

**Special Planning & Zoning Committee**  
**October 21, 2020**  
**5:30 pm**

**Additional Proposed Amendments to:**  
**Ordinance O2020-40: An Ordinance Amending Articles 2, 4, and 8 of the**  
**DeKalb County Zoning Ordinance Regarding Agricultural Uses.**

**Section 4. 02 D**

- 1    2.    A.    A subdivision, for the purposes of the sale or transfer of ownership of a lot containing an  
2            existing single farm residence and being not less than two (2) acres in area may be approved by  
3            the Plat Officer. The zoning lot that results from such subdivision shall be a nonconforming lot in  
4            the A-1 district. For farm residences constructed prior to January 1, 1998 or that replaced a  
5            residence constructed prior to January 1, 1998, for purposes of review and approval, a plat of  
6            survey shall be required for said division depicting both the lot containing the farm residence  
7            and the balance of the parcel from which it is divided or forty (40) acres, whichever is less in  
8            area. The balance of the parcel from which the lot is subdivided or forty (40) acres, whichever is  
9            less, shall be a non-buildable zoning lot for additional farm residences. For farm residences  
10           constructed subsequent to January 1, 1998, for purposes of review and approval, a plat of  
11           survey shall be required for said division depicting both the lot containing the farm residence  
12           and the forty (40) acre parcel from which it is divided. The balance of the forty (40) acre parcel  
13           from which the lot is subdivided shall be a non-buildable zoning lot for additional farm  
14           residences. **A In all cases, a** statement indicating that the balance of the ~~forty (40) acre~~ parcel  
15           from which the lot is subdivided is non-buildable, along with a statement indicating that the  
16           farm residence on the nonconforming lot is subject to the provisions of the Farm Nuisance Suit  
17           Act (740 ILCS 70/1 et seq.), shall be placed on the plat of survey. The non-buildable restriction  
18           shall be a covenant running with the land in favor of the County of DeKalb. The Plat Officer's  
19           signature, along with signature of the owner or owners of the nonconforming lot and the non-  
20           buildable zoning lot, shall be placed on the plat of survey, and the plat of survey shall be  
21           recorded by the Plat Officer at the owner(s) expense. The nonconforming lot created by the  
22           subdivision herein authorized must meet all set back requirements and have a minimum lot  
23           width at the minimum front setback line of 200 feet.  
24
- 25           B.    For farm residences constructed after the effective date of this amended ordinance, no  
26           subdivision for the purpose of a sale or transfer of the farm residence shall be approved by the  
27           Plat Officer sooner than two (2) years after the date a plumbing certificate has been issued by a  
28           licensed plumber pursuant to state regulation, unless the sale or transfer is to an ancestor or  
29           lineal descendant of the owner or to the spouse of an ancestor or lineal descendant of the  
30           owner.