ZONING RESOLUTION
Knox County, Illinois

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As amended to October 28, 2020
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ZONING RESOLUTION
OF
KNOX COUNTY, ILLINOIS

Be it Resolved by the Board of Supervisors of Knox County, Illinois, that the purposes of the following Resolution shall be in accordance with those set forth in Section 1 of the Illinois County Zoning Act (1965 Illinois Revised Statutes, Chapter 34, Section 3151) and said purposes shall include but shall not be limited to the following:

To divide all unzoned areas of Knox County, Illinois, into districts; to regulate and restrict therein the location, erection, construction, reconstruction, alteration and use of buildings, structures and land, for industry, business, trade, residence and other uses; to regulate and restrict the height, number of stories, and size of all buildings, and the size of yards, courts, and other open spaces surrounding buildings; to regulate and restrict the density of population; to provide for the change and amendment of such regulations and boundaries of districts; to provide for a Board of Appeals; to provide for enforcement of said Resolution; to prescribe penalties for violation of the provisions hereof; and to repeal the zoning resolution of Knox County enacted on June 10, 1947, and all resolutions amendatory thereto.

ARTICLE 1
PURPOSES

Section 1.1 For the purpose of promoting the public health, safety, morals, comfort and general welfare, conserving the values of property throughout the county, and lessening or avoiding congestion in the public streets and highways, it is hereby provided as follows:

ARTICLE 2
NAME

Section 2.1 This resolution shall be known and may be cited and referred to as the "Zoning Resolution" to the same effect.

ARTICLE 3
DEFINITIONS

Section 3.0 The language of the Zoning Resolution must be read literally. Regulations are no more or less strict than stated. Words and terms expressly defined in this Zoning Resolution have the specific meanings assigned, unless the context expressly indicates another meaning. Words that are not expressly defined in this Resolution have the meaning given in the latest edition of Merriam-Webster's *Unabridged Dictionary*. [Effective since 26 June 13]

Section 3.1 For the purpose of this resolution, certain terms and words are hereby defined. Words used in the present tense shall include the future; the singular number shall include the plural and the plural the singular and the word "shall" is mandatory and not directory. [Effective since 21 Nov 01]

3.1.01 Accessory Building- A secondary/ subordinate building or structure which is incidental to and associated with the principal/ primary building located on the same property. There can be no accessory building without a principal/ primary building. [Effective since 27 Feb 13] Except in "A" & "C" districts as long as the accessory building is placed in a position on the property

allowing for an eventual principal/primary building that would meet the set back as defined in Article 7 Minimum Yards of this resolution. Those accessory buildings will then follow the setback rules of an accessory building. [Effective since 26 April 25]

3.1.01.1 Accessory Dwelling- One accessory dwelling will be allowed in the "R", "C" and "A" districts only if there is an existing **3.1.67 Principal/ Primary Structure** as defined in this resolution; the accessory dwelling shall be owned by the same person who occupies the habitable principal dwelling; the accessory dwelling shall have a minimum of 350 square feet and a maximum of 800 square feet, the entrance shall not face any street on which the parcel fronts; it must be located at least 15ft from the Principal/ Primary Structure; the accessory dwelling shall not be used for rental property for non-family members and a 911 address shall be obtained for the accessory dwelling. [Effective since 24 Aug 22]

3.1.02 Accessory Use- A secondary activity incidental to the principal/ primary use of that same property and associated with the principal/primary use. There can be no accessory use on a property without a principal/ primary use. [Effective since 27 Feb 13]

3.1.03 Administrative Officer- The individual designated by this resolution to administer the Zoning Resolution and who is responsible for the enforcement of the regulations imposed by said resolution.

3.1.04 Adult Business- Any establishment having as a substantial or significant portion of its stock in trade or business activity in a use such as, but not limited to the following: Adults-Only Bookstores, Adults-Only Motion Picture Theaters, Adult-Entertainment Centers, Adults-Only Nightclubs or Adults-Only Saunas, where explicit sexual conduct is depicted or sexual activity is explicitly or implicitly encouraged or tolerated. [Effective since 27 Feb 13]

3.1.04.1 Agritainment- agriculturally based entertainment, including hayrides, corn mazes, etc... [Effective since 28 Oct 2020]

3.1.04.2 Agritourism- agriculturally based operations or activities that bring visitors to a farm.[Effective since 28 Oct 2020]

3.1.05 Animal Hospital or Clinic- An institution open to the public in which animals are given medical or surgical care and are kept for varying periods of time to permit care and treatment.

3.1.06 Apartment Houses- See Dwelling, Multiple.

3.1.06.1 Automobile Wrecking Yard - **Any** place where inoperable motor vehicles or the parts thereof, or any other inoperable motor machinery or parts thereof, are stored in the open and are not being restored to operation; or, any land, building, or structure used for the wrecking or storing of such motor vehicles or machinery, or the parts thereof. The presence on any lot or parcel of land of two or more inoperable motor vehicles or pieces of machinery which, for a period of fifteen (15) days, have not been capable of operating under their own power and from which parts have been or are to be removed shall constitute prima-facie evidence of an automobile wrecking yard. [Effective since 25 Nov 15]

3.1.07 Banquet Facility-A building used for ceremonial or special event purposes. [Effective since 21 Nov 13]

3.1.08 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, rented, sold or leased and used for dwelling purposes other than by a janitor employed on the premises.

3.1.09 Boarding House- See Lodging House.

3.1.10 Building- Any structure having a roof supported by columns or walls built for the support, shelter, or enclosure of persons, animals, chattels, or property of any kind, but not including any vehicle, trailer (with or without wheels,) or any movable device, such as furniture, machinery or equipment. When any portion of a building is completely separated from any other portion thereof by a division wall without opening or by firewall, then each such portion shall be deemed to be a separate building.

3.1.11 Building, height of- The vertical distance from the grade 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, and gambrel roofs.

3.1.12 Building Line- A line on a lot, parallel to a lot line, or street right-of-way, which delimits the area of the lot within which buildings or structures are permitted to be located or constructed. [Effective since 16 July 86]

3.1.13 Building Set-Back Line- A building line, parallel with the front lot line, or street right-of-way line, which establishes the minimum required distance between the front lot line, or street right-of-way line, and any allowable building or structure on the lot. The area between the front line, and any street right-of-way line, and the required building set-back line constitutes the required front yard, subject to exception of Section 7.303. [Effective since 16 July 86]

3.1.13.1 Building Wrecking Yard - An open area where collapsed buildings, or the material(s) remaining after building demolition, including mobile homes and recreational vehicles are being stored in the open and are not being restored to a useable and/or safe condition; or, any land, building or structure used for the wrecking/demolition of buildings and/or mobile homes and/or recreational vehicles. [Effective since 25 Nov 15]

3.1.14 Campground or Camper Park- A tract of land either publicly or privately maintained and operated, designed and intended to temporarily accommodate travel trailers, camp cars, campers or other recreational vehicles which are capable of providing temporary living accommodations, which may or may not provide utility hookups such as for water, sewer, electricity and gas, for individual stays of not to exceed thirty (30) days. (See Mobile Home Court or Park.) [Effective since 20 June 79]

3.1.15 Cellar- A story having more than one-half of its height below grade. A cellar is not included in computing the number of stories for the purpose of height measurement.

3.1.16 Clinic- An establishment where patients are not lodged overnight, but are admitted for examination and treatment by a group of physicians or dentists practicing medicine together.

3.1.17 Commercial- An activity carried out for pecuniary gain; such as, mercantile, trade, retail sales, etc. [Effective since 27 Feb 13]

3.1.18 Commercial Feed Lot- An area of land devoted to the raising and feeding of livestock where the feed is not part of a normal farm operation.

3.1.19 "Dispensing Organization Agent Identification Card"-A document issued by the Department of Finance and Professional Regulation that identifies a person as a medical cannabis dispensing organization agent. (*Compassionate Use of Medical Cannabis Pilot Program Act.) (410 ILCS 130/1 et seq.)* [Effective since 27 Aug 14]

3.1.20 District- A section or sections of Knox County (except Galesburg, Abingdon, Knoxville, East Galesburg, Victoria, Wataga, St. Augustine and Maquon) for which the regulations governing the use of buildings and premises or the height and area of buildings are uniform.

3.1.21 Dock (Pier)- A platform extending from shore over water and supported by pillars, piles or flotation devices, used to secure, shelter, and provide access to boats, ships and other water vehicles and craft. [Effective since 21 Nov 01]

3.1.22 Dwelling- – A building or portion of a building designed or used exclusively for residential purposes, including single-family and multi-family dwellings, but not including temporary overnight accommodations. [Effective since 24 Aug 16]

3.1.23 Dwelling, Single-Family- A building designed for or occupied exclusively by one family.

3.1.24 Dwelling, Two Family- A building designed for or occupied exclusively by two families.

3.1.25 Dwelling, Multiple-A building designed for or occupied exclusively by more than two families.

3.1.26 Dwelling Unit- One (1) or more rooms in a residential building which are arranged, designed or used as living quarters for one (1) family. Bathroom and kitchen facilities are permanently installed. [Effective since 24 Aug 16]

3.1.27 Family- One or more persons related by blood, marriage or adoption occupying a dwelling unit as an individual housekeeping organization. A family may include not more than two persons not related by blood, marriage or adoption.

3.1.28 Farm-An area which is used for the growing of the usual farm products such as vegetables, fruit, trees, and grain, and their storage on the area, as well as the raising thereon of the usual farm poultry and farm animals, such as horses, cattle, sheep and swine, and including dairy farms. The term "farming" includes the operation of such an area for one or more of the above uses with the necessary accessory uses for treating or storing the produce; provided, however, that the operation of such accessory uses shall be secondary to that of normal farming activities and, provided further, that farming does not include the extraction of minerals.

3.1.29 Farm Building- A building/ structure located on a "Farm" and devoted solely for the use of storing farm supplies and/ or equipment and necessary tools for the growing of the usual farm products, or the raising and/ or housing of farm animals. [Effective since 27 Feb 13]

3.1.30 Fence- A free-standing structure made of metal, masonry, wood, or a combination thereof, including gates, resting on or partially buried in the ground level, and used to delineate a boundary or a barrier for means of protection, confinement, or screening, but does not include hedges, shrubs, trees or other natural growth, wooden interior/exterior or garage doors, hog houses or scrap metal. All materials used for fencing must be authorized by the Knox County Zoning Department prior to construction. [Effective since 27 Feb 13]

3.1.31 Filling or Service Station- Any building or premises used for the sale, at retail, of motor vehicle fuels, oils, or accessories, or for the servicing or lubricating motor vehicles or installing or repairing parts and accessories, but not including the repairing or replacement of motors, bodies, or fenders of motor vehicles or painting motor vehicles. The term does not include public garages.

3.1.32 Floor Area- The total number of square feet of floor space within the exterior walls of a building, not including space in cellars or basements; however, if the cellar or basement is used for business or commercial purposes, it shall be counted as floor area in computing off-street parking requirements.

3.1.33 Frontage- All the property on one side of a street or highway, between two intersecting streets (crossing or terminating), or for a distance of 400 feet on either side of a proposed building or structure, measured along the line of the street, or if the street is dead-ended, then all of the property abutting on one side between an intersecting street and the dead-end of the street, but not including property more than 400 feet distant on either side of a proposed building or structure.

3.1.34 Garage, Private- A detached accessory building, or portion of the main building, housing the automobiles of the occupants of the premises.

3.1.35 Garage, Public- Any building or premises, except those used as private or storage garages, used for equipping, repairing, hiring, selling or storing motor-driven vehicles. The term repairing shall not include an automotive body repair shop, nor the rebuilding, dismantling or storage of wrecked or junked vehicles.

3.1.36 Garage, Storage-Any building or premises used for housing only motor-driven vehicles, other than trucks and commercial vehicles, pursuant to previous arrangements and not to transients, and at which automobile fuels and oils are not sold and motor-driven vehicles are not equipped, repaired, hired or sold.

3.1.37 Grade- The average level of the finished surface of the ground adjacent to the exterior walls of the building, except when any non-forming wall approximately parallels and is not more than five feet from a road line, then the elevation of the road at the center of the wall adjoining the road shall be the grade.

3.1.38 Home Occupation- Any occupation or profession carried on by a member of the immediate family, residing on the premises, in connection with which there is used no sign other than a nameplate, not more than one square foot in area, or no display that will indicate from the exterior that the building is being utilized in whole or in part for any purpose other than that of a dwelling; there is no commodity sold upon the premises, except that prepared on the premises; no person is employed other than a member of the immediate family residing on the premises, and no mechanical equipment is used except such as is customary for purely domestic household purposes.

3.1.39 Hotel- A building in which lodging is provided and offered to the public for compensation, and which is open to transient guests, in contradistinction to a boarding house or lodging house as herein defined.

3.1.40 Industrial- Engaged in the manufacturing of goods or products for profit. [Effective since 27 Feb 13]

3.1.40.1 Inoperable Motor Vehicle - Any motor vehicle from which, for a period of at least 30 days; the engine, wheels or other parts have been removed, or on which the engine, wheels or other parts have been altered, damaged or otherwise so treated that the vehicle is incapable of being driven under its own motor power. The term shall not include any motor vehicle that is kept within a building when not in use, a motor vehicle on the premises of a place of business engaged in the wrecking or junking of motor vehicles, (that has been approved by the Knox County Zoning Board of Appeals and conforms to the Knox County Zoning Resolution), or a motor vehicle which has been rendered temporarily incapable of being driven under its own power in order to perform ordinary service or repair operations. [Effective since 23 Nov 16]

3.1.41 Institution- A building occupied by a non-profit corporation or a non-profit establishment for public use.

3.1.42 Junk/Salvage Items - Includes, but is not limited to old, dilapidated scrap or abandoned metal, paper, cardboard, building and construction material and equipment (including, but not limited to wood, lumber, concrete, etc.), bottles, glass, tin cans, appliances, furniture, beds and bedding, rags, rubber, boats, tires, inoperable motor vehicles and parts, machinery parts, more than three (3) lawnmowers and any other manufactured or constructed object which has outlived its usefulness in its original form, (notwithstanding the fact that the object may have scrap value or could be reconditioned), where such object(s), due to its/their present condition and/or visibility, may reasonably be construed to be unsightly, dangerous, or unsanitary.[Effective since 25 Nov 15]

3.1.42.1 Junkyard - An open area where junk, as defined herein, is brought, sold, exchanged, stored, baled, packed, disassembled, or handled including automobile wrecking yards.
[Effective since 25 Nov 15]

3.1.43 Kennel-An establishment where four (4) or more dogs, cats or other domestic animals are boarded for compensation or sale or where the animals are bred or raised.

