

**ORDINANCE NO. 25-07-16**

**AN ORDINANCE AMENDING SECTION 20.9.6 (FENCES) OF THE  
CLARENDON HILLS MUNICIPAL CODE**

---

**WHEREAS**, the Village of Clarendon Hills, DuPage County, Illinois (the "Village"), is a non-home rule municipality operating under the Illinois Municipal Code and the Village of Clarendon Hills Zoning Ordinance (the "Zoning Ordinance");

**WHEREAS**, the Zoning Board of Appeals/Plan Commission ("ZBA/PC") of the Village, after proper notice, conducted a public hearing on May 29, 2025, to consider certain text amendments to Section 20.9.6 of the Zoning Ordinance (collectively, the "Proposed Text Amendment");

**WHEREAS**, following the public hearing, the ZBA/PC voted to recommend approval of the Proposed Text Amendment and has transmitted its Findings of Fact and Recommendation to the President and Board of Trustees (collectively, the "Corporate Authorities");

**WHEREAS**, the Corporate Authorities find that adoption of the Proposed Text Amendment is in the best interests of the public health, safety, and welfare of the Village and its residents;

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Clarendon Hills, DuPage County, Illinois, as follows:

**SECTION 1:** The above recitals are incorporated herein as findings of the Corporate Authorities and made a part hereof as if fully set forth.

**SECTION 2:** The Findings of Fact and Recommendation of the ZBA/PC, a copy of which is attached hereto as Exhibit A and made a part hereof, are hereby accepted and approved.

**SECTION 3:** Section 20.9.6 ("Fences") of the Village of Clarendon Hills Zoning Ordinance is hereby amended to read in its entirety as follows:

**"20.9.6 FENCES:**

**A. General Requirements**

1. A fence permit is required for the construction, repair, and modification of all fences.
2. No fence shall be erected, constructed, or maintained to impede natural stormwater run-off on any portion of any lot or any adjoining lot or land and shall be above grade. Maximum height of fence panel above the pre-existing grade shall not exceed three inches (3") in height.

3. Setback of Fences and Walls: Fences and walls may be located up to the property line of the property.
4. Facing of the finished side of the Fence: The finished side (i.e., the side that does not contain the supports of the fence) of a fence must face the neighboring properties.
5. Fence Height Measurement: The measurement of the fence height shall be from the base of the fence panel section to the highest point of the fence panel section. A fence post or decorative fence finial will be allowed to be a maximum of eight inches (8") above the highest point of the fence panel section.
6. Clear View at Intersection Streets: On any corner zoning lot, no fence, wall, hedge, or other similar obstruction shall be placed so as to interfere with clear vision from one street to the other across such corner and in no event shall any such fence, wall, hedge, or other similar obstruction exceed, or be allowed to exceed, three feet (3') in height above the grade at the center line of the street nearest thereto within fifty feet (50') of the center line of the intersection of any street or street lines projected.

B. Height of Fences:

1. R-1, R-2, and R-3 Districts:
  - a. Fences shall not exceed three feet (3') in height in front and corner side yards.
  - b. Fences shall not exceed six feet (6') in height in interior and side yards.
  - c. Permitted zoning encroachments (per Table 9.1: Permitted Encroachments into Required Setbacks) within the front or side yard shall not allow a fence to encroach within said front or side yard.
  - d. Residential zoned properties that abut Ogden Avenue or 55<sup>th</sup> Street are allowed six-foot (6') high fences with their corner side yards, on the basis that their corner side yard abuts either Ogden Avenue or 55<sup>th</sup> Street.
2. B-1, B-2, B-3, L-O, O-T, and P-I Districts:
  - a. Fences are prohibited in the required front or corner side yard.
  - b. Fences shall not exceed six feet (6') in height in interior side and rear yards.
3. Restrictions: No fence shall utilize barbed wire except in the B-3 District.
4. Required Fences:
  - a. A minimum of a six foot (6') solid fence is required along the lot line of properties that have a commercial zoning

designation that abut a property with a residential zoning designation.

- b. A minimum of a six foot (6') solid fence shall be erected along the lot line of properties that have a multi-family zoning designation that abut a property with a single-family zoning designation.
- c. A minimum of a six foot (6') solid fence shall be erected to enclose and provide screening of all dumpster/garbage receptacles for commercial, multi-family, and planned unit development uses. A six-foot (6') perimeter fence may be used as a portion of the required screening for dumpsters.
- d. Swimming pools shall be fully compliant with Sections 20, 21, and 26 of the Clarendon Hills Municipal Code.”

**SECTION 4:** All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

**SECTION 5:** The provisions of this Ordinance are declared to be severable, and if any section, paragraph, clause, or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause, or provision shall not affect any of the other provisions of this Ordinance.

**SECTION 6:** This Ordinance shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

**ADOPTED** this 21<sup>st</sup> day of July 2025, pursuant to roll call vote as follows:

AYES: Trustees Chaudhry, DeAngelis, Kavuliak, Lang, and Weicher

NAYS: None

ABSENT: Trustee Peterson

APPROVED by me this 21<sup>st</sup> day of July 2025.

  
Eric Tech, Village President

ATTEST:

  
Lynn B. Dragisic, Village Clerk

Published in pamphlet form: July 22, 2025



**EXHIBIT "A"**  
**FINDINGS OF FACT AND RECOMMENDATION**

1. The extent to which the proposed amendment promotes the public health, safety, and welfare of the Village. Staff believes that the proposed text amendment promotes public health, safety and welfare of the Village.
2. The relative gain to the public, as compared to the hardship imposed upon the applicant. Staff believe there to be a realistic gain to the public by allowing a fence complaint and effective enforcement process.
3. The consistency of the proposed amendment with the Comprehensive Plan. Staff believes that the proposed text amendment is consistent with the Comprehensive Plan.
4. The consistency of the proposed amendment with the intent and general regulations of this Chapter. Staff believes that the proposed text amendment is consistent with the intent and general regulations of this code chapter.
5. Whether the proposed amendment corrects an error or omission, adds clarification to existing requirements, or reflects a change in policy. Staff believes that the proposed text amendment adds clarification and corrects an error of omission in relation to fences.
6. Whether the proposed amendment provides a more workable way to achieve the intent and purposes of this Chapter and the Comprehensive Plan. Staff believes that the proposed text amendment provides a more workable way to achieve the intent and purpose of the code chapter.
7. The extent to which the proposed amendment creates nonconformities. Staff believes that the proposed text amendment will not create many non-conformities.
8. The extent to which the proposed amendment is consistent with the overall structure and organization of this Chapter. Staff believes the proposed amendment will be consistent with the overall structure and organization of this code chapter.