

Application for Agricultural Structure/Building Exemption Henry County, Illinois

The Henry County Zoning Ordinance Article 20 Permits and International Building Code Chapter 1 require building permits, fees, minimum design standards with specifications and occupancy permits for all structures and buildings to be constructed in the unincorporated areas of Henry County except as exempted.

The Illinois Compiled Statutes (ILCS) Chapter 55 Section 5/5-12001 and Henry County Zoning Ordinance Article 3 Special Exemptions state that agricultural structures/buildings shall be exempt from zoning ordinance and building code regulations requiring building permits, fees, minimum design standards and specifications, and occupancy permits except that all agricultural structures and buildings shall adhere to floodplain regulations and Article 7 Section 7.6 Bulk Requirements establishing minimum set back requirements from public/private roads as follows:

- A. minimum 40'** back from common right-of-way/property line boundary from **Township/Private Roads** (73' from centerline).
 - B. minimum 50'** back from common right-of-way/property line boundary from **County, State and/or Federal Highways** (100' from centerline).
1. Agriculture defined: ILCS 5/5-12001.
Agriculture purposes include the growing of farm crops, truck garden crops, animal and poultry husbandry, apiculture, aquaculture, dairying, floriculture, horticulture, nurseries, tree farms, sod farms, pasturage, viticulture and wholesale greenhouses when such agricultural purposes constitute the principal activity on the land as well as the growing, developing, processing, conditioning or selling hybrid seed corn, seed beans, seed oats or other farm seeds. Counties may establish a minimum lot size for residences on land used for agricultural purposes.
 2. Agriculture building defined: HCIBC 2/202.
A structure designed and constructed to house farm implements, hay, grain, poultry, livestock or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are processed, treated or packaged, nor shall it be a place used by the public.
 3. Farm defined: HCZO 5/5.2
A farm is an area comprising of ten (10) contiguous acres or more used for agricultural purposes.
 4. Farm dwelling defined: HCZO 5/5.2
A structure used for the housing of a person engaged as a farm-owner/operator, farm worker, or seasonal farm worker and the immediate family of that person. A dwelling should be considered a farm dwelling only if it is located on the land or contiguous with the land on which the owner/operator or worker is engaged in agricultural operations and if the dwelling is accessory and incidental to that agricultural use.

5. Farmland assessment. Farmland assessment eligibility guidelines provide additional information that may be useful in determining agricultural exemption. **STRUCTURE/BUILDING QUALIFYING FOR AGRICULTURAL EXEMPTION SHALL:**

a. ___ be located on or adjacent to a parcel 10 acres or more in size with the majority of the tract being utilized for agricultural purposes. Land used for the following agricultural purpose(s) _____

b. ___ be used for agricultural purposes. Structure/building will be used for the following agricultural purpose(s) _____

Application

Property owner name _____

Address _____

Phone # _____

Property legal description _____

Tax parcel number _____ Acreage _____

Structure/building: _____ Size _____

Structure/building distance to private/township _____ county/state/federal _____
common right-of-way/property line boundary and/or center of road _____

CONSTRUCTION PROJECT IS NOT EXEMPT FROM OBTAINING PRIVATE SEWAGE DISPOSAL/WATER SUPPLY PERMITS AND SITE APPROVAL FROM HENRY COUNTY HEALTH AS REQUIRED (309-852-0197/309-792-4011), PLUMBING INSPECTIONS BY STATE PLUMBING INSPECTOR (309-693-5360) AND FLOODPLAIN REGULATIONS AS APPLICABLE.

Applicant's signature _____

Approved _____
Date

Rejected _____
Date

Reason _____

All Zoning/Building Department decisions may be appealed to the Zoning Board of Appeals for review and consideration (HCZO Article 19 Administration Section 19.3 Appeals).