3.1.44 Lodging House/Hunting Lodge- A building or place where lodging is provided (or which is equipped regularly to provide lodging by prearrangement for definite periods) for compensation, not open to transient guests, in contradistinction to hotels open to transients. [Effective since 27 Feb 13]

3.1.45 Lot-A parcel of land occupied or intended for occupancy by a use permitted in this Resolution, including one main building together with its accessory buildings, structures, open spaces and parking spaces required by this Resolution, and having its principal frontage upon a road or street. [Effective since 21 Nov 01]

3.1.46 Lot, Corner-A lot abutting upon two or more streets or roads at their intersection.

3.1.47 Lot, Depth of- The mean horizontal distance between the front and rear lot lines.

3.1.48 Lot, Double Frontage- A lot having a frontage on two non-intersecting roads, as distinguished from a corner lot.

3.1.49 Lot of Record- A lot or parcel of land, the deed of which has been recorded in the office of the Recorder of Deeds of Knox County prior to the adoption of this Resolution.

3.1.50 Lot Width- The width of a lot at the building line. Buildable Width is the width of lot left to be built upon after the side yards are provided.

3.1.51"Medical Cannabis Cultivation Center" or "Cultivation Center"-A facility operated by an organization or business that is registered by the Department of Agriculture to perform necessary activities to provide only registered medical cannabis dispensing organizations with usable medical cannabis. (*Compassionate Use of Medical Cannabis Pilot Program Act.) (410 ILCS 130/1 et seq.)* [Effective since 27 Aug 14]

3.1.52 "Medical Cannabis Cultivation Center Registration-A registration issued by the Department of Agriculture. (*Compassionate Use of Medical Cannabis Pilot Program Act.*) *(410 ILCS 130/1 et seq.)* [Effective since 27 Aug 14]

3.1.53 "Medical Cannabis Dispensing Organization" or "Dispensing Organization" or "Dispensary Organization" - A facility operated by an organization or business that is registered by the Department of Financial and Professional Regulation to acquire medical cannabis from a registered cultivation center for the purpose of dispensing cannabis, paraphernalia, or related supplies and educational materials to registered qualifying patients. (*Compassionate Use of Medical Cannabis Pilot Program Act.) (410 ILCS 130/1 et seq.)* [Effective since 27 Aug 14]

3.1.54 Mobile/Manufactured Home- A type of prefabricated housing that is largely assembled in factories and then transported to the site of use. Mobile/manufactured homes are built as dwelling units with a permanent chassis to assure the initial and continued transportability of the home. The requirement to have a wheeled chassis permanently attached differentiates mobile/manufactured housing from other types of pre-fabricated homes, such as modular homes. The mobile/manufactured home must provide sleeping accommodations, flush toilet, tub or shower bath, kitchen and cooking facilities, and plumbing and electrical connections for attachment to outside systems which permit residential occupancy by one or more persons, and which does not exceed eighteen (18) feet in width, and not in excess of ninety (90) feet in length. For the purposes of this Resolution, removal of the wheels, hitch and tongue shall not alter the basic character of a mobile home. (Amended definition) [Effective since 20 June 79] [Effective since 21 Nov 13]

3.1.55 Mobile/Manufactured Home Court or Park- A tract of land where two or more mobile/manufactured homes are, or can be, parked and which is designed or intended to be used as living facilities for two or more families. (Amended definition) [Effective since 20 June 79] [Effective since 21 Nov 13]

3.1.56 Modular Home(s)/Building(s)-Sectional prefabricated buildings, or houses, that consist of multiple sections called modules. The modules are six-sided boxes constructed in a remote facility, then delivered to their intended site of use. Using a crane, the modules are set onto the building's foundation and joined together to make a single residential or commercial building. The modules can be placed side-by-side, end to end, or stacked up to 6 stories in height. [Effective since 21 Nov 13]

3.1.57 Motel, Motor Court, Motor Lodge, or Tourist Court- Any building or group of buildings containing guest rooms or dwelling units, some or all of which have a separate entrance leading directly from the outside of the building with garage or parking space conveniently located on the lot, and designed, used, or intended wholly or in part for the accommodation of automobile transients.

3.1.58 Motorhome-A self-propelled recreational vehicle (RV) which offers temporary living accommodations combined with a vehicle engine. [Effective since 21 Nov 13]

3.1.59 Non-Conforming Use- Any building or land lawfully occupied by a use at the time of passage of this Resolution or amendment thereto which does not conform, after the passage of this Resolution or amendment thereto, with the use regulations of the district in which it is situated.

3.1.60 Nursing Home- A home for the aged or infirm, in which three or more persons, not of the immediate family, are received, kept or provided with food and shelter or care for compensation; but not including hospitals, clinics or similar institutions.

3.1.61 Parking Space- A surfaced area, enclosed or unenclosed, sufficient in size to store one automobile, not less than nine feet wide and twenty feet long, together with a driveway connecting the parking space with a street, road or alley and permitting ingress and egress of that automobile without the necessity of moving any other automobile.

3.1.62 Parking Lot- A surfaced area unenclosed, providing more than four or more parking spaces with sufficient area to provide necessary driveways and maneuvering space to permit ingress and egress of automobiles without moving other automobiles. All parking spaces therein shall be at least nine feet wide and twenty feet long containing 180 square feet.

3.1.63 Pecuniary- Requiring payment of money.

3.1.64 Permanent- Not easily or readily moved. Lasting or meant to last indefinitely; not intended to change in status, location or condition. [Effective since 21 Nov 01]

3.1.65 Portable- Not permanent. Easily moved, relocated or removed. [Effective since 21 Nov 01]

3.1.66 Premises- A lot, together with all buildings and structures thereon.

3.1.67 Principal/ Primary Structure -For each property, the structure that one or more persons occupy the majority of time on that property for either personal reason or business. Primary structure includes structures such as a residence, commercial building etc. Primary structure excludes structures such as hunting cabins, garages, barns etc. [Effective since 22 Mar 17]

3.1.68 Principal/ Primary Use- The main or principal/ primary activity for which the property is being used. [Effective since 27 Feb 13]

3.1.68.1 Privacy Fence/ Solid – A structure, including entrance and exit gates, made of metal, masonry, or wood, (excluding fabric, vinyl, or plastic material used in chain link fence), which effectively blocks the area behind/enclosed by the fence from view of neighboring properties and public right-of-way's. [Effective since 27 April 16]

3.1.69 Privately Operated Outdoor Recreational Facility- A wide variety of leisure, recreation and sport activities undertaken on a natural, rural, open and outdoor property that is privately owned. Activities may include but are not limited to: cycling, trail walking, camping, fishing, horseback riding, swimming, etc. [Effective since 27 Feb 13]

3.1.70 Roadside Stand- A temporary structure with a floor area of not more than 400 square feet, unenclosed, and so designed and constructed that the structure is easily portable and can be readily moved.

3.1.71 Rooming House- See Lodging House.

3.1.72 Shooting Range- Any designated area in the "C", Conservation or the "A" Agricultural Zoning Districts not adjacent to the "R", Rural Residential, "B", Local Business, "B-2", Highway Business, "M", Restricted Industrial or "M-2" Heavy Industrial Zoning Districts used for the purpose of target shooting and must meet or exceed any and all state or federal regulations relating to the discharge of firearms. [Effective since 27 Feb 13]

3.1.73 Sign- An identification, description, illustration or device which is affixed to or represented directly or indirectly upon a building, structure or land, and which directs attention to a product, place, activity, person, institution or business.

3.1.73.1 Ground Sign- Any sign erected, constructed or maintained for the purpose of displaying outdoor advertising by means of posters, pictures, pictorial and reading matter when such sign is supported by two or more uprights, posts, or braces placed upon or affixed in the ground and not attached to any part of a building.

3.1.73.2 Roof Sign- Any sign erected constructed or maintained upon the roof of any building.

3.1.73.3 Wall Sign- Any painted sign or poster on any surface or place that may be affixed to the front, side or rear wall on any building.

3.1.73.4 Post Sign- Any letter, work, model sign, device or representation used in the nature of an advertisement or announcement not attached to a building which is supported by a single stationary pole or post.

3.1.73.5 Marquee Sign- Any sign affixed to a marquee over the entrance to a building and supported from the building.

3.1.73.6 Advertising Device- Banners affixed on poles, wires or ropes and streamers, wind operated devices, flashing lights, and other similar devices.

3.1.73.7 Sign Area- The total area of the space to be used for advertising purposes, including the space between open-type letters and figures, including the background structure, or other decoration or addition which is an integral part of the sign. Sign supports shall be excluded in determining the area of a sign. A double-faced sign shall have twice the total area of a single-faced sign.

3.1.74 Storage Container - a large, van-like reusable box/container designed for the storage of commercial, industrial, agricultural or residential household goods, that does not contain wheels for movement. [Effective since 26 June 13]

3.1.75 Storage Trailer – a large van/wagon drawn by a truck or tractor, used especially in hauling freight by road without current license plates. [Effective since 26 June 13]

3.1.76 Story- That portion of a building other than a cellar, included between the surface of any floor and surface of the floor next above it; or, if there be no floor above it, then the space between the floor and the ceiling next above it.

3.1.77 Story, Half- A space under a sloping roof which has the line of intersection of roof decking and wall face not more than three feet above the top floor level, and in which space not more than sixty percent of the floor area is finished off for use. A half story may be used for occupancy only in conjunction with and by the occupancy of the floor immediately below.

3.1.78 Street- A public way which affords the principal means of access to abutting property.

3.1.79 Structure- – Anything constructed, erected, or portable, the use of which requires a location on a parcel of land. This includes a fixed or movable building which use is for temporary or permanent, but not limiting the generality of the foregoing; advertising signs, billboards, backstops for tennis courts and pergolas. For the purposes of this Zoning Resolution, the following shall not be considered structures: Driveways, sidewalks, patios, parking areas, basketball and tennis courts, ornamental or decorative structures such as light standards, flag poles, planters not exceeding two feet in height, fences, and walls (including retaining walls), trellises, mailboxes, birdhouses and feeders, underground structures such as septic tanks, cisterns, wells, electric vaults and utility meters. [Effective since 21 Nov 01] [Effective since 27 Jan 16] [Effective since 22 Mar 17]

3.1.80 Structural Alteration- Any change, except those required by law, that would prolong the life of the supporting members of a building or structure, such as bearing walls, columns, beams or girders, not including openings in bearing walls as permitted by other resolutions.

3.1.81 Tavern- shall mean an establishment for the retail sale of beer, wine and other alcoholic beverages for consumption on the premises and providing a menu of food items prepared during all hours of operation. The incidental sale of packaged liquor may be provided during the hours of operation. [Effective since 27 Feb 13]

3.1.82 Temporary-Used, enjoyed or lasting a definite period of time (ie: no longer than a period of 30 days unless approved by The Knox Zoning Department) in contradistinction to lasting an indefinite period or length of time. [Effective since 21 Nov 01] adding (ie: no more than a period of 30 days unless approved by The Knox County Zoning Department) [Effective since 23 Nov 16]

3.1.83 Travel Trailer- A trailer equipped for use as a temporary dwelling and designed to be hauled along a highway or public street by a powered vehicle. [Effective since 21 Nov 13]

3.1.84 Trailer Park- A site where trailers or mobile homes are parked, either permanent or semi-permanent, and lived in on a part-time or full-time basis. [Effective since 27 Feb 13]

3.1.84.1-Unlicensed Vehicle – An unlicensed vehicle, for purposes of this Resolution, is any car, truck, van, motor home, camper, trailer, motorcycle or other vehicle, on private or public property, not displaying proper, current proof of licensing from the state of license plate issuance or any car, truck, motor home, camper, trailer, motorcycle or other vehicle not bearing license plates. It is the presumption of this Resolution that any vehicle not displaying a proper, current plate/sticker does not operate under its own power. [Effective since 23 Nov 16]

3.1.85 Use- The purpose or purposes for which land, buildings or structures is (are) designed or arranged and for which they are occupied or maintained. [Effective since 27 Feb 13]

3.1.86 Yard- An open space on the same lot with a building, unoccupied and unobstructed by any portion of the structure from the ground upward, except as otherwise provided in this Resolution.

3.1.87 Yard, Front- A yard across the full width of the lot, from side lot line to side lot line, extending from the front line of the main building to the front line of the lot.

3.1.88 Yard, Rear- A yard extending the full width of the lot between a main building and the rear lot line.

3.1.89 Yard, Side- A yard between the main building and the sideline of the lot, and extending from the front yard line to the rear yard line.

ARTICLE 4
DISTRICTS AND BOUNDARIES THEREOF

Section 4.1 In order to classify, regulate and restrict the location of businesses, trades, industries, residences and other land uses and the location of buildings designed for specific uses; to regulate and limit the height and bulk of buildings hereafter erected, reconstructed or altered; to regulate and limit the intensity of the use of lot areas, and to regulate and determine the area of yards, courts, and other open spaces within and surrounding such buildings, in the unincorporated area of Knox County, Illinois, and the incorporated area not municipally zoned, is hereby divided into seven (7) classes or "Districts." The use, height and area regulations are uniform in each class or district, and said districts shall be known as:

"C"	Conservation District
"A"	Agricultural District
"R"	Rural Residential District
"B"	Local Business District
"B-2"	Highway Business District
"M"	Restricted Industrial District
"M-2"	Heavy Industrial District

Section 4.2 The boundaries of these districts are indicated upon the District Maps of Knox County, Illinois, which maps are made a part of this Resolution. The said District Maps of Knox County, Illinois, and all the notations, reference and other matters shown thereon shall be as much a part of this Resolution as if the notations, references and other matters set forth by said maps were all fully described herein; which district maps are properly attested and are on file with the Knox County Zoning Department.

