coverage shall not exceed 35%, and building

lot coverage shall not exceed 35%.

10.3 R-2 ONE-FAMILY DWELLING RESIDENTIAL DISTRICT: *Ord. 99-29, Amended, 19-26, 14-07, 08-11, 07-25, 05-01, 01-34, 00-02, 99-29, 96-97-17*

10.3-1 Legislative Intent: To the extent that property in the R-2 One-Family Dwelling Residential District includes property in the Country Club Additions/The Gates subdivision, that property is uniquely situated in the Village near or fronting Crystal Lake. It was largely platted prior to the incorporation of the Village and the adoption of zoning regulations. It has developed a unique canopy of mature trees throughout the neighborhood, a greater density of high quality homes on consistently smaller lots than exist elsewhere in the Village, a variety of architectural styles for those homes, and a unique small town neighborhood and beach community character of both historic interest and value to its residents and to the entire Village.

These regulations of the R-2 One-Family Dwelling Residential District are intended to ensure reasonable opportunities for residential development within this area while continuing to promote and protect its distinctive character, ensuring compatibility of new development with the existing characteristics of the area, and protecting and enhancing the desirability of this District for homeowners and potential home buyers, thereby providing economic benefit to the Village. These regulations are further intended to protect the Crystal Lake watershed. Typical new construction with highly pitched roofs is inconsistent with the intent of this Section that seeks to address issues of disproportionate mass and bulk in this zoning district. These purposes are hereby found to be in the interest of the health, safety and welfare of the Village and its residents.

Nothing in this Section shall exempt any party from the ordinary building permit and approval procedures of the Village or from any other requirements of this Zoning Code.

To the extent that any R-2 One-Family Dwelling Residential District property is subject to the terms of an annexation agreement that is in any way inconsistent with this Section, the terms of the annexation agreement shall apply.

10.3-2 Permitted Uses: Permitted uses in the R-2 One Family Dwelling Residential District can be found in Appendix A of this Zoning Code.

10.3-3 Special Uses: Special uses in the R-2 One Family Dwelling Residential District can be found in Appendix A of this Zoning Code. Short term rentals are an authorized special use.
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10.3-4 Lot Size: Every one-family dwelling, served by a municipal or privately owned utility sewer service, hereafter erected or structurally altered shall be on a lot having an area of not less than 15,000 square feet and a width at the established building line of not less than 100 feet for lots north of Broadway and not less than 150 feet for lots south of Broadway, excepting therefrom all lots subdivided as of March 15, 1988, provided such lots have not less than 9,000 square feet in area and not less than 60 feet in width at the established building line. Notwithstanding the provisions of this Section, the exception for lots subdivided as of March 15, 1988, shall not apply to contiguous parcels which have

common ownership and are used as a single lot, regardless of when those lots were originally subdivided.

10.3-5 Design Review Approval Required Prior to Construction: Both a design review approval and a building permit shall be obtained, following the regular review procedures, before any person shall perform, cause or permit any construction, alteration, remodeling, removal, movement or demolition of any building, structure or other improvement on premises located within the R-2 One-Family Dwelling Residential District. No person shall maintain any property located within the R-2 One-Family Dwelling Residential District on which any such work has been performed in the absence of, or in violation of the terms of, a design review approval and a building permit. No architectural review shall be necessary if the Building Commissioner finds in a preliminary design review that the construction would merely be repair of fire, storm or other catastrophic damage with the same material and configuration as existed prior to such damage.

10.3-6 Standards and Considerations for Obtaining a Design Review Approval for the R-2 One-Family Dwelling Residential District: In passing upon applications for design review approvals within the R-2 One-Family Dwelling Residential District, the Village Architect shall consider and evaluate the propriety of issuing the design review approval in terms of its effect on the purposes for which the R-2 One-Family Dwelling Residential District is designated as described in Section 10.3-1 herein. However, any proposal that meets the requirements described herein, shall be granted such an approval if all of the additional architectural review criteria are also met. In addition to any other architectural review criteria pursuant to this Zoning Code, the following additional criteria shall apply to projects within the R-2 One-Family Dwelling Residential District:

- A. Height Restriction: No building in the R-2 One-Family Dwelling Residential District shall exceed two stories. Notwithstanding any other provisions of this Zoning Code, for purposes of this R-2 One-Family Dwelling Residential District only, principal structure height shall be measured to the ridge for gabled, hip and gambrel roof structures and to the highest point for flat and mansard roof structures. As appropriate, all other measurement requirements of Section 5.3-1 and Exhibit B of the Zoning Code shall continue to apply.
1. For lots greater than 15,000 square feet, no one-family dwelling principal structure shall exceed 35 feet in height for gabled, hip and gambrel roofs and 25 feet for flat and mansard roofs. No accessory structure shall exceed 15 feet in height, and no storage shed shall exceed 12 feet in height.
 2. For lots equal to or less than 15,000 square feet, no one-family dwelling principal structure shall exceed 30 feet in height for gabled, hip or gambrel roofs and 20 feet for flat and mansard roofs. No accessory structure shall exceed 15 feet in height, and no storage shed shall exceed 12 feet in height.
- B. Setback Requirements. Except as otherwise provided herein, the Yard Area requirements of this Zoning Code shall apply to all buildings in the R-2 One-Family Dwelling Residential District.

