

Chapter 17.08

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17.08.005 Generally. Unless otherwise expressly stated, the words defined in this chapter, shall, for the purpose of this title, have the meanings indicated in this chapter. Any pertinent work or term not a part of this chapter but vital to the interpretation of this title shall be construed to have its usual legal definition. (Ord. 471 §3(part), 1976).

17.08.010 Access. "Access" means egress and/or ingress. (Ord. 471 §3(part), 1976).

17.08.015 Accessory building. "Accessory building" means a building on the same lot with the main or principal structure, or the main or principal use, either detached from or attached to the main or principal structure, and which is subordinate to and used for purposes customarily incidental to the main or principal structure, or the main or principal use. (Ord. 471 §3(part), 1976).

17.08.020 Accessory structure. "Accessory structure" means a structure on the same lot with the main or principal structure, or the main or principal use, either detached from or attached to the main or principal structure, and which is subordinate to and used for purposes customarily incidental to the main or principal structure or the main or principal use. An accessory structure includes dish antennas. (Ord. 582 §1, 1983; Ord. 471 §3(part), 1976).

17.08.025 Accessory use. "Accessory use" means a use on the same lot, incidental and subordinate to the main or principal use or the main or principal structure. (Ord. 471 §3(part), 1976).

17.08.030 Agriculture. "Agriculture" means the growing, harvesting and storing of crops, including legumes, hay, grain, fruit and truck or vegetable crops, floriculture, horticulture, mushroom growing, nurseries, orchards, forestry and greenhouses; the keeping, raising and feeding of livestock or poultry, including dairying, poultry, swine, sheep, beef cattle, pony and horse production, fur farms and fish and wildlife farms; farm buildings used for growing, harvesting and preparing crop products for market, or for use on the farm; roadside stands, farm buildings for storing and protecting farm machinery and equipment from the elements, for housing livestock or poultry and for preparing livestock or poultry products for market; and farm dwellings occupied by farm owners, operators, tenants or seasonal or year-round hired farm workers. It is intended by this definition to include within the definition of agriculture all types of agricultural operations, but to exclude therefrom industrial operations, such as a grain elevator, canning or slaughterhouse, wherein agricultural products produced primarily by others are stored or processed. (Ord. 471 §3(part), 1976).

17.08.035 Alley. "Alley" means a permanent service right-of-way which affords only a secondary means of access to property abutting such right-of-way and is not intended for general traffic circulation. (Ord. 471 §3(part), 1976).

17.08.040 Alter. See "alteration," defined in Section 17.08.045. (Ord. 471 §3(part), 1976).

17.08.045 Alteration. "Alteration" means any change in the bearing wall, columns, beams, girders or supporting members of a structure, any change or rearrangement in the floor area of a building, any enlargement of a structure, whether by extending horizontally or by increasing in height, and/or any movement of a structure from one location or position to another. (Ord. 471 §3(part), 1976).

17.08.050 Animal hospital. "Animal hospital" means an establishment for the treatment and/or boarding of small animals, such as dogs, cats, rabbits and birds by a veterinarian. (Ord. 471 §3(part), 1976).

17.08.055 Area, building. "Building area" means the total area taken on a horizontal plane at the largest floor level of the main or principal building and all accessory

buildings on the same lot, exclusive of uncovered porches, terraces, steps or awnings, marquees and nonpermanent canopies and planters. (Ord. 471 §3(part), 1976).

17.08.060 Area, floor. "Floor area" means the sum of the gross horizontal areas of the several stories of a building, excluding cellar and basement floor areas not devoted to residential use, but including the area of walled-in and roofed porches and terraces. All dimensions shall be measured between exterior faces of walls. (Ord. 471 §3(part), 1976).

17.08.065 Area, habitable floor. "Habitable floor area" means the sum of the horizontal areas of all rooms in a building used for habitation, such as living room, dining room, kitchen, bedroom, bathroom or closet, but not including hallways, stairways, service rooms or utility rooms, nor unheated rooms such as enclosed porches, nor rooms without at least one window or skylight opening onto a yard or court, measured between the interior faces of walls. (Ord. 471 §3(part), 1976).

