



ST. CHARLES  
SINCE 1834

## AGENDA ITEM EXECUTIVE SUMMARY

Title: General Amendment to Exterior Side Yard setback requirements for Residential Districts (Corner lots)

Presenter: Russell Colby

*Please check appropriate box:*

<input type="checkbox"/>	Government Operations	<input type="checkbox"/>	Government Services
X	Planning & Development – 3/14/11	<input type="checkbox"/>	City Council
<input type="checkbox"/>	Public Hearing	<input type="checkbox"/>	

Estimated Cost: NA Budgeted: YES  NO

If NO, please explain how item will be funded:

**Executive Summary:**

Recently, questions have come up regarding the basis for Exterior Side Yard setbacks in certain residential districts. An “Exterior Side Yard” is a building setback requirement that applies to a corner lot, on the side of the house abutting a street.

The current Zoning Ordinance was adopted in October 2006. The ordinance created a new set of single-family residential districts designed to fit existing development patterns in town. An “Exterior Side Yard” is one of the building setback regulations that vary by zoning district.

In researching the issue, Staff found that:

- “Exterior Side Yard” setbacks in the 2006 ordinance were not based on research but rather were carried over from old standards
- The requirement was inconsistent between zoning districts, specifically the smaller-lot districts. Some districts set the Exterior Side Yard at the same setback distance as the Front Yard; others set the Exterior Side Yard at 5 feet less than the Front Yard.

Based on the research, Staff concluded that an amendment was appropriate to establish a consistent standard.

The Plan Commission reviewed the amendment and supported creating a uniform Exterior Side Yard setback standard for all smaller lot zoning districts. The Exterior Side Yard setback would be equal to 5 feet less than the Front Yard.

The amendment would modify the Exterior Side Yard requirement for the RS-4, RT-3 and RT-4 districts, reducing the requirement from 20 to 15 feet, as shown in the table in the Staff Report.

**Attachments:** *(please list)*

Staff Report and Attachments, Plan Commission Resolution, Application

**Recommendation / Suggested Action** *(briefly explain):*

Staff recommends approval of the General Amendment.

*For office use only:*

*Agenda Item Number:*

Community Development  
Planning Division

Phone: (630) 377-4443

Fax: (630) 377-4062



**STAFF REPORT**

**TO:** Chairman Dan Stellato  
and Planning and Development Committee Members

**FROM:** Russell Colby, Planner

**RE:** General Amendments To Title 17 (Zoning Ordinance)  
Exterior Side Yard Setbacks in Single-Family Residential Districts

**DATE:** March 2, 2011

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**I. GENERAL INFORMATION**

Project Name: General Amendment – Exterior Side Yard Setbacks in Residential Districts  
Applicant: City of St. Charles, Community Development Dept., Planning Division

<p><b>Requested Action/Recommendation:</b> Staff recommends approval of the General Amendment</p>
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**II. BACKGROUND**

**Amendment**

Recently, questions have come up regarding the basis for requiring large Exterior Side Yard setbacks in certain residential districts.

