

**ORDINANCE NO. 2016-938**

**AN ORDINANCE TO AMEND SECTION 7-1-2 OF ORDINANCE NO. 1 ENTITLED "REVISED CODE OF ORDINANCES OF 1974", ENACTED ON THE 15TH DAY OF JULY, 1974.**

**BE IT ORDAINED BY THE PRESIDENT AND VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF COBDEN, UNION COUNTY, ILLINOIS, THAT:**

**SECTION 1.** Section 7-1-2 of Ordinance No. 1 entitled "Revised Code of Ordinances of 1974", shall be amended to read as follows:

**7-1-2 ZONING APPLICATION.** Within the corporate Village limits of Cobden, no building and/or structure shall be erected or structurally altered until a Zoning Application has been issued by the Village of Cobden Board of Trustees.

Zoning Applications shall be submitted to the Village Clerk, on a Zoning Application form provided by the Village of Cobden, who shall refer the matter to the Zoning Administrative Officer; and if the same is found to be in accordance with the provisions of the Building Officials and Code Administrators (BOCA) National Building Code, Council of American Building Officials (COBA) One and Two Family Dwelling Code and the International Mechanical Code adopted by the preceding Section and the Cobden Zoning Ordinance, the Zoning Administrative Officer shall indicate his recommendation for approval and the Board shall issue a permit for the proposed work. If the Board finds the applicant not in compliance with the Building Officials and Code Administrators (BOCA) National Building Code, Council of American Building Officials (COBA) One and Two Family Dwelling Code and the International Mechanical Code and/or Zoning Ordinance, the Board shall retain the right to reject and deny the permit.

The fees to be charged for such Zoning Application shall be based on cost of construction as follows:

\$2.00 per \$1,000 of construction cost

Minimum fee is \$10.00

No fee for a Zoning Application shall exceed \$500.00

Structures hereinafter erected without permit or not in conformity with the Code shall be removed.

**SECTION 2.** That Exhibit A attached hereto is the official Zoning Application form.

**SECTION 3.** That all ordinances and parts of ordinance in conflict herewith are expressly repealed.

**SECTION 4.** This ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form, as provided by the Illinois Compiled Statutes, Chapter 65; Section 5/1-2-4.

PASSED BY THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF COBDEN, UNION COUNTY, ILLINOIS, ON THIS 2nd DAY OF MAY, 2016.

  
KAREN M. WINZENBURGER, VILLAGE CLERK  
COBDEN, ILLINOIS

NAME	AYE	NAY	ABSTAIN	ABSENT	CONFLICT
Jean A. Britt	✓				
Patrick C. Brumleve	✓				
Alma Gomez	✓				
Dennis Maze	✓				
Elvis Pearson	✓				
David Stewart	✓				

APPROVED BY THE VILLAGE PRESIDENT OF THE VILLAGE OF COBDEN, UNION COUNTY, ILLINOIS, THIS 2ND DAY OF MAY, 2016.

  
 \_\_\_\_\_  
 PAUL Z. TOMAZZOLI, VILLAGE PRESIDENT  
 COBDEN, ILLINOIS

ATTEST:

  
 \_\_\_\_\_  
 KAREN M. WINZENBURGER, VILLAGE CLERK  
 COBDEN, ILLINOIS

**Village of Cobden  
Zoning Application Checklist  
(For Office Use)**

Date application submitted to Village: \_\_\_\_\_

- Application is complete
- Property is staked out or marked
- A plat or map drawn to scale showing the premises, floor plan, and dimensions is attached
- J.U.L.I.E. locate is complete
- Permit fee is attached
  - Allow 5 days for processing
  - Allow 2 days for review of utility services by Village Superintendent
  - Allow 2 days for Zoning Administrator to review

Once all steps are complete, the application will be placed on the Agenda for the next scheduled Village Board meeting for consideration of approval.

Questions: Call the Village Hall (618-893-2425) or email [cobdenvillage@gmail.com](mailto:cobdenvillage@gmail.com)

Reviewed by: \_\_\_\_\_ Date: \_\_\_\_\_  
Village Superintendent

Reviewed by: \_\_\_\_\_ Date: \_\_\_\_\_  
Zoning Administrator

Dated reviewed by Village Board: \_\_\_\_\_ Approved/Denied

Please complete application beginning on Page 2

### Village of Cobden Zoning Application

(Note: The Village's Zoning Ordinance and map are available at the Village Hall.)  
*The Village of Cobden is an equal opportunity provider and employer.*  
*Esta institución es un proveedor de servicios con igualdad de oportunidades.*

TO ZONING ADMINISTRATOR: The undersigned applies to the Village of Cobden, Illinois (the "Village") for a permit to build or modify, and use a structure on the premises hereinafter described in compliance with the Village Zoning Ordinance, and represents to the Zoning Administrator and the Village the truth and accuracy of the following information:

