

II. GENERAL PROVISIONS

A. Title

This Ordinance shall be known, cited and referred to as "The Village of Wonder Lake Zoning Ordinance."

B. Purpose

This Ordinance is adopted for the purpose of improving and protecting the public health, safety and welfare of residents of the Village. To this end, the Ordinance seeks:

1. To further the implementation of the goals, policies and objectives of the adopted Comprehensive Municipal Development Plan for the Village of Wonder Lake and to accommodate any changed conditions the adoption of the Plan may require;
2. To zone all land in the Village with a view to conserving property values and encouraging the most appropriate use of land throughout the Village;
3. To protect all areas of the Village from harmful encroachment by incompatible uses;
4. To establish adequate standards for the provision of light, air and open spaces;
5. To prevent the overcrowding of land and undue concentration of population, thereby preventing the development of blight and deterioration and protecting valuable natural resources;
6. To lessen congestion in the public streets;
7. To facilitate the provision of adequate public services and facilities such as transportation, water, sewerage and parks/open space;
8. To provide for adequate drainage, control of erosion, reduction of flood damage and destruction of sensitive or valuable environmental resources;
9. To foster a desirable pattern of relationships among residential, commercial, industrial and other uses for the mutual benefit of all types of development;
10. To isolate and control the location of unavoidable nuisance producing uses;
11. To ensure and facilitate the preservation of sites, areas and structures of historical, architectural and aesthetic importance.

To accomplish the above objectives, this Ordinance further seeks:

1. To fix reasonable standards to which buildings, structures and other uses of land shall conform;
2. To prevent new construction or alteration or expansion of existing construction that does not comply with the restrictions herein;
3. To provide for the elimination in appropriate situations of existing uses that are incompatible with the character of the districts in which they are located;
4. To define the powers and duties of the officers and bodies charged with the enforcement of this Ordinance;
5. To prescribe penalties for any violation of the provisions hereof.

C. Repeal

Upon adoption of this Ordinance, the ordinance known as the Zoning Ordinance of the Village of Wonder Lake adopted April 26th, 1979 and any subsequent amendments thereto in conflict herewith, are hereby repealed. No other ordinance, regulation, annexation agreement or private agreement, covenant, or easement is intended to be repealed or abrogated by this Ordinance.

D. Effective Date

This Ordinance shall be in full force and effect from and after its passage approval and publication according to law.

E. Applicability

No building, structure, land or premises shall hereafter be constructed, altered, converted, enlarged, moved, used or occupied except in conformity with the provisions herein.

F. Separability

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

Further, if such court shall adjudge invalid the application of any provision hereof to a particular property, such judgment shall not affect the application of said provision to any other property not specifically included in said judgment.

G. Allowable Uses

Only the following uses of land, buildings or structures are allowed in the Village:

1. Uses lawfully existing on the effective date of this Ordinance.
2. Uses which:
 - a. Had a building permit lawfully issued prior to the effective date of this Ordinance, and
 - b. Began construction within six months of such date, which construction was diligently prosecuted to completion, and
 - c. Are constructed and occupied in conformance with the plans that were the basis for the issuance of the permit.
3. Permitted uses in the applicable zoning districts, subject to the conditions and requirements herein
4. Conditional uses in the applicable zoning districts, subject to the approval of a conditional use permit and other conditions and requirements herein
5. Temporary uses subject to the provisions herein.

H. Minimum Requirements

The provisions herein shall, in their interpretation and application, be held as minimum requirements.

I. More Restrictive Regulation Applies

In any case in which any portion of this or any other Village ordinance, or any other law, regulation or any kind of private agreement, covenant or easement applying within the Village, establishes a requirement that is either more or less restrictive than a particular requirement established herein, the regulation that is the more restrictive or that imposes the higher standard or requirement shall govern. However, the Village shall only enforce Village codes, ordinances and regulations.

J. Unlawful Existing Uses Not Made Lawful

A building, structure or use not lawfully existing at the time of adoption of this Ordinance shall not be made lawful solely by the adoption thereof. Such structure or use shall remain unlawful hereunder to the extent that it is in conflict with the requirements of this Ordinance.