

RESOLUTION NO. 22-30


**Special Use Permit #22-245
Text Amendment**

WHEREAS, the Marshall County Zoning Board of Appeals held a Public hearing on March 17, 2022 for ZBA #22-245 Text Amendment requested by the Marshall County Zoning Committee to amend the ordinance regarding Accessory Dwelling Units (ADU's) and Shipping/Storage Containers.

WHEREAS, the Marshall County Zoning Board of Appeals voted 6 Ayes and no nays, to recommend approval of ZBA #22-245 Application for Text Amendment regarding Accessory Dwelling Units (ADU's) and Shipping/Storage Containers (WECS).

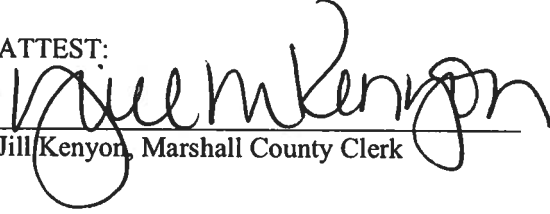
NOW, THEREFORE, BE IT ORDAINED that the Marshall County Board hereby approves the Text Amendment #22-245.

Passed and Adopted at Lacon, Illinois, Marshall County, Illinois on this 14th day of April 2022, by a vote of 12 ayes, 0 nays, and 0 abstain.



Gary Kroeschen, Chairman
Marshall County Board

ATTEST:



Jill Kenyon, Marshall County Clerk

#22-30

PROPOSED TEXT AMENDMENT
MARSHALL COUNTY ZONING ORDINANCE
February 8, 2022
April 11, 2022

**CHAPTER 1
RULES AND DEFINITIONS**

...
1.2 DEFINITIONS

...
(Add:)

Dwelling, Accessory. An accessory dwelling unit (ADU) is a separate dwelling located on the same parcel as a primary dwelling and is owned by the same property owner. An ADU shall meet all the requirements of a Single-Family Dwelling.

Shipping or Storage Container. A container originally manufactured to be used for shipping, cargo or storage. Common lengths are 20 feet and 40 feet.

**CHAPTER 4
GENERAL REQUIREMENTS FOR ALL ZONING DISTRICTS**

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4.25 SHIPPING / STORAGE CONTAINERS

A shipping/storage container placed on property in Marshall County is prohibited, except for the following circumstances:

1. Allowed in Industrial districts without registration or permitting.
2. Temporary Use, less than 30 days – no registration or permit is required.
3. Temporary Use, less than one year – registration is required.
4. More than one year – building permit is required.

A. REGISTRATION

A shipping/storage container placed on any unincorporated property in Marshall County for more than 30 days shall be registered. The container shall be registered prior to being moved to the property.

The applicant shall provide the specific location of the container on the property, they shall provide an identify license or serial number for the container.

The applicant will affirm that the container will be removed from the property within one year. The applicant shall also agree to the following:

“I, _____, affirm that I will remove the registered container from the premises within one year of its temporary use. If I fail to remove the container, I authorize the County or their contractor to enter my property and remove the container after a ten-day notice. Payment of the removal will be at my expense and subject to a lien on the property.”

Applicant _____ Date

B. BUILDING PERMIT REQUIREMENTS

1. Setbacks

The unit will comply with all setbacks specified for the district in which it is located, and the front yard setback will not be less than the setback for any other existing structure on the property.

2. Foundation

The unit shall be placed on a foundation which is level and is at least 6 inches thick, consisting of concrete, asphalt, or gravel.

3. Appearance

The unit shall be a solid neutral color with no visible text, graphics, or signage.

4. Dwelling Units

An application for a storage unit(s) to be used for a dwelling shall be accompanied by plans from an Illinois licensed architect.

5. Removal at the End of Use

The applicant will affirm that the container will be removed from the property at the end of its use. The applicant shall also agree to the following:

“I, _____, affirm that I will remove the registered container from the premises at the end of its use. If I fail to remove the container, I authorize the County or their contractor to enter my property and remove the container after a ten-day notice. Payment of the removal will be at my expense and subject to a lien on the property.”

Applicant

Date

**CHAPTER 6
PERMITS, PROCEDURES AND FEES**

...
6.6 FEES
...

C. Building permits must be obtained from the Zoning Administrator.

Building Permit Fees shall apply as follows:

Single family/two family dwelling	\$.10/sq ft	Min. of \$150.00
Single family/two family addition/alteration	\$.10/sq ft	Min. of \$ 75.00
Solar Energy Systems (when permit required)	\$.0.005/sq ft	Min. of \$100.00
Not-for-Profits includes addition/alteration	\$.10/sq ft	Max. of \$250.00
Commercial/Industrial/Multiple Family (including addition/alteration)	\$.10/sq ft	Min.of \$250.00
Accessory building (garage, shed, pole barn, <u>Storage / Shipping Containers, permit and registration</u>)	\$.05/sq ft	Min. of \$ 50.00
Towers includes addition/alteration:		
Towers up to 35 ‘		No permit required
Towers over 35’ up to 120’		\$50.00
Towers over 120’ up to 140’		\$250.00
Towers over 140’ up to 160’		\$500.00
Towers over 160’ up to 180’		\$1,000.00
Towers over 180’ up to 200’		\$1,500.00
Towers over 200’		\$2,000.00

When construction starts before a building permit is issued, the fee will be increased by fifty percent (50%).

**CHAPTER 7
AGRICULTURAL DISTRICT**

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7.2 PERMITTED USES

The following uses are permitted:

(Add:)

One Shipping/Storage Container.

...

7.3 SPECIAL USES

The following uses may be allowed by special use permit:

(Add:)

Accessory Dwelling Unit.

Two or More Shipping/Storage Containers.

...

**CHAPTER 8
RESIDENCE DISTRICT**

...

8.1 R-1 RURAL RESIDENCE DISTRICT

...

8.1-3 SPECIAL USES:

The following uses may be allowed by special use permit in accordance with Section 6.5 of the Ordinance.

(Add:)

Accessory Dwelling Unit.

...

8.2 R-2 SINGLE-FAMILY RESIDENCE DISTRICT

...

8.2-3 SPECIAL USES:

The following uses may be allowed by special use permit in accordance with Section 6.5 of the Ordinance.

(Add:)

Accessory Dwelling Unit.

...

**CHAPTER 9
COMMERCIAL DISTRICT**

...

9.1-1 PERMITTED USES:

The following uses are permitted:

...

(Add:)

One Shipping/Storage Container.

...

...

9.1-2 SPECIAL USES: The following uses are permitted:

(Add:)

Two or More Shipping/Storage Containers.