

Refer to:
Minutes 6-17-2019
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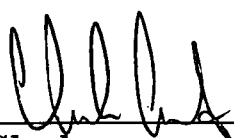
City of St. Charles, Illinois

Ordinance No.: 2019-Z-10

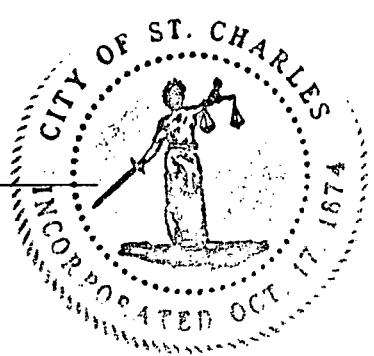
An Ordinance Amending Title 17 of the St. Charles Municipal Code Entitled "Zoning", Ch. 17.22 "General Provisions" and Ch. 17.30 "Definitions" (Swimming Pools).

**Adopted by the
City Council
of the
City of St. Charles
June 17, 2019**

Published in pamphlet form by authority of the City Council of the City of St. Charles, Kane and Du Page Counties, Illinois, **June 24, 2019**



City Clerk



(SEAL)

City of St. Charles, IL
Ordinance No. 2019-Z-10

**An Ordinance Amending Title 17 of the St. Charles Municipal Code
Entitled “Zoning”, Ch. 17.22 “General Provisions” and Ch. 17.30 “Definitions”
(Swimming Pools)**

WHEREAS, on or about May 17, 2019, 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 provisions for swimming pools; and,

WHEREAS, Notice of Public Hearing on said Application was published on or about May 17, 2019, in a newspaper having general circulation within the City, to-wit, the Daily Herald 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 June 4, 2019 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 June 4, 2019; and,

WHEREAS, the Planning and Development Committee of the City Council recommended approval of the Application on or about June 10, 2019; 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. That Title 17, “Zoning”, Chapter 17.22 “General Provisions”, Section 17.22.030 “Permitted Encroachments”, Table 17.22-3 “Permitted Encroachments” of the St. Charles Municipal Code is hereby amended by deleting the entry entitled “Swimming Pools, subject to Chapter 15.36, Swimming Pools, of the St. Charles Municipal Code” and replacing with the following:

Type of Structure or Use Encroachment	Front Yards, Ext. Side Yards, Rear Yards of Through Lots	Interior Side Yards	Rear Yards	Landscape Buffer Yards
Swimming Pool & Swimming Pool Deck	NP	P, 10 ft. from lot line in RE, RS and RT districts; NP in other districts	P, 10 ft. from lot line in RE, RS and RT districts; NP in other districts	NP
For corner lots, where a Swimming Pool is located within a rear yard abutting an interior side yard or front yard of an adjacent lot, screening shall be provided in accordance with Section 17.26.070(C).				

3. That Title 17, "Zoning", Chapter 17.30 "Definitions", Section 17.30.030 "General Definitions" of the St. Charles Municipal Code is hereby amended by adding the following definition of "Swimming Pool":

"Swimming Pool. Any constructed pool, aboveground, on-ground, or below ground that is over 24 inches in depth."

4. That Title 17, "Zoning", Chapter 17.30 "Definitions", Section 17.30.030 "General Definitions" of the St. Charles Municipal Code is hereby amended by adding the following definition of "Swimming Pool Deck":

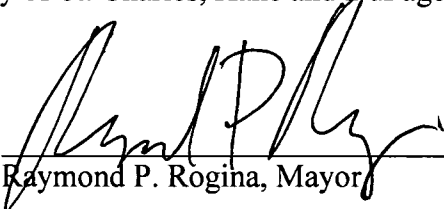
"Swimming Pool Deck. An impervious area surrounding a swimming pool, up to 4 ft. in depth as measured from the outer edge of the swimming pool, which is intended for use by pool users."

6. 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 17th day of June, 2019.

PASSED by the City Council of the City of St. Charles, Kane and DuPage Counties, Illinois this 17th day of June, 2019.

APPROVED by the Mayor of the City of St. Charles, Kane and DuPage Counties, Illinois this 17th day of June, 2019.


 Raymond P. Rogina, Mayor

Attest:

Chad
City Clerk/Recording Secretary

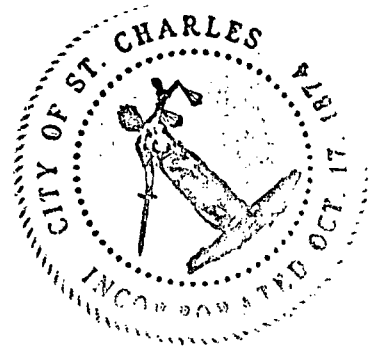
COUNCIL VOTE:

Ayes: 9
Nays: 0
Absent: 1
Abstain: 0

APPROVED AS TO FORM:

City Attorney

DATE: _____



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

Certificate

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

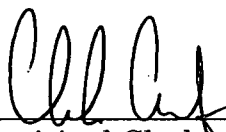
I further certify that on **June 17, 2019**, the Corporate Authorities of such municipality passed and approved Ordinance No. **2019-Z-10** entitled:

An Ordinance Amending Title 17 of the St. Charles Municipal Code Entitled "Zoning", Ch. 17.22 "General Provisions" and Ch. 17.30 "Definitions" (Swimming Pools).

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

The pamphlet form of Ordinance No. **2019-Z-10**, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on **June 24, 2019**, 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 **17th** day of **June, 2019**.



Municipal Clerk

(S E A L)

