

SECTION 1. TITLE, PURPOSE & APPLICABILITY

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1.1 TITLE

This Code shall be known, referred to and cited as "The Zoning Code of the Village of La Grange Park."

1.2 INTENT

The intent of this document is to establish land use regulations to serve the Village of La Grange Park. The regulations enumerated are based upon the Village's Comprehensive Plan, and the overall Village policies and objectives. Any reference to this Code shall include all amendments to this Code.

1.3 PURPOSE

The purpose of this Code is to:

- A. Regulate and limit the height, bulk and setback of structures erected within the Village.
- B. Regulate and limit the intensity of the use of lots within the Village.
- C. Regulate and determine the area of open spaces, within and surrounding structures within the Village.
- D. Classify, regulate and restrict the location of structures designed for specified industrial, commercial, residential, and other uses within the Village.
- E. Divide the entire Village into districts of such number, shape, area, and of such different classes, according to use of land and structures, height and bulk of structures, intensity of the use of lot area, area of open spaces, or other classification, as deemed best suited to carry out the purposes of this Code.
- F. Fix standards to which structures shall conform.
- G. Prohibit uses or structures incompatible with the character of such districts.
- H. Prevent additions to and alteration of existing structures in such a way as to avoid the restrictions and limitations lawfully imposed under this Code.
- I. Establish standards for the review of the exterior design of commercial structures, and designate the Zoning Board of Appeals to implement the review process.

1.4 APPLICABILITY

A. Territorial Application

This Code shall apply to all land, uses and structures within the corporate limits of the Village, including those owned by other municipal corporations and government bodies.

B. General Application

In their interpretation and application, the provisions of this Code shall be held to be the minimum requirements for the promotion and protection of the public health, safety, convenience, comfort and general welfare, and shall be construed to achieve the purposes for which this Code was adopted.

C. General Prohibition

Except as otherwise provided by this Code, no portion or whole of any structure or land shall be used or occupied, and no structure, in whole or in part, shall be erected, constructed, reconstructed, moved, enlarged or structurally altered unless it conforms with the provisions of this Code.

D. Private Agreements

This Code is not intended to nullify any private agreement or covenant. However, where this Code is more restrictive than a private agreement or covenant, this Code shall control.

E. Other Laws and Regulations

Unless otherwise specifically provided, the Code shall control over less restrictive statutes, ordinances or regulations, and more restrictive statutes, ordinances or regulations will control over the provisions of this Code.

1.5 TRANSITION RULES

In determining the applicability of this Code, with respect to the previously applicable zoning regulations, the following rules shall apply.

A. Existing Illegal Structures and Uses

A structure or use that is illegal at the time of the adoption of, but is made legal by the provisions of this Code, is deemed lawful as of the effective date of this Code. However, if that structure or use does not conform with each and every requirement of this Code, then that structure or use shall remain illegal.

B. Existing Permitted Uses

If property is used in a manner that was classified as a permitted use prior to the effective date of this Code, and that use is classified as a special use by this Code as of the effective date of this Code, that use shall be deemed a lawful special use. However, any subsequent addition, enlargement or expansion of that use shall be required to conform to the procedural and substantive requirements for special uses pursuant to this Code.

C. Certain Uses Rendered Nonconforming

If property is used in a manner that was a lawful use before the effective date of this Code, and this Code no longer classifies that use as either a permitted or special use in the zoning district in which it is located, that use shall be deemed a legal nonconforming use and shall be controlled by the provisions of Section 16 (Nonconformities).

D. Certain Structures Rendered Nonconforming

If structure existing on the effective date of this Code was a conforming structure before the effective date of this Code, and such structure does not meet all standards set forth in this Code, that structure shall be deemed a legal nonconforming structure and shall be controlled by the provisions of Section 16 (Nonconformities).

E. Previously Issued Building Permits

If a building permit for a building or structure was lawfully issued prior to the effective date of this Code, and if construction has begun within one-hundred eighty (180) days of the issuance of that permit and diligently pursued to completion, the structure may be completed in accordance with the plans on the basis of which the building permit was issued and may, upon completion, be occupied under an occupancy permit for the use originally intended.

F. Previously Granted Special Uses and Variation

All special uses and variations granted prior to the effective date of this Code shall remain in full force and effect. The recipient of the special use or variation may proceed to develop the property in accordance with the plans approved by the Village Board or Zoning Board of Appeals and any applicable conditions. However, if the recipient has failed to act on the special use or variation before the approval expires, including any periods of extension granted, the provisions of this Code shall govern.

G. Pending Applications

If an application is pending on the effective date of the Code, the provisions of this Code shall govern that application.

1.6 SEVERABILITY

If any section, paragraph, subdivision, clause, sentence or provision of this Code shall be adjudged by any court of competent jurisdiction to be invalid, that judgment shall not affect, impair, invalidate or nullify the remainder of this Code. The effect of the judgment shall be confined to the section, paragraph, subdivision, clause, sentence or provision immediately involved in the controversy in which judgment or decree was rendered.

1.7 EFFECTIVE DATE

The effective date of this Code is the date of adoption, this date January 25, 2011.

