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ORDINANCE NO. F-0112

**AN ORDINANCE AMENDING THE TEXT OF THE WHEATON ZONING ORDINANCE -
ARTICLES II, 3.4A AND 24.3/DETACHED GARAGES**

WHEREAS, the City of Wheaton, Illinois ("City"), has determined it to be in the best interests of the City and its residents to consider certain amendments to the text of the City Zoning Ordinance; and

WHEREAS, pursuant to notice as required by the Illinois Municipal Code and the City Zoning Ordinance, a public hearing to consider the proposed amendment was conducted by the Wheaton Board of Zoning Appeals on January 28, 1997; and the Wheaton Board of Zoning Appeals has recommended approval of the amendment.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Wheaton, DuPage County, Illinois, pursuant to its home rule powers, as follows:

Section 1: The Wheaton Zoning Ordinance text is amended by deleting the words "Floor Area Gross" and "Story, Half" in Article II, and including the following:

"Floor Area, Gross: For the purpose of determining Floor Area Ratio, the gross floor area of a building or buildings shall be the sum of the horizontal areas of the several measured from exterior faces of exterior walls, without deduction for hallways, stairs, closets, thickness of walls, columns, and shall also include the following:

1. A basement or cellar having more than three and one-half (3 1/2) feet in height above adjacent grade around fifty percent (50%) or more of the basement perimeter.
2. In the case of a basement or cellar not fitting the description of subsection 1 above, but having normal direct access to the outside not through another floor, one-half (1/2) of the basement or cellar area shall be included.
3. An attic, the space between the ceiling beams of the top story and the roof rafters, which has a fixed stairway as a means of access and a height of seven and one-third (7 1/3) feet above the attic floor.
4. Interior balconies and mezzanines.
5. Enclosed porches and sun rooms.
6. Roofed-over decks, patios, porches, and stairs.
7. Unroofed decks, patios, porches, and stairs over four (4) feet above the average grade of adjoining ground.
8. All square footage in excess of five hundred (500) square feet in any detached or attached garage or other accessory structure.

Story, Half: A half story may consist of either:

- a. A basement or cellar having more than 2 feet, but not more than 6 feet of its floor surface to clear ceiling height above grade.
- b. A partial story under a sloping roof, having the intersection of its wall and roof decking on two opposite walls not more than 4 feet above its floor surface, and having an area of not more than 60% of the floor area of the story immediately below."

Section 2: The Wheaton Zoning Ordinance text is amended by deleting 3.4A8 in its entirety and replacing it with a new section as follows:

- "8a. One-story detached garages, storage sheds, and carports more than forty (40) feet (12.2 m.) behind the required front setback line shall be set back at least five (5) feet (1.52 m.) from the rear lot line and at least three (3) feet (.91 m.) from the side lot line, provided that on a corner lot, the distance from the side street lot line shall be the same as required for the principal structure on the lot.
- 8b. One and one-half story detached garages more than 40 feet behind the required setback shall be setback from the side lot line a distance equal to the lesser of 8% of the lot width or 10 feet, and setback from the rear lot line a distance equal to the lesser of 8% of the lot width or 10 feet, but in no case shall the rear yard setback be less than five feet. On a corner lot, the distance from the side street lot line shall be the same as required for the principal structure on the lot.
- 8c. All detached garages, storage sheds, and carports less than forty (40) feet (12.2 m.) behind the required front setback line shall comply with the bulk regulations of the district in which they are located.
- 8d. All detached garages, storage sheds, and carports shall be located at least four (4) feet (1.22 m.) from the principal structure, and the intervening space may be roofed but not enclosed."

Section 3: The Wheaton Zoning Ordinance text is amended by deleting Article 24.3 in its entirety and adding the following in lieu thereof:

"24.3 The following are permitted accessory uses when located in compliance with Section 3.4, General Regulations:

Private garages, carports, storage sheds, storage buildings, and greenhouses, in compliance with the following:

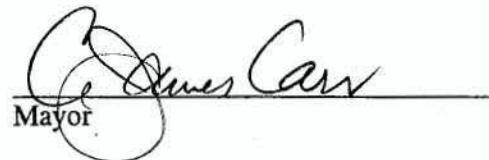
- a. Detached garages and carports accessory to single-family dwellings shall not exceed thirty percent (30%) of the rear yard area, or 700 sq. ft. of lot coverage, whichever is less, unless a larger garage or carport in excess of thirty percent (30%) or 700 sq. ft. requirement is permitted pursuant to the issuance of a Special Use Permit. Detached garages shall not be greater in height than one and one-half stories.
- b. Detached garages and carports accessory to multiple-family dwellings shall not exceed 450 sq. ft. of lot coverage per dwelling unit. Detached garages shall not be greater in height than one and one-half stories.

- c. Detached accessory storage sheds or storage buildings shall not exceed 5% of the maximum lot coverage for the lot, as specified in the district regulations.
- d. Detached greenhouses accessory to single-family dwellings shall not exceed 2% of the area of the lot.
- e. Attached garages, carports, storage sheds, and greenhouses shall comply with the applicable bulk regulations of the district in which they are located."

Section 4: In all other respect the Wheaton Zoning Ordinance is ratified and remains in full force and effect.

Section 5: All ordinances and parts of ordinances in conflict with these provisions are repealed.

Section 6: This ordinance shall become effective after its passage, approval, and publication in pamphlet form in the manner prescribed by law.



Mayor Carr

ATTEST:



Emily M. Consalvo
City Clerk

Roll Call Vote

Ayes:	Councilwoman Davenport Councilman Eckhoff Mayor Carr Councilman Gerig Councilman Gresk Councilwoman Johnson
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Nays:	None
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Absent:	Councilman Mork
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Motion Carried Unanimously

Passed: March 3, 1997
Published: March 4, 1997