Section 4.3 All territory which may hereafter become a part of the unincorporated area of Knox County by the disincorporation of any village, town or city and all municipal areas wherein the municipality has repealed its zoning ordinance, shall automatically be classed as lying and being in the "A" District until such classification shall have been changed by an amendment to the Zoning Resolution, as provided by law.

Section 4.4 Whenever any road, street or other public way is vacated by official action of the District Road Commission, the zoning districts adjoining each side of such road, street or public way shall be automatically extended to the center of such vacation and all area included in the vacation shall then and henceforth be subject to all appropriate regulations of the extended districts.

Section 4.5 Where uncertainty exists with respect to the boundaries of the various districts, as shown on the maps accompanying and made a part of this Resolution, the following rules shall apply:

4.5.01 Where a boundary line is given a position within a street, road or alley or non-navigable stream, it shall be deemed to be in the center of the street, road, alley or stream, and if the actual location of such street, road, alley or stream varies slightly from the location as shown on the District Map, then the actual location shall control.

4.5.02 Where a boundary line is shown as being located, a specific distance from a street or road line or other physical feature, this distance shall control.

4.5.03 Where a boundary line is shown adjoining or coincident with a railroad, it shall be deemed to be in the center of the railroad right-of-way, and distances measured from a railroad shall be measured from the center of the designated mainline track.

4.5.04 Where the district boundaries are not otherwise indicated and where the property has been or may hereafter be divided into blocks and lots, such boundaries shall be construed to be the lot line and where the districts are bounded approximately by lot lines, said lot lines shall be construed to be the boundary of such districts unless said boundaries are otherwise indicated on the maps.

4.5.05 In unsub divided property, unless otherwise indicated, the district boundary line shall be determined by the use of the scale contained on such maps.

Section 4.6 Except as hereinafter provided:

4.6.01 No building or structure shall be erected, converted, enlarged, reconstructed, moved or structurally altered nor shall any building or land be used except for the purpose permitted in the district in which the building or land is located.

4.6.02 No building or structure shall be erected, converted, enlarged, reconstructed, moved or structurally altered except in conformity with the height, yard, lot area per family, parking and other regulations prescribed herein for the district in which the building or structure is located. [Effective since 21 Nov 01]

4.6.03 The minimum yards and other open spaces, including lot area per family required by this Resolution, shall be provided for each and every building or structure hereafter erected, and such minimum yards, open spaces, and lot areas for each and every building or structure whether existing at the time of passage of this Resolution or hereafter erected shall not be encroached upon or be considered as a yard or open space requirement for any other building or structure.

4.6.04 Every building hereafter erected or structurally altered shall be located on a lot as herein defined and in no case shall there be more than one Principal/Primary Structure on one lot unless otherwise provided in this Resolution. [Effective since 28 Sept 22]

4.6.05 All inhabited mobile homes or "house" trailers or mobile home or trailer parks shall be required to obtain a conditional use permit as required by Article 5 hereof. No mobile home, or "house" trailer, outside of an approved mobile home park, shall be connected to any utilities except those mobile homes or "house" trailers being offered for sale by dealers or manufacturers and not inhabited. [Effective since 20 June 79]

4.6.06 Except as otherwise provided elsewhere in this Resolution, all occupied mobile homes or "house" trailers shall be located in a mobile home or trailer park, unless exempted by the County Board after a showing of hardship. [Effective since 20 June 79]

4.6.07 A mobile home or "house" trailer may be located on a lot and occupied as a residence while the owner of the lot is constructing a house, provided that construction on the house is commenced within six months of a construction permit being issued by the Administrative Officer and subject to the mobile home being connected to a private sewage disposal system in compliance with the Knox County Private Sewage Disposal Regulations. The mobile home, in any event, shall be removed within two years of the issuance of the construction permit, unless the Administrative Officer determines that an extension of time is warranted because of delays in construction beyond the owner's control. [Effective since 20 June 79]

4.6.08 OPEN STORAGE OF JUNK /SALVAGE ITEMS - Junk/salvaged items, as herein defined, shall not be stored in an open area, on private or public property, where it can be seen by the general public. This is prohibited in ALL Districts. However, this provision shall exclude lawfully established junkyards engaged in collecting and/or processing of scrap iron and other metals that have been approved by the Knox County Zoning Board of Appeals and conforms to the Knox County Zoning Resolution. [Effective since 25 Nov 15] [Effective since 23Nov 16]

4.6.09 CELLULAR TOWERS
In all Zoning Districts....
- All subdivision or platting requirements apply to the site.
- No minimum lot area, width, depth, or road frontage shall be required for a site, which is or is to be occupied by a Cellular Tower and attendant facilities. If the facility is to be manned on a regular, daily basis, one off-street parking space shall be provided for each employee regularly at the facility.
- The Cellular Tower, all facilities, and structures, including guy wires on the site shall be required to be a minimum of 15 feet from the front property line and a minimum of 10 feet from all other property lines. [Effective since 06 Apr 18]

4.6.10 No Split or Subdivision will be allowed that would create a non-conforming building use within ANY district. [Effective since 28 Sept 22]

ARTICLE 5
USE OF PREMISES IS REGULATED

Section 5.1 No building, structure or premises shall be used and no building (or structure) shall be hereafter erected or altered for any purpose other than that allowed in the District in which such building, structure or premises is located. [Effective since 21 Nov 01]

Section 5.2 In the "C" Conservation District, a building, structure or premises shall be used only for the following purposes: [Effective since 21 Nov 01]

5.2.01 Permissive Uses:

(1) Farms, of not less than 5 acres in size.

(2) Public parks and forest preserves.

(3) Single-family dwellings on lots of 5 acres or more.

(4) Large scale residential developments in accordance with the requirements of Section 5.9 hereof.

(5) Accessory uses as provided in Section 5.12 hereof.

(6) Certified Acres Wildlife Program. (must provide certified documentation) [Effective since 27 Feb 13]

(7) Vineyard, located on sites containing not less than five acres. [Effective since 26 June 13]

(8) Educational facilities, including but not limited to, classrooms, dormitories, cafeterias, laboratories, libraries, recreational, administrative and maintenance facilities. [Effective since 26 June 13]
(9) Manufactured Homes. *(See 5.10)* [Effective since 26 June 13]

5.2.02 Conditional Uses: The following uses may be permitted, if approved by the Knox County Board, in accordance with the procedures and under the conditions set forth in Article 10 of this Resolution, provided such conditional uses shall comply with the height and area regulations of this section and with the parking regulations for similar uses set out elsewhere in this Resolution. [Effective since 12 Nov 75]

(1) Extraction of minerals including sand and gravel.

(2) Privately operated outdoor recreational facilities, including but not limited to, riding stables, lakes, swimming, trailer parks, pools, tennis courts and golf courses, provided they are located on sites containing not less than five acres. [Effective since 26 June 13]

(3) Motels, lodging houses, hunting lodges and incidental facilities, including but not limited to, swimming pools, restaurants, incidental retail sales and services and personal services, provided they are on sites containing not less than one acre. [Effective since 26 June 13]

(4) Storage and sale of fertilizer, L.P. (Liquid Petroleum) gas, petroleum in bulk, seed and feed. [Effective since 26 June 13]

(5) Guest ranches, hunting and fishing resorts, ski resorts and incidental retail sales and services and personal services, provided they are located on sites containing not less than twenty (20) acres.

(6) Marinas, yacht clubs, boat houses and bait shops.

(7) Airports provided they comply with the regulations of the Federal Aviation Agency.

(8) Commercial feed lots.

(9) Saw mill. [Effective since 16 Dec 87]

(10) Winery. [Effective since 26 June 13]

(11) Boat / recreational vehicle storage for commercial purpose. [Effective since 25 June 08] [Effective since 28 Sept 11]

(12) Home Occupations. [Effective since 27 Feb 13]

(13) Shooting Range. [Effective since 27 Feb 13]

(14) Trucking and Transportation Yard. [Effective since 27 Feb 13]

(15) Bed & Breakfast. [Effective since 26 June 13]

(16) Storage Containers- Must be on a foundation of concrete, asphalt or four inches (4") of rock for drainage and must be placed behind any residence or primary structure on the property. [Effective since 26 June 13]

(17) Mobile/Manufactured Home Court or Park. *(See Section 5.11)* [Effective since 21 Nov 13]

(18) Banquet Facility. [Effective since 21 Nov 13]

(19) Vehicle repair garages. [Effective since 25 Nov 15]

(20) Farm implement sales and/or repairs. [Effective since 25 Nov 15]

(21) Commercial/Recreational Agritainment/Agritourism Operation –
A commercial, recreational operation at a working farm is conducted for the enjoyment and education of visitors that involves agriculturally based operations or activities. Uses may include but not limited to non-farm retail sales/crafts sales such activities as "pick-your-own fruits &/or vegetables," corn mazes, pumpkin patches, farm markets, farm-related gift shop, milk & cheese creameries, children's discovery farms, farm animal petting zoos & school field trips, bus tours as long as proper parking space is in place. Accessory uses may include the sale of food and refreshments for consumption on site. Other farm-related activities could be taken into consideration under this Conditional Use by Zoning Board approval. [Effective since 28 Oct 2020].

Section 5.3 In the "A" Agricultural District, a building, structure or premises shall be used only for the following purposes: [Effective since 21 Nov 01] [Effective since 29 May 13]

5.3.01 Permissive Uses:

(1) Farms, of not less than 5 acres in size.

(2) Public parks and forest preserves.

(3) Churches.

(4) Educational facilities, including but not limited to, classrooms, dormitories, cafeterias, laboratories, libraries, recreational, administrative and maintenance facilities. [Effective since 26 June 13]

(5) Single-family dwellings.

(6) Large scale residential developments in accordance with the provisions of section 5.9 hereof.

(7) Golf courses except miniature courses or driving ranges.

(8) On lots of less than 5 acres in size, when occupied by a single-family, non-farm residence, the growing of vegetables, fruit trees, grain, flowers and shrubs and the raising of poultry, small animals, horses and cattle for the use by members of the family residing on the premises and not for commercial purposes and where a nuisance will not be created thereby. [Effective since 14 Sept 82]

(9) Accessory uses as provided for in Section 5.12.

(10) Certified Acres Wildlife Program. (must provide certified documentation) [Effective since 27 Feb 13]

(11) Vineyard, located on sites containing not less than five acres. [Effective since 26 June 13]

(12) Manufactured Homes. *(See 5.10)* [Effective since 26 June 13]

5.3.02 Conditional Uses: The following uses may be permitted, if approved by the Knox County Board, in accordance with the procedures and under the conditions set forth in Article 10 of this Resolution, provided such conditional uses shall comply with the height and area regulations of this section and with the parking regulations for similar uses set out elsewhere in this Resolution. [Effective since 12 Nov 75]

(1) Public buildings or structures erected by any department of a governmental agency. [Effective since 21 Nov 01]

(2) Hospitals, nursing homes and educational, religious and philanthropic institutions on sites of not less than 5 acres, provided not more than 20 percent of the site area may be occupied by the buildings; and provided, further, that the buildings shall be set back from all required yard lines an additional two feet for each foot of building height.

(3) Mobile/Manufactured Home Court or Park. *(See Section 5.11)* [Effective since 21 Nov 13]

(4) New cemeteries on sites of not less than 20 acres or enlargements of existing cemeteries.

(5) Two-family or multiple-family dwellings.

(6) The following commercial enterprises, when located on state highways, or when located on any road or highway interchanging with Interstate Highway 74, when within one-half mile of the center line of said Interstate Highway 74 and provided that these comply with the off-street parking regulations of Section 9.107 and the sign regulations of Section 5.13.05 hereof. [Effective since 29 May 13] [Effective since 25 Nov 15]

(a) Gas Stations and Convenience Stores

(b) Motels/Hotels
(c) Restaurants and Taverns
(d) Grocery stores and food pantries

(7) Commercial feed lots.

(8) Extraction of mineral resources, including, sand and gravel.

