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CORRECTION TO SETBACK EXAMPLE ERROR  
IN ZONING ORDINANCE

In the year Two Thousand Ten.....

Resolved by the City Council of the City of Burlington, as follows:

That WHEREAS, Section 5.2.5 Setbacks of the Zoning Code of Ordinances states:

- 1. A. The Minimum front yard setback for any structure shall be the average of the front yard setback of principal structures in lawful existence as of the adoption of this ordinance on the two neighboring lots on either side and within the same block and having the same street frontage; and

WHEREAS, the example given to illustrate the calculation erroneously states that a vacant lot has a “0” setback, when in fact a lot without a legal principal structure cannot be used in the described calculation, because there is no setback; and

WHEREAS, calculating setbacks as shown in the example would be in conflict with the language of the ordinance;

NOW, THEREFORE, BE IT RESOLVED that the City Council requests that the Department of Planning and Zoning propose a correction of this error to the ordinance and report back to the City Council by May 17, 2010