

02/06/2001

9-O-01

**AN ORDINANCE**

**Amending Section 6-18-3 of the Zoning Ordinance  
Regarding Certain Rear Yard and Side Yard  
Definitions For Review of Fences Only**

WHEREAS, Ordinance 15-O-99 adopted by the City Council on April 21, 1999 in case nos. ZPC 97-2-T (R) and ZPC 97-4-T (R) amended Section 6-4-6-7 and Section 6-18-3 of the Zoning Ordinance regarding special regulations applicable to fences; and

WHEREAS, definitions of "Yard, Rear Required (for review of fences only)" and "Yard, Street Side Required (for review of fences only)" were among the additions to Section 6-18-3 of the Zoning Ordinance made by Ordinance 15-O-99; and

WHEREAS, revisions to the two aforementioned definitions and to Appendix G of the Zoning Ordinance are necessary and appropriate to reflect the recommendation of the Plan Commission in case no. ZPC 97-2-T (R) and case no. ZPC 97-4-T (R) based upon the Commission's written findings in those cases as adopted by the City Council; and

WHEREAS, the Plan Commission held public hearings on September 13, 2000 and October 11, 2000 pursuant to proper notice in case no. ZPC 00-09-T (R) to consider amendments to Section 6-18-3 and to Appendix G of the Zoning Ordinance regarding the two aforementioned definitions; and

WHEREAS, the Plan Commission voted to recommend City Council approval of the proposed revisions to the Zoning Ordinance in case no. ZPC 00-09-T (R); and

WHEREAS, the Planning and Development Committee of the City Council considered and adopted the Plan Commission's record and recommendation at its February 12, 2001 meeting, and recommended City Council approval thereof; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:

**SECTION 1:** That the City Council hereby finds the above recitations as fact and accepts the recommendations of the Plan Commission and Planning and Development Committee and amends the Zoning Ordinance, Title 6 of the Evanston City Code of 1979, as amended, as more particularly set forth below.

**SECTION 2:** That these definitions in Section 6-18-3 are amended, with no other changes to Section 6-18-3, read as follows:

**YARD, REAR REQUIRED (For Review Of Fences Only):** For zoning lots that are not also corner lots, that are on a zoning lot between the rear lot line, two (2) side lot lines (interior or street), and the line established by the rear yard requirement of each zoning district. For zoning lots that are also corner lots, that area on a zoning lot between the rear lot line, the interior side lot line, the line established by the side yard abutting a street requirement of each zoning district, and the line established by the rear yard requirement of each zoning district (see Figure 6-18-3 of this Section, Zoning Lot Components). (Ord. 15-0-99)

**YARD, STREET SIDE REQUIRED (For Review Of Fences Only):** That area on a zoning lot between the street side lot line, the line established by the front yard requirement of each zoning district or subsection 6-4-1-9(A)3 or (A)5 of this Title, ~~the line established by the rear lot line yard requirement of each zoning district,~~ and the line established by the side yard abutting a street requirement of each zoning district (see Figure 6-18-3 of this Section, Zoning Lot Components). (Ord. 15-O-99)

**SECTION 3:** That Appendix G of the Zoning Ordinance "Summary of Fence Standards As Contained in Section 6-4-6-7 of the City of Evanston Zoning Ordinance", is amended by revising the Permitted Height provision to read as follows:

**Permitted Height**

**Typical:**

6 feet, except no greater than 4 feet when legally located between front lot line and 3 feet behind any front-facing façade of principal building or when legally located within the required street side yard unless located as hereafter described where 8 feet is permitted; no greater than 8 feet when within required interior side or required rear yard and said yard or adjacent alley is boundary between residential and non-residential use.

**Temporary:**

8 feet, provided applicant conforms with § 6-4-8-4.

**Open Mesh for Park, Rec Area, School:**

No restrictions.

A copy of Appendix G as revised is attached hereto as Exhibit 1 and made a part hereof.

**SECTION 4:** That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 5:** That this ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: February 12, 2001

Adopted: February 26, 2001

Approved:

February 27, 2001

Lorraine H. Norton  
Mayor

ATTEST:

Mary P. Morris  
City Clerk

Approved as to form:

[Signature]  
Corporation Counsel

# Exhibit 1

## APPENDIX G: SUMMARY OF FENCE STANDARDS AS CONTAINED IN SECTION 6-4-6-7 OF THE CITY OF EVANSTON ZONING ORDINANCE

Fence Regulation (according to Land Use and Zoning District)		Residential or Mixed Use(s)										Nonresidential Use(s)										Any Use			
		any R's	any B's	any C's	any D's	any T's	any U's	R P	O 1	M U	M U E	any R's	any B's	any C's	any D's	any T's	any U's	R P	O 1	M U	M U E	11	12	13	
Permitted Materials	Wood	Yes.																							
	Wood-polymer Lumber	Yes, provided said material consists of at least 50% post-consumer and/or post-industrial wood fiber.																							
	Wrought Iron	Yes.																							
	Masonry or Stucco Wall	Yes.																							
	Chain Link	Yes, except not permitted within area between street lot line and 3' behind any street-facing facade of the principal building unless property is along Type 1 Street and chain link is specifically listed as a permitted material along said Type 1 Street.																				Yes, provided fence is within required interior side yard or required rear yard.			
	PVC	Yes, provided post or horizontal components do not have circular cross section and have wall thickness of at least 0.120 inches; and all material is solid-wall extruded, is recyclable at end of useful life, and meets Standard Specification F964-94 of 1996 Annual Book of ASTM Standards.																							
	Barb Wire	No.																				Yes, provided fence is within required interior side yard or required rear yard; is above 6'; and conforms with § 7-5-2.			
	Unfinished Concrete or Cinder Block Wall	Yes.																							
Permitted Location (Required Yard)	Front	No, unless property is along Type 1 Street; and wood, wood-polymer lumber, wrought iron, or PVC fence is at least 30% open.																				Yes.			
	Street Side																								
	Interior Side	Yes, provided fence is setback from any front-facing facade of principal building by 3'.																							
	Rear	Yes.																							
	Bldg Envelope	Yes, provided fence is setback from any front-facing facade of principal building by 3'.																							
Permitted Height	Typical	6', except no greater than 4' when legally located between front lot line and 3' behind any front-facing facade of principal building or when legally located within the required street side yard unless located as hereafter described where 8' is permitted; no greater than 8' when within required interior side or required rear yard and said yard or adjacent alley is boundary between residential and nonresidential use.																				8'.			
	Temporary	8', provided applicant conforms with § 6-4-8-4.																							
	Open Mesh for Park, Rec Area, School	No restrictions.																							