(9) Roadside stands for display or sale of agricultural products raised on the premises. [Effective since 8 May 68]

(10) Green houses and nurseries. [Effective since 8 May 68]

(11) Storage and sale of fertilizer, L.P. (Liquid Petroleum) gas, petroleum in bulk, seed and feed. [Effective since 8 May 68] [Effective since 19 Jan 76] [Effective since 26 June 13]

(12) Grain drying and storage facilities and seed processing storage and sales as an agribusiness. [Effective since 13 Feb 74] [Effective since 29 May 13]

(13) Garage and maintenance facilities for vehicles and equipment used in the extraction of mineral resources and in the reclamation of mined land. [Effective since 17 Jan 79]

(14) Kennels, animal hospitals and clinics. [Effective since 19 Sept 83] [Effective since 29 May 13]

(15) Farm implement/equipment sales, repair, design, and maintenance.
Also, light manufacturing that allows assembly, fabrication or processing of farm implement/equipment using processes that ordinarily do not create noise, smoke, fumes, odors or health or safety hazards, and all processes are housed and take place entirely within a building. Storage of materials used in assembly must be housed within a building or be enclosed by a solid wall or solid privacy fence at least six (6) feet high and that material not be piled any higher than said wall or fence.
A light manufacturing facility is limited to no more than three (3) employees at any one time, plus the owner(s) and immediate family members of the business. [Effective since 21 Oct 87] [Effective since 29 May 13] [Effective since 27 March 19]

(16) Livestock collection and loading facilities. [Effective since 19 July 89]

(17) Privately operated outdoor recreational facilities, including but not limited to, riding stables, lakes, swimming, R.V. parks, pools, tennis courts and golf courses, provided they are located on sites containing not less than five acres. [Effective since 15 May 96] [Effective since 29 May 13]

(18) Boat / recreational vehicle storage for commercial purpose. [Effective since 25 June 08] [Effective since 28 Sept 11]

(19) Home Occupations. [Effective since 27 Feb 13]

(20) Shooting Range. [Effective since 27 Feb 13]

(21) Trucking and Transportation Yard. [Effective since 27 Feb 13]

(22) Drainage & Earthwork. [Effective since 27 Mar 13]

(23) Bed & Breakfast. [Effective since 28 May 13]

(24) Lodging Houses/ Hunting Lodges. [Effective since 26 June 13]
(25) Winery. [Effective since 26 June 13]
(26) Storage Containers- Must be on a foundation of concrete, asphalt or four inches (4") of rock for drainage and must be placed behind any residence or primary structure on the property. [Effective since 26 June 13]

(27) Banquet Facility. [Effective since 21 Nov 13]

(28) Medical Cannabis Cultivation Center (or "Cultivation Center")
Must comply with all rules and requirements of the "Compassionate Use of Medical Cannabis Pilot Program Act", (410 ILCS 130/1 et seq.), adopted in accordance thereto, along with all Knox County Zoning set back requirements and any other Zoning District requirements. A copy of the Medical Cannabis Cultivation Center Registration issued by the Department of Agriculture must be submitted to the Knox County Zoning Department upon receipt by the applicant. *(Compassionate Use of Medical Cannabis Pilot Program Act.) (410 ILCS 130/1 et seq.)* [Effective since 27 Aug 14]

(29) Medical Cannabis Dispensing Organization (or "Dispensing Organization")
Must comply with all rules and requirements of the "Compassionate Use of Medical Cannabis Pilot Program Act", (410 ILCS 130/1 et seq.), adopted in accordance thereto, along with all Knox County Zoning set back requirements and any other Zoning District requirements. A copy of the Medical Cannabis Dispensing Organization Agent Identification Card document issued by the Department of Financial and Professional Regulation must be submitted to the Knox County Zoning Department upon receipt by the applicant. *(Compassionate Use of Medical Cannabis Pilot Program Act.) (410 ILCS 130/1 et seq.)* [Effective since 27 Aug 14]

(30) Wholesale and retail sales of agricultural/commercial, perishable foods, such as meat from livestock and animal products raised on the premises. Subject to the appropriate permits and licenses from the Knox County Health Department and the USDA to be submitted with the application for the Conditional Use Permit. [Effective since 25 Nov 15]

(31) Vehicle repair garages. [Effective since 25 Nov 15]

(32) Commercial/Recreational Agritainment/Agritourism Operation –
A commercial, recreational operation at a working farm is conducted for the enjoyment and education of visitors that involves agriculturally based operations or activities. Uses may include but not limited to non-farm retail sales/crafts sales such activities as "pick-your-own fruits &/or vegetables," corn mazes, pumpkin patches, farm markets, farm-related gift shop, milk & cheese creameries, children's discovery farms, farm animal petting zoos & school field trips, bus tours as long as proper parking space is in place. Accessory uses may include the sale of food and refreshments for consumption on site. Other farm-related activities could be taken into consideration under this Conditional Use by Zoning Board approval. [Effective since 28 Oct. 2020]

Section 5.4 In the "R" Rural Residential District, a building, structure or premises shall be used only for the following purposes: [Effective since 21 Nov 01]

5.4.01 Permissive Uses:

(1) The growing of vegetables, fruit trees, grain, flowers and shrubs, and the raising of poultry, small animals, horses and cattle for the use by members of the family residing on the premises and not for commercial purposes.

(2) Public parks, forest preserves, playgrounds and community buildings.

(3) Churches.

(4) Educational facilities, including but not limited to, classrooms, dormitories, cafeterias, laboratories, libraries, recreational, administrative and maintenance facilities. [Effective since 26 June 13]

(5) Single-family dwellings.

(6) Large-scale residential developments in accordance with the provisions of Section 5.9 hereof.

(7) Golf courses, except miniature courses and driving ranges.

(8) Farms, of not less than 5 acres in size.

(9) Accessory buildings, structures and uses as provided in Section 5.12.

(10) Manufactured Homes. *(See 5.10)* [Effective since 26 June 13]

5.4.02 Conditional Uses: The following uses may be permitted, if approved by the Knox County Board, in accordance with procedures and under the conditions set forth in Article 10 of this Resolution, provided such conditional uses shall comply with the height and area regulations of this section and with the parking regulations for similar uses set out elsewhere in this Resolution. [Effective since 12 Nov 75]

(1) Privately operated lakes, swimming pools, and tennis courts, provided they are located on sites containing not less than 5 acres.

(2) Public buildings or structures erected by any department of a governmental agency. [Effective since 21 Nov 01]

(3) Hospitals, nursing homes, and educational, philanthropic or religious institutions on sites of not less than 5 acres, provided not more than 50 percent of the site area may be occupied by the buildings, and provided further that the buildings shall be set back from all required yard lines an additional two feet for each foot of building height.

(4) New cemeteries on sites of not less than 20 acres and enlargements of existing cemeteries.

(5) Private clubs and lodges.

(6) Parking lots located within 300 feet of a "B" or "B-2" District.

(7) Two-family and multiple-family dwellings.

(8) Mobile/Manufactured Home Court or Park. (*See Section 5.11)* [Effective since 21 Nov 13]

(9) Home Occupations. [Effective since 27 Feb 13]

(10) Bed & Breakfast. [Effective since 26 June 13]

(11) Trucking and Transportation Yard. [Effective since 27 Feb 13]

Section 5.5 In the "B" Local Business District, a building, structure or premises shall be used only for the following purposes: [Effective since 21 Nov 01]

5.5.01 Permissive Uses:

(1) Shall be the same as in the "R" Rural Residential district under section 5.4.01. [Effective since 23 June 21]

(2) Sale of goods and products at retail, including automobile service stations. [Effective since 23 June 21]

(3) Shops for repair and servicing of bicycles, electrical, radio, and television appliances, key and similar articles. [Effective since 23 June 21]

(4) Dressmaking, millinery, tailoring, shoe repair, laundry, dry cleaning, and similar trade.
[Effective since 23 June 21]

(5) Banks, offices and studios. [Effective since 23 June 21]

(6) Personal service shops such as barber shops and beauty parlors.
[Effective since 23 June 21]

(7) Animal hospitals and clinics where there are no open kennels.
[Effective since 23 June 21]

(8) Commercial schools. [Effective since 23 June 21]

(9) Mortuary. [Effective since 23 June 21]

(10) Private indoor recreational activities, including bowling alleys.
[Effective since 23 June 21]

(11) Parking lots. [Effective since 23 June 21]

(12) Accessory buildings, structures and uses as provided in Section 5.12 [Effective since 21 Nov 01] [Effective since 23 June 21]

(13) Vehicle repair garages. [Effective since 25 Nov 15] [Effective since 23 June 21]

(14) Farm implement sales and/or repairs. [Effective since 25 Nov 15] [Effective since 23 June 21]

(15) Commercial or personal storage buildings [Effective 28 Sept 22]

5.5.02 Conditional Uses: The following uses may be permitted, if approved by the Knox County Board, in accordance with the procedures and under the conditions set forth in Article 10 of this Resolution, provided such conditional uses shall comply with the height and area regulations of this section and with the parking regulations for similar uses set out elsewhere in this Resolution. [Effective since 12 Nov 75]

(1) Home Occupations. [Effective since 27 Feb 13] [Effective since 23 June 21]

(2) Trucking and Transportation Yard. [Effective since 27 Feb 13] [Effective since 23 June 21]

(3) Tavern. [Effective since 27 Feb 13] [Effective since 23 June 21]

(4) Storage Containers- Must be on a foundation of concrete, asphalt or four inches (4") of rock for drainage and must be placed behind any residence or primary structure on the property. [Effective since 26 June 13] [Effective since 23 June 21]

(5) Banquet Facility. [Effective since 21 Nov 13] [Effective since 23 June 21]

Section 5.6 In the "B-2" Highway Business District, a building, structure or premises shall be used only for the following purposes: [Effective since 21 Nov 01]

5.6.01 Permissive Uses:

(1) Any use permitted in the "R" Rural Residential District and all permissive uses in the "B" Local Business District. [Effective since 23 June 21]

(2) Banks, stores, shops and personal service establishments.

(3) Bowling alleys, dance halls or skating rinks.

(4) Farm implements, sale or repair.

(5) Farm stores or feed stores, including accessory storage of liquid or solid fertilizer.

(6) Funeral homes or mortuaries.

(7) Hotels and motels.

(8) Hospitals or clinics for animals.

(9) Laboratories, research, experimental or testing.

(10) Offices and office buildings.

(11) Public garages, filling stations and automobile repair shops, or parking lots.
(12) Theatres, drive-in theatres, assembly halls, restaurants.

(13) Used car, trailer or boat sales or storage lot.

(14) Accessory buildings, structures and uses as provided in Section 5.12 [Effective since 21 Nov 01]

(15) Manufactured Homes. *(See 5.10)* [Effective since 26 June 13]

5.6.02 Conditional Uses: The following uses may be permitted, if approved by the Knox County Board, in accordance with the procedures and under the conditions set forth in Article 10 of this Resolution, provided such conditional uses shall comply with the height and area regulations of this section and with the parking regulations for similar uses set out elsewhere in this Resolution. [Effective since 12 Nov 75]

(1) Wholesale merchandising or storage warehouses.

(2) General service and repair establishments, including dyeing or cleaning works or laundry, plumbing and heating, printing, painting, upholstering, tinsmithing or appliance repair shop.

(3) Compounding of cosmetics, toiletries, drugs and pharmaceutical products.

(4) Commercial shopping areas.

(5) Home Occupations. [Effective since 27 Feb 13]

(6) Trucking and Transportation Yard. [Effective since 27 Feb 13]

(7) Tavern. [Effective since 27 Feb 13]

(8) Storage Containers- Must be on a foundation of concrete, asphalt or four inches (4") of rock for drainage and must be placed behind any residence or primary structure on the property. [Effective since 26 June 13]

(9) Banquet Facility. [Effective since 21 Nov 13]

Section 5.7 In the "M" Restricted Industrial District, a building, structure or premises shall be used only for business or industrial purposes provided that: [Effective since 21 Nov 01]

5.7.01 Permissive Uses: Any use permitted in the "B-2" Highway Business Zoning District, excluding 5.601 (1): [Effective since 27 Feb 13]

5.7.02 Conditional Uses: [Effective since 27 Feb 13]

(1) No building be erected, converted, reconstructed or structurally altered for church, school, institutional or residential purposes, except for resident watchmen or caretakers employed on the premises.

(2) No premises are used for auto wrecking, junkyards, and similar storage or salvage.

(3) Accessory open storage is enclosed in a building or by a concrete, masonry or solid steel wall not less than six feet in height. [Effective since 27 Feb 13]

(4) No premises are used for extraction of raw materials.

(5) Fuel oil storage tanks are placed underground.

(6) No premises are used for bulk storage of oils, petroleum, or for the storage of explosives.

(7) Trucking and Transportation Yard. [Effective since 27 Feb 13]

(8) Tavern. [Effective since 27 Feb 13]

(9) Adult Business. [Effective since 27 Feb 13]

(10) Storage Containers- Must be on a foundation of concrete, asphalt or four inches (4") of rock for drainage and must be placed behind any residence or primary structure on the property. [Effective since 26 June 13]

(11) "Medical Cannabis Cultivation Center" (or "Cultivation Center")
Must comply with all rules and requirements of the "Compassionate Use of Medical Cannabis Pilot Program Act", (410 ILCS 130/1 et seq.), adopted in accordance thereto, along with all Knox County Zoning set back requirements and any other Zoning District requirements. A copy of the Medical Cannabis Cultivation Center Registration issued by the Department of Agriculture must be submitted to the Knox County Zoning Department upon receipt by the applicant. (*Compassionate Use of Medical Cannabis Pilot Program Act.*) *(410 ILCS 130/1 et seq.)* [Effective since 27 Aug 14]

(12) "Medical Cannabis Dispensing Organization" (or "Dispensing Organization")
Must comply with all rules and requirements of the "Compassionate Use of Medical Cannabis Pilot Program Act", (410 ILCS 130/1 et seq.), adopted in accordance thereto, along with all Knox County Zoning set back requirements and any other Zoning District requirements. A copy of the Medical Cannabis Dispensing Organization Agent Identification Card document issued by the Department of Financial and Professional Regulation must be submitted to the Knox County Zoning Department upon receipt by the applicant. (*Compassionate Use of Medical Cannabis Pilot Program Act.*) *(410 ILCS 130/1 et seq.)* [Effective since 27 Aug 14]

In addition, any commercial or industrial use may be allowed that observes the following performance standards:

(1) Noise. All noise shall be muffled so as not to be objectionable due to intermittence, beat, frequency or shrillness and, as measured at any property line, shall not exceed the following intensities in relation to sound frequency

Octave Band in Cycles per Second	
0 – 150	75 Decibels
150 – 300	67 Decibels

300 – 300	60 Decibels
600 –1200	55 Decibels
1200 - 2400	50 Decibels
2400 - 4800	43 Decibels
Above 4800	40 Decibels

Such sound levels shall be measured with a sound level meter and an octave band analyzer conforming with specifications of the American Standards Association.

(2) Smoke. The emission of smoke by any use shall be controlled so as to be less dark in shade than that designated as No. 2 on the Ringelmann Chart, published and used by the United States Bureau of Mines; provided, however, that smoke of a density equal to the designated as No. 2 on the Ringelmann Chart may be permitted for not more than eight minutes during any thirty-minute period and smoke of a density not exceeding that designated as No. 3 on the Ringelmann Chart may be permitted for not more than three minutes during any thirty-minute period while starting or cleaning a fire.

(3) Dust and Other Particulate Matter. The emission of dust, fly ash and other particulate matter shall not exceed 0.85 pounds per one thousand pounds of flue gas, measured at a convenient point in the stack and under conditions not exceeding fifty percent of excess air. The number of solids in such gases shall be determined according to the test for dust-separating apparatus of the American Society of Mechanical Engineers, revised and amended to date.

(4) Odor. The emission of odorous matter in such quantity as to be offensive at a point along or outside any lot line shall not be permitted. In determining such quantities of offensive odors Table III (Odor Thresholds) in Chapter 5 of the "Air Pollution Abatement Manual" (copyright 1951 by Manufacturing Chemists Association, Inc., Washington, D.C.) shall be used as a guide.