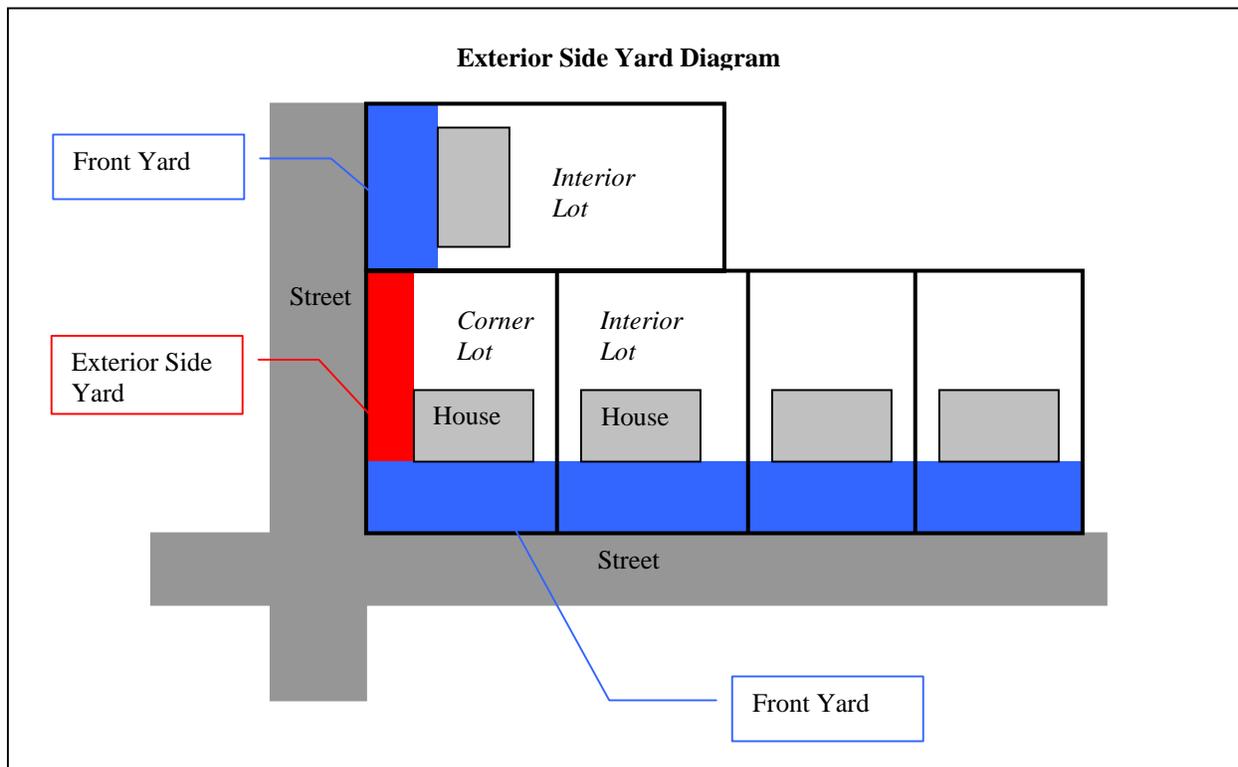
Exterior Side Yards exist only on corner lots. For a typical corner lot, the shorter lot line abutting the street is considered the front yard, and the longer lot line abutting the street is considered the Exterior Side Yard. The yards are designated regardless of the orientation of the house (i.e. front door or garage location are not considered).

Exterior Side Yards serve two purposes:

- Provide an adequate separation of the building area of the lot and the usable rear yard area from the sidewalk and street (Separation from the house, tall fences, accessory structures, or other encroachments allowed in a rear yard).
- Maintain a visually consistent “street wall” setback when an Exterior Side Yard abuts a Front Yard of another lot (regardless of which way the house was oriented on the lot).

The current Zoning Ordinance was adopted in October 2006. The ordinance created a new structure of single-family residential districts designed to fit existing development patterns in terms of yard setbacks, building height, building size relative to lot size, etc. Exterior Side Yard is a standard that varies by zoning district.

Exterior Side Yard setbacks of existing houses were not analyzed as part of the 2006 Zoning Ordinance re-write. Existing exterior side yard setbacks vary considerably and are difficult to generalize.



### **History of Single-Family Zoning Requirements**

#### **Prior to 2006**

The majority of the City's residential subdivisions were originally laid out based on standards in previous versions of the Zoning Ordinance:

- The 1928 ordinance generally used the development pattern of downtown to create zoning standards (5,000 s.f. lots on the east side, 6,600 s.f. lots on the west side). Setbacks along streets varied by each individual street, which created widely varied setbacks, generally increasing as you move out from the downtown.
- The 1960 ordinance reflected a trend toward suburban-style development, with larger, wider lots and houses. The zoning standards introduced in 1960 rendered most existing neighborhoods as non-conforming due to lot size, width or setback.
- During the 1970s to 1990s, through the Planned Unit Development process, the City granted variations to the minimum standards of the 1960 ordinance to allow smaller lots and setbacks on a case-by-case basis.