17.08.070 Area, lot. "Lot area" means the total area within the lot lines. (Ord. 471 §3(part), 1976).

17.08.075 Automobile. "Automobile" means a self-propelled, free-moving motor vehicle for the conveyance of persons on a street and having a seating capacity for not more than ten persons. (Ord. 471 §3(part), 1976).

17.08.080 Awning. "Awning" means a retractable roof-like structure which, when opened or extended, projects from the wall of a building or structure and overhangs the public way or adjacent yard or court. (Ord. 471 §3(part), 1976).

17.08.085 Basement. "Basement" means a story having part but not more than one-half its height below grade. (Ord. 471 §3(part), 1976).

17.08.090 Berth, loading. "Loading berth" means a stall of dimensions specified in this title, adjacent to a loading dock for the maneuvering and parking of a vehicle for loading and unloading purposes. (Ord. 471 §3(part), 1976).

17.08.095 Block. "Block" means property abutting on one side of a street and lying between the two nearest intersecting or intercepting streets, or between the nearest intersecting or intercepting street and railroad right-of-way, waterway, unsubdivided area or other definite boundary. (Ord. 471 §3(part), 1976).

17.08.100 Board. "Board" means the zoning board of appeals of the city. (Ord. 471 §3(part), 1976).

17.08.105 Boardinghouse. "Boardinghouse" means a dwelling containing at least three dwelling units or lodging units, in whatever combination. Meals are provided within such boardinghouse to the residents of the lodging units. (Ord. 471 §3(part), 1976).

17.08.110 Buffer strip. "Buffer strip" means an area, property, lot or tract of land or portion thereof, either vacant or landscaped, with screen planting, as specified in Section 17.08.435, which shall serve as a separating space between dissimilar land uses or districts. (Ord. 471 §3(part), 1976).

17.08.115 Building. "Building" means an enclosed structure having a roof supported by columns, walls, arches or other devices and used for the housing, shelter or enclosure of persons, animals and chattels. (Ord. 471 §3(part), 1976).

17.08.120 Building, main or principal. "Main or principal building" means the building in which is conducted the main or principal use of the lot on which it is located. (Ord. 471 §3(part), 1976).

17.08.125 Canopy. "Canopy" means a nonretractable rooflike structure, of either a permanent or nonpermanent nature, which projects from the wall of a structure, is supported above the surface of the ground by poles, posts, columns, beams, girders or other similar framework attached to the ground, and overhangs or covers the public way or adjacent yard or court. (Ord. 471 §3(part), 1976).

17.08.130 Cellar. "Cellar" means a story having less than one-half of its height above grade. (Ord. 471 §3(part), 1976).

17.08.135 Clinic. "Clinic" means an establishment without facilities for inpatient nursing care, where one or more physicians and other medical professionals diagnose and treat human physical and/or mental ailments. (Ord. 471 §3(part), 1976).

17.08.140 Construction. "Construction" means the excavation of earth to provide for a foundation, basement, or cellar; and/or the addition to or removal from a lot or tract of land of earth or water so as to prepare said lot or tract of land for the construction of a structure; and/or the act of placing or affixing a component of a structure

upon the ground or upon another such component; and/or the placing of construction materials in a permanent position and fastened in a permanent manner; and/or the demolition, elimination and/or removal of an existing structure in connection with such construction. (Ord. 471 §3(part), 1976).

17.08.145 Court. "Court" means an open space, other than a yard, on the same lot with a building, which is bounded on two or more sides by, but is not enclosed by, the walls of such building. (Ord. 471 §3(part), 1976).

17.08.150 Coverage. "Coverage" means the percentage of the lot area covered by the building area. (Ord. 471 §3(part), 1976).

17.08.155 Curb level. "Curb level" means the average elevation of the established curb of a street taken along the curblines between the points of intersection of the curblines and the lot lines. Where no curb has been established, the curb level shall be the average elevation of the land surface taken along the street right-of-way line and the lot lines. (Ord. 471 §3(part), 1976).

17.08.160 District. "District" means a section of the city in which zoning regulations and standards are uniform. (Ord. 471 §3(part), 1976).

17.08.165 Dock, loading. "Loading dock" means a platform-like structure adjacent to a loading berth from which goods are loaded and on which goods are unloaded from a vehicle parked in such loading berth. (Ord. 471 §3(part), 1976).