(5) Glare and Heat. Any operation producing intense heat and glare shall be conducted within an enclosed building or with other effective screening in such a manner as to be completely imperceptible from any point along or outside the lot lines.

Section 5.8 In the "M-2" Heavy Industrial District, a building, structure [Effective since 21 Nov 01] or premises may be used for any purpose not in conflict with any Resolution of Knox County regulating nuisances or laws of the State of Illinois; provided, however, that no building shall be erected, converted, reconstructed or structurally altered for church, library, school, hospital, or residential purposes, except for resident watchmen and caretakers employed on the premises and except for farms; provided, that no building or occupancy permit shall be issued for any of the following conditional uses or manufacture, compounding, processing, packaging or treatment of the following products until and unless the location of such use shall have been approved by the Knox County Board, as provided in Article 10 hereof. [Effective since 12 Nov 75]

5.8.01 No Permissive Uses: [Effective since 27 Feb 13]

5.8.02 Conditional Uses:

Chemical, Petroleum, Coal and Allied Products
Acids and derivatives
Acetylene
Ammonia
Carbide
Caustic soda

Cellulose and cellulose storage
Chlorine
Creosote
Coke oven products (including fuel gas) and coke oven products' storage
Distillation, manufacture, or refining of coal, tar, asphalt, wood and bones
Explosives (including ammunition and fireworks and explosives' storage)
Fertilizer (organic)
Fish oils and meal
Glue, gelatin (animals)
Hydrogen and oxygen
Lamp black, carbon black and bone black
Nitrating of cotton or other materials
Nitrates (manufactured and natural) of an explosive nature, and storage
Petroleum, gasoline, and lubricating oil refining, and wholesale storage
Plastic materials and synthetic resins
Potash
Pyroxylin
Rendering and storage of dead animals, offal, garbage or waste products
Turpentine and resin
Wells, gas and oil

Clay, Stone and Glass Products
Brick, firebrick, refractories, and clay products (coal fired)
Cement, lime, gypsum, or plaster of paris
Minerals and earths: quarrying, extracting, grinding, crushing and processing

Food and Beverage
Fat rendering
Fish curing, packing and storage
Slaughtering of animals
Starch manufacturing

Metals and Metal Products
Aluminum powder and paint manufacture
Blast furnace, cupolas
Blooming mill
Metal and metal ores, reduction, refining, smelting and alloying
Scrap metal reduction or smelting
Steel works and rolling mill (ferrous)

Wood and Paper Products
Match manufacture
Wood pulp and fiber, reduction and processing

Unclassified Industries and Uses

(1) Hair, hides and raw fur, curing, tanning, dressing, dyeing and storage.

(2) Stockyard.

(3) Junkyard and auto wrecking yards: provided, however, that all such uses, if permitted, shall be enclosed by a solid wall or **solid privacy** fence at least six (6)

feet high and that material not be piled any higher than said wall or fence. [Effective since 27 April 16]

(3) Trucking and Transportation Yard. [Effective since 27 Feb 13]

(4) Tavern. [Effective since 27 Feb 13]
(5) Adult Business. [Effective since 27 Feb 13]

(6) Storage Containers - Must be on a foundation of concrete, asphalt or four inches (4") of rock for drainage and must be placed behind any residence or primary structure on the property. [Effective since 26 June 13]

(7) "Medical Cannabis Cultivation Center" (or "Cultivation Center")
Must comply with all rules and requirements of the "Compassionate Use of Medical Cannabis Pilot Program Act", (410 ILCS 130/1 et seq.), adopted in accordance thereto, along with all Knox County Zoning set back requirements and any other Zoning District requirements. A copy of the Medical Cannabis Cultivation Center Registration issued by the Department of Agriculture must be submitted to the Knox County Zoning Department upon receipt by the applicant. (*Compassionate Use of Medical Cannabis Pilot Program Act.*) *(410 ILCS 130/1 et seq.)* [Effective since 27 Aug 14]

(8) "Medical Cannabis Dispensing Organization" (or "Dispensing Organization")
Must comply with all rules and requirements of the "Compassionate Use of Medical Cannabis Pilot Program Act", (410 ILCS 130/1 et seq.), adopted in accordance thereto, along with all Knox County Zoning set back requirements and any other Zoning District requirements. A copy of the Medical Cannabis Dispensing Organization Agent Identification Card document issued by the Department of Financial and Professional Regulation must be submitted to the Knox County Zoning Department upon receipt by the applicant. (*Compassionate Use of Medical Cannabis Pilot Program Act.*) *(410 ILCS 130/1 et seq.)* [Effective since 27 Aug 14]

Section 5.9 Large-scale Residential Developments are allowed in the "C" "A" "R" and "B" Districts as a permitted use subject to the following conditions:

5.9.01 The development shall have a minimum area of twenty (20) acres.

5.9.02 The housing type, minimum lot area, yard, height, and accessory uses shall be determined by the requirements and procedure set out below, which shall prevail over conflicting requirements of the Resolution or any Resolution governing the subdivision of land.

5.9.03 The Final Development Plan shall follow all applicable procedures, standards and requirements of any Resolution or adopted rules governing the subdivision of land in the county. The final development plan shall be prepared by and have the seal of an architect or engineer, duly registered to practice in Illinois. No building permit shall be issued until a final plat of the proposed development is approved and recorded.
5.9.04 The Board of Appeals shall review the conformity of the proposed development with the standards of the county comprehensive plan and recognized principles of civil design, land use planning and landscape architecture. The minimum yard and maximum height requirements of the district in which the development is located shall not apply except the minimum yards shall be

provided around the boundaries of the area being developed. The Board may impose conditions regarding the layout, circulation, and performance of the proposed development and may require that appropriate deed restrictions be filed enforceable by the Board of Appeals for a period of twenty years from date of filing. The Board shall review the location of proposed apartment house, multiple dwelling, commercial or industrial use where such are allowed but shall have no power to reduce the amount of such uses below the maximum established by this section unless such uses create immediate conflicts along project boundary lines. A plat of development shall be recorded regardless of whether or not the land is subdivided and such plat shall show building lines, common land, streets, easements and other applicable features required by any Resolution or adopted rules regulating the subdivision of land.

5.9.05 The number of dwelling units permitted shall be determined by dividing the net development area by the minimum lot area per family required by the district or districts in which the area is located. Net development area shall be determined by subtracting the area set aside for churches, schools, commercial or industrial use from other gross development area and deducting twenty percent of the remainder for streets, regardless of the amount of land actually required for streets. The area of land set aside for common open space or recreational use shall be included in determining the number of dwelling units permitted.

5.9.06 The minimum lot area and minimum lot frontage of a single-family dwelling lots established within the development shall not be less than two-thirds of the normal minimum lot area and minimum lot frontage of the single-family district in which the lot is located. In no case shall a single-family lot be created with an area of less than 10,000 square feet or a frontage of less than 80 feet. Lot areas for two-family and multiple family dwellings shall not be reduced to less than 3,000 square feet of lot area per family.

5.9.07 For each 100 dwelling units in the development plan there may be not to exceed one acre for commercial use. Commercial uses shall conform with the requirements of the "B" Local Business District, with the sign regulations of Section 5.13.03 and 5.13.05, and with the off-street parking and loading requirements of Article 9. If the area to be developed contains more than 1,000 acres, there may be not to exceed 10 percent of the gross area used for industrial purposes. Such industrial development shall be in accordance with the use regulations and other conditions set out for the "M" Restricted Industrial District, with the sign regulations of Section 5.1303 and Section 5.1305 and the off-street parking and loading requirements of Article 9.

Section 5.10 Manufactured Homes Requirements – Manufactured Homes are allowed as permissive uses in the "C", "A", "R", "B" and "B-2" Zoning Districts with the following conditions:

a.) An affidavit shall be submitted with the building permit application showing compliance with the following standards:
    1) The home shall not be less than twenty-four feet, (24') in width.
    2) The home shall be no older than 10 years old from the current year.
    3) All towing devices, hitches, axles and wheels shall be removed.
    4) The home must be placed on a "permanent foundation", and must be anchored down in accordance with the manufactures' requirements.
    5) The home is completely enclosed or skirted underneath.

b.) The manufactured home is connected to an adequate, potable water supply and public sewer system, (if available), or connected to its own private sewage disposal system, installed in compliance with the Knox County Private Sewage Disposal Regulations.

c.) No unenclosed accessory storage is permitted on the premises. All storage, not capable of being contained within the manufactured home, shall be enclosed behind a

solid wall or fence or within a utility building. (In the unincorporated communities of Knox County.)

d.) Must comply with all other applicable provision and regulations of the Zoning District that it is located in.

e.) Motor vehicles, travel trailers or tents shall not be used as a permanent dwelling or for a temporary dwelling for more than 10 days.

f.) The home shall have the Department of Housing and Urban Development, HUD Seal, affixed to the rear exterior. *(Mandatory requirement)* {Effective since 21 Nov 13]

Section 5.11 Mobile/Manufactured Home Court or Park Requirements-Mobile Home Courts or Parks are allowed as Conditional Uses in the "C", "A" and "R" Zoning Districts with the following conditions: [Effective since 21 Nov 13]

a.) Each lot provided for the occupancy of a single mobile/manufactured home unit shall have an area not less than 7,500 square feet and a width of not less than fifty (50') feet.

b.) Each lot provided for the occupancy of a double wide of not less than seventy-six (76') feet.

c.) Each mobile/manufactured home court/park shall provide an area of not less than 10 acres.

1.) All mobile/manufactured home court/parks will be required to have a subdivision plat prepared, approved and recorded.

2.) No mobile/manufactured home or any structure, addition or appurtenance can be added without following front, rear and side property line building setbacks.

3.) Building setbacks are twenty (20') feet from front and rear property lines, and ten (10') feet from each side property line.

4.) One (1) garage, carport or storage shed is allowed per mobile/manufactured home, but all setbacks must be maintained, including the ten (10') foot side building setback between each property line.

5.) Space between mobile/manufactured homes may be used for the parking of motor vehicles, if the space is clearly designated as a driveway with gravel, asphalt or concrete.

6.) All mobile/manufactured homes must be facing the same direction.

7.) Each mobile/manufactured home site shall abut or face a clear unoccupied space, driveway, roadway or street, which shall have unobstructed access to a public highway, street or alley.

8.) The home shall have the Department of Housing and Urban Development, HUD Seal, affixed to the rear exterior.

9.) All appropriate state and county sanitation regulations shall be strictly observed.

10.) Lot numbers of each lot within the mobile/manufactured home/park must be clearly defined and visible from the street within the park.

11.) The mobile home park shall be surrounded by a landscaped strip, consisting of shrubbery, trees, grass and other plant material to be fifty (50') feet wide along the street frontage of any major street and twenty-five (25') feet along all other lot lines or street frontage.

12.) Any mobile/manufactured home park that was established prior to the effective date of this amendment shall be considered exempt from, (is not subject to), the provisions of this section, except the requirements of #'s 8 & 9, that are mandatory for all mobile/manufactured homes.

Section 5.12 Accessory buildings, structures and uses are permitted when in accordance with the following: [Effective since 21 Nov 01]

5.12.01 In the "R" Rural Residential District, accessory buildings, structures and uses are limited to: [Effective since 21 Nov 01]

(1) Private garages.

(2) Home occupations.

(3) Vegetable and flower gardens.

(4) Raising and keeping of small animals and fowl, but not on a commercial basis or on a scale objectionable to neighboring property owners.

(5) Tennis courts, swimming pools, garden houses, pergolas, ornamental gates, barbecue ovens, fireplaces, decks/porches, docks/piers and similar uses customarily accessory to residential uses. [Effective since 21 Nov 01]

5.12.02 In the "B" Local Business District and the "B-2" Highway Business District, there may be parking lots and the use of not to exceed 40 percent of the floor area for incidental storage or light industrial activity.

5.12.03 Any accessory use is permitted in the "C" "A" "M" and "M-2" Districts.

5.12.04 Temporary buildings or structures for construction purposes are permitted in any district as accessory buildings or structures during the time construction is in progress. [Effective since 21 Nov 01]

5.12.05 Accessory Dwelling as defined in 3.1.01.1 and then there can only be 1 located on each Parcel or Pin number. [Effective since 28 Sept 22]

5.12.06 Unenclosed, unroofed decks and boat docks are permitted without a principal building on residential lots in recreational development areas. [Effective since 15 June 88]

Section 5.13 Regulations regarding signs shall be as follows:

5.13.01 The following signs are allowed in all districts:

(1) Temporary signs not exceeding 12 square feet in area advertising the sale or lease of real estate when located upon property to which the sign refers and when not located closer than 10 feet to a lot line, which signs shall be removed upon sale or lease of the property.

(2) Temporary ground signs advertising future use or development of property on which such signs are located may be maintained subject to the provisions of this section provided such signs do not exceed 250 square feet in area or remain longer than six months. "For Rent" and "For Lease" signs in commercial and industrial districts for new buildings shall not exceed 48 square feet or remain more than 90 days after the building is completed and when located not closer than 10 feet to a lot line.

(3) Church or public building bulletin boards not exceeding 48 square feet in area. [Effective since 28 May 03]

(4) Post signs not exceeding four square feet in area indicating the type of plant being grown or the type of fertilizer being used and when located not closer than 10 feet to a lot line.

5.13.02 In the "C" Conservation and the "A" Agricultural Districts, the following signs are permitted also:

(1) Ground or post signs pertaining to activities conducted on the property.

