

XV. ACCESSORY USES, YARDS & FENCES

The following regulations are not applicable to Open Space Private Lake, Public & Institutional and Farming Districts.

A. Accessory Uses and Structures

1. **Compatibility:** Accessory uses and structures shall be compatible with the principal use of the lot on which they are located and shall not be established on a lot without an principal use nor prior to the establishment of the principal use on the same lot. The keeping, preparation, or culture of poultry, pigeons, or livestock shall not be an accessory use.
2. **Location:** Accessory uses may be located in any yards only as provided in Table 13, below.
3. **Standards:** All accessory uses shall conform to the standards in Table 14, below.
4. **Wind Energy Conversion Systems:** Wind Energy Conversion Systems as a principal or accessory use may be provided only as a planned development in accordance with Article XVIII, Section J.
5. **Dish Antennas:** Accessory satellite dish antennas shall be located on the roof or exterior walls of the principal structure or, if mounted on a ground mounted support structure, only in a rear yard. The total height of such ground mounted support structure or accessory building and dish shall not exceed seventeen (17) feet in height.
6. **Other Towers and Antennas:** Other towers or antennas as accessory uses shall not have a total height exceeding thirty-five (35) feet, shall be located only in a rear yard, shall not be located more than three feet from the principal building and shall not be so positioned so as to conflict with any utility line.
7. **Decks, Patios and Porches:** Decks or patios that are enclosed by windows, screens and covered by a permanent roof shall be considered as part of the principal building. Such decks, patios and porches shall be subject to all of the bulk requirements of the zoning district in which they are located. Open porches as defined herein may protrude into the required front yard a distance equivalent to twenty-five percent (25) percent of the depth of such yard.
8. **Dog Runs:** No more than one enclosed dog run as defined herein shall be permitted on any lot in a Residential District. The fence enclosing the run shall be an open fence as defined herein, shall not exceed a maximum of eight (8) feet in height, shall not exceed fifty (50) feet in perimeter, shall be located a minimum of ten (10) feet from all lot lines and may only be located in a rear yard.
9. **Garages, Carports and Parking:** Garages, carports and open accessory parking spaces shall be subject to applicable provisions under the Off-Street Parking and Loading Article of this Ordinance. All garages shall be attached to the principal structure and shall be subject to the

yard requirements applicable to the principal building.

10. **Swimming Pools:** A permanent private swimming pool shall be located in a rear yard, except that on a single family lot having a lot area of one (1) acre or more, such pool may be located between the principal building and an interior side lot line, in accordance with the following conditions:
 - a. The pool shall be located no closer to the front lot line than the minimum required front yard for that zoning district, or the principal building, whichever is a greater distance; and
 - b. The pool shall be set back a minimum of eight (8) feet from the interior side property line for the district in which it is located.

B. Yards

It is hereby intended that for purposes of the following section that the word “required” is added immediately prior to any reference to the following terms “front yard”; “interior side yard”; “corner side yard” and “rear yard.”

1. **Obstructions:** Required yards may be obstructed by accessory uses or building projections only as provided in Table 13.
2. **Yards Used for Only One Structure:** The minimum yard required for one (1) building or structure shall not be used as the required yard space for another adjoining building or structure.
3. **Reduction in Lot Area:** No lot shall be reduced in area by sale or subdivision so that the resulting yards or other open spaces shall be less than required by this Ordinance.
4. **Vacant Through Lots:** On a vacant through lot, either of the lot lines abutting a street may be established as the front lot line, except that where two or more through lots are contiguous and a front lot line has been duly established by the construction of a building on one lot, the same street lot line shall serve as the front lot line of all such contiguous lots.
5. **Conformity to Existing Required Front Yards:** The purpose of this provision is to establish uniformity in front setbacks within a block and protect view lines in single-family residential neighborhoods except where the view line from a home has been voluntarily sacrificed by locating the building with a setback that is greater than that required in this or any applicable previous Ordinance.