17.08.170 Dwelling. "Dwelling" means a building designed for residential living purposes and containing one or more dwelling units and/or lodging units. (Ord. 471 §3(part), 1976).

17.08.175 Dwelling, farm. "Farm dwelling" means a single-family detached dwelling located on a tract of land used principally for agricultural purposes. (Ord. 471 §3(part), 1976).

17.08.180 Dwelling, group. "Group dwelling" means a group of two or more single-family, two-family or multi-family dwellings, whether attached, semidetached or detached, in whatever combination, occupying a lot or lots in one ownership. (Ord. 471 §3(part), 1976).

17.08.185 Dwelling, modular home. "Modular home dwelling" means a prefabricated dwelling, no less than

twenty-one feet in total width with all sections permanently affixed to each other, and resting in whole on permanent foundation with its means of transportation permanently detached. All modular home dwellings must be constructed by a manufacturer certified by the state of Illinois Department of Public Health as certified by the "Illinois Modular Seal" affixed to the electrical panel box. (Ord. 533 §1 (part), 1979: Ord. 522 §1(part), 1979: Ord. 471 §3(part), 1976).

17.08.190 Dwelling, multifamily. "Multifamily dwelling" means a dwelling containing three or more dwelling units. (Ord. 471 §3(part), 1976).

17.08.195 Dwelling, one-family. "One-family dwelling" means a dwelling containing one dwelling unit. (Ord. 471 §3(part), 1976).

17.08.200 Dwelling, two-family. "Two-family dwelling" means a dwelling containing two dwelling units. (Ord. 471 §3(part), 1976).

17.08.205 Dwelling unit. "Dwelling unit" means one or more rooms constituting all or part of a dwelling which are used exclusively as living quarters for one family and not more than two roomers or boarders, and which contain a stove, sink and other kitchen facilities. For the purposes of this title, a mobile home shall not be considered a dwelling unit. (Ord. 471 §3(part), 1976).

17.08.210 Egress. "Egress" means the way over which traffic moves to a street or alley from the property abutting such street or alley and the way over which traffic moves to a major street from a minor street or alley. (Ord. 471 §3(part), 1976).

17.08.215 Engineer. "Engineer" means the engineer of the city. (Ord. 471 §3(part), 1976).

17.08.220 Establishment. "Establishment" means a business retail, office or commercial use. When used in the singular, this term shall be construed to mean a single use, building, structure or premises of one of the types noted in this section. (Ord. 471 §3(part), 1976).

17.08.225 Family. "Family" means:
 A. An individual; or
 B. Two or more persons related by blood, marriage or adoption; or

C. Not more than five persons not so related; together with his or their domestic servants and gratuitous guests maintaining a common household in a dwelling unit or lodging unit. (Ord. 471 §3(part), 1976).

17.08.230 Floor area ratio. "Floor area ratio" means the ratio of the floor area of a building to its lot area.

For example, when a floor area ratio of four-tenths is specified, the floor area of a building constructed on a lot of ten thousand square feet in area is limited to a maximum of four thousand square feet. The number of stories being optional, the building area may be four thousand square feet for one story, two thousand square feet for each of two stories, and so forth. The purpose of this ratio is to control the bulk of buildings. (Ord. 471 §3 (part), 1976).

17.08.235 Garage, public. "Public garage" means a building in which, for compensation, one or more vehicles are parked. (Ord. 471 §3(part), 1976).

17.08.240 Grade. "Grade" means the average of the elevations of the surface of the ground measured at all corners of a building. (Ord. 471 §3(part), 1976).

17.08.245 Height. A. Story. As applied to a story, "height" means the vertical measurement between the surface of any floor and the surface of the floor next above it or, if there is no floor above, then the vertical measurement between the surface of the floor and the ceiling next above it.

B. Building. As applied to a building, "height" means the vertical measurement from grade to a point midway between the highest and lowest points of the roof.

C. Detached Structure. As applied to a detached structure, "height" means the vertical measurement from the average level of the surface of the ground immediately surrounding such structure to the uppermost portion of such structure.

