

ORDINANCE NO. 2020-550

**AN ORDINANCE AMENDING ZONING ORDINANCES 383,451,468,528
FOR THE VILLAGE OF GREENVIEW, ILLINOIS**

WHEREAS, the Village Board of the Village of Greenview, Menard County, Illinois, has determined it is necessary to promote the public health, safety and general welfare of the people; maintain the zoning regulations, land use and structures; to protect the character and stability of the residential business and manufacturing areas within the Village of Greenview to promote the orderly and beneficial development of such areas; to provide adequate light, air, privacy and convenience of access to property; to regulate the intensity of the use of lot areas and determine the area of open spaces surrounding buildings necessary to provide adequate light, air and protection of the public health; to establish building lines and locations of buildings designed for residential business and manufacturing or other uses within such areas; to fix reasonable standards to which buildings or structures shall conform therein; to prohibit uses of structures or buildings or structures incompatible with the character of development of intended use within specified zoning areas; to prevent additions to or alterations of or remodeling of existing buildings or structured in such a way as to avoid the restrictions, alimentation imposed herein; to limit congestion in the public streets and protect the public health, safety, convenience and welfare by providing for off street parking of motor vehicles and the loading and unloading of commercial vehicles; to protect against fire, explosion, noxious fumes and other hazards in the interest of the public health, safety, comfort and general welfare; to prevent the overcrowding of land and undue concentration of structures so far as is possible and appropriate in each district by

regulating the use and bulk of buildings in relation to land surrounding them; to conserve the taxable value of land and buildings throughout the Village of Greenview; to provide for the limitation of non-conforming uses of land, buildings and structures which are adversely affecting the character and value of desirable development in each district; to define and limit the powers and duties of the administrative officers and bodies as provided herein; to lessen or avoid the hazards to persons or property resulting from the accumulation of run off of storm or flood waters; to maintain accuracy and up-to-date language and compatibility; and to amend prior duly and properly passed Ordinances of the Village of Greenview, Menard County, Illinois.

WHEREAS, the Village Board has concluded that it should amend prior zoning ordinances through a new ordinance to accomplish these goals.

NOW, THEREFORE BE IT ORDAINED BY THE VILLAGE OF GREENVIEW, MENARD COUNTY, ILLINOIS:

SECTION 1. STATUTORY AUTHORITY. The Village of Greenview adopts the position codified in the Illinois Municipal Code, 65 ILCS 5/1-1-1 et seq, as amended from time to time, to establish minimum standards governing the condition and maintenance of the buildings, structures, and other physical formations in so far as such condition and maintenance may affect the public safety. Pursuant to Article 11 of the Illinois Municipal Code (65 ILCS Art. 5/11-1-1 et seq), the Village Corporate Authorities may pass and enforce all necessary Ordinances concerning public, health, safety and welfare and pursuant to Division 11 thereof (65 ILCS 5/11-11-1 et seq) the Cooperate authorities of each municipality may develop an official comprehensive zoning plan and establish Ordinances for the enforcement of the same.

SECTION 2. PRIOR ZONING ORDINANCES. On or about May 16, 1994, the Village of Greenview Menard County, Illinois, adopted the zoning Ordinance, Ordinance No. 383. On or about June 20, 2015, the Village of Greenview, Menard County, Illinois adopted Ordinance No. 451, Amending Article 14-15 of Zoning Ordinance No. 383. On or about March 5, 2007, the Village of Greenview, Menard County, Illinois, adopted Ordinance 468 amending Article 14, Subsection 3.A. of Zoning Ordinance No. 383. On or about May 15, 2017 the Village of Greenview, Menard County, Illinois adopted Ordinance 528 Amending Articles 2, 4, 5, 6, 12 and 13.

SECTION 3. AMENDMENTS. This amending Ordinance amends the existing Ordinance referenced herein to the extent necessary to maintain the regulation of zoning districts in the Village and to address issues regarding the location, permits and construction of fencing within the Village.

A. Article 4- Provisions Governing the Low Density Residential (R1) District, Special Requirements # 1 shall be amended as follows:

No accessory structure shall be constructed closer than eight (8) feet to any lot line not in either side or front yard except an approved fence not exceeding six (6) feet in height along a lot line, and a driveway not closer than twenty (20) inches along a lot line. Any approved fence must be set back at least three foot from all Village alleyways.

B. Article 11-General Provisions, Section 6 Screening, Landscaping and Fences shall be amended adding paragraphs E and F as follows:

E. Prior to building, erecting, installing or having installed a fence a plan must be submitted to the Village Zoning Officer describing the type of fence to be constructed and providing the location of such fence to insure it complies with all zoning requirements. Once the fence plan has been determined to be in compliance a building permit will be issued for the construction of the fence.

F. Any plans submitted proposing the building, erection or installation of the fence abutting any Village sidewalk will only be approved upon the property owner's understanding that the property owner shall be responsible to any damage to the Village sidewalk caused by the building, erection or installation of the fence. Further, the property owner shall indemnify the city for any damage to the fence abutting The Village sidewalk if the fence is subsequently damaged by the maintenance, repair, or replacement of the sidewalk.

SECTION 4. This ordinance seeks to clarify the use meaning, and application of the zoning ordinances as to the terms and conditions of all fencing requirements and restrictions within the Village of Greenview.

Such inconsistency elsewhere in the Ordinance that is not specified as changed herein shall be assumed to be changed under this amending Ordinance.

SECTION 5. REPEAL AND REPLACE. Any such Ordinance, Resolution or Sections of the Zoning Ordinances passed and approved by the Village of Greenview, Menard County, Illinois, in conflict herewith are specifically repealed by and replaced by the terms and/or provisions provided herein but such repeal shall not affect any offense or any act committed or done or any penalty or forfeiture incurred or any contract or right established before the effective date of this amended Ordinance nor shall it affect any prosecution, suit, or proceeding pending or any Judgment on or collection on any Judgment or enforcement of any Judgment on or prior to the effective date of this amending Ordinance.

SECTION 6. SEVERABILITY. If any provision of this amending Ordinance is declared invalid by a Court of competent jurisdiction such involved portion shall not be affected and the remaining provisions of this Ordinance will remain in full force and effect.

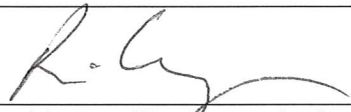
SECTION 7. EFFECTIVE DATE. The effective date of this amending Ordinance is the date of passage and publication if any as provided by Law and when the Ordinance was passed by the Board of Trustees of the Village of Greenview, Menard County, Illinois.

PASSED by the Village of Greenview, County of Menard, State of Illinois, at a regular meeting held on the 2nd day of November, 2020, and approved on the same day.

AYES: Heavner, ~~Alford~~ Hofmann, Feagans, VanCleve

NAYS: _____

ABSENT: Lee, SOLDWEDEL



President, Village Board of Trustees

(CORPORATE SEAL)
ATTEST:

Monica Baumm

Village Clerk

APPROVED: This 2nd day of
November, 2020.