

**LAND USE**

**&**

**DEVELOPMENT**

**COMMITTEE**

**RESOLUTIONS**





ORDINANCE OF THE WILL COUNTY BOARD  
WILL COUNTY, ILLINOIS

Amending Section 14.8-5 of the Will County Zoning Ordinance

Effective Period of Administrative Variances

WHEREAS, the County of Will adopted the Will County Zoning Ordinance in accordance with the Illinois Compiled Statutes 55 ILCS 5/5-12001 et. seq., and

WHEREAS, Section 14.8-5 of the Will County Zoning Ordinance establishes certain requirements for the effective period of variances, and

WHEREAS, following a review of the Will County Zoning Ordinance, it has been determined that amendments are necessary to administrative variance extensions, and

WHEREAS, the Planning and Zoning Commission of Will County held a public hearing on August 18, 2009, regarding amending the Zoning Ordinance, and recommended to the County Board approval of said amendments, and

WHEREAS, on September 8, 2009, the Land Use and Development Committee of the Will County Board reviewed the amendments.

NOW, THEREFORE, BE IT ORDAINED, by the County Board of Will County, Illinois, that Section 14.8-5 of the Will County Zoning Ordinance is hereby amended as described in the attachment to this Ordinance (See attached Attachment A).

BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon its passage and approval as provided by law.

Adopted by the Will County Board this 17<sup>th</sup> day of September, 2009.

Vote: Yes\_\_\_ No\_\_\_ Pass\_\_\_ (SEAL)

\_\_\_\_\_  
Nancy Schultz Voots  
Will County Clerk

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Lawrence M. Walsh  
Will County Executive





**WILL COUNTY LAND USE DEPARTMENT**  
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## Memorandum

To: Will County Planning and Zoning Commission  
From: Eileen Franz  
Date: August 20, 2009  
Re: Proposed Administrative Variance Extension

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For the past few months, the Will County Planning and Zoning Division has been identifying problematic sections of the Zoning Ordinance. We have begun working on revising these particular sections with text amendments until such time a full revision is completed. We believe that these efforts and discussions will be useful in a future revision of the Will County Zoning Ordinance.

Currently the Zoning Administrator has the authority to grant administrative variances, but not the authority to issue extensions. Attached please find proposed text changes to Sections 14.8-5 Effective Period of the Will County Zoning Ordinance to allow the Zoning Administrator to issue extensions for Administrative Variances. The proposed additions are identified in bold and underlined text. The Planning and Zoning Commission held a public hearing on August 18, 2009, and voted to approve the text included in Attachment A.



Attachment A

1 14.8-5 Effective Period  
2 No order of the Planning and Zoning Commission granting a variation or  
3 Zoning Administrator granting a variation shall be valid for a period longer  
4 than one (1) year from the date of such order unless a building permit is  
5 obtained within such period and the erection or alteration of a building is  
6 started or the use is commenced within such period. The entity that granted  
7 the original variance, the Commission or Zoning Administrator, may grant  
8 an extension of this period, valid for no more than one hundred and eighty  
9 (180) additional days, upon written application and good cause shown,  
10 without notice or hearing. The Commission or Zoning Administrator (the  
11 original variance grantor) may grant one (1) additional extension of this  
12 period, valid for no more than one hundred eighty (180) additional days, upon  
13 written application within the initial extension and upon good cause shown  
14 without notice or hearing. If any of the benefits conferred by any variation,  
15 whether heretofore or hereafter granted, are abandoned, or are not utilized  
16 for any continuous period of one (1) year, said variation shall, to the extent of  
17 such abandonment or non-utilization, become invalid after a public hearing  
18 as provided for herein.





ORDINANCE OF THE WILL COUNTY BOARD  
WILL COUNTY, ILLINOIS

Amending Section 6.1 of the Will County Zoning Ordinance

Internet Auto Sales

WHEREAS, the County of Will adopted the Will County Zoning Ordinance in accordance with the Illinois Compiled Statutes 55 ILCS 5/5-12001 et. seq., and

WHEREAS, Section 6.1 of the Will County Zoning Ordinance establishes certain requirements for the Limited Industrial District, and

WHEREAS, following a review of the Will County Zoning Ordinance, it has been determined that amendments are necessary to include internet auto sales as a permitted use, and

WHEREAS, the Planning and Zoning Commission of Will County held a public hearing on August 18, 2009, regarding amending the Zoning Ordinance, and recommended to the County Board approval of said amendments, and

WHEREAS, on September 8, 2009, the Land Use and Development Committee of the Will County Board reviewed the amendments.