In any residential district, where one (1) or more side lot lines of a lot abut one or more residential lots with a nonconforming front or corner side yard that is less than that otherwise required by this Ordinance, the minimum front and corner side yards on such lot may be less than the zoning district regulations for that district. For such a lot that is an interior lot, the minimum required front yard shall be the average of the actual required front yards established on the two (2) abutting residential lots on either side. If there is no structure on

one of the abutting lots, the required front yard required by the zoning district shall be used in lieu of the actual required front yard for that lot to compute the average.

For such a lot that is a corner lot, the minimum front and required corner side yard shall be the actual front or required corner side yard abutting each such yard on the adjacent residential lot.

Where the actual front or corner side yards on the abutting lots are conforming, the minimum front and corner side yards shall be as required in the district regulations.

6. **Vision Clearance Triangle:** Within a triangular area located at the at-grade intersection of two streets, a street and a railroad, or a street and a driveway special restrictions apply.

The triangular area shall be formed by the right-of-way lines of the streets or railroads between their intersection and points thirty (30) feet from their intersection along each line, or ten (10) feet from the intersection of a street and a driveway, and by a straight line connecting these two (2) points.

Within this triangle, no solid fence as defined herein or any hedge, opaque landscaping or screening, wall, or other solid obstruction, having a height of over two and one half (2-1/2) feet, nor any open fence as defined herein with a height of over three and one half (3-1/2) feet, shall be permitted.

Overhanging objects including tree branches shall be permitted within this triangle only if all parts thereof are higher than eight (8) feet above the level of the railroad or the pavement of the street or driveway where the center lines intersect. Signs shall be permitted only if the main sign display area is located a minimum of eight (8) feet above adjacent grade or the maximum height of the sign is two and one half (2-1/2) feet or less.

C. Fences

The following general provisions shall apply to all fences erected, constructed, or installed after the effective date of this Ordinance.

1. **Application:** Except as otherwise provided herein, all provisions in this Section governing fences shall also apply to walls and retaining walls where they extend above ground level. Such provisions shall not apply to vegetation even if that vegetation serves as a fence and shall not apply to required safety fences that surround a pool.
2. **Permit:** No permanent or temporary fence shall be erected, constructed, or installed without first having been issued a fence permit by the Village President, or his designee,
3. **Nonconforming Fences:** All fences legally existing on the effective date of this Ordinance that do not conform to the regulations of this Section may remain and be repaired as a permitted legal nonconforming use pursuant to the provisions of Article XVII, "Nonconformities", except those that do not comply with the clear vision requirements as set below in this Article XV, Section C.8.b., below.

4. **Orientation:** All fences shall be installed with their finished face directed toward the public view and away from the principal structure. However, the unfinished face of a fence may be oriented toward a public alley.
5. **Maintenance:** All fences, walls, and other barriers shall be maintained in good and structurally sound repair.
6. **Permitted Material for all districts other than the I-1 and I-2 Districts:** No fence or wall is permitted that is electrified or that contains broken glass, barbed wire, or other substances intended to inflict bodily harm. The following types of fence material (including such other materials determined to be similar in appearance and durability by the Village President, or his designee), shall be permitted for fences located in all but the I-1 and I-2 Districts but shall in all cases be fifty percent (50%) or more open as required elsewhere:
 - a. Vinyl-coated open chain link, without slats
 - b. Masonry or stucco wall
 - c. Wood products, but not plywood
 - d. Wrought iron, ornamental steel or aluminum
 - e. Decorative vinyl
7. **Permitted Material for the I-1 and I-2 Industrial Districts:** The following types of fence materials (including such other materials determined to be similar in appearance and durability by the Village President, or his designee), shall be permitted in the I-1 and I-2 districts:
 - a. Chain link (permitted in rear and interior side yards only)
 - b. Vinyl-coated chain link with out slats
 - c. Masonry or stucco wall
 - d. Decorative vinyl
 - e. Wood products, but not plywood
 - f. Wrought iron, ornamental steel or Aluminum
 - g. Barbed wire may be added to the above fence materials at heights in excess of six feet above the ground level provided all barbed wire and its supporting arms shall slope inward toward the premises for which the fence permit is issued:
8. **Maximum Fence Height in All districts (except I-1 and I-2 industrial districts):**
 Fence height in all districts except I-1 and I-2 Industrial Districts shall be as follows:

