

## ORDINANCE NO. F-1852

### AN ORDINANCE AMENDING THE TEXT OF THE WHEATON CITY CODE AND ZONING ORDINANCE BUILDING HEIGHT/SIDE YARD SETBACK

**WHEREAS**, pursuant to notice as required by the Illinois Municipal Code and the City Zoning Ordinance, a public hearing was conducted by the Wheaton City Council, acting as a hearing body, on February 23, 2015, regarding an amendment to certain provisions of the Zoning Ordinance pertaining to the maximum height/side yard setback of single-family homes; and

**WHEREAS**, the Corporate Authorities of the City have determined that it is appropriate to amend certain provisions of the Zoning Ordinance pertaining to the maximum height/side yard setback of single-family homes.

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

**Section 1:** Pursuant to the Findings of fact made and determined by the Wheaton City Council, Article III -- ZONING DISTRICTS AND GENERAL REGULATIONS, Sec 3.4A5 of the Wheaton Zoning Ordinance is amended by deleting it in its entirety and replacing it with the following:

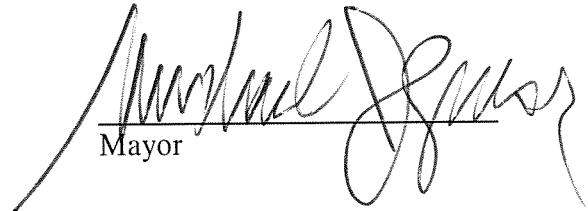
“5. In any residential district, and for permitted uses in the I-1 District, the minimum side yard width shall be as follows:

- a. The minimum side yard for structures or parts of structures which do not exceed 1½ stories, shall be the lesser of 8% of the lot width or 10 feet.
- b. The minimum side yard for structures or parts of structures in excess of 1½ stories, shall be the lesser of 14% of the lot width or 15 feet.
- d. The minimum side yard width for a side yard adjoining a public street shall be 20 feet, but shall be only 12 feet if there are no more than two lots in the block with lot lines facing said public street. Provided, however, that no side yard adjoining a public street shall be less than the side yard required by 3.4A-5 a or b.”

**Section 2:** In all other respects, the Wheaton Zoning Ordinance is ratified and remains in full force and effect.

**Section 3:** All ordinances or parts of ordinances in conflict with these provisions are repealed.

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



Michael J. Gresk  
Mayor

ATTEST:



Aaron Bennett Hagen  
City Clerk

Roll Call Vote

Ayes:	Councilman Scalzo Councilman Suess Councilwoman Corry Councilman Prendiville Councilman Rutledge Mayor Gresk Councilman Saline
Nays:	None
Absent:	None

Motion Carried Unanimously

Passed: March 2, 2015  
Published: March 3, 2015