

**Section 5-104**  
**Development Permitted as of Right**

**SECTION 5-104. DEVELOPMENT PERMITTED AS OF RIGHT.**

- A. **Purpose.** Development permitted as of right is that development which ~~is permitted~~ **permits** uses which ~~are compatible with other land uses~~ in a zoning district provided ~~it is~~ **they are** developed in conformity with these regulations.
- B. **Application.** An applicant for approval of development permitted as of right shall submit an application for a building permit, ~~together with a Development Compliance Certificate obtained pursuant to Section 5-102,~~ and an approved site plan if required by Sections **5-101 or 5-106,** to the ~~Director of the Building~~ **Development Services** Department.
- C. **Action on the Application.** If the ~~Director of the Building~~ **Development Services** Department determines that the proposed development is in compliance with all ~~the~~ **requirements** of these regulations, ~~and the proposed development has complied with all necessary and applicable review procedures of Section 5-101~~ and all other applicable regulations of the Village and the ~~Development Compliance Certificate,~~ then a building permit shall be issued with or without conditions. ~~For applications regarding any accessory structures, the Development Services Department must review the permit application before the appropriate permit is issued.~~
- D. ~~All proposed uses which require a preliminary plan petition, that requirement being triggered when significant changes to the existing site are proposed, must be reviewed in a public hearing or meeting at the Plan Commission. (Ord. 3672 - 8/5/02; Amd. Ord. 4125 - 4/17/06)~~
- E. ~~**Public Hearing.** The Plan Commission shall hold a public hearing or meeting in accordance with provisions of Section 5-101(E) on the application for a preliminary plan. (Ord. 3672 - 8/5/02; Amd. Ord. 4125 - 4/17/06)~~
- F. ~~**Board Action.** Upon receipt of the recommendations of the Plan Commission, Community Development Committee and the Director of Community Development, the Board of Trustees shall consider the preliminary plan as a final plan and shall grant, grant with conditions, or deny the final plan. (Ord. 3672 - 8/5/02)~~

(4/06)