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Address of property: \_\_\_\_\_ Phone: \_\_\_\_\_  
House number and street

Mailing address: \_\_\_\_\_  
House number and street or P O Box City, State, Zip Code

Please circle Yes or No to the following statements:

- Property is staked out or marked (Circle): Yes No
- There is attached hereto a plat or map (drawn to scale no smaller than 1" = 20') showing the actual dimension of premises, floor plan and dimensions thereof, and distance from all property lines (Circle): Yes No
- The Plat is part of this application (Circle): Yes No

J.U.L.I.E. Locate Dig #: \_\_\_\_\_ Call 8-1-1 to request a Locate

Anticipated date of:

Commencement of Construction: \_\_\_\_\_

Completion of Construction: \_\_\_\_\_

Zoning District (Circle): A-1 B-1 B-2 M-1 R-1 R-2

Subdivision: \_\_\_\_\_

Proposed Uses:

Principal Building: \_\_\_\_\_

Accessory Building: \_\_\_\_\_

Type of Structure: \_\_\_\_\_

## Dimensions:

Lot Area: \_\_\_\_\_ (sq ft)

Basement Floor Area: \_\_\_\_\_ (sq ft) First Story Floor Area: \_\_\_\_\_ (sq ft)

Type of Roof (*Circle*): Flat Pitched Mansard Height of Structure: \_\_\_\_\_

Front Yard Depth: \_\_\_\_\_ (feet) Rear Yard Depth: \_\_\_\_\_ (feet)

Left Side Yard Depth: \_\_\_\_\_ (feet) Right Side Yard Depth: \_\_\_\_\_ (feet)

Number of Rooms: \_\_\_\_\_ Number of Parking Spaces: \_\_\_\_\_

Number of Families to Occupy (if residence): \_\_\_\_\_

Estimated Cost of Construction: \$ \_\_\_\_\_  
 (Permit fees are \$2 per \$1000 construction. Minimum fee is \$10. Payment must be made at time of application.)

**CONDITIONS AND LIMITATIONS:** Applicant understands and agrees to the following conditions of and limitations of the issuance of any PERMIT TO PROCEED or any CERTIFICATE OF COMPLIANCE:

1. Each is binding upon the Village only to the extent of the accuracy and veracity of the representations made in this Application, in the OWNER'S CERTIFICATE OF COMPLETION, in any other accompanying documents or attachments, and only in the event construction is completed by the date stated in Application; in the event construction is not completed by said date, the PERMIT is void and the Village is authorized by Applicant to pursue all remedies under laws pertaining to uncompleted buildings (65 ILCS 5/11-31-1) in the same manner and to the same extent as if the uncompleted structure or improvement were an uncompleted and abandoned building under the Statute cited;
2. The building or structure to be erected or to be structurally altered pursuant to the issuance of the PERMIT TO PROCEED issued on the basis of this Application shall not be OCCUPIED OR USED until a CERTIFICATE OF COMPLIANCE has been issued by the Zoning Administrator;
3. No change shall be made in the USE of a building or structure or any part thereof now or hereafter erected or structurally altered, or in the USE of the premises, without a CERTIFICATE OF COMPLIANCE having first been issued by the Zoning Administrator;
4. No PERMIT or CERTIFICATION signed by the Zoning Administrator issued pursuant to this application is intended to or does preclude any entity or person, other than the Village, from exercising or attempting to exercise or enforce any right or remedy under or pursuant to the Village Zoning Ordinance, the Zoning Enabling Act of the State of Illinois, or any other law regulating the use of property, or the health, safety, and welfare of its citizens and inhabitants;
5. Neither the PERMIT nor the CERTIFICATION issued pursuant to this application pertain to or purport to constitute evidence of compliance with any law or regulation in the nature of any building code, electrical code, plumbing code, fire prevention code, architectural code, housing code, health code, construction code or any other similar other law or regulation;
6. The Village disclaims any monetary liability whatsoever by the issuance of any PERMIT or CERTIFICATION, including any obligation to indemnify Applicant arising from or out of any claim or suit by any other person or entity; the only force effect, extent, or consequence of any PERMIT or CERTIFICATE is to bar the Village from any administrative or equitable remedy under its Zoning Ordinance and then only to the extent set forth in Paragraph 1 above.

\_\_\_\_\_  
 Signature of property owner

Date: \_\_\_\_\_

**PERMIT TO PROCEED:** I find that the information in the above Application and any accompanying documents describe a proposed structure or modification of a structure which will comply with the Village Zoning Ordinance and all other applicable ordinances and do hereby permit Applicant to proceed, upon the condition that this application is approved by the Village Board of Trustees and construction is commenced and completed before the date stated in this application; otherwise, this permit becomes void.

Zoning Inspector: \_\_\_\_\_ Date: \_\_\_\_\_

**OWNER'S CERTIFICATE OF COMPLETION:** The undersigned certifies and represents that the structure described in this Application and the accompanying documents have been completed and are in compliance with the Zoning Ordinance.