(2) Ground or post signs advertising activities within 12 miles of the sign or providing information of direct interest to the traveling public, including points of interest, recreation and scenic areas, places for camping, lodging, eating, sale of farm supplies, and vehicular service and repair, or other products of interest to the motorists. [Effective since 15 Dec 71]

(3) Signs erected in the "C" and "A" Districts shall not exceed 300 square feet in area, shall not be illuminated by flashing, intermittent or moving parts, shall not be erected within 100 feet of an entrance to highway, street or road, or within 300 feet of road intersections, or 500 feet of the intersection of two state or interstate highways and 300 feet of access roads and residential drives, and there shall not be more than one such sign for each 1,000 lineal feet of highway frontage. Signs shall also be set back 50 feet from all public right-of-way lines. [Effective since 15 Dec 71]

5.13.03 In the "B" Local Business District, the "B-2" Highway Business District and the "M" Restricted Industrial District, there may be any sign allowed in Section 5.13.02 above and (roof signs, wall signs, projecting signs, post signs, marquee signs, awning signs and portable signs when displaying no advertising matter except pertaining to the business conducted in the building or on the premises on which such sign is placed.), in addition, projecting signs, post signs, marquee signs, portable signs, roof signs, and ground signs, including signs relating to business, product, service or activity generally conducted, sold or offered elsewhere than upon the premises where the sign is located. The total square foot area of roof signs, wall signs, projecting signs, marquee signs and awning signs shall not exceed one-fifth of the total square foot area of the face of the building on which they are placed. (There shall not be more than one post sign for each 100 feet of street frontage.) Ground signs shall not exceed 300 square feet in area. Not more than one such structure shall be erected for each 100 feet of street frontage of the lot or major fraction thereof. No such structure shall contain over two signs per facing, nor shall any individual sign exceed 300 square feet in area. No post sign shall extend closer than 10 feet to a lot line. All portions of post signs must be maintained behind the building line. [Effective since 15 Dec 71]
5.13.04 In the "M-2" Heavy Industrial District, there may be any sign allowed in Section 5.13.03 and ground signs, provided that no ground sign shall exceed 300 square feet in area; not more than one ground sign shall be erected on any one lot or tract of land, or one sign for each 300 feet of street frontage when located at least 300 feet apart on such lot or tract of land; no ground sign, when erected on a lot fronting on intersecting streets shall be erected within 50 feet of the intersection of the streets, and no ground sign may be erected within 500 feet of the intersection of two state of federal highways, unless a free and clear open space of 10 feet is provided between the bottom edge of such sign and the ground level for needed visibility. [Effective since 15 Dec 71]

5.13.05 The following additional sign regulations shall be observed:

5.13.05.1 Ground Signs. No ground signs shall be at any point over 25 feet above ground level and shall have an open space of three feet between the lower edge of such sign and the ground level, 50 percent of which space may be filled in with a platform and decorative lattice work of light wooden construction. Every ground sign shall be stoutly constructed in a secure and substantial manner. The ends of all such signs shall be at least six feet distant from any lot line.

5.13.05.2 Wall Signs. No wall sign shall extend beyond the building more than 12 inches. No wall sign shall be so erected as to cover the doors or windows of any building or otherwise prevent free ingress egress to or from any window, door or any fire escape of any building.

5.13.05.3 Projecting Signs. Projecting signs may extend not more than four feet six inches from the building into the front yard.

5.13.05.4 Post Signs. No post sign shall extend downward nearer than ten feet to the ground or pavement. The maximum square foot area for each face of a post sign shall not exceed a total area of 50 square feet per face or a total of 100 square feet for all faces, except that in the "B-2" "M" and "M-2" districts post signs may contain a per sign face area not to exceed 300 square feet or a total for all sign faces not to exceed 600 square feet. [Effective since 9 July 75]

5.13.05.5 Marquee Signs. Marquees may extend eight feet into a front yard. Marquees shall not be less than 11 feet above the ground at its lowest level. A sign may be placed upon a marquee provided such sign does not extend more than three feet above or one foot below such marquee.

5.13.05.6 Portable Signs. Portable signs are prohibited except that there may be such portable signs on parking lots as permitted by the Administrative Officer as being necessary to the satisfactory operation of the lot and except that each filling station may have one portable sign not exceeding 12 square feet of total sign area restricted solely to stating the price of gasoline.

5.13.05.7 Paper Posters and Certain Signs or Devices Prohibited. Paper posters applied directly to the wall or building or pole or other support and letters or pictures in the form of advertising printed or applied directly on the wall of a building are prohibited. Temporary signs may be displayed in or attached to the inside of show or display windows provided the total sign area does not exceed 20 percent of the show or display window area. Signs or devices which by color, location or design resemble or conflict with traffic control signs or devices are prohibited. No sign shall contain flashers, animators, or mechanical movement or contrivances of any kind, excepting clocks.

5.13.05.8 Traffic or county signs, railroad crossing signs, danger, safety, temporary, emergency, non-advertising, community service, or decorative signs as may be authorized by the Administrative Officer.

5.13.05.9 Advertising Signs Along Interstate Highways and U.S. Route 34. [Effective since 10 Nov 70] The following advertising signs may be erected adjacent to the interstate system, subject to state and federal regulations, and approval of the Knox County Zoning Board of Appeals after public hearing and further that all off-premise advertising signs shall meet the following conditions:

(1) Advertising signs shall be limited to advertising services to the interstate traveler, such as:

(a) Restaurants
(b) Automobile and vehicular service stations
(c) Overnight lodging – motels, hotels, camp sites and tourist courts
(d) Public recreation and rest areas
(e) Emergency medical and first aid assistance

(2) Advertising signs shall be located within 12 miles of the services or business advertised.

(3) No off-premise advertising signs shall be permitted in a corridor one-half mile
wide on either side of the Interstate Highway 74 from one-half mile southeast of the I-74 – Illinois Routes 8 and 97 interchange to one-half mile north of the U.S. 34 – I-74 interchange, nor in a corridor one-half mile wide on either side of U.S. Route 34 from one-half mile northeast of the U.S. 34 – I-74 interchange to one-half mile west of the U.S. 34 – West Main Street interchange.

Section 5.14 Non-Conforming Uses are regulated.

5.14.01 Non-conforming Use of Land. In the "C" Conservation and "R" Rural Residential Districts, where open land is being used as a non-conforming use, and such use is the principal use and not accessory to the main use conducted in a building, such use shall be discontinued not later than five years from the date of passage of this Resolution. During the five-year period, such non-forming use shall not be extended or enlarged, either on the same or adjoining property. Any building incident and subordinate to such use of land, such as a shed, tool house, storage building, office or trailer, shall be removed at the end of the five-year period, or, if such building is so constructed as to permit the issuance of a permit for a use not excluded from the district, such building may remain as a conforming use; thereafter, both land and building shall be used only as conforming uses. Such non-conforming uses of open land shall specifically include (billboards, poster boards), junkyards, scrap iron and junk storage trailer parks, auction yards and, in the "R" Rural Residential District only, golf driving ranges and miniature golf courses. This section shall not apply to billboards and poster boards, and they are hereby expressly excluded. [Effective since 15 Dec 71]

5.14.02 Non-conforming Use of Buildings. Except as otherwise provided herein, the lawful use of a building existing at the effective date of this Resolution may be continued although such use does not conform to the provisions hereof. If no structural alterations are made, a non-conforming use of a building may be hereafter extended throughout those parts of a building which were lawfully and manifestly arranged or designed for such use at the time of the enactment of the Resolution.

5.14.03 Discontinuance of Non-conforming Uses. No building or portion thereof used in whole or in part for a non-conforming use in an "R" Rural Residential District, which remains idle or unused for a continuous period of one year, whether or not the equipment or fixtures are removed, shall again be used except in conformity with the regulations of the "R" District.
5.14.04 Destruction of a Non-conforming Use. No building or structure which has been damaged by any cause whatsoever to the extent of more than fifty (50) percent of the fair market value of the building or structure immediately prior to damage, shall be restored except in conformity with the regulations of this Resolution, and all rights as a non-conforming use are terminated. If a building or structure is damaged by less than fifty (50) percent of the fair market value, it may be repaired or reconstructed and used as before the time of damage, provided that such repairs or reconstruction be substantially completed within twelve (12) months of the date of such damage. [Effective since 21 Nov 01]

5.14.05 Intermittent Use. The casual, intermittent, temporary or illegal use of land or buildings shall not be sufficient to establish the existence of a non-conforming use and the existence of a non-conforming use on the part of a lot or tract shall not be construed to establish a non-conforming use on the entire lot or tract.

5.14.06 Existence of a Non-conforming Use. Whether a non-conforming use exists shall be a question of fact and shall be decided by the Board of Appeals after public notice and hearing and in accordance with the rules of the Board.

5.14.07 Non-conforming Uses Not Validated. A non-conforming use in violation of a provision of the Resolution which this Resolution repeals shall not be validated by the adoption of this Resolution.

ARTICLE 6
MAXIMUM HEIGHT LIMITS

Section 6.1 Maximum height limits for buildings are established as follows:

6.1.01 Two and one-half stories or 35 feet in the "C" "A" and "R" Districts.

6.1.02 The requirements of the Airport Zoning Resolution of the City of Galesburg for buildings near the municipal airport.

6.1.03 In the "B" "B-2" "M" and "M-2" Districts, buildings may be erected to 10 stories or 120 feet, provided that any building that exceeds 35 feet in height shall be set back from all yard lines two feet for each foot the building exceeds 35 feet in height.

Section 6.2 Height limits above set forth may be exceeded in the following instances:

6.2.01 If a public building, church, temple, office building, hospital, institution or school is set back an additional foot over the yards required in Article 7, it may be increased in height two feet over the height limit of Section 6.101 up to a limit of 90 feet.

6.2.02 Chimneys, church steeples, cooling towers, elevator bulkheads, fire towers, monuments, stacks, stage towers or scenery lofts, tanks, water towers, ornamental towers, spires, wireless towers, silos, grain elevators, other farm buildings, or necessary mechanical appurtenances are exempt from height regulations.

6.2.03 Storage buildings are exempt from the story limitation, but not the "number of feet" limitation.

Section 6.3 Those parts of existing buildings that violate height regulations may be repaired and remodeled but may not be reconstructed or structurally altered.

ARTICLE 7
MINIMUM YARDS

Section 7.1 The following minimum yards shall be provided except as modified by Sections 7.2 and 7.3 and Article 10 hereof. Side yards in the incorporated areas in the "B" "B-2" "M" and "M-2" Districts are not required except when abutting a street or residential zone.

District	One front yard of:	Two side yards of:	One rear yard of:
"C"	50 feet	20 feet	50 feet
"A"	50 feet	20 feet	50 feet
"R"	30 feet	10 feet	30 feet
"B"	50 feet	50 feet	50 feet
"B-2"	50 feet	20 feet	30 feet
"M"	30 feet	20 feet	30 feet
"M-2"	30 feet	20 feet	30 feet

Section 7.2 The following general additional requirements also must be observed:

7.2.01 On lots fronting on two non-intersecting streets, a front yard must be provided on both streets.

7.2.02 On corner lots there must be a front yard on both streets. When constructing an accessory building or a grain bin on corner lots, the front setbacks need to be 100' from the road right of way. On corner lots that are lots of record, the buildable width cannot be reduced to less than 28 feet, except that there shall be a yard along the side street side of such a lot of at least five feet. [Effective since 27 Mar 13]

7.2.03 Where a frontage is divided among districts with different front yard requirements, the deepest front yard required shall apply to the entire frontage.

7.2.04 In the "B" "B-2" "M" and "M-2" Districts, there may be more than one commercial or industrial building on a lot provided that the required yards be maintained around the group of buildings. Side yards and rear yards in these zones when abutting a residential zone shall be fifty (50) feet of which at least three (3) feet immediately adjacent to the residential zone shall be devoted to the growing of a shrubbery screen.

7.2.05 There may be two or more related multi-family, hotel, motel, or institutional buildings on a lot; provided that (a) the required yards be maintained around the group of buildings, and (b) buildings that are parallel or that are within 45 degrees of being parallel be separated by a horizontal distance that is at least equal to the height of the highest building.

7.2.06 Those parts of existing buildings that violate yard regulations may be repaired and remodeled, but not reconstructed or structurally altered.

7.2.07 Required front yards in the "C" "A" and "R" Districts shall be entirely to landscaped area except for guest parking and the necessary paving of driveways and sidewalks to reach parking or loading areas in the side or rear yard. In other districts, at least ten feet of the required front yard shall be devoted to landscaped area. Landscaped area shall mean that the area is permanently devoted and maintained to the growing of shrubbery, grass and other plant material. [Effective since 16 July 86]

7.2.08 Where the property line of a lot is the center of a public road, street or highway, the building set-back line shall be determined by adding one-half (1/2) the required right-of-way width for the specific type of road, street or highway involved to the front yard as required by Section 7.1. [Effective since 17 March 82]

The specific public road, street and highway types and widths are:

Major highways (state and federal)	100 feet
County highways	80 feet
Secondary streets and township roads	66 feet
Local streets (no curb and gutter)	60 feet
Local streets (with curb and gutter)	50 feet

Section 7.3 The following exceptions may be made to the yard requirements:

7.3.01 On lots of record the side yard may be reduced to 10 percent of the lot width but not less than three feet.

7.3.02 On lots of record the rear yard may be reduced to 20 percent of the lot depth.

7.3.03 Where, on the effective date of this Resolution, 40 percent or more of a frontage was occupied by two or more buildings, and then the required front yard is established in the following manner: [Effective since 16 July 86]

(a) Where the building farthermost from the street provides a front yard not more than ten feet deeper than the building closest to the street, then the required front yard for the frontage is and remains an average of the then existing front yards. [Effective since 16 July 86]

(b) Where this (a) is not the case and a lot is within 100 feet of a building on each side, then the required front yard is a line drawn from the closest front corners of these two adjacent buildings. [Effective since 16 July 86]

(c) Where neither (a) nor (b) is the case, and the lot is within 100 feet of an existing building on one side only, then the required front yard is the same as that of the existing adjacent building. [Effective since 16 July 86]

7.3.04 Sills, belt courses, cornices and ornamental features may project only one foot into a required yard, and roof overhangs may project not more than two feet into a required yard. [Effective since 17 Dec 80]

7.3.05 Open fire escapes, fireproof outside stairways and balconies opening upon fire towers, and the ordinary projections of chimneys and flues into a required rear yard for a distance of not more than three and one-half feet when so placed as to not obstruct light and ventilation, may be permitted by the Administrative Officer. [Effective since 16 July 86]

7.3.06 Open unenclosed porches (not glassed in) may extend ten feet into a required front yard. [Effective since 16 July 86]

7.3.07 Terraces which do not extend above the level of ground (first) floor may project into a required yard, provided these projections be distant at least two feet from the adjacent side lot line.

