

4/68

ORDINANCE NO. F-0503

**AN ORDINANCE AMENDING THE WHEATON ZONING ORDINANCE
"FRONT YARD SETBACKS" - RESIDENTIAL DISTRICTS**

WHEREAS, the Wheaton Zoning Ordinance regulates front yard setbacks for residential structures; and

WHEREAS, the City Council of the City of Wheaton deems it necessary and appropriate to amend the Wheaton Zoning Ordinance in order for new or remodeled homes to be compatible with existing structures in a neighborhood relative to front yard setbacks.

NOW THEREFORE, be it ordained by the Wheaton City Council that Articles 7.2(5), 8.2(5), 9.2(5), 10.2(5), 11.2(5), 12.2(5), and 13.2(5) of the Wheaton Zoning Ordinance are hereby amended by adding the following subsection to each article:

Section 1: "1. Front and Side Yard Abutting a Street Adjustment Next to Existing Structures: When a lot abuts, on both sides, lots that have already been developed, the front yard applicable to such lot shall be determined by taking the average of the setbacks of the buildings on the two abutting lots. When a lot abuts a lot that has already been developed on one side and a street on the other side, the front or side yard abutting a street applicable to such lot shall be determined by taking the average of the setback of the building on the abutting developed lot and the required front or side yard abutting a street. If a lot abuts a developed lot on one side and a vacant lot on the other side, the front yard applicable to such lot shall be determined by taking the average of the setback of the building on the abutting developed lot and the setback of the building on the lot immediately adjacent to the vacant lot."

Section 2: All ordinances or parts of ordinances in conflict with these provisions are repealed.

Section 3: That if any part or portion of this ordinance shall be declared invalid by a court of competent jurisdiction, such invalidity shall not affect the remainder of this ordinance.

Section 4: This ordinance shall become effective after its passage, approval, and publication in pamphlet form in the manner prescribed by law.

ATTEST:

Emily M. Connelly
City Clerk



Mayor

Roll Call Vote:

Ayes:

Councilman Eckhoff
Councilman Gresk
Mayor Carr
Councilman Johnson
Councilwoman Johnson
Councilwoman Davenport

Nays: None

Absent: **Councilman Mork**

Motion Carried Unanimously

Passed: August 21, 2000
Published: August 22, 2000