

**City of St. Charles, Illinois**

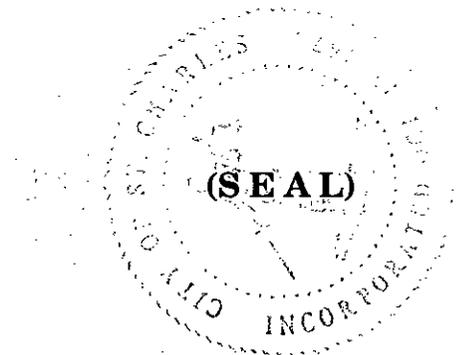
**Ordinance No. 2002-Z-24**

**An Ordinance Amending Chapter 17.02.130 General Provisions Regarding Residential Yard Requirements**

**Adopted by the  
City Council  
of the  
City of St. Charles  
December 16, 2002**

**Published in pamphlet form by  
authority of the City Council  
of the City of St. Charles,  
Kane and Du Page Counties,  
Illinois, December 20, 2002**

  
\_\_\_\_\_  
**City Clerk**



DATE OF PUBLICATION 12/20/02  
NEWSPAPER Pamphlet Form

REFER TO:  
MINUTES 12/16/02  
PAGE \_\_\_\_\_

ORDINANCE NO. 2002-Z-24

PRESENTED AND PASSED BY THE  
CITY COUNCIL ON December 16, 2002

AN ORDINANCE AMENDING CHAPTER 17.02.130  
GENERAL PROVISIONS REGARDING  
RESIDENTIAL YARD REQUIREMENTS

**WHEREAS**, a Petition has been filed to amend Section 17.02.130, paragraph (C) of Chapter 17.02 General Provisions regarding yard requirements; and

**WHEREAS**, the Plan Commission of the City of St. Charles has held a public hearing on said Petition in accordance with law; and

**WHEREAS**, the City Council of the City of St. Charles has received the recommendation of the Plan Commission and has considered the same;

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois, as follows:

**SECTION 1.** That Section 17.02.130 "Yards – Requirements Generally" of Chapter 17.02 "General Provisions" of the St. Charles Zoning Ordinance be and is hereby amended by deleting the provisions of Paragraph "C" thereof in their entirety and by substituting the following therefor:

- C. Modified Setback Provisions: Where 50% or more of the street frontage of a block between two intersecting streets has existing principal building setbacks less than the front yard provided by the zoning district, the required front yard or side yard for a lot abutting that street frontage may be reduced to the average of the existing building setbacks on that street frontage of the block. This paragraph (C) shall not apply to lots within the B-1, B-2, B-2C, B-2T, B-3, B-4, O-R-1, O-R-2 and M-1 zoning districts, or to property where a Special Use has been granted for a Planned Unit Development.

If the required front yard adjoining the street is so reduced, the building height of any part of a structure located closer to the street than the distance specified in Table "A" for front yards shall not exceed the average height of the principal buildings that were considered in calculating the average building setback, or the building height otherwise permitted, whichever is less.

If a required side yard adjoining the street is reduced to less than the distance specified in Table "A", either by this provision or by the provisions of Paragraphs 17.11.090 (B), 17.12.090 (B), 17.13.090 (B), 17.14.090 (B), or 17.16.090 (B), the building height of any structure or part of a structure located closer to the street than the distance specified in Table "A" shall not exceed the average height of the principal buildings that were considered in calculating the average building setback, or the building height otherwise permitted, whichever is less.

In the case of a corner or through lot, each street frontage shall be considered separately in calculating the modified setback and height restrictions.

**Table A**

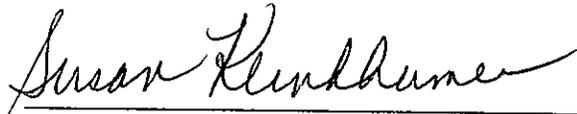
Zoning District	E1	E2	E3	R1-A	R1	R2-A	R2	R3	R4-A	R4	R5
Front Yard	40 ft.	30 ft.	30 ft.	25 ft.	25 ft.	30 ft.	30 ft.				
Side Yard Adjoining a Street	40 ft.	25 ft.	25 ft.	25 ft.	25 ft.	30 ft.	30 ft.				

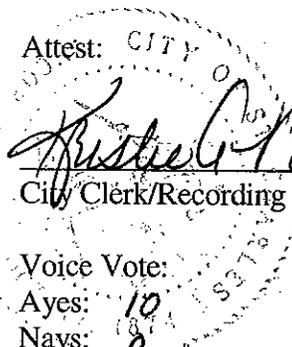
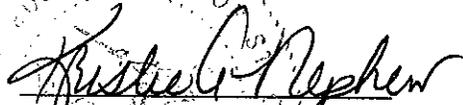
**SECTION 2.** That after the adoption and approval hereof this Ordinance shall (i) be printed or published in book or pamphlet form, published by the authority of the Council, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles.

**PRESENTED** to the City Council of the City of St. Charles, Illinois, this 16th day of  
December, 2002.

**PASSED** by the City Council of the City of St. Charles, Illinois, this 16th day of  
December, 2002.

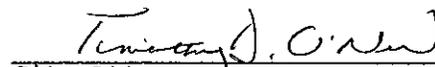
**APPROVED** by the Mayor of the City of St. Charles, Illinois, this 16th day of  
December, 2002.

  
\_\_\_\_\_  
Susan L. Klinkhamer, Mayor

Attest:  CITY OF ST. CHARLES, ILLINOIS  
  
\_\_\_\_\_  
City Clerk/Recording Secretary

Voice Vote:  
Ayes: 10  
Nays: 0  
Absent: 0  
Abstain: 0

Approved as to form:

  
\_\_\_\_\_  
City Attorney

Date: 12/16/02

State of Illinois )  
 )  
 ) ss.  
Counties of Kane and DuPage )

## Certificate

I, KRISTIE A. NEPHEW, certify that I am the duly elected and acting municipal clerk of the City of St. Charles, Kane and DuPage Counties, Illinois.

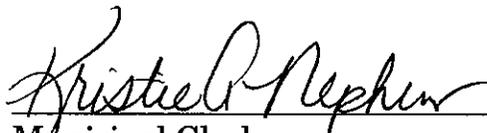
I further certify that on December 16, 2002 , the Corporate Authorities of such municipality passed and approved Ordinance No. 2002-Z-24, entitled

"An Ordinance Amending Chapter 17.02.130 General Provisions Regarding Residential Yard Requirements,"

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2002-Z-24, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on December 20, 2002, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

**DATED** at St. Charles, Illinois, this 16<sup>th</sup> day of December, 2002.

  
\_\_\_\_\_  
Municipal Clerk