7.3.08 No side yards are required where dwellings are erected above commercial and industrial structures.

7.3.09 Accessory buildings may be located in a required rear yard but may not occupy more than 30 percent of a rear yard. [Effective since 16 July 86]

7.3.10 Any accessory building closer than ten feet to a main building shall be considered as part of the main building and shall be provided with the side and rear yards required for the main building.

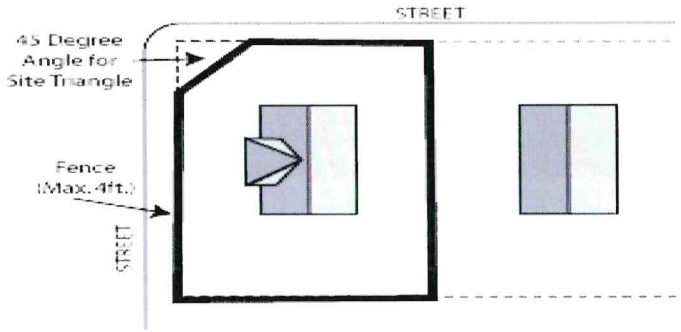
7.3.11 Any accessory building or structure more than ten feet from a main building may be erected within two feet of a side or rear lot line. [Effective since 19 Sept 84] Docks, decks or piers, on water front lots, may be located up to the rear lot line or shoreline of a lake or stream. [Effective since 21 Nov 01]

7.3.11.1 Any accessory building in "A" & "C" that does not have a principle/primary must follow the front set back of "A" & "C" but may be up to 2 feet from the sides and rear. [Effective 26 April 25]

7.3.12 Where a garage is entered from an alley, it must be kept ten feet from the alley line.

7.3.13 On corner lots the minimum buildable width of 28 feet for main buildings is reduced to 22 feet for accessory buildings.

7.3.14 No fence or wall more than 30 percent solid or more than three feet high may be located within 30 feet of a street intersection, except agricultural fencing. [Effective since 21 Nov 01]



[Effective since 27 Feb 13]

7.3.15 Except as provided in 7.3.14, fences or walls less than four feet high may be located on any part of a lot, excluding the site triangle. [Effective since 21 Nov 01] [Effective since 27 Feb 13]

7.3.16 Fences in the "R" Zoning District, except as provided in 7.3.14, fences or walls less than six feet high may be erected on those parts of a lot that are as far back or farther back from a street than the main building, excluding the site triangle; in the "A", "C" Zoning Districts, fences less than four (4) feet high may be located on any part of a lot, excluding the site triangle and fences less than six (6) feet high may be erected on those parts of a lot that are as far back or farther back from a street than the main building, excluding the site triangle; in the "B", "B-2", "M" and "M-2" Zoning Districts, fences less than six (6) feet high may be located on any part of a lot, excluding the site triangle. No solid fence or wall shall be erected or located in a drainage way or easement so as to impede, alter or disrupt the natural flow of surface water. [Effective since 27 Feb 13]

7.3.17 Wherever a "B" District adjoins an "R" District the final development plan shall provide for a suitable fence, wall, or evergreen shrub border at least five feet high.

7.3.18 Fences shall be constructed so that the finished side faces away from the lot on which it is constructed, and the supporting structure side shall face the interior of the fenced property. [Effective since 27 Feb 13

ARTICLE 8
MINIMUM LOT AREAS AND WIDTHS

Section 8.1 Minimum lot areas and widths shall be as follows:

8.1.01 In the "C" District, 5 acres per family and 300 feet road frontage. [Effective since 29 Sept 10] [Effective 27 Jan 16]

8.1.02 In the "A" District, one acre per family and 150 feet road frontage. [Effective since 29 Sept 10] [Effective 27 Jan 16]

8.1.03 In the "R" "B" and "B-2" Districts –

(a) For single-family, two-family and multiple-family dwellings, one acre per family and 150 feet road frontage where there is not public water and no public sewer service.
(b) For single-family dwellings, two-family and multiple-family dwellings, 20,000 square feet per family and 100 feet road frontage where public water service is available but where there is no public sewer service.

(c) Where both public water and public sanitary sewer services are available, 10,000 square feet per single-family dwelling and 80 feet of road frontage; for two-family dwellings, 5,000 square feet per family and 80 feet of road frontage; for multiple-family dwellings, 2,500 square feet per family and 80 feet of road frontage. [Effective since 19 Dec 79] [Effective 27 Jan 16]

8.1.04 In the "M" and "M-2" Districts, residential uses are prohibited.

Section 8.2 Lots of record with less area or width than above required may be used for one single-family dwelling or for a permitted non-dwelling use.

Section 8.3 Existing buildings that are in violation of lot area requirements may be remodeled or repaired, but may not be reconstructed or structurally altered unless made to conform to these requirements.

ARTICLE 9
OFF-STREET PARKING AND LOADING SPACES

Section 9.1 The following off-street parking spaces shall be provided.

9.1.01 For Dwellings one space on the lot for each bathroom or fraction thereof in the building. For buildings not consisting of living units, one space on the lot for each 1,000 square feet of floor area.

9.1.02 For Churches erected on new sites, one parking space on the lot for each 10 seats in the main auditorium.

9.1.03 For Places of Public Assembly, including auditoriums and theatres, one space for each four seats provided.

9.1.04 For Schools two spaces for each classroom.

9.1.05 For Hospitals one space for each hospital bed.

9.1.06 For Institutions, Clubs, Lodges and Other Public and Semi-Public Buildings one space for each 1,000 square feet of floor area.

9.1.07 For conditional commercial uses in the "A" District and for all uses except those above specified in Sections 9.1.01 through 9.1.06, when locating in the "B" and "B-2" Districts, one space shall be provided on the lot for each 300 square feet of floor area; provided that conditional uses in the "B-2" District need not provide more than one space for each two employees of the maximum number employed on the premises at any one time.

9.1.08 In the "M" and "M-2" Districts, industrial uses shall provide one space for each two employees of the maximum number employed on the premises at any one time; commercial uses shall provide one space for each 300 square feet of floor area; all other uses shall provide parking space on the lot in accordance with the requirements of Sections 9.1.01 through 9.1.06 above.

Section 9.2 The foregoing requirements are subject to the following general rules and exceptions:

9.2.01 In the "C" "A" and "R" Districts, no parking may be provided in the front yard except for guest parking.

9.2.02 Existing buildings not complying with off-street parking requirements may be remodeled, repaired, and structurally altered but any enlargement must provide the required parking spaces; provided, however, that whenever a building or use constructed or established after the effective date of this Resolution is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity or otherwise, to create a need for an increase of ten percent or more in the number of existing parking spaces, such spaces shall be provided on the basis of the enlargement or change; and provided further that whenever a building or use existing prior to the

effective date of this Resolution is reconstructed or is enlarged to the extent of 20 percent or more in floor area, said building or use in its entirety shall then and thereafter comply with the parking requirements set forth herein.

9.2.03 In computing the number of parking spaces required, the following rules shall govern:

(1) Where fractional spaces result, the parking spaces required shall be the nearest whole number.

(2) In the case of mixed uses, the parking spaces required shall equal the sum of the requirements of the various uses computed separately.

Section 9.3 Off-street loading spaces shall be provided in accordance with the following requirements:

9.3.01 Office Buildings and Hotels, one space for each 5,000 to 50,000 square feet of gross floor area; two spaces for each 50,000 to 200,000 square feet of gross floor area; one additional space for each 75,000 square feet of gross floor area above 200,000 square feet.

9.3.02 Retail or Service Establishment or Wholesale Commercial Use, one space for each 2,000 to 20,000 square feet of gross floor area; two spaces for each 20,000 to 100,000 square feet of gross floor area; one additional space for each 75,000 square feet of gross floor area above 100,000 square feet.

9.3.03 Manufacturing or Industrial Use, one space for each 5,000 to 25,000 square feet of gross floor area; one additional space for each 75,000 square feet of gross floor area.

9.3.04 No building or part thereof heretofore erected, which is used for any of the purposes specified above, shall hereafter be enlarged or extended unless off-street loading space is provided in accordance with the provisions of this Article.

ARTICLE 10
BOARD OF APPEALS

Section 10.1 A Board of Appeals is hereby established. Whenever the word "Board" is used in this Article, it shall be construed to mean the Board of Appeals. The Board of Appeals shall consist of five members appointed by the Chairman of the County Board and approved by the County Board to serve respectively for the following terms: One (1) for one (1) year, one (1) for two (2) years, one (1) for three (3) years, one (1) for four (4) years, and one (1) for five (5) years; the successor to each member so appointed to serve for a term of five years. All members of the Board of Appeals shall be residents of separate congressional townships at the time of their appointments. One of the members so appointed shall be named Chairman at the time of his appointment, and in case of vacancy, the appointing power shall designate a Chairman. The appointing authority shall have the power to remove any member of the Board for cause, after public hearing. Vacancies shall be filled by the appointing authority for the unexpired term of any member whose place had become vacant.

Section 10.2 Meetings of Board. All meetings of the Board of Appeals shall be held at the call of the Chairman and at such times and places within the County as such Board may determine. Such Chairman, or in his absence, the acting Chairman, may administer oaths and compel attendance of witnesses. All meetings of such Board shall be open to the public. Such Board shall keep minutes of its proceedings, showing the vote of each member upon every question, or if absent or failing to vote, indicating such fact,

and shall also keep records of its explanations and other official actions. All members shall disclose any possible conflict prior to their vote upon any particular rule, regulation or amendment or appeal, to avoid the appearance of impropriety on issues in which they or members of their immediate family may have an interest. [Effective since 17 Oct 01] Every rule, regulation, every amendment or repeal thereof, and every order, requirement, decision or determination of the Board shall immediately be filed in the office of the Board and shall be a public record. In the performance of its duties, the Board of Appeals may incur such expenditures as shall be authorized by the County Board.

Section 10.3 Appeals to the Board. The Board of Appeals shall hear and decide appeals from and review any order, requirement, decision or determination made by the Administrative Officer in the enforcement of this Resolution. Such appeal shall be taken within a period of not more than three (3) months and in the manner prescribed by the rules of the Board, by filing with the Administrative Officer and with the Board of Appeals a notice of appeal specifying the grounds thereof. Filing a notice of appeal shall be accompanied by a fee, in accordance with the fee schedule adopted by the county board, to cover the cost of processing the appeal; and under no condition shall said fee, or any part thereof, be returned for failure of said appeal to be approved. [Effective since 16 Oct 02] When notice of appeals is filed, the Administrative Officer shall transmit all of the records regarding the appeal to the Board. The Board shall have full power to adopt all rules for the transaction of its business, the regulations of procedure before it, and the carrying out of the powers granted to it by the provisions herein set forth and not inconsistent therewith.

Section 10.4 Powers of the Board shall be:

10.4.01 To hear and decide appeals where it is alleged there is error of law in any order, requirement, decision or determination made by an Administrative Officer in the enforcement of this Resolution.

10.4.02 Upon application by a property owner to permit exceptions to the terms of the Zoning Resolution as follows:

(a) To permit the extension of a district where the boundary line of a district divides a lot held in a single ownership at the time of the passage of this Resolution.

(b) To permit, where the boundary line of a district divides a tract of more than ten (10) acres under single ownership, adjustment to such a line to conform with the topography of the ground where such a tract is being subdivided, provided such a variation does not extend for a distance of more than five hundred (500) feet and does not come closer than three hundred (300) feet to any boundary of the tract.

(c) To interpret the provisions of this Resolution in such a way as to carry out the intent and purpose of the plan, as shown upon the maps fixing the several districts accompanying and made a part of this Resolution where the street layout actually on the ground varies from the street layout as shown on the map aforesaid.

(d) To permit the reconstruction of a non-conforming building or structure which has been damaged by explosion, fire, Act of God, or public enemy, to the extent of more than seventy (70) percent of its fair market value, where the Board finds some compelling public necessity requiring a continuance of the non-conforming use, and the primary purpose of continuing the non-conforming use is not to continue a monopoly. [Effective since 21 Nov 01]

(e) To permit a variation in the yard requirements of any district where there are practical difficulties or unnecessary hardships in the carrying out of these provisions due to an irregular shape of the lot, topographic or other conditions, provided such variation will not seriously affect any adjoining property or the general welfare.

(f) To permit the erection and use of a building, structure, or the use of premises for public utility purposes such as radio, telephone or television facilities. [Effective since 21 Nov 01]

10.4.03 To authorize upon application, whenever a property owner can show that a strict application of the terms of this Resolution relating to the use, construction or alteration of buildings or structures or the use of land will impose upon him practical difficulties or particular hardship, such variations of the strict application of the terms of this Resolution as are in harmony with its general purpose and intent, but only when the Board is satisfied that a granting of such variation will not merely serve as a convenience to the applicant, but will alleviate some demonstrable and unusual hardship or difficulty so great as to warrant a variation from the comprehensive plan as established by this Resolution, and at the same time the surrounding property will be properly protected. Application for a proposed variation shall be accompanied by a fee, in accordance with the fee schedule adopted by the county board, to cover the cost of processing the application; and under no condition shall said fee, or any part thereof, be returned for failure of said variation to be approved. [Effective since 16 Oct 02]

10.4.04 To conduct hearings and make recommendations, to the County Board, upon applications for conditional use permits specifically listed in the district regulations of this Resolution. Before authorizing the issuance of such a conditional use permit, the County Board shall schedule, and the Board of Appeals shall conduct, a public hearing on such application for conditional use permit, giving not less than fifteen (15) days nor more than thirty (30) days public notice, as provided by law, of the time and place of such hearing. Before authorizing the issuance of such a conditional use permit, the County Board may impose, after public hearing and recommendation by the Zoning Board of Appeals, such conditions as will, in the County Board's judgment, insure that: [Effective since 12 Nov 75]

(a) The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

(b) The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, or substantially diminish and impair property values within the neighborhood.

(c) The establishment of the conditional use will not impede the normal and orderly development of surrounding property for uses permitted in the district.

(d) Adequate utilities, access roads, drainage, and/or other necessary facilities will be provided.

