

TO: Mayor and City Council

FROM: Joel Strassman, Planning and Zoning Officer

DATE: March 31, 2021

SUBJECT: Ordinance 22-18: Amending the Text of the Zoning Code (City Code Title 10)
Chapter 2.1: Single Family Residential Districts – Attached Garage Setback
(COW-CD 3/29/22 10-0 vote)

Summary: At its March 29, 2022 meeting, the Committee of the Whole (COW) reviewed Ordinance 22-18 that would amend the text of the Zoning Code to eliminate the required single-family residence attached garage setbacks and would add regulations regarding Electronic Changeable Message Signs (ECM). The COW recommended approval for the elimination of the garage setback but continued its review of ECM regulation. For background on these changes, please see the [staff memorandum to the COW](#).

Recommendation: Staff has revised Ordinance 22-18 in accordance with the COW's recommendation. Staff recommends the City Council approve Ordinance 22-18 as presented.

Attachment: Ordinance 22-18

c Department Heads
Media

**CITY OF BATAVIA, ILLINOIS
ORDINANCE 22-18**

**AMENDING THE ZONING CODE
BATAVIA CITY CODE TITLE 10
RELATED TO GARAGE SETBACK**

**ADOPTED BY THE
MAYOR AND CITY COUNCIL
THIS 4TH DAY OF APRIL, 2022**

Published in pamphlet form
by authority of the Mayor
and City Council of the City of Batavia,
Kane & DuPage Counties, Illinois,
This 5th day of April, 2022

Prepared by:

City of Batavia
100 N. Island Ave.
Batavia, IL 60510

**CITY OF BATAVIA, ILLINOIS
ORDINANCE 22-18**

**AMENDING THE ZONING CODE
BATAVIA CITY CODE TITLE 10
RELATED TO GARAGE SETBACK**

WHEREAS, the City of Batavia's Zoning Code (City Code Title 10) contains definitions and provisions relating to the use and development of land in the City of Batavia; and

WHEREAS, the City of Batavia has initiated an application for amendments to certain provisions and requirements; and

WHEREAS, said provisions have been reviewed and it has been determined that these and certain other provisions, and requirements should be amended in order to better regulate the use and development of land in the City of Batavia; and

WHEREAS, public notice of proposed amendments to Title 10 of the Batavia City Code was duly given and published as required by law; and

WHEREAS, the Plan Commission of the City of Batavia did, on March 2, 2022 conduct a public hearing with respect to proposed amendments that would accomplish the appropriate changes to Title 10, and voted to recommend approval of said amendments to Title 10 of the City Code to the City Council's Committee of the Whole; and

WHEREAS, the City Council's Committee of the Whole has received the recommendation of the Batavia Plan Commission and recommended approval of said amendments; and

WHEREAS, the City Council of the City of Batavia has received the recommendation of both the Batavia Plan Commission and the Committee of the Whole, and has considered same; and

WHEREAS, it is in the best interests of the City of Batavia and its residents that the proposed Ordinance be adopted by the City Council of the City of Batavia.

NOW THEREFORE, BE IT ORDAINED, by the City Council of the City of Batavia, Kane and DuPage Counties, Illinois:

SECTION 1: That the City of Batavia Zoning Code Chapter 2.1 Single Family Residential Districts, Table 2.104 is hereby amended as follows:

CITY OF BATAVIA ORDINANCE 22-18

Standards	R0	RI-L	RI-M	RI-H	Additional Regulations
Minimum Lot Area (sq. ft.)	14,000	9,500	7,200	5,000	
Minimum Lot Width (ft.)	95	80	60	45	
Maximum Height (ft.)					
House	35	35	30	30	
Accessory Structure	25	25	25	25	
Maximum Floor Area Ratio (FAR)	0.35	0.40	0.45	0.50	
Front Setback (ft.)	30	30	25	20	
House	30	30	25	20	
Rear Setback (ft.)	30	30	30	25	
Interior Side Setback (ft.)	15	12	10	7.5 (LI)	
Corner Side Setback (ft.)	30	30	12	10	
Accessory Structure Setbacks (ft.)					See 2.106.A
Front	30	30	30	30	(A)
Rear	10	6	3	3	(B)
Interior Side	10	6	3	3	(B)
Corner Side	30	30	12	10	(B)
Principal Structure	10	10	10	10	(C)
Maximum Percentage of Building Frontage as Garage with Vehicle Door(s)	50	50	50	50	(D)
(A) Detached garages shall be located at least 6 feet behind the front plane of the principal structure (B) Rear and interior side setbacks shall be increased by 1 foot for each 1 foot or fraction thereof in excess of 15 feet in height. (C) Structure may be located closer in compliance with applicable Building and Fire codes (D) Unroofed porches wider than the enclosed building shall be excluded from the width of the building frontage (LI) Interior side setbacks on corner lots shall be a minimum of 5 feet					

SECTION 2: That the City of Batavia Zoning Code Chapter 2.1 Single Family Residential Districts, Section 2.106.J is deleted, and subsequent Sections are renumbered accordingly.

SECTION 3: That this Ordinance 22-18 shall be in full force and effect upon its presentation, passage and publication according to the law.

CITY OF BATAVIA ORDINANCE 22-18

PRESENTED to the City Council of the City of Batavia, Illinois, this 4th day of April, 2022.

PASSED by the City Council of the City of Batavia, Illinois, this this 4th day of April, 2022.

APPROVED by me as Mayor of said City of Batavia, Illinois, this this 4th day of April, 2022.

Jeffery D. Schielke, Mayor

Ward	Alderman	Aye	Nay	Abstain	Absent
1	Baerren				
1	Solfa				
2	Leman				
2	Wolff				
3	Ajazi				
3	Chanzit				
4	Malay				
4	Connelly				
5	Uher				
5	Beck				
6	Cerone				
6	Russotto				
7	Vogelsinger				
7	Miller				
Mayor	Schielke				
		AYES	NAYS	ABSTAIN	ABSENT
	TOTALS				

total holding office: Mayor and 14 Aldermen

ATTEST:

Kate Garrett, City Clerk