

BUILDING SET-BACK REGULATIONS

Following resolution was passed by the Fayette County Board of Supervisors on May 9, 1961:

RESOLUTION

WHEREAS to the end that adequate safety may be secured and the congestion of public roads, streets, traffic-ways, drives and parkways may be lessened or avoided, the county board is authorized and empowered to establish, regulate and limit the building or set-back lines on or along any road, street, trafficway, drive or parkway in the county outside the corporate limits of any city, village or incorporated town, and

WHEREAS public interest demands the establishment of building or set-back lines on or along all of the rural roads included in the system of State Highways in Fayette County.

NOW, THEREFORE BE IT RESOLVED that the following building or set-back lines are hereby established in Fayette County and all buildings or structures hereafter constructed on roads outside the corporate limits of any city, village or incorporated town shall be located back of the following lines:

1) On or along all State aid roads which are not coincident with either a road in the Federal Aid Primary System or a State bond issue road, the building or set-back line shall be a line parallel to and 80 feet distant from the centerline of the surface of the road except that within 400 feet of the center of an intersection of the road with a railroad or with another road in the system of State Highways except roads in the National System of Interstate and Defense Highways the building or set-back line shall be a line parallel to and 100 feet distant from the centerline of the surface of the road.

2) On or along all roads in the system of State Highways except the State aid roads described in (1) above and roads on the National System of Interstate and Defense Highways the building or set-back line shall be a line parallel to and 90 feet distant from the centerline of the surface of the road except that within 400 feet of the center of an intersection of the road with a railroad or with another road in the system of State Highways except roads in the National System of Interstate and Defense Highways the building or set-back line shall be a line parallel to and 100 feet distant from the centerline of the road and be it further

RESOLVED that the establishment of these buildings or set-back lines does not constitute the taking of private property nor shall it deprive the owner of any existing property of its use or maintenance to which it is now lawfully devoted, and be it further

RESOLVED that in case any building or structure is erected or constructed in violation of this resolution or any amendment thereto, the enforcing officer, in addition to other remedies may institute any appropriate action or proceedings to prevent such unlawful erection or construction, to restrain, correct or abate such violation, to prevent the occupancy of said building or structure, or to prevent any illegal act, conduct, business or use in or about such premises, and be it further

RESOLVED that the County Superintendent of Highways is hereby designated the enforcing officer of this building or set-back line resolution, and be it further

RESOLVED that building set-back signs conforming to the requirements of the Manual of Uniform Traffic Control Devices for Streets and Highways adopted by the Department of Public Works and Buildings, State of Illinois, shall be erected where deemed necessary by the County Superintendent of Highways on roads under the county's jurisdiction and by the Department of Public Works and Buildings, State of Illinois, on roads under its jurisdiction, and be if further

RESOLVED that this resolution shall become effective and in force immediately upon adoption by the County Board Supervisors.

Following resolution was adopted by the Fayette County Board of Supervisors on September 10, 1963;

RESOLUTION

WHEREAS, the Board of Supervisors of the County of Fayette, State of Illinois, adopted a certain resolution on the 5th day of September, 1961, establishing building or set-back lines in Fayette County, Illinois, and designating the County Superintendent of Highways of Fayette County, Illinois, as the enforcing officer of the building or set-back line resolution, and,

WHEREAS, it is deemed advisable that permits be issued under the supervision of said County Superintendent of Highways for the erection of buildings or structures along the State and County Highways in Fayette County to which said building or set-back line resolution applies.

NOW, THEREFORE, be it resolved that the said building or set back line resolution be amended by adding the following paragraph:

“Resolved that prior to the erection of any building or structure along and adjacent to any road as above set forth in this resolution, the persons desiring to construct or erect said building or structure shall make application to the County Clerk of Fayette County, Illinois, for a permit for such construction, and the said County Clerk shall thereupon transmit said application for permit to the County Superintendent of Highways of Fayette County, Illinois, who shall determine if the proposed construction complies with the provisions of the above resolution. In the event that the County Superintendent of Highways determines that the proposed construction is in compliance with the provisions of the above resolution, he shall notify the County Clerk who shall there-upon issue a permit authorizing said construction. In the event that the County Superintendent of Highways determines that the proposed construction is not in conformity with the provisions of the above resolution, he shall notify the Zoning Committee, who shall set a date for a hearing before said Committee and give notice of the time and place of said hearing to the County Superintendent of Highways and to the person desiring to make said construction; and if, upon said hearing, the said Committee shall determine that the provisions of this resolution have not been complied with, the issuance of said permit shall be refused, and if it is determined upon said hearing that the proposed construction is in compliance with the provisions of said resolution, then said committee shall order the County Clerk to issue said permit.”