(e) Adequate measures will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

(f) The conditional use shall in all other respects conform to the applicable regulations of the district in which it is located.

(g) Before land is used or a building erected or used for any of the above purposes, a preliminary plan and a final plan, unless a final plan is waived by the County Board, including written material and drawings, shall be approved by the County Board. The County Board shall consider, after public hearing and recommendation by the Board of Appeals, and approve or reject the preliminary plan with or without modifications. A final plan will be approved when in accordance with an approved preliminary plan. The County Board may, after approving a preliminary plan, authorize the Administrative Officer to approve a final plan if it complies with the approved preliminary plan and any conditions attached thereto by the County Board. From time to time the proponents may make minor changes in the approved final plan so long as such changes have been approved by the Administrative Officer or, upon denial of approval by said Administrative Officer, with the approval of the Zoning Board of Appeals. What constitutes a "minor" change will be determined in the sole discretion of the Administrative Officer. No building or occupancy permit shall be issued for any building or use that is not in accordance with an approved final plan. The preliminary plan shall: [Effective since 12 Nov 75]

(1) Be drawn to scale;

(2) Show boundaries of property to be developed;

(3) Show the proposed size, location, use and arrangement of buildings, parking areas with proposed arrangement of stalls, and number of cars. Entrance and exit driveways and their relationship to existing and proposed streets;

(4) Indicate location, type, use and size of structures on adjacent properties within 400 feet of the proposed development;

(5) Provide for the dedication of any rights-of-way for widening, extension, or connection of major streets as shown on the official plan; and

(6) Indicate the stages, if any, which will be followed in construction.

The final plan shall be the standard plot plan required to obtain a building permit except that it shall show the use or types of uses to be accommodated in each building or portion thereof.

(h) Conditional use permit applications for extraction of mineral resources including coal, sand and gravel, or other mining operations, shall be accompanied by the same information and plans as required by the State of Illinois to obtain a mining or extraction permit, specifically, as required under the Surface-Mined Land Conservation and Reclamation Act – 1971, as amended. [Effective since 12 Nov 75]

Application for a proposed conditional (special) use permit shall be accompanied by a fee, based on parcel size as follows: 0 to 10 acres is $500.00 for the entire parcel with a max of 10 acres. 10.01 or more acres= $15.00 per acre of the entire parcel plus $500.00, in accordance with the fee schedule adopted by the county board, to cover the cost of processing the application, and under no condition shall said fee, or any part thereof, be returned for failure of said conditional (special) use permit to be approved. [Effective since 16 Oct 02] [Effective since 24 Aug 22]

Section 10.5 The concurring vote of three (3) members of the Board shall be necessary to reverse any order, requirement, decision or determination of the Administrative Officer or to decide in favor of the applicant any matter upon which it is required to pass under this Resolution. Every variation granted or denied by the Board shall be accompanied by a written finding of fact, based on testimony and evidence and specifying the reason for granting or denying the variation. [Effective since 12 Nov 75] [Effective since 29 Sept 10]

Section 10.6 An appeal stays all proceedings in furtherance of the action appealed from, unless the officer from whom the appeal is taken certifies to the Board of Appeals, after the notice of appeal has been filed with him, that, by reasons of fact stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property, in which cases proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board of Appeals or by a court of record on application of notice to the officer from whom the appeal is taken and on due cause shown.

The Board of Appeals shall fix a reasonable time for the hearing of the appeal and give notice thereof to the parties and decide the same within a reasonable time. Upon the hearing, any party may appear in person or by agent, or by attorney. The Board of Appeals may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination as in its opinion ought to be made in the premises, and to that end shall have all the powers of the officer from whom the appeal is taken.

Any person or persons jointly or severally aggrieved by any decision of the Board of Appeals or any officer, department, board or bureau of the County, shall have the right of petition and appeal as set forth in an act in relation to county zoning, 55 ILCS 5/5-12012, Illinois Compiled Statutes.

All decisions and findings of the Board of Appeals, on appeals or upon application for a variation after a hearing, shall, in all instances, be final administrative determinations and shall be subject to review by Court as by law is provided at 735 ILCS 5/3-101 et seq. If no juridical review is sought as provided by law during the prescribed time, the decision and findings of the Board of Appeals will stand, and will not be reversed by any circumstances, other than by Court Order. [Effective since 17 Oct 01]

ARTICLE 11
CONSTRUCTION AND OCCUPANCY PERMITS

Section 11.1 No building or structure shall hereafter be erected reconstructed or structurally altered nor shall any work be started upon same until a construction permit for same has been issued by the Administrative Officer, which permit shall state that the proposed building or structure complies with all the provisions of this Resolution. [Effective since 21 Nov 01]
A well and septic approval from the Knox County Health Department will be required to be submitted to the Zoning office prior to any issuance of permits for new construction on a principle or accessory building which will have plumbing access to water or sewage in ALL districts. [Effective since 24 Aug 22]

Improvements authorized by construction permit must be made in accordance with the drawings on the application for said permit. Location of buildings or structures must be staked out on property as shown on application. No changes in location may be made without first contacting the Administrative Officer. No substantial changes in location may be made without the written approval of the Administrative Officer. [Effective since 17 Oct 01]

Section 11.2 Subsequent to the effective date of this Resolution, no change in the use or occupancy of land, other than for farming purposes, nor any changes of use or occupancy in an existing building, other than for single-family dwelling, or farming purposes, shall be made, nor shall any new building be occupied for any purpose other than a single-family dwelling or a farm use until a certificate of occupancy has been issued by the Administrative Officer. Every certificate of occupancy shall state that the new occupancy complies with all provisions of this Resolution.

Section 11.3 [Effective since 15 Dec 93] The fee for a Construction Permit for the construction, reconstruction or structural alteration of a building or structure, except normal farm buildings or structures, shall be in accordance with the following schedule based upon estimated cost of construction, including labor and materials: [Effective since 21 Nov 01] See attached Knox County Unified Development Fee Schedule. [Effective since 16 Oct 02] Construction permit is valid for 1 (one) year from date issued. [Effective since 27 April 22]

11.3.01 Application for a Certificate of Occupancy or Construction Permit for the construction, reconstruction or structural alteration of a building or structure, and other applicable property improvements or changes, except typical farm buildings and structures, shall be accompanied by a fee, in accordance with the fee schedule adopted by the county board; and under no condition shall said fee, or any part thereof, be returned for failure of said certificate or permit to be approved. [Effective since 16 Oct 02]

11.3.02 Except as provided in subsection 11.3.03 of this section, when occupancy precedes issuance of the required certificate, or when work is commenced or proceeded with prior to obtaining the required permits, the established fees shall be doubled. The payment of such doubled fee shall not relieve any person from fully complying with the requirements of this Resolution, nor from the penalties prescribed herein. [Effective since 16 Oct 02]

11.3.03 In cases of emergency, resulting from damage from explosion, fire, Act of God, other destructive acts of nature, or public enemy, a contractor or owner may proceed with the repair work and file the application for permit within 24 hours, Saturdays, Sundays and holidays excepted. [Effective since 16 Oct 02]

The fee for an Occupancy Permit for the use of land, other than for farming purposes, shall be ten dollars ($10.00). No fee shall be charged for an Occupancy Permit for a building.

Such fees, as are required in this Article 11, shall be paid to the Administrative Officer, who shall deliver same to the Treasurer of Knox County.

ARTICLE 12
PLATS, PLANS AND SPECIFICATIONS

Section 12.1 Each application for a construction permit and for an occupancy permit for the use of land shall be accompanied by a plat in duplicate, drawn to scale, showing the actual dimensions of the lot to be built upon or used, the size, shape and location of the building or structure to be erected, location of existing buildings and structures and easements of record and such other information as may be necessary to provide for the enforcement of this Resolution. Any application for a construction permit shall be accompanied by a set of drawings and specifications showing the details of the building or structure. A record of applications, plats, plans and specifications shall be kept in the office of the Administrative Officer. [Effective since 21 Nov 01]

The information contained within the application for permit must be correct and issuance of a permit allows to be done only such work as is applied for, and any misinformation or deviation will void said permit. Any permit issued on reliance of misinformation related to the exact location of all existing buildings and structures, dimensions, and distances to property or tract lines, which is supplied by, or known to applicant, at the time of application, will likewise render the permit void.

Any permit, zoning certificate, or certificate of occupancy issued in conflict with the provisions of this Resolution shall be considered null and void. [Effective since 17 Oct 01]

ARTICLE 13
INTERPRETATION, PURPOSE AND CONFLICT

Section 13.1 In interpreting and applying the provisions of this Resolution, they shall be held to be a minimum requirement for the promotion of the public safety, health, convenience, comfort, morals, prosperity and general welfare. Wherever the regulations of the Resolution require a greater width or size of yards, courts or other open spaces, or require a lower height of a building or less number of stories, or require greater percentage of lot to be left unoccupied, or require a lower density of population, or require a more restricted use of land, or impose other higher standards than are required in any other resolution or regulation, private deed restrictions or private covenants, these regulations shall govern, but if the requirements of the other resolution, regulation, private deed restriction or private covenant are the more restrictive, than those requirements shall govern.

ARTICLE 14
AMENDMENTS

Section 14.1 The County Board of Knox County may, from time to time, on their own motion or on petition, after report and after public hearing by the Board of Appeals, amend, supplement or change by resolution the regulations and districts herein or subsequently established. All petitions requesting an amendment to this Resolution shall be filed with the Administrative Officer at least fifteen (15) days notice of the time and place of the hearing held by the Board of Appeals shall be published in an official paper or a paper of general circulation in such County, and a hearing shall be held in the township or road district affected by the terms of such proposed amendment. In case of written protest against any proposed amendment, signed and acknowledged by the owners of twenty (20) percent of the frontage directly opposite the frontage proposed to be altered, or in cases where the land affected lies within one mile and one-half miles of the limits of a zoned municipality, by the city council or president and board of trustees of the zoned municipality with limits nearest adjacent, filed with the Administrative Officer, such amendment shall not be passed except by the favorable vote of three-fourths of all members of the County Board.

Application for a proposed amendment shall be accompanied by a fee, in accordance with the fee schedule adopted by the county board, to cover the cost of processing the application; and under no condition shall said fee, or any part thereof, be returned for failure of said amendment to be approved. [Effective since 16 Oct 02]

ARTICLE 15
ENFORCEMENT AND LEGAL PROCEDURE

Section 15.1 The Chairman of the County Board shall appoint, with the approval of the County Board, an Administrative Officer whose duty it is to enforce this Resolution. [Effective since 24 May 67]

Section 15.2 In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted or maintained or any building, structure or land is used in violation of this Resolution, the proper authorities of the county, or any person the value or use of whose property is or may be affected by such violation, in addition to other remedies, may institute any appropriate action or proceedings in equity to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use, to restrain, correct, or abate such violation, to prevent the occupancy of said building, structure or land or to prevent any illegal act, conduct, business, or use in or about such premises.

The Knox County Zoning Administrator or their authorized representative(s) has the authority to REVOKE and require the return of any building permit in the following instances: any material departure from the approved application, plans or specifications, refusal or failure to comply with the requirements of the Knox County Zoning Resolutions regulations including but not limited to, subdivision, erosion control, and floodplain regulations; false statements or misrepresentations made in securing such permit; and refusal to comply with other applicable, state, county or federal laws. [Effective since 24 Aug 22]

In any case where a building or structure is erected, constructed, reconstructed, altered or repaired in a manner other than that which has been expressly authorized by the Zoning Administrator by issuance of a permit under Section 11.1, the State's Attorney shall, in addition to other remedies under the Illinois Compiled Statutes, be hereby authorized to institute an action or proceedings to prevent and/or cause the immediate removal of such erection, construction, reconstruction, alteration, repair, conversion, maintenance or use of said building or structure. [Effective since 17 Oct 01]

Section 15.3 When any building or structure is being constructed, either without a permit or in violation of a properly issued building permit, the Knox County Zoning Administrator or their authorized representative(s) is hereby authorized to issue a STOP WORK ORDER on the premises where the violation is taking place. They shall assess a fee for a STOP WORK ORDER in the amount of $500, the stop work order shall cite the violated section(s) of this resolution and shall be presented to the owner of the property, the owner's agent, or to the person doing the work. Compliance with the order shall be the responsibility of the owner of record, the current occupant, and the person performing the work upon the property. After a stop work order has been posted pursuant to this section by Knox County Zoning Administrator or their authorized representative(s), it shall be unlawful for any person to remove or deface the posted stop work order. Removal of or defacement of the posted stop work order shall be punishable as a petty offense as set forth in 55 ILCS 5/5-12017. Any person who shall continue to work in, on or about the building or structure shall be considered as having violated this provision and shall be subject to the provisions of Article 16. [Effective since 24 Aug 22]

ARTICLE 16
VALIDITY

The violation of the terms of this Resolution shall be punishable by a fine not exceeding $500.00 with each week the violation remains uncorrected constituting a separate offense. [Effective since 21 Mar 84]

Section 16.1 If any section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Resolution. All other resolutions and parts of resolutions in conflict with the provisions of this Resolution are hereby repealed.

ARTICLE 17
WHEN EFFECTIVE

Section 17.1 This Resolution shall be effective from and after January 11, 1967.

CERTIFICATE

Be It Hereby Remembered and Certified that the above and foregoing Zoning Resolution was, on January 11, 1967, unanimously passed by the Board of Supervisors of Knox County, Illinois, at a regularly called meeting, held at the Knox County Courthouse, Galesburg, Illinois, a quorum of said supervisors then being present; and the original of said Resolution was made a part of the permanent records of said county, in custody of the undersigned clerk.

_____

Knox County Clerk

Reviewed and determined consistent with the Knox County Zoning Ordinances and recommended for approval by the Zoning Board of Appeals.

_____ Dated: _____

Chairperson

Reviewed and approved by the Knox County State's Attorney

_____ Dated: 10/10/25

Knox County State's Attorney

Approved by the Knox County Board

_____ Dated: _____

Chairperson

_____ Dated: _____

County Clerk

Rejected by the Knox County Board

_____ Dated: _____

Chairperson

_____ Dated: _____

County Clerk