NOW, THEREFORE, BE IT ORDAINED, by the County Board of Will County, Illinois, that Section 6.1 of the Will County Zoning Ordinance is hereby amended as described in the attachment to this Ordinance (See attached Attachment A).

BE IT FURTHER ORDAINED that this Resolution shall be in full force and effect upon its passage and approval as provided by law.

Adopted by the Will County Board this 17<sup>th</sup> day of September, 2009.

Vote: Yes\_\_\_ No\_\_\_ Pass\_\_\_ (SEAL)

\_\_\_\_\_  
Nancy Schultz Voots  
Will County Clerk

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Lawrence M. Walsh  
Will County Executive





**WILL COUNTY LAND USE DEPARTMENT**  
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815/774-3321 • Fax 815/727-8638



## Memorandum

To: Land Use, Planning, Zoning and Development Committee  
From: Eileen Franz  
Date: August 20, 2009  
Re: Internet Auto Sales

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For the past few months, the Will County Planning and Zoning Division has been identifying problematic sections of the Zoning Ordinance. We have begun working on revising these particular sections with text amendments until such time a full revision is completed. We believe that these efforts and discussions will be useful in a future revision of the Will County Zoning Ordinance.

Internet auto sales are not specifically identified as a permitted use in the Will County Zoning Ordinance. Attached please find proposed text changes to Section 6.1 Limited Industrial District to include internet auto sales as a permitted use. The proposed additions are identified in bold and underlined text. A public hearing was held on August 18, 2009 and the Planning and Zoning Commission voted to approve the text included in Attachment A.



Attachment A

1 6.1 I-1 LIMITED INDUSTRIAL DISTRICT (10,000 sq. ft.)

2  
3 6.1.1 Purpose:

4  
5 To provide lands for development by industrial firms that have high standards of  
6 performance that can locate in close proximity to residential and business uses.

7  
8 To provide regulations that are designated to permit the operations of most  
9 manufacturing, wholesaling, and warehousing activities with adequate protection  
10 to adjacent district uses and sufficient control of external effects to protect one  
11 industry from another.

12  
13 To provide some retail uses that service the industrial uses within the industrial  
14 areas or that do not depend upon the direct visits of retail customers.

15  
16 6.1-2 Policy:

17  
18 To achieve the purpose of the I-1 Limited Industrial District it shall be the  
19 policy of the County:

20  
21 To promote industrial development in municipal planned industrial parks.

22  
23 To locate industrial uses on lands suitable for those purposes, yet at locations  
24 that would not be harmful or disadvantageous to nearby or adjacent lands.

25  
26 To so locate I-1 industrial districts to available municipal police and fire  
27 protection so as to protect these areas from the dangers of fire, explosion, or  
28 noxious fumes and other threats to health and well-being.

29  
30 To encourage the grouping of compatible industrial activities, thereby promoting  
31 convenience, efficiency, and safety in transportation.

32  
33 To discourage the intrusion of residential and commercial uses which are  
34 incompatible with I-1 industrial uses.

35  
36 To encourage the location of I-1 districts that foster the development of sewage  
37 disposal systems serving I-1 districts that are logical extensions of existing  
38 systems, the development of new systems, which are or can be recognized  
39 elements of a regional wastewater disposal plan, thereby discouraging the  
40 proliferation of small "package" treatment plants which effect fragmentation of  
41 service and impede the development of a regional plan for wastewater treatment.

42  
43 6.1-3 Uses Permitted:

44

Attachment A

45 No land shall be used or occupied and no building, structure, or premises shall  
46 be erected, altered, enlarged, occupied, or used, except as otherwise provided in  
47 this Ordinance, for other than one or more of the following specified uses:  
48