1. For lots equal to or greater than 15,000 square feet (with a frontage of less than 150 feet there shall be a side yard on each side equal to not less than 10 percent of the width of the lot or a total side yard setback requirement of 16 feet with a minimum of eight feet on either side, whichever is greater. The front and rear yard setbacks shall be at least 40 feet each. Where two adjoining lots are developed with buildings having front yards with a variation of more than 15 feet in depth, the average of such front yards shall establish the minimum front yard depth for the new yard.
2. For lots equal to or greater than 15,000 square feet (with a frontage of 150 feet or greater), there shall be a side yard on each side equal to not less than 10 percent of the width of the lot or a total side yard setback requirement of 25 feet with a minimum of 10 feet on either side, whichever is greater. The front and rear yard setbacks shall be at least 40 feet each. Where two adjoining lots are developed with buildings having front yards with a variation of more than 15 feet in depth, the average of such front yards shall establish the minimum front yard depth for the new yard.
3. For lots of less than 15,000 square feet, there shall be a side yard on each side equal to not less than 10 percent of the width of the lot or a total side yard setback of 16 feet with a minimum of eight feet on each side, whichever is greater. The front and rear yard setbacks shall be at least 30 feet each. Where two adjoining lots are developed with buildings having front yards with a variation of more than 15 feet in depth, the average of such front yards shall establish the minimum front yard depth for the new yard.

C. Landscaping: Landscaping shall be installed in accordance with the provisions of Chapter 21 of the Lakewood Municipal Code.

10.3-7 Building Lot Coverage, Impervious Surface Coverage and FAR: With respect to each lot in the R-2 One Family Dwelling Residential District which is less than 10,000 square feet, the FAR for such lot shall be no more than .5, impervious surface coverage shall not exceed 40% of the lot, and building lot coverage shall not exceed 35%. With respect to each lot in the R-2 One Family Dwelling Residential District, which is 10,000 square feet or more, the FAR for such lot shall not exceed .4, the impervious surface coverage shall not exceed 35%, and building lot coverage shall not exceed 35%.

10.4 R-3 ONE-FAMILY DWELLING RESIDENTIAL DISTRICT: *Amended, 19-26, 01-07, 99-29*

10.4-1 Legislative Intent: The purpose of the R-3 One-Family Dwelling Residential District is to provide areas for moderate-density residential development. Previous versions of zoning regulations labeled this district as AR-1A.@ Public utility service would ordinarily be available to service areas with this type of development.

10.4-2 All R-1 regulations apply to R-3 Zoning areas with the following exceptions:

- A. Every one story dwelling, hereafter erected in any R-3 One-Family Dwelling Residential District, shall have a total ground floor area of not less than 2,500 square feet measured from the outside of the exterior walls, excluding cellars, walk-out basements, basements, open porches, breezeways, garages and other spaces that are not used frequently or during extended periods for living, eating or sleeping purposes.
- B. Every dwelling of more than one story, hereafter erected in any R-3 One-Family Dwelling Residential District, shall have a total floor area, measured from the outside of the exterior walls, of not less than 1700 square feet on the first floor at grade level (grade level being any area at the main entrance level) and not less than 800 square feet on the second floor, with a combined total of not less than 2,500 square feet, excluding cellars, walk-out basements, basements, open porches, breezeways, garages and other spaces that are not used frequently or during extended periods for living, eating or sleeping purposes.
- C. The lot size shall not be less than 22,000 square feet with a minimum lot width of 100 feet (see definition of lot width), except that the minimum width of lots on the bulbs of cul-de-sac shall be 125 feet.

10.4-3 Building Lot Coverage, Impervious Surface Coverage and FAR: The FAR for each lot in the R-3 One-Family Dwelling Residential District which is 10,000 square feet or more shall be no more than .5, impervious surface coverage shall not exceed 40% of a lot, and building lot coverage shall not exceed 35%. With respect to each lot in the R-3 One-Family Dwelling Residential District which is less than 10,000 square feet, the FAR for such lot shall not exceed .4, the impervious surface coverage shall not exceed 35%, and building lot coverage shall not exceed 35%.