

Do I need a permit?

What people generally refer to as a “building permit” is called a [Zoning Certificate](#) in unincorporated Stephenson County. Stephenson County enforces zoning regulations to regulate land use and construction activities but has not adopted a uniform building code. Under a building code, a permit is called a “building permit”, but under the zoning ordinance in Stephenson County, a construction or land use authorization is referred to as a “Zoning Certificate”. Terminology may vary by jurisdiction.

Generally, any new construction over 120 square feet requires a Zoning Certificate to be obtained prior to beginning construction, including:

- Decks, patios, sheds (whether on a permanent foundation or not), gazebos, garages, storage buildings, and other types of accessory structures.
- Dwellings.
- Commercial and industrial buildings and accessory buildings.
- Additions to any building or structure (i.e., addition to a deck, garage, storage building, dwelling, commercial or industrial building, etc.).

According to Sub-Section 400-85 Zoning Certificates – If construction of any kind is started prior to obtaining a permit and having the permit approved by the Zoning Administrator, a late fee charge will be added to the cost of the permit.

The Stephenson County Building & Zoning Department has jurisdiction over the unincorporated areas of Stephenson County. If your project is located within an incorporated city or village in Stephenson County, you must contact that city or village for permit requirements.

If my building is on skids, do I need a permit (Zoning Certificate)?

Yes. Even though the building is not on a permanent foundation it is an erected building/structure and therefore requires a permit (Zoning Certificate).

What am I allowed to build on my property?

No structure over 120 square feet may be built without the proper zoning. Please contact the Building & Zoning Department with questions on the zoning classification and what can or cannot be built.

Do I need a permit (Zoning Certificate) for a swimming pool?

No, a permit (Zoning Certificate) is not required for any swimming pool. A fence around a pool is not a requirement of the County.

Do I need a permit to re-roof, install a new window(s), or to install new siding?

Generally, a permit is not required for a re-roof, window replacement, siding replacement, or similar maintenance projects. If in doubt, please contact the Building & Zoning Department.

Do I need a permit to erect or install a sign?

Yes, most signs on private property require the issuance of a sign permit before the sign is installed. Article XII Sign Regulations in the Stephenson County Zoning Ordinance sets forth separate sign regulations for signs related to agricultural, residential, commercial, or industrial uses.

Do I need a permit to erect or construct a fence?

Yes, Stephenson County requires permits for all fencing except for an agricultural fence. The Stephenson County Building & Zoning Department advocates a “good neighbor” fence policy.

Are there any limitations on how many dwelling units can be built on a lot or parcel of land, or on how many people may occupy a dwelling unit?

Generally, the Stephenson County Zoning Ordinance limits you to no more than one (1) dwelling unit per lot or parcel of land, regardless of the size of the lot or parcel of land, with some limited exceptions. By Zoning Ordinance definition, a dwelling unit is one (1) or more rooms in a residential building which are arranged, designed, used, or intended for use by one family, for living or sleeping purposes and which includes complete kitchen facilities permanently installed. Accordingly, the creation of a small apartment in the basement of a house or in an accessory building would constitute the establishment of a second dwelling unit on the lot and would be a violation of the Zoning Ordinance.

If I come to the Building & Zoning Department and file an application for a Zoning Certificate, will I be able to leave with a Zoning Certificate? If not, how long does it take to receive a Zoning Certificate once an application is filed?

Please allow a day or two for processing of your application for a Zoning Certificate.

Are any inspections required?

Typically, three zoning compliance inspections are conducted during the course of construction – an initial inspection at the stake-out stage, a second inspection at the footings stage, and a final inspection upon completion of the project for issuance of an Occupancy Certificate (required for all projects with the exception of agricultural buildings). These inspections are not building inspections. They are conducted to determine that the project is in compliance with the zoning ordinance and/or the *Flood Damage Prevention Ordinance* if the project is located within a floodplain.

What should I do to prepare for a site inspection?

Place stakes or other visible markings (such as paint) where your building or structure will be located, and have all lot/property lines clearly marked. In addition, your septic system components should be located and marked.

Do I have to be present during the site inspection?

No, it is not necessary for you to be present unless there are issues that require your presence. The Building & Zoning Department will determine whether or not your presence is necessary on a case-by-case basis.

Can I operate a business from my home?

Under the Stephenson County Zoning Ordinance provisions, certain types of businesses may be conducted from a residence either as a Home Occupation (Subsection 400-23 Home Occupations) which is subject to approval by the Zoning Administrator in accordance with specified limitations, or as a Special Use subject to the applicable zoning district regulations. A Special Use may be granted by the County Board only after a public hearing by the Zoning Board of Appeals. To determine if your proposed use will qualify as a Home Occupation or a Special Use under the provisions of the Stephenson County Zoning Ordinance, please contact the Building & Zoning Department at 815-599-0344 or email bhenning@stephensoncountyil.gov.

Are there building codes in Stephenson County?

Stephenson County has not adopted a building code (cities and villages within Stephenson County may have adopted building codes – please contact the applicable city or village for building code information). However, Public Act 096-0704 (20 ILCS 3105/10.09-1) requires that no person may occupy a newly constructed commercial building in a non-building code jurisdiction until:

(1) The property owner or his or her agent has first contracted for the inspection of the building by an inspector who meets the qualifications established by the (Capital Development) Board; and

(2) The qualified inspector files a certification of inspection with the municipality or county having such jurisdiction over the property indicating that the building meets compliance with the building codes adopted by the (Capital Development) Board for non-building code jurisdictions based on the following:

(A) The 2006 or later editions of the following codes developed by the International Code Council:

(i) International Building Code;

(ii) International Existing Building Code; and

(iii) International Property Maintenance Code.

(B) The 2008 or later edition of the National Electrical Code NFPA 70.

“Commercial building” means any building other than a single-family home or a dwelling containing 2 or fewer apartments, condominiums, or townhomes or a farm building as exempted from Section 3 of the Illinois Architecture Practice Act.

For more information, please contact the Stephenson County Building & Zoning Department.

Does the County enforce any of the covenants or deed restrictions that may be applicable to my subdivision?

Many of the subdivisions in Stephenson County are subject to covenants and deed restrictions which regulate the use of property beyond the limitations contained in the county's ordinances. These covenants and deed restrictions are private agreements between property owners and are not enforced by Stephenson County. Therefore, before you add a shed or fence to your property or initiate any other significant changes, you should also obtain a copy of your subdivision covenants, recorded property deed or other documents, and check with your homeowner's association (if one exists) to determine if any private restrictions apply.

My neighbor hasn't mowed his lawn in weeks. Is there a county ordinance prohibiting grass from growing over a certain height?

The County has no ordinance requiring grass or lawns to be mowed.

Is it possible to obtain a plat of my property from the county?

The Planning & Zoning Department maintains files for subdivisions located in unincorporated Stephenson County, which you may request a copy of. However, the Planning & Zoning Department does not have the capability to re-produce large-format sheets on a single page (11"x17" maximum).

The Stephenson County Recorder also maintains subdivision plats and plats of survey that you may request a copy of. Please be advised that often, plats of survey are completed but not recorded.

I understand that my property may be located in a "floodplain" or a "flood zone". Can this affect my plans to build on the property?

The presence of a floodplain or flood zone on your property can affect its use or development. Please contact the Building & Zoning Department for information regarding floodplain or flood zones.