- 49 1. Industrial type uses:
- 50 a. All manufacturing and industrial activities, including fabrication,  
51 processing, assembly, disassembly, repairing, cleaning,  
52 servicing, testing, packaging, and storage of materials, products, and  
53 goods that can be conducted wholly within enclosed buildings.  
54
  - 55 b. Laboratories and research firms involved in the research,  
56 experimentation, or testing of materials, goods, or products.  
57
  - 58 c. Printing, publishing, or lithography establishments.  
59
  - 60 d. Recycling Centers which process non-special, as defined by appropriate  
61 State and Federal government agencies, nonputrescible material for  
62 subsequent use in the secondary market. Material arriving at the site may  
63 contain only de minimus amounts of other non-hazardous solid wastes  
64 which must be disposed of.  
65
- 66 2. Wholesale and warehouse uses:
- 67 a. Direct selling establishments, where products are stored and distributed,  
68 but not displayed for retail sales.  
69
  - 70 b. Wholesale and warehouse establishments that deal in commodities which  
71 are the products of a use permitted in the I-1 district.  
72
  - 73 c. Establishments that warehouse and distribute beverages.  
74
  - 75 d. **Internet vehicle sales, where automobiles, trucks, motorcycles, RV's,**  
76 **boats, or trailers are stored and distributed, but not displayed for**  
77 **retail sales. Outdoor storage of vehicles, including automobiles,**  
78 **trucks, motorcycles, RV's, boats, or trailers is not permitted.**  
79
- 80 3. Commercial uses:
- 81 a. Service retail business for the convenience of persons and firms in the  
82 industrial district, such as but not limited to:  
83 (1) Automobile service station.  
84 (2) Banks, savings and loans, not including drive in facilities.  
85 (3) Barber shop.  
86 (4) Blueprinting establishments.  
87 (5) Currency exchange.  
88 (6) Delicatessen.

Attachment A

- 89 (7) Dry cleaner.
- 90 (8) Professional offices.
- 91 (9) Hotel and/or motel.
- 92 (10) Medical clinic.
- 93 (11) Meeting hall.
- 94 (12) Office building.
- 95 (13) Restaurant.
- 96 (14) Animal hospital.
- 97
- 98 4. Public, quasi public, and governmental buildings and facilities:
- 99 a. Essential services - gas regulator stations, telephone exchange, electric
- 100 substation, sewage disposal plant, wellsite.
- 101 b. Office building.
- 102 c. Public service or municipal garage.
- 103 d. Public utility establishment.
- 104 e. Vocational school.
- 105 f. Water filtration plant and/or water pumping stations.
- 106 g. Water reservoir.
- 107
- 108 6.1-4 Special Uses Permitted
- 109
- 110 The following uses shall be permitted only if specifically authorized by the
- 111 County Board as allowed in Section 14.10:
- 112
- 113 1. Similar and compatible uses to those allowed as "permitted uses" in this
- 114 district.
- 115
- 116 2. Drive-in financial facilities.
- 117
- 118 3. Planned unit development (see Section 15).
- 119
- 120 4. Residence of the proprietor, caretaker, or watchman when located on the
- 121 premises of the commercial or industrial use.
- 122
- 123 5. Railroad right-of-way and passenger stations, but not including railroad
- 124 yards and shops.
- 125
- 126 6. Outdoor storage.
- 127
- 128 7. Outdoor billboards in accordance with Section 13 of this Ordinance.
- 129
- 130 8. Floodplain development (see Section 10).
- 131
- 132 9. All pollution control facilities including, but not limited to, landfill injection,

Attachment A

- 133 incineration and/or compact operations, used in the disposal recycling,  
134 storage and/or transfer of wastes, not classified as "special wastes", by  
135 appropriate State and/or Federal governmental agencies.  
136
- 137 10. Automobile repair shops, provided that the borders of the property are  
138 screened with an opaque fence or wall of six (6) feet in height as modified  
139 by the provisions regarding permitted obstruction in required yards.  
140
- 141 11. Self-service storage facilities (See Section 8.19).  
142
- 143 6.1-5 Temporary Uses  
144 Upon application to and issuance by the Zoning Administrator of a permit  
145 therefore, the following uses may be operated as temporary uses:  
146
- 147 1. Temporary building, trailer, or yard for construction materials and/or  
148 equipment, both incidental and necessary to construction in the zoning  
149 district. Each permit shall specify the location of the building, trailer or yard  
150 and the area of permitted operation. Each such permit shall be valid for a  
151 period of not more than six (6) calendar months and not be renewed for  
152 more than four (4) successive periods.  
153
- 154 2. Temporary office or residence both incidental and necessary for the sale,  
155 maintenance or rental of real property. Each permit shall specify the  
156 location of the office and the area of permitted operation. Each such permit  
157 shall be valid for a period of not more than one (1) year and shall not be  
158 renewed for more than five (5) successive periods.  
159
- 160 6.1-6 Accessory Uses - Permitted  
161
- 162 Accessory uses, buildings, or other structures and devices customarily incidental  
163 to and commonly associated with a permitted use or special use may be  
164 permitted provided they are operated and maintained under the same ownership,  
165 on the same lot, and do not include structures or features inconsistent with the  
166 permitted use or special use.  
167
- 168 6.1-7 Prohibited Uses  
169
- 170 All uses not expressly authorized in Sections 6.1-3, 6.1-4, 6.1-5 and 6.1-6.  
171
- 172 6.1-8 Site and Structure Requirements  
173
- 174 1. Minimum Lot Area - A separate ground area of not less than ten thousand  
175 (10,000) square feet shall be designated, provided, and continuously  
176 maintained for each structure or land containing a permitted or special use.

