

Ordinance 1457-18
Amendments to Appendix A, Zoning, Section IV General Provisions, N. Setback
Requirements in Older Parts of the City

WHEREAS, the City of Auburn, Illinois has enumerated certain provisions with the Auburn Code of Ordinances as it pertains to the zoning provisions applicable to parcels of land within the City of Auburn, including establishing, regulating and limiting the building or setback lines along streets, alleys or property lines; and

WHEREAS, the City has a compelling interest periodically reviewing and revising the Code to ensure the provisions are current, up to date and in accordance with applicable laws; and

WHEREAS, it has been brought to the attention of the City Council that Seales Street, in the older part of Auburn is a substandard Street and does not meet with width requirements of a street, and causing confusion among residents, the building inspector and the City Council as to what provisions are applicable to these particular parcels;

WHEREAS, after considering the concerns of the residents and after reviewing Appendix A, Zoning, the Mayor and the City Council of the City of Auburn, Illinois, after due deliberation believe it to be in the best interests of the citizens of the City of Auburn to amend the Auburn Code of Ordinances, Appendix A, Zoning, Section IV, General Provisions, N. Setback Requirements in Older Parts of City to help clarify issues; and

NOW, THEREFORE, BE IT ORDERED AND ORDAINED by the Mayor and the City Council of the City of Auburn, Illinois, that Auburn Code of Ordinances, Appendix A, Zoning, Section IV, General Provisions, N. Setback Requirements in Older Parts of City, be amended to include the language that is underlined below:

N. - SETBACK REQUIREMENTS IN OLDER SECTIONS OF THE CITY.

Notwithstanding any other provision in the zoning code, it shall be permissible for a landowner requesting permission to have a setback between the front of their building and the street which is in line with one (1) or more of the buildings on the adjacent properties, shall make a variance request directly to the city's zoning board for permission to have such setback, regardless of when the subdivision was constructed.

a. For all the parcels of land that have a back yard that back up to Seales Street, such lots are only required to have a setback of 7.5 feet, instead of 25 feet, as set forth herein, since Seales Street does not meet the requirements of a street.

The provisions of this ordinance shall be severable. If any phrase, clause, sentence or provision of these regulations shall for any reason be held invalid or unconstitutional, the validity of the remainder of these regulations shall not be affected thereby.

This Ordinance shall be in full force and effect in accordance with the provisions set forth in Section 248(b) of the Code.

Passed this 20 day of August 2018.

Ayes: 7
Nays: 0
Absent: 0
Abstain: 1

Attest: Julie S. Bannell
City Clerk

Tom Bollen
Mayor of the City of Auburn, Illinois