

ARTICLE 1
INTRODUCTION

1.00 TITLE

This Ordinance shall be known and may be cited and referred to as "The Deerfield Zoning Ordinance 1978."

1.01 PURPOSE

This Ordinance is adopted to the end that:

- (1) adequate natural light, pure air, privacy, convenient access to property, and safety from fire, explosion, noxious fumes, panic and other dangers may be secured;
- (2) overcrowding of land may be prevented;
- (3) undue concentration of population may be avoided;
- (4) taxable value of land and structures throughout the Village may be conserved;
- (5) congestion in the public streets and highways may be lessened or avoided;
- (6) hazards to persons and damage to property resulting from the accumulation of runoff of storm or flood waters may be lessened or avoided;
- (7) sites, areas and structures of historical, architectural and aesthetic importance may be preserved and enhanced;
- (8) a rational pattern of relationships between various uses of land may be promoted;
- (9) public health, safety, comfort, morals, and general welfare may otherwise be promoted and maintained;
- (10) the optimum use of the land and other natural resources of the Village may be promoted; and
- (11) other goals and objectives of the Comprehensive Plan may be advanced.

1.02 INTENT

To achieve these ends, this Ordinance sets forth regulations and standards to:

- (1) determine and regulate the intensity of land use and the area of permanent open space;

- (2) classify, regulate and restrict the intensity of land use and location of buildings, structures and land intended for business, residential, and other specified uses and provide for special uses;
- (3) divide the Village into zoning districts of such character, number, shape and area as are best suited to effect the foregoing purposes;
- (4) protect such districts from encroachments by incompatible uses and structures;
- (5) fix zoning standards within each district to which uses and structures therein shall comply;
- (6) regulate and limit the height and bulk of structures hereafter erected;
- (7) establish, regulate, and limit setback lines along all public ways and property lines;
- (8) regulate additions to, and alterations or remodeling of, existing structures so as to comply with the restrictions and limitations lawfully imposed in this Ordinance;
- (9) provide for the gradual elimination of structures and uses which are presently incompatible with the character of the districts in which they are located;
- (10) define and limit the powers and duties of the municipal officers and bodies as provided in this Ordinance; and
- (11) prescribe penalties for the violation of the provisions of this Ordinance or any amendment hereto.

1.03 INTERPRETATION

In their application, the provisions of this Ordinance shall be held to be the minimum requirements for the promotion of the purposes of this Ordinance, and the provisions shall be interpreted in accordance with the following:

1.03-A OVERLAPPING OR CONFLICTING LAWS

Where the conditions imposed by any provisions of this Ordinance are either more restrictive or less restrictive than comparable standards imposed by other provision of this Ordinance or by any other law, ordinance, resolution, rule or regulation of any duly constituted public agency having jurisdiction, the regulations which are more restrictive or which impose higher standards or requirements shall govern.

1.03-B EXISTING AGREEMENTS

This Ordinance is not intended to abrogate any easement, covenant, or other private agreement, provided that where the regulations of this Ordinance are more restrictive or impose higher standards or requirements than such easement, covenant, or other private agreement the requirements of this Ordinance shall govern.

1.03-C PERMIT OR LICENSE

Nothing contained in this Ordinance shall be deemed to be a consent, license, or permit to use any property or to locate, construct, or maintain any building, structure, or facility or to carry on any trade, industry, occupation, or activity.

1.04 SEVERABILITY

It is hereby declared to be the intention of the President and the Board of Trustees of the Village of Deerfield that the several provisions of this Ordinance are severable in accordance with the following:

1.04-A ORDINANCE APPLICATION

If any court of competent jurisdiction shall adjudge any provision of this Ordinance to be invalid, such judgment shall not affect any other provision of this Ordinance not specifically included in such judgment.

1.04-B PROPERTY APPLICATION

If any court of competent jurisdiction shall adjudge invalid the application of any provision of this Ordinance to a particular lot or parcel of real estate or structure or use, such judgment shall not affect the application of the provision to any other lot or parcel of real estate or structure or use not specifically included in the judgment.