D. Attached Structure. As applied to an attached structure, where such structure is attached to another structure and is in direct contact with the surface of the ground, "height" means the vertical measurement from the average level of the surface of the ground immediately adjoining such structure to the uppermost portion of such structure. Where such structure is attached to another structure and is not in direct contact with the surface of the ground, "height" means the vertical measurement from the lowest portion of such structure to the uppermost portion. (Ord. 471 §3(part), 1976).

17.08.250 Home occupation. "Home occupation" means a gainful occupation or profession conducted entirely within a dwelling, and carried on by the residents therein, provided such occupation or profession is clearly incidental and secondary to the use of the dwelling for residential living purposes. (Ord. 471 §3(part), 1976).

17.08.255 Hospital. "Hospital" means a building having facilities for inpatient nursing care, where physicians and other medical professionals diagnose and treat human physical ailments. (Ord. 471 §3(part), 1976).

17.08.260 Hotel. "Hotel" means a building containing separate accommodations for use by primarily transient persons. A hotel may contain restaurants, barbershops and other accessory services for serving primarily its residents and only incidentally the public. (Ord. 471 §3(part), 1976).

17.08.265 Ingress. "Ingress" means the way over which traffic moves from a street or alley to the property abutting such street or alley and the way over which traffic moves from a major street to a minor street or alley. (Ord. 471 §3(part), 1976).

17.08.270 Junkyard. "Junkyard" means a lot, land, building or structure, or part thereof, used primarily for the collecting, storage and/or sale of wastepaper, rags, scrap metal or discarded material, or for the collecting, dismantling, storage and salvaging of machinery or vehicles not in running condition, and for the sale of parts therefrom. (Ord. 471 §3(part), 1976).

17.08.275 Loading space. "Loading space" means a space accessory to a use of structure on the same lot, for the parking of one truck for the delivery or pickup of goods from the establishment on the premises. A loading space shall be at least ten feet wide by forty feet long and shall have a vertical clearance of at least fourteen feet. (Ord. 471 §3(part), 1976).

17.08.280 Lodginghouse. "Lodginghouse" means a dwelling containing at least three dwelling units or lodging units in whatever combination. Meals are not provided within such lodginghouse to the residents of the lodging units. (Ord. 471 §3(part), 1976).

17.08.285 Lodging unit. "Lodging unit" means one or more rooms constituting all or part of a dwelling which are used exclusively as living quarters for one family and do not contain cooking facilities. (Ord. 471 §3(part), 1976).

17.08.290 Lot. "Lot," when used alone, means a zoning lot unless the context of this title clearly indicates otherwise. "Lot" includes "plot" and "parcel." (Ord. 471 §3(part), 1976).

17.08.295 Lot, corner. "Corner lot" means a lot located:

A. At the junction of and abutting two or more intersecting streets; or

B. At the junction of and abutting a street and the nearest shoreline or high water line of a storm of floodwater runoff channel or basin; or

C. At the junction of and abutting two or more storm or floodwater runoff channels or basins; or

D. At and abutting the point of abrupt change of a single street the interior angle is less than one hundred thirty-five degrees and the radius of the street is less than one hundred feet. (Ord. 471 §3(part), 1976).

17.08.300 Lot, interior. "Interior lot" means a lot other than a corner lot. (Ord. 471 §3(part), 1976).

17.08.305 Lot lines. "Lot lines" means the lines bounding a lot. (Ord. 471 §3(part), 1976).

17.08.310 Marquee. "Marquee" means a nonretractable, rooflike structure of a permanent nature which projects from the wall of a structure and overhangs the public way or adjacent yard or court. (Ord. 471 §3(part), 1976).

17.08.315 Master plan. "Master plan," also called a "comprehensive plan" or "development plan," means the complete plan or any of its parts for the development of the city as prepared by the tri-county regional planning commission or other planning agency and adopted by the city council as the official plan. (Ord. 471 §3(part), 1976).

