

**VILLAGE OF WHITING
ORDINANCE AMENDMENT 2025-05**

**AN ORDINANCE AMENDING MUNICIPAL CODE CHAPTER 19.06 –
ZONING DISTRICTS: R-2 SINGLE- AND TWO-FAMILY RESIDENTIAL
DISTRICT REGULATIONS**

**THE VILLAGE BOARD OF THE VILLAGE OF WHITING DOES ORDAIN AS
FOLLOWS:**

**SECTION 1: Addition of Section 19.06 subsection 3: Zero Lot Line
Residential Development. See attached.**

SECTION 2: This Ordinance shall be in effect following adoption.

**PASSED AND ADOPTED BY THE VILLAGE BOARD OF THE VILLAGE OF
WHITING ON THIS 9th DAY OF SEPTEMBER, 2025.**

THE VILLAGE OF WHITING

By:_____

Bill Taugner, President

ATTEST:

BY: _____

Annette Stashek, Clerk

ZERO LOT LINE ORDINANCE

Amendment to Whiting Ordinance Section 19.06, adding the following:

3. ZERO LOT LINE RESIDENTIAL DEVELOPMENT. A zero-lot line residential development is defined as being a “one-family free-standing unit” or “two one-family units with a common firewall”. However, in no case will a zero-lot line residential development be considered a two-family or multiple family unit.
 - a. Zero lot line residential development is permitted only in R-2 residential districts.
 - b. Zero lot line dwellings must comply with all structural requirements as specified in the Village’s adopted building code. All such dwellings that share a common wall must also comply with all fire separation requirements set forth in the building code.
 - c. All zero lot line residential development plans are subject to the customary review and approvals by the Village Building Inspector.
 - d. Each zero lot line unit, defined as a structure housing one family, will be located on its own building lot. This lot must be a minimum of 8,000 square feet in size.
 - e. Zero lot line development structures are limited to two stories in height, not including a possible basement.
 - f. Minimum front property line lot width is 75’.
 - g. Primary residential structure setback requirements are as follows:
 1. Side yard setback will be 10’ minimum, except as noted in #2 below.
 2. Side yard setback may be 0’ or 1’ on one side of the lot, provided the lot abutting the zero side yard setback is held under the same ownership at the time of initial building construction. In this case, the opposite side yard setback must be a minimum of 20’.
 3. Construction of a residential zero lot line development with a side yard setback of 0’ or 1’ is only permitted if accompanied by a recorded, 5’ perpetual easement from the adjoining lot owner to allow for future maintenance and repairs.
 4. Any zero lot line residential development abutting a lot of different ownership must have a minimum setback of 10’, with an allowance of a 24” encroachment for a structure’s eave.
 5. Front yard or street setback minimum is 30’.
 6. Rear yard setback minimum is 30’.
 - h. A garage is required for each one-family zero lot line unit. This primary garage may be attached or detached, with a maximum of 850 square feet total garage space permitted.

- i. No one-family unit shall be permitted more than two (2) accessory buildings. The maximum square footage of accessory buildings shall not exceed 1,024 square feet of floor space. A primary detached garage is not considered an accessory building.
- j. The setback requirements for an accessory building in a zero-lot line residential development are:
 - 1. Front yard is 30' minimum. In addition, accessory buildings must conform with the front setback of the primary residential building, and cannot be located closer to the front lot line than the principal structure.
 - 2. Side yard is 10' minimum on both sides.
 - 3. Rear yard is 3' minimum.
 - 4. In addition, the distance between any accessory building and the primary housing structure must be a minimum of 10'.
- k. Whiting ordinance sections 18.09, (2)(a)(1)(3) and (4) are hereby incorporated in this ordinance by reference. These paragraphs include requirements governing accessory building and detached garage height and materials of construction.
- l. Whiting ordinance sections 19.05, (1)(f) and (g) are hereby incorporated in this ordinance by reference. These paragraphs govern the use of signs in a zero-lot line residential development.
- m. Each residential unit in a zero-lot line development is required to have dedicated water, sewer, and utility services.
- n. Each lot in the zero-lot line residential development is required to have direct and designated access to a public street. All shared roadways must have a perpetual easement which provides for this recorded with the Portage County Register of Deeds. The details and wording of this easement must be reviewed by the Whiting Village Attorney prior to the issuance of any building occupancy permit. The cost of this review will be borne by the zero-lot line residential developer.
- o. The zero lot line residential developer is required to create an attorney-prepared, perpetual property owner's agreement that binds all current and future owners in the development. Ownership, maintenance, and replacement responsibilities for all shared areas of the zero-lot line residential development must be covered. This includes, but is not limited to, all private roadways within the development, snow removal, grass cutting, garbage and recycling service. In addition, it is recommended that this agreement be structured to bind all future property owners within the development. This agreement is to be recorded with the Portage County Register of Deeds for each zero lot line lot within the development. The details and wording of this agreement must be reviewed by the Whiting Village Attorney prior to the issuance of any building occupancy permit. The cost of this review will be borne by the zero-lot line developer.

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