	Maximum Fence Height in Feet
a. Within vision clearance triangle:	2.5'
b. In residential districts in locations outside the vision clearance triangle:	
In front yards:	3' ornamental fence only (not chain link) provided a minimum of 50% of its surface area is open

In corner side yards:	6' but located no closer to the front lot line than the principal building and located no closer to the corner side yard lot line a distance equivalent to 50% of the corner side yard setback
In Interior Side Yards:	6'
In Rear Yard:	6'
Transitional Yards (Along any lot line of a lot in a Residence District that is contiguous or across an alley or street from a lot upon which is located a non-residential use.)	8'

- c. In other districts, except the I-1 and I-2 Industrial Districts:
 - In Front or Corner Side Yards: NA
 - In Interior Side Yards: 6'
 - In Rear Yards: 6'
- d. In the I-1 and I-2 Industrial Districts:
 - In Front or Corner Side Yard: 8'
 - In Interior Side Yard: 8'
 - In Rear Yard: 8'

- 9. **Other Requirements:** Other requirements applicable to fences area as follows:
 - a. No fence shall be constructed or installed so as to constitute a traffic or safety hazard.
 - b. All fences shall be allowed in yards only as provided above.

Table 13: Permitted Obstructions of Required Yards

Projection or Accessory Use	All Yards	Rear Yard	Interior Side Yard	Corner Side Yard
Accessory buildings, sheds & storage buildings	-	X	-	-
Air conditioning equipment	-	X	X	X
Arbors & trellises	X	-	-	-
Awnings & canopies projecting 10% or less of yard depth	X	-	-	-
Balconies, open projecting 10% or less of yard depth	X	-	-	-
Bay windows projecting 10% or less of yard depth	X	-	-	-
Chimneys projecting 10% or less of yard depth	X	-	-	-
Decks, open projecting 50% or less of the required rear yard	X	X	-	-
Decks, enclosed projecting 50% or less of the required rear yard	-	X	-	-
Dish antennas *	-	X	-	-
Dog runs, enclosed *	-	X	-	-
Eaves, overhanging projecting 10% or less of yard depth	X	-	-	-
Fences *	X	-	-	-
Flagpoles	X	-	-	-
Gardens, vegetable	-	X	X	X
Greenhouses	-	X	-	-
Gutters	X	-	-	-
Hedges	X	-	-	-
Laundry drying equipment	-	X	X	-
Light standards, ornamental	X	-	-	-
Loading, off-street, open *	-	X	X	-
Parking, off-street, open *	X	-	-	-
Patios	-	X	X	-
Porches/breezeways, open *	-	X	-	-
Recreational equipment	-	X	X	-
Sheds & storage buildings *	-	X	-	-
Signs *	X	-	-	-
Stairways, open unroofed	X	-	-	-
Steps	X	-	-	-
Swimming pools, private *	-	X	-	-
Television or radio towers or antennas *	-	X	X	-
Tennis courts, private	-	X	-	-
Trees, shrubs, & flowers	X	-	-	-
Walls (See Fences *)	X	-	-	-
Other accessory uses	-	X	-	-

* See also separate regulations and exceptions.

** Subject to requirements of Table 14

x = Permitted.

Table 14: Standards for Accessory Structures

Maximum height in residential districts: In feet:	17 (but not to exceed the height of the principal structure)
In stories:	1-1/2
Minimum setback from any interior side lot line in feet [a]:	3
Minimum setback from any street side lot line (permitted obstructions only)	50% of the minimum corner side yard setback applicable to the principal structure in that zoning district
Minimum setback from principal building in feet [b]	10
Maximum floor area for residential accessory buildings in square feet [c] :	400

[a] Except fences, walls, landscape screens, berms, and hedges. Structures are subject also to the yard requirements of the forgoing Sections and Table 13, which may impose greater setbacks from lot lines for certain structures.

[b] Except for enclosed decks and patios and accessory uses that are structurally a part of the principal building.

[c] For residential uses in any residential district.