17.08.320 Mobile home. "Mobile home" means any portable or mobile vehicle used for residential living purposes by a family. For the purposes of this code any such vehicle shall be classified as a mobile home if it has been constructed in accordance with the Department of Housing and Urban Development and Federal Mobile Home Code Requirements (ANSI. 119) whether or not its wheels, rollers, skids, or other rolling equipment have been removed, or whether or not any addition has been built on the ground. All mobile homes constructed after 1976 must have a Federal Mobile Home Seal affixed to the rear exterior of the vehicle. (Ord. 533 §1(part), 1979: Ord. 522 §1(part), 1979: Ord. 471 §3(part), 1976).

17.08.325 Mobile home park. "Mobile home park" means a tract of land meeting the standards established by the county health authorities and by the Illinois State Department of Health:

A. Where two or more inhabited mobile homes are parked; or

B. Which is used by the public as parking space for two or more inhabited mobile homes. (Ord. 471 §3(part), 1976).

17.08.330 Motel. "Motel" means a building or a group of buildings, whether detached, semidetached or attached, containing accommodations for primarily transient automobile

17.08.380 Person. "Person" includes a partnership, association, firm, trust, club, company or corporation as well as the individual. (Ord. 471 §3(part), 1976).

17.08.385 Plan commission. "Plan commission" means the plan commission of the city. (Ord. 471 §3(part), 1976).

17.08.390 Planned development. "Planned development" means a tract of land which is developed as a unit under single ownership or control, which includes two or more main or principal structures and is identified to its main or principal use by its functional definition prefix, as dwelling group. (Ord. 471 §3(part), 1976).

17.08.395 Plat. "Plat" means a map plan or layout showing the subdivision of land and indicating the location and boundaries of individual lots. (Ord. 471 §3(part), 1976).

17.08.400 Premises. "Premises" means a lot or tract of land and any structure located thereon. (Ord. 471 §3(part), 1976).

17.08.405 Property. "Property" is a general term denoting, either singularly or in combination, an area, lot, parcel, tract, plot, unit or otherwise designated portion of land. (Ord. 471 §3(part), 1976).

17.08.410 Right-of-way. "Right-of-way" means the entire dedicated tract or strip of land that is to be used by the public for circulation and service. (Ord. 471 §3(part), 1976).

17.08.415 Ringelmann chart. "Ringelmann chart" means a smoke chart giving shades of gray to which the density of columns of smoke rising from stacks may be compared. Each such shade of gray is categorized according to a Ringelmann number. (Ord. 471 §3(part), 1976).

17.08.420 Sanitarium. "Sanitarium" means a private hospital or asylum. (Ord. 471 §3(part), 1976).

17.08.425 Sanitary sewer. "Sanitary sewer" means a constructed conduit for the collection and carrying of liquid and solid sewage wastes, other than stormwaters, to a sewage treatment plant. (Ord. 471 §3(part), 1976).

17.08.430 School. "School" means a building or group of buildings, and all associated structures, facilities and grounds, in and on which instruction is given. (Ord. 471 §3(part), 1976).

17.08.435 Screen planting. "Screen planting" means a vegetative material of sufficient height and density to filter adequately from view, in adjoining districts, structures and uses on the premises upon which the screen planting is located. (Ord. 471 §3(part), 1976).

17.08.440 Setback line. "Setback line" means the building restriction line nearest the front of and across a lot establishing the minimum distance to be provided between the line of a structure located on said lot and the nearest street right-of-way line or centerline or the nearest shoreline or high water line of a storm or flood-water runoff channel or basin. (Ord. 471 §3(part), 1976).

17.08.445 Sign. "Sign" means any structure or device for visual communication that is used for the purpose of bringing the subject thereof to the attention of the public, but not including any flag, badge or insignia or any government or governmental agency, or any civic, charitable, religious, patriotic, fraternal or similar organization, or any sign indicating address. Each display surface of a sign shall be considered a sign.

17.08.450 Smoke unit. "Smoke unit" means the emission of smoke of a density of Ringelmann number 1 for a period of one minute. (Ord. 471 §3(part), 1976).

17.08.455 Special condition. "Special condition" means a condition for the establishment of a special use. (Ord. 471 §3(part), 1976).

17.08.460 Special use. "Special use" means a use permitted in a district pursuant to, and in compliance with, procedures specified in this title. (Ord. 471 §3(part), 1976).