As a result of these trends over the years, the City has been left with a patchwork of neighborhoods with varied lot sizes and setbacks. In some PUDs, the type of house built dictated the standards.

#### **2006 Ordinance**

When the new Zoning Ordinance was drafted, a significant amount of analysis was conducted to determine how best to structure the residential districts in terms of lot size, building size, and setback requirements. This information was used as a basis for creating the current district regulations, with the intent of defining areas where the new standards would keep roughly 90% or more of the lots conforming. Additionally, with the new tailored standards, a number of single-family PUDs were eliminated and replaced by districts with roughly equivalent zoning regulations. Many of these old PUDs were difficult to administer and were confusing for residents looking for zoning information.

The table below contains current zoning information for single-family residential districts (Large-lot RE estate residential districts are not shown). Corresponding 1960 or 1928 districts are listed below in the second table for comparison.

Current Zoning Districts							
	RS- Suburban Districts				RT- Traditional Districts		
	RS-1	RS-2	RS-3	RS-4	RT-1	RT-2	RT-3, 4
Minimum Lot Area	18,000	11,000	8,400	6,600	8,400	6,600	5,000
Minimum Lot Width	100	80	60	60	60	50	50
Minimum Front Yard	40	30	30	20	30	25	20
Min. Exterior Side Yard	40	30	25	20	25	20	20
<i>Exterior Side Yard vs. Front Yard</i>	0	0	-5	0	-5	-5	0

Former Zoning Districts							
	1960 Ordinance				1928 Ordinance		
	R-1	R2-A	R-2	R-3	A	B	C
Minimum Lot Area	18,000	12,000	8,400	6,600	10,000	6,600	5,000
Minimum Lot Width	100	80	65	60			
Minimum Front Yard	40	30	30	25	Varied per street, approx. 5 to 10 ft. near downtown, 15 to 30 ft. outside of downtown		
Min. Exterior Side Yard	40	25	25	25			
<i>Exterior Side Yard vs. Front Yard</i>	0	-5	-5	0	?	?	?

### III. ANALYSIS

In older neighborhoods, Exterior Side Yards were not important. With narrower lots and a limited building envelope, it was common to build close to the street. In suburban-style neighborhoods, the Exterior Side Yard was of greater importance because of the emphasis on maintaining an orderly and consistent yard appearance for the length of a long block. Often, to accommodate a wide Exterior Side Yard, corner lots had to be made wider than other typical lots.

The City has been consistent in maintaining some type of Exterior Side Yard standard over the years. However, there was inconsistency in applying a standard between districts. In some Zoning Districts, the Exterior Side Yard was the same as the Front Yard; in others, the Exterior Side Yard was 5 feet shorter than the Front Yard. Neighboring municipalities handle the requirement in a similar manner. Generally, flexibility is provided for smaller-lot zoning districts less than 10,000 square feet, similar to the City’s RS-3, RS-4, and all RT districts.

The 2006 update of the Zoning Ordinance carried forward the Exterior Side Yards setback requirements of previous Zoning Districts. There was limited analysis or consideration of whether or not maintaining such a significant setback from the street on a corner lot was necessary.

#### IV. PROPOSAL

Staff proposed that the Exterior Side Yard Setback requirements be reconsidered for certain zoning districts for the following reasons:

- There was no clear basis for establishing the current standards
- Exterior Side Yard setbacks for existing development vary significantly within the same Zoning District.
- Exterior Side Yard setback requirements limit the potential to expand or reconfigure an existing house in the smaller lot districts. If requirements remain, there should be a consistent basis for maintaining a standard.

##### Plan Commission Recommendation

- The Plan Commission reviewed the application and supported creating a uniform Exterior Side Yard setback standard for all smaller lot zoning districts.
- The setback would be equal to 5 feet shorter than the required Front Yard setback. This will modify the Exterior Side Yard requirement for the RS-4, RT-3 and RT-4 districts, reducing the requirement from 20 to 15 feet, as shown in the table below.

