

# SITE PLAN APPROVAL - EXCEPTIONS

## Forest Park MX Districts

The following exceptions/modifications/warrants can be included during the site plan approval process (added to the end of Chapter 7 Site Plans:

### 9-7-11. Exceptions for the MX Districts.

Exceptions to the regulations in this section, 11-6 Downtown Districts. may be requested as follows:

- A. Exceptions Process. The Applicant shall submit requested exceptions to the Zoning Administrator with the site plan review application.
- B. Conditions. Exceptions, outlined below, are permitted under the following conditions:
  - 1. No other alternative is possible.
  - 2. The exception fulfills the intent defined for the MX districts. Refer to [9-4D-1. Purpose](#).
  - 3. The resulting form is consistent or compatible with the surrounding context.
- C. Minor Exceptions. The following are the only permitted minor exceptions, approved concurrent with the site plan approval process:
  - 1. The location of the building within up to one foot from any minimum yard requirement or build-to zone width/location.
  - 2. Up to 10 percent decrease in minimum building coverage within the build-to zone.
  - 3. Additional height of any story up to two feet, as long as the overall building height does not exceed the allowable height of all floors at their maximum permitted height.
  - 4. Up to ten percent decrease in transparency or a ten percent increase in blank wall limitation for corner side facades.
- D. Design Exceptions. [Design exceptions may be requested for approval \[by the zoning administrator, with review and recommendation by the Planning & Zoning Commission,\] per the following.](#)
  - 1. Alternative Building Materials. Alternative building materials are permitted from the requirements of [9-4D-8.B. Materials & Color](#), with the exception of the prohibited materials. For approval, the following shall be met:
    - a. The Applicant shall submit samples and local examples of the material a minimum of four weeks prior to the review, to allow site visits to the location.
    - b. [The submitted application meets the intent of the materials requirements and the material will hold up for a minimum period of 15 years with little or no maintenance.](#)
  - 2. Alternative Cap Type. Special cap designs may be approved with the following requirements:
    - a. The building shall warrant a separate status from the fabric of surrounding

buildings, with a correspondence between the form of the cap and the meaning of the building use, such as a dome for a planetarium or a unique roof for a civic building type.

- b. The cap type shall not create additional occupiable space beyond that permitted by the building type.
  - c. The shape of the roof shall be different from any cap type defined in this section, such as a dome, spire, or vault, and not a gabled roof, hipped roof, butterfly roof, gambrel roof, mansard roof, roof with parapet, or flat roof.
- E. Existing Building Exceptions. The following exceptions are permitted when applied to the renovation of an existing building(s):
- 1. For renovation of existing buildings, the maximum front property line coverage may be waived with an existing coverage of 60%; however, any expansion on the ground story shall contribute to the extension of the front property line coverage.
  - 2. For renovation of existing buildings, the location of the building within up to five feet from any minimum yard requirement or build-to zone width/location.
  - 3. For renovation of existing buildings, the minimum height of the ground story and upper story may be increased or decreased by up to two feet for existing stories.
  - 4. For renovation of existing buildings, other required dimensions may be modified up to five feet or 10 percent, whichever is less, unless otherwise modified by this section.
- E. **Major Exceptions. Exceptions to any other requirements of the MX districts may be approved by the Village Council, concurrent with the ite plan approval process.**

## NONCONFORMING STRUCTURES (EXISTING STRUCTURES)

### Forest Park MX Districts

The following exceptions/modifications/warrants can be included during the site plan approval process (added to the end of Chapter 7 Site Plans:

#### 9-9-4. NONCONFORMING BUILDINGS AND STRUCTURES.

F. EXISTING BUILDINGS IN MX DISTRICTS. All building type standards apply to all new construction and **renovation** of existing structures in the MX districts. The following exception for nonconforming buildings in the MX districts is **in addition to other requirements of Chapter 9. Where these requirements conflict with Chapter 9, these requirements shall rule.**<sup>1</sup>

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<sup>1</sup> B. Structural Alterations: Structural alterations, other than additions and enlargements, may be performed on a legal, nonconforming building or structure, only in the following situations:

- 1. When the alteration is required by law or is necessary to restore the building or structure to a safe condition upon the order of an official charged with protecting the public safety;

1. General Design Requirements. For any expansion, or exterior renovation or renovation, 9-4D-8.B. Materials & Color and 9-4D-8.C. Building Facade Elements shall be met.
2. General Renovations. Where any renovation includes an addition of more than **60 percent** in gross building square footage within a five year period, all requirements of this division shall be met.
3. Facade Renovations. For any level of renovation, if the building's façade exists or will exist within the required build-to zone of these regulations, the street facade requirements of the applicable building type shall be met if the renovation includes any one of the following:
  - a. Installation of additional doors or a change in location of a door.
  - b. Expansion or change in location of 30 percent of windows on any street façade.
  - c. Replacement of 30 percent or more of facade materials on any street facing Facade with a different facade material.
4. Roof Renovations. For any level of renovation, if the renovation of the shape or style of more than 50 percent of the roof occurs and 30 percent of the street facing façade exists within the build-to zone, the cap type requirements of the applicable building type (per Section 9-4D-5.D. Cap Types) shall be met.

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2. When the alterations will not create any new nonconformity or increase the degree of any existing nonconformity; or
  3. When the alteration will result in the elimination of the nonconformity.