17.08.465 Story. "Story" means that portion of a building included between the surface of any floor and the surface of the floor next above it or, if there is no floor above, then the space between any floor and the ceiling next above it. (Ord. 471 §3(part), 1976).

17.08.470 Street. "Street" means a thoroughfare within the right-of-way which affords the principal means of access to abutting property. A street may be designated as an avenue, boulevard, drive, highway, lane, parkway, place, road, thoroughfare or by other appropriate name. Streets are identified according to type of use, as follows:

A. Major streets, as identified on the official zoning map are as follows:

travelers. "Motel" includes such buildings designated as tourist courts, tourist cabins, motor lodges and other similar terms. (Ord. 471 §3(part), 1976).

17.08.335 Motor vehicle. "Motor vehicle" means a self-propelled, free-moving vehicle for the conveyance of goods or persons on a street. (Ord. 471 §3(part), 1976).

17.08.340 Nonconforming lot, structure or use. "Nonconforming lot, structure or use" means a lot, sign, structure or use which does not conform to the regulations and standards of the district in which it is located, and which was a legal use when the regulations were adopted. (Ord. 471 §3(part), 1976).

17.08.345 Nonconforming premises. "Nonconforming premises" means a nonconforming lot with a nonconforming structure located on it. (Ord. 471 §3(part), 1976).

17.08.350 Nursing or convalescent home. "Nursing or convalescent home" means a building containing sleeping rooms where persons are housed or lodged and are furnished with meals and nursing care for hire. (Ord. 471 §3(part), 1976).

17.08.355 Open space. "Open space" means the unoccupied space open to the sky on the same lot with a structure. (Ord. 471 §3(part), 1976).

17.08.360 Owner--Ownership. "Owner" or "ownership" means an individual, firm, association, syndicate, partnership, corporation, company, organization, trust or any other legal entity having a proprietary interest in a use, structure, premises, lot or tract of land. (Ord. 471 §3(part), 1976).

17.08.365 Parking lot. "Parking lot" means a lot, court, yard or portion thereof used for the parking of vehicles. (Ord. 471 §3(part), 1976).

17.08.370 Parking space. "Parking space" means a space accessory to a use or structure for the parking of one vehicle, the size of which shall be determined as specified in this title. (Ord. 471 §3(part), 1976).

17.08.375 Performance standards. "Performance standards" means criteria established to control the use of land, structures and premises by the amount of noise, odor, smoke, toxic or noxious matter, radioactive hazards, and the glare of heat or light generated by or inherent to the use of land, structures and premises. (Ord. 471 §3(part), 1976).

1. Arterial Street. A street designated for five thousand or more vehicles per day, by the comprehensive plan of the Illinois Department of Highways.

2. Limited Access Street. An arterial street along which entrance ways and exit ways are provided only at controlled intersections and from which there is no direct access to abutting properties.

3. Collector Street. A street planned to facilitate the collection and routing of traffic from minor streets to arterial streets.

B. Minor streets are as follows:

1. "Direct access streets" means a street providing direct access to and/or from intersecting streets, alleys and abutting properties.

2. "Marginal access street" means a street parallel to a limited access street providing direct access to and/or from intersection streets, alleys and abutting properties, and providing ways for traffic to reach access points along a limited access street. (Ord. 471 §3(part), 1976).

17.08.475 Street, private. "Private street" means a service way providing access to a property for the use of a limited number of persons or purposes and which has not been publicly dedicated. (Ord. 471 §3(part), 1976).

17.08.480 Structure. "Structure" means anything constructed or erected with a fixed location on the surface of the ground or affixed to something having a fixed location on the surface of the ground. Among other things, structures include buildings, walls, fences, billboards and signs. (Ord. 471 §3(part), 1976).

17.08.485 Structure, attached. "Attached structure" means a structure connected to another structure. (Ord. 471 §3(part), 1976).

17.08.490 Structure, detached. "Detached structure" means a structure not connected to another structure. (Ord. 471 §3(part), 1976).

17.08.495 Structure, main or principal. "Main or principal structure" means the structure in or on which is conducted the main or principal use of the lot on which it is located. (Ord. 471 §3(part), 1976).