Proposed Amendment to Zoning Districts (Shaded boxes shown below)							
	RS- Suburban Districts				RT- Traditional Districts		
	RS-1	RS-2	RS-3	RS-4	RT-1	RT-2	RT-3, 4
Minimum Lot Area	18,000	11,000	8,400	6,600	8,400	6,600	5,000
Minimum Lot Width	100	80	60	60	60	50	50
Minimum Front Yard	40	30	30	20	30	25	20
Min. Exterior Side Yard	40	30	25	<del>20</del> 15	25	20	<del>20</del> 15
<i>Exterior Side Yard vs. Front Yard</i>	0	0	-5	<del>0</del> -5	-5	-5	<del>0</del> -5

#### V. REQUESTED ACTION/RECOMMENDATION:

Staff recommends approval of the General Amendment.

**FINDINGS OF FACT**  
**GENERAL AMENDMENT**

1. The consistency of the proposed amendment with the City’s Comprehensive Plan.

**Not applicable. The Comprehensive Plan does not directly address establishment of setback standards for residential districts.**

2. The consistency of the proposed amendment with the intent and general regulations of this Title.

**The amendment is consistent with existing Zoning Ordinance standards. The amendment is intended to create greater consistency between all of the smaller-lot single-family residential zoning districts by establishing an Exterior Side Yard requirement that is five feet shorter than the Front Yard.**

3. Whether the proposed amendment corrects an error or omission, adds clarification to existing requirements, is more workable than the existing text, or reflects a change in policy.

**The proposed changes to the Exterior Side Yard requirement will create a more workable standard. Exterior Side Yards for existing buildings vary significantly and are difficult to generalize. The amendment will align the RS-4, RT-3 and RT-4 zoning districts with other smaller-lot residential districts. Basing the Exterior Side Yard standard off of the Front Yard standard is a more logical basis for establishing a requirement.**

4. The extent to which the proposed amendment would be in the public interest and would not serve solely the interest of the applicant.

**The amendment will be applied equally to all corner lots in the RS-4, RT-3 and RT-4 zoning districts. The amendment will apply to developed neighborhoods and may enable houses located on corner lots to be more easily expanded or reconfigured to suit changing housing needs without negatively impacting existing neighborhoods.**

5. The extent to which the proposed amendment creates nonconformities.

**The amendment will not create nonconformities but rather may eliminate existing nonconformities.**

6. The implications of the proposed amendment on all similarly zoned property in the City.

**The amendment will be applied equally to all corner lots in the RS-4, RT-3 and RT-4 zoning districts.**

City of St. Charles, Illinois  
Plan Commission Resolution No. 3-2011

**A Resolution Recommending Approval of a General Amendment  
To Title 17 Zoning, Chapter 17.12 Residential Districts  
Pertaining to Exterior Sideyard Setback Regulations**

**Passed by Plan Commission February 22, 2011**

**WHEREAS**, it is the responsibility of the St. Charles Plan Commission to hold public hearings and review requests for amendments to Title 17, “Zoning”; and

**WHEREAS**, the Plan Commission held a public hearing and has reviewed the petition for a General Amendment to Title 17, “Zoning”, Chapter 17.12 Residential Districts pertaining to exterior sideyard setback regulations; and

**WHEREAS**, the Plan Commission finds approval of said amendment to be in the best interest of the City of St. Charles based upon the following findings of fact:

**FINDINGS OF FACT:**

1. The consistency of the proposed amendment with the City’s Comprehensive Plan.

**Not applicable. The Comprehensive Plan does not directly address establishment of setback standards for residential districts.**

2. The consistency of the proposed amendment with the intent and general regulations of this Title.

**The amendment is consistent with existing Zoning Ordinance standards. The amendment is intended to create greater consistency between all of the smaller-lot single-family residential zoning districts by establishing an Exterior Side Yard requirement that is five feet shorter than the Front Yard.**

3. Whether the proposed amendment corrects an error or omission, adds clarification to existing requirements, is more workable than the existing text, or reflects a change in policy.