Attachment A

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2. Minimum Lot Width - A minimum lot width of sixty (60) feet shall be provided for each lot used for permitted or special use.
  3. Front Yard - All structures shall be set back at least thirty (30) feet from the front lot line on dedicated roads and eighty (80) feet from the center line on non-dedicated roads.
  4. Side Yard - All structures shall be set in from the side lot line a distance of not less than ten (10) feet on either side.
  5. Rear Yard - All structures shall be set in a distance of not less than ten (10) feet from the rear lot line.
  6. Maximum Height - No structure shall exceed thirty-five (35) feet in height, except as provided in Section 8.6.
  7. Floor Area Ratio - Not to exceed 1.2.
  8. Lot Coverage -Fifty percent (50%).
  9. Transitional Yards - The minimum transitional yard requirement for all structures shall not be less than those specified below:
    - a. Where a side lot line coincides with a side or rear lot line in an adjacent business or residence district, a yard shall be provided along such side lot line. Such yard shall not be less than thirty (30) feet in width.
    - b. Where a rear lot line coincides with a side lot line in an adjacent business or residence district, a yard shall be provided along such rear lot line. Such yard shall not be less than thirty (30) feet in depth.
    - c. Where a rear line coincides with a rear lot line in an adjacent business or residence district, a yard shall be provided along such rear lot line. Such yard shall not be less than thirty (30) feet in depth.
- 6.1-9 Special Provisions
1. Parking Requirements - In accordance with the applicable regulations set forth in Section 12.
  2. Sign Requirements - In accordance with the applicable regulations set forth in Section 13.

Attachment A

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3. IEPA Regulations adopted by reference.

The standards, specifications, and regulations of the Illinois Environmental Protection Agency are hereby incorporated into this Ordinance and made a part thereof by this reference. Such standards, specifications, and regulations shall include those as required by the following:

    - a. Illinois Pollution Control Board Rules and Regulations; Public Works Supplies.
    - b. Illinois Pollution Control Board Rules and Regulations; Livestock Waste Regulation.
    - c. Illinois Pollution Control Board Rules and Regulations; Solid Waste.
    - d. Illinois Pollution Control Board Rules and Regulations; Air Pollution Regulations.
    - e. Illinois Pollution Control Board Rules and Regulations; Noise Pollution Control Regulations.
    - f. Illinois Pollution Control Board Rules and Regulations; Water Pollution.
    - g. Illinois Pollution Control Board Rules and Regulations; Procedure Rules and Regulations.
    - h. State of Illinois - The Environmental Protection Act.
    - i. Illinois Pollution Control Board Rules and Regulations; Mine Waste Regulations.
  4. Glare and Heat.

Any operation or activity producing glare shall be performed within a completely enclosed building and be conducted so that direct and indirect illumination from the source of light on the lot shall not cause illumination in excess of one-half ( $\frac{1}{2}$ ) foot candle when measured at the lot line. Exposed sources of light shall be shielded and flickering or intense sources of light shall be controlled so as not to cause a nuisance across lot lines.

Any operation producing intense heat shall be performed within a completely enclosed building in such a manner as not to create a public nuisance or hazard along lot lines.
  5. Outdoor Sales.

All outdoor sales space shall be provided with a permanent durable and dustless surface, and shall be graded and drained as to dispose of all surface water.
  6. Outdoor Storage.

The outdoor storage of materials, products, and goods is permitted only as a special use if completely screened from adjacent properties and the public

Attachment A

265 right-of-way.  
266  
267 7. Enclosure of Use.  
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269 All industrial operations shall take place within completely enclosed  
270 buildings, unless otherwise specified.  
271  
272 8. Screening and Landscaping.  
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274 Where a commercial or industrial use abuts or is across the street from a  
275 residential district, adequate screening and landscaping shall be provided as  
276 required in Section 8.10.  
277