17.08.500 Subdivision. "Subdivision" means any division, development or resubdivision of any part, lot, area or tract of land by the owner or agent, either by lots or by metes and bounds, into lots, two or more in number, for the purpose, whether immediate or future, of conveyance, transfer, improvement or sale, with the appurtenant streets,

alleys and easements, dedicated or intended to be dedicated to public use or for the use of the purchasers or owners within the tract subdivided. The division of land for agricultural purposes not involving any new street, alley or other means of access shall not be deemed a subdivision for the purpose of the regulations and standards of this title. (Ord. 471 §3(part), 1976).

17.08.505 Theater. "Theater" means a building or part of a building devoted to the showing of moving pictures or theatrical productions on a commercial basis. (Ord. 471 §3(part), 1976).

17.08.510 Theater, outdoor drive-in. "Outdoor drive-in theater" means an open lot or part thereof with its appurtenant facilities devoted primarily to the showing of moving pictures or theatrical productions on a commercial basis to patrons seated in automobiles or on outdoor seats. (Ord. 471 §3(part), 1976).

17.08.515 Tourist home. "Tourist home" means a dwelling containing the dwelling unit of the owner or operator and containing separate accommodations primarily for transient automobile travelers. (Ord. 471 §3(part), 1976).

17.08.520 Use. "Use" means the specific purpose for which land, a structure or premises is designed, arranged, intended or for which it is or may be occupied or maintained. The term "permitted use" or its equivalent shall not be deemed to include any nonconforming use. (Ord. 471 §3(part), 1976).

17.08.525 Used--Occupied--Located. "Used" or "occupied" or "located," as applied to any land, building, use, structure or premises, includes the words "intended, arranged or designed to be used or occupied or located." (Ord. 471 §3(part), 1976).

17.08.530 Variance. "Variance" means a deviation from the regulations or standards adopted by this title which the board is permitted to grant when strict enforcement would cause undue hardship owing to circumstances unique to the individual property, lot, structure or premises for which the variance is sought. (Ord. 471 §3(part), 1976).

17.08.535 Vehicle. "Vehicle" means a conveyance, either self-propelled or non-self-propelled, in or on which persons and/or goods are transported on the surface of the ground, including automobiles, motor buses, motor trucks, tractors, sleighs, wagons, earth-moving equipment and other such conveyances. (Ord. 471 §3(part), 1976).

17.08.540 Yard. "Yard" means an open space, other than a court, of uniform width or depth on the same lot with a structure, lying between the structure and the nearest lot line, which is unoccupied and unobstructed from the surface of the ground upward except as may be specifically provided by the regulations and standards in this title. (Ord. 471 §3(part), 1976).

17.08.545 Yard, front. "Front yard" means a yard extending the full width of a lot and situated between the front lot line and the nearest line of a structure located on said lot. Where a lot is located such that its rear and front lot lines each abut a street right-of-way line or the nearest shoreline or high water line of a storm or floodwater runoff channel or basin, both such yards shall be classified as front yards. Each yard of a corner lot facing a street right-of-way line or the shoreline or high water line of a storm or floodwater runoff channel or basin shall be classified as front yard. (Ord. 471 §3(part), 1976).

17.08.550 Yard, rear. "Rear yard" means a yard extending the full width of a lot and situated between the rear lot line and the nearest line of a principal structure located on said lot. (Ord. 471 §3(part), 1976).

17.08.555 Yard, side. "Side yard" means a yard situated between the side lot line and the nearest line of a structure located on said lot and extending from the rear line of the required front yard to the front line of the required rear yard. (Ord. 471 §3(part), 1976).

17.08.560 Zone. See "district," defined in Section 17.08.160. (Ord. 471 §3(part), 1976).

17.08.565 Zoning lot. "Zoning lot" means a single property, parcel, unit tract, plot or otherwise designated portion of land having metes and bounds which is designated by its owner or developer as a property, parcel, unit tract, plot or otherwise designated portion of land, which has been sold, or is offered, or will be offered for sale, and is to be used, developed or built upon as a unit under single ownership or control, and which is occupied or capable of being occupied by one or more structures, and the accessory structures or uses customarily incidental to it, including such open spaces as are arranged and designed to be used in connection with such structure. A "zoning lot" may or may not coincide with a lot of record. (Ord. 471 §3(part), 1976).