

ORDINANCE NO. 2014-1410

**AN ORDINANCE AMENDING THE 1970 PEORIA HEIGHTS
ZONING ORDINANCE, AS AMENDED, AS IT RELATES TO
DEFINITIONS**

WHEREAS, the Village of Peoria Heights had previously adopted The Village of Peoria Heights 1970 Zoning Ordinance, as Amended; and

WHEREAS, the Board of Trustees has determined that Section 3, Definitions, of the Peoria Heights 1970 Zoning Ordinance, as Amended, should be revised and amended to clarify the meaning certain terms and thus the intent of the Board of Trustees.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF PEORIA HEIGHTS, ILLINOIS,

SECTION ONE: That Section 3 of the Peoria Heights 1970 Zoning Ordinance, as amended, shall be amended as follows:

Section 3. Definitions, shall be amended as follows:

ACCESSORY STRUCTURE: A structure, the size of which exceeds twenty-five (25) square feet, on the same lot with the main or principal structure, or the main or principal use, and subordinate to and used for purposes customarily incidental to the main or principal use. The accessory structure may or may not be permanently affixed to the surface of the ground and shall include, other things, gazebos, buildings, walls, fences, billboards, swimming pools and signs.

OPEN SPACE: That area within the boundaries of a lot that is intended to provide light and air, and is designed for either scenic or recreational purposes. Open space may include, but need not be limited to lawns, decorative planting, walkways, active and passive recreation areas, children's playgrounds, fountains, swimming pools, wooded areas, water bodies and those areas where landscaping and screening are required by the provisions of this Ordinance.

STRUCTURE: 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, swimming pools and signs. For purposes of calculating placement of fences under this Ordinance, the front wall or front line of the principal structure shall be used as the starting point to measure and the "structure" shall not include the area attributable to a deck, porch or other abutment regardless of whether the extension is finished or used as living space.

YARD: 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 and is unoccupied and unobstructed from the surface of the ground upward, except, as may be specifically provided by the regulations and standards herein. For purposes of calculating placement of fences in front, rear and side yards under this Ordinance, the nearest line of a structure located on a lot shall be the front wall or front line of the main dwelling structure where the enclosed living space begins, and shall not include the area attributable to a deck, porch or other abutment regardless of whether the extension is finished or used as living space.

SECTION TWO: All other provisions of Section 3, DEFINITIONS, of the Peoria Heights 1970 Zoning Ordinance, as amended, not in conflict with this Ordinance, shall remain in full force and effect.


SECTION THREE: This Ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

PASSED AND APPROVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF PEORIA HEIGHTS, ILLINOIS, THIS 16th DAY OF September, 2014.

AYES 4

NAYS 0

Abstain 1


MARK ALLEN, Village President

SEAL:

ATTEST: 
VILLAGE CLERK