**The proposed changes to the Exterior Side Yard requirement will create a more workable standard. Exterior Side Yards for existing buildings vary significantly and are difficult to generalize. The amendment will align the**

**Resolution 3-2011**

**RS-4, RT-3 and RT-4 zoning districts with other smaller-lot residential districts. Basing the Exterior Side Yard standard off of the Front Yard standard is a more logical basis for establishing a requirement.**

4. The extent to which the proposed amendment would be in the public interest and would not serve solely the interest of the applicant.

**The amendment will be applied equally to all corner lots in the RS-4, RT-3 and RT-4 zoning districts. The amendment will apply to developed neighborhoods and may enable houses located on corner lots to be more easily expanded or reconfigured to suit changing housing needs without negatively impacting existing neighborhoods.**

5. The extent to which the proposed amendment creates nonconformities.

**The amendment will not create nonconformities but rather may eliminate existing nonconformities.**

6. The implications of the proposed amendment on all similarly zoned property in the City.

**The amendment will be applied equally to all corner lots in the RS-4, RT-3 and RT-4 zoning districts.**

**NOW, THEREFORE,** be it resolved by the St. Charles Plan Commission to recommend to City Council approval of the General Amendment to Title 17, "Zoning" Chapter 17.12 Residential Districts pertaining to exterior sideyard setback regulations based upon the above Findings of Fact and all staff comments being addressed prior to final City Council action.

Voice Vote:

Ayes: Kessler, Wallace, Schuetz, Henningson, Pretz

Nays: None

Absent: Doyle, Amatangelo

Motion Carried.

**PASSED**, this 22nd day of February 2011.

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**Resolution 3-2011**

Chairman  
St. Charles Plan Commission

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Secretary  
St. Charles Plan Commission

# CITY OF ST. CHARLES

TWO EAST MAIN STREET  
ST. CHARLES, ILLINOIS 60174-1984

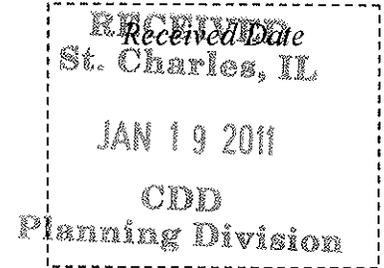


COMMUNITY DEVELOPMENT/PLANNING DIVISION

PHONE: (630) 377-4443 FAX: (630) 377-4062

## GENERAL AMENDMENT APPLICATION

<b>CITYVIEW</b>	
Project Name:	_____
Project Number:	<u>2011</u> -PR- <u>001</u>
Application Number:	<u>2011</u> -AP- <u>005</u>



**Instructions:**

To request an amendment to the text of the St. Charles Zoning Ordinance, complete this application and submit it with all required attachments to the Planning Division.

City staff will review submittals for completeness and for compliance with applicable requirements prior to establishing a meeting or public hearing date for an application.

The information you provide must be complete and accurate. If you have a question please call the Planning Division and we will be happy to assist you.

<b>1. Applicant:</b>	Name <u>City of St. Charles</u>	Phone <u>630-377-4443</u>
	Address <u>2 E. Main St.</u> <u>St. Charles, IL 60174</u>	Fax <u>630-377-4062</u>
		Email <u>rcolby@stcharlesil.gov</u>
<b>2. Billing:</b> <i>Who is responsible for paying application fees and reimbursements?</i>	Name <u>same</u>	Phone
	Address	Fax
		Email

**Attachment Checklist**

- APPLICATION:** Completed application form
- APPLICATION FEE:** Application fee in accordance with Appendix B of the Zoning Ordinance.
- REIMBURSEMENT OF FEES AGREEMENT:** An original, executed Reimbursement of Fees Agreement and deposit of funds in escrow with the City, as provided by Appendix B of the Zoning Ordinance.
- WORDING OF THE REQUESTED TEXT AMENDMENT**

One (1) copy of Proposed Amendment (Letter Sized) and one (1) Electronic Microsoft Word version on CD-ROM

