

**City of St. Charles, Illinois**

**Ordinance No. 2015-Z-27**

**Motion to approve An Ordinance Amending Title 17 of the St. Charles Municipal Code Entitled "Zoning", Chapter 17.08 "Nonconformities", Section 17.08.050 "Nonconforming Lots of Record" and Ch. 17.14 "Business and Mixed Use Districts", Section 17.14.030 "Bulk Regulations" Nonconforming two-family dwellings in the RT-4 district and nonconforming single- and two-family dwellings in the CBD-2 district and lot area and lot width requirements in the CBD-2 district).**

**Adopted by the  
City Council  
of the  
City of St. Charles  
October 19, 2015**

**Published in pamphlet form by  
authority of the City Council  
of the City of St. Charles,  
Kane and Du Page Counties,  
Illinois, October 23, 2015**

*Nancy Garrison*  
\_\_\_\_\_  
City Clerk



**(SEAL)**

**City of St. Charles, IL  
Ordinance No. 2015-Z-27**

**An Ordinance Amending Title 17 of the St. Charles Municipal Code  
Entitled "Zoning", Chapter 17.08 "Nonconformities", Section 17.08.050  
"Nonconforming Lots of Record" and Ch. 17.14 "Business and Mixed Use  
Districts", Section 17.14.030 "Bulk Regulations"  
(Nonconforming two-family dwellings in the RT-4 district; nonconforming  
single- and two-family dwellings in the CBD-2 district; and lot area and lot  
width requirements in the CBD-2 district)**

WHEREAS, on or about September 18, 2015, the City of St. Charles ("the Applicant") filed an Application to amend Title 17 of the St. Charles Municipal Code, the Zoning Ordinance of the City of St. Charles, regarding nonconforming two-family dwellings in the RT-4 district; nonconforming single- and two-family dwellings in the CBD-2 district; and lot area and lot width requirements in the CBD-2 district; and,

WHEREAS, Notice of Public Hearing on said Application was published on or about September 18, 2015, in a newspaper having general circulation within the City, to-wit, the Kane County Chronicle newspaper, all as required by the statutes of the State of Illinois and the ordinances of the City; and,

WHEREAS, pursuant to said notice, the Plan Commission conducted a public hearing on or about October 6, 2015, on said Application in accordance with the statutes of the State of Illinois and the ordinances of the City; and,

WHEREAS, at said Public Hearing, the Applicant presented testimony in support of said Application and all interested parties had an opportunity to be heard; and,

WHEREAS, the Plan Commission recommended approval of the Application on or about October 6, 2015; and,

WHEREAS, the Planning and Development Committee of the City Council recommended approval of the Application on or about October 12, 2015; and,

WHEREAS, the City Council of the City of St. Charles has received the recommendations of the Plan Commission and Planning and Development Committee 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:

- 1. The preambles set forth hereinabove are incorporated herein as substantive provisions of this Ordinance as if fully set out in this Section One.

2. Chapter 17.08 “Nonconformities”, Section 17.08.050 “Nonconforming Lots of Record” is hereby deleted in its entirety and replaced by the following:

A. Individual Lots of Record in Residential and Mixed Use Districts

In residential districts and the CBD-2 Mixed Use Business District, a single family dwelling may be constructed and maintained on a lot which is nonconforming as to minimum lot area and/or minimum lot width, if the lot was of record on May 23, 1960, was in separate ownership on the effective date of this Title, and conforms to all other requirements of the zoning district in which it is located.

In the CBD-2 and RT-4 Traditional Single- and Two-Family Residential district, a two-family dwelling may be constructed and maintained on a lot which is nonconforming as to minimum lot area and/or minimum lot width, if the lot was of record on May 23, 1960, was in separate ownership on the effective date of this Title, and conforms to all other requirements of the zoning district in which it is located, if the lot contained a two- or more-unit dwelling on the effective date of this Title.

3. Chapter 17.14 “Business and Mixed Use Districts”, Section 17.14.030 “Bulk Regulations”, Table 17.14-2 “Business and Mixed Use Districts Bulk Regulations”, under the column for the CBD-2 Zoning District, in the row labelled “Minimum Lot Area” is hereby deleted in its entirety and replaced by the following:

“Single-Family: 4,400 sf  
All Other Residential Uses: 2,200 sf/du  
Non-Residential Uses: 5,000 sf”

4. Chapter 17.14 “Business and Mixed Use Districts”, Section 17.14.030 “Bulk Regulations”, Table 17.14-2 “Business and Mixed Use Districts Bulk Regulations”, under the column for the CBD-2 Zoning District, in the row labelled “Minimum Lot Width”, is hereby deleted in its entirety and replaced by the following:

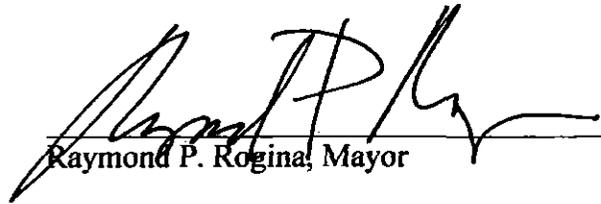
“50 ft.”

5. That after the adoption and approval hereof this Ordinance shall be (i) 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.

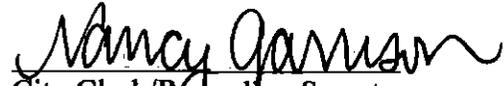
PRESENTED to the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 19th day of October, 2015.

PASSED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 19th day of October, 2015.

APPROVED by the Mayor of the City of St. Charles, Kane and DuPage Counties,  
Illinois this 19th day of October, 2015.

  
\_\_\_\_\_  
Raymond P. Rogina, Mayor

Attest:

  
\_\_\_\_\_  
City Clerk/Recording Secretary

COUNCIL VOTE:

Ayes: 10  
Nays: 0  
Absent: 0  
Abstain: 0

APPROVED AS TO FORM:

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



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

## Certificate

I, NANCY GARRISON, certify that I am the duly elected and acting Municipal City Clerk of the City of St. Charles, Kane and DuPage Counties, Illinois.

I further certify that on October 19, 2015, the Corporate Authorities of such municipality passed and approved Ordinance No. 2015-Z-27, entitled

"Motion to approve An Ordinance Amending Title 17 of the St. Charles Municipal Code Entitled "Zoning", Chapter 17.08 "Nonconformities", Section 17.08.050 "Nonconforming Lots of Record" and Ch. 17.14 "Business and Mixed Use Districts", Section 17.14.030 "Bulk Regulations" Nonconforming two-family dwellings in the RT-4 district and onconforming single- and two-family dwellings in the CBD-2 district and lot area and lot width requirements in the CBD-2 District)."

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

The pamphlet form of Ordinance No. 2015-Z-27, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on October 23, 2015, 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 19<sup>th</sup> day of October, 2015.



*Nancy Garrison*  
Municipal Clerk