\_\_\_\_\_  
Signature of property owner Date: \_\_\_\_\_

\_\_\_\_\_  
Signature of property owner Date: \_\_\_\_\_

**CERTIFICATE OF COMPLIANCE:** I certify that I have inspected the completed structure and that it complies with the representations made in the Application and the accompanying documents and is in compliance with the Village Zoning Ordinance.

Zoning Inspector: \_\_\_\_\_ Date: \_\_\_\_\_

## **DIMENSION REQUIREMENTS**

### **AGRICULTURAL DISTRICT (A-1)**

- 42-3-1 **AREA, HEIGHT, SETBACK AND YARD REGULATIONS.**
- (A) Minimum lot area – three (3) acres
  - (B) Permitted height of main building – thirty-five feet (35'); except farm structures exclusive of farm dwelling.
  - (C) Minimum Yard Setbacks
    1. Front – twenty-five feet (25')
    2. Side – five feet (5'). Lots over seventy feet (70') in width, side yards combined must equal at least fifteen percent (15%) of the total width with no single side yard less than five feet (5').
    3. Rear – ten feet (10').
  - (D) Minimum lot width – one hundred-fifty feet (150').

### **SINGLE FAMILY RESIDENTIAL DISTRICT (R-1)**

- 42-4-4 **AREA, HEIGHT, SETBACK AND YARD REGULATIONS.**
- (A) Minimum lot area – seven thousand (7,000) square feet.
  - (B) Maximum height of main building – thirty feet (30')
  - (C) Minimum Yard Setbacks
    1. Front – twenty-five feet (25')
    2. Side – five feet (5'). Lots over seventy feet (70') in width, side yards combined must equal fifteen percent (15%) of the total width with no single side yard less than five feet (5').
    3. Rear – ten feet (10').
  - (D) Minimum lot width – seventy feet (70')
  - (E) Minimum ground floor per dwelling unit: six hundred (600) square feet. (#376; 12/16/91)

### **GENERAL RESIDENTIAL DISTRICT (R-2)**

- 42-5-4 **AREA, HEIGHT, SETBACKS, AND YARD REGULATIONS.**
- (A) Minimum lot area – fifty five hundred (5,500) square feet or three thousand (3,000) square feet per family in a multiple family structure.
  - (B) Permitted height of main building – thirty feet (30') for a single family structure, and seventy five feet (75') for a multiple family structure.
  - (C) Minimum yards and setbacks -
    1. Front – twenty-five feet (25')
    2. Side – five feet (5'). Lots over seventy feet (70') in width, side yards combined must equal fifteen percent (15%) of the total width, with no side yard less than five feet (5').
    3. Rear – ten feet (10').
  - (D) Minimum lot width – sixty feet (60')
  - (E) Minimum ground floor area per dwelling unit: six hundred (600) square feet. (#378; 12/16/91)

**DIMENSION REQUIREMENTS (continued)****GENERAL BUSINESS DISTRICT (B-1)**

- 42-6-4 **AREA, HEIGHT, SETBACK AND YARD REGULATIONS.**
- (A) Minimum lot area – three thousand (3,000) square feet.
- (B) Permitted height of main building – fifty feet (50').
- (C) Minimum yard setbacks -
1. Front – ten feet (10')
  2. No side yard setback shall be required except when the lot in question abuts the Single Family Residential District (R-1) or the General Residential District (R-2), then a ten foot (10') setback shall be required.
  3. Rear – five feet (5').
- (D) Minimum lot width – thirty feet (30')

**CENTRAL BUSINESS DISTRICT (B-2)**

- 42-7-1 **AREA, HEIGHT, SETBACK AND YARD REGULATIONS.**
- (A) No minimum lot area is required.
- (B) Permitted height of main building -- fifty feet (50').
- (C) Minimum Yard Setbacks –
1. No front yard setback is required.
  2. No side yard setback is required except when the lot in question abuts the Single Family Residential District (R-1) or General Residential District (R-2), then a ten foot (10') setback shall be required.
  3. Rear – five feet (5').
- (D) Minimum lot width – thirty feet (30').

**MANUFACTURING DISTRICT (M-1)**

- 42-8-1 **AREA, HEIGHT, SETBACK AND YARD REGULATIONS**
- (A) Minimum lot area – five thousand (5,000) square feet.
- (B) Permitted height of main building – sixty feet (60').
- (C) Minimum Yard setbacks –
1. Front yard setback shall be ten percent (10%) of the lot width or depth whichever is greater.
  2. No side yard setback shall be required except when the lot in question abuts a Single Family Residential District (R-1) or General Residential District (R-2) then a ten foot (10') setback shall be required.
  3. Rear – five feet (5').
- (D) Minimum lot width – thirty feet (30').