

**ORDINANCE NO. 24-10-27**

**AN ORDINANCE AMENDING CHAPTER 20 OF THE CLARENDON HILLS MUNICIPAL CODE IN REGARD TO PERMITTED ENCROACHMENTS**

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**WHEREAS**, the Village of Clarendon Hills (the “Village”) maintains a Zoning Ordinance which is found in Chapter 20 of the Clarendon Hills Municipal Code (the “Village Code”); and

**WHEREAS**, the Village has enacted regulations for the purpose of improving and protecting the public health, safety, and welfare of the residents of the Village, including the Zoning Ordinance; and

**WHEREAS**, the Village Zoning Board of Appeals/Plan Commission (“ZBA/PC”) and the Village President and Board of Trustees (the “Corporate Authorities”) deem it appropriate to periodically review said Zoning Ordinance and make necessary changes and clarifications thereto; and

**WHEREAS**, a public hearing, to consider text amendments to the Zoning Ordinance, as set forth in Sections 1-3 below, was opened by the Village’s Zoning Board of Appeals/Plan Commission (the “ZBA/PC”) on September 5, 2024, and was continued to and concluded on October 3, 2024, pursuant to appropriate and legal notice; and

**WHEREAS**, the ZBA/PC has filed its recommendations with the Corporate Authorities recommending approval of the Zoning Ordinance text amendments as set forth in Sections 1-3 below; and

**WHEREAS**, the Corporate Authorities approve and adopt the findings and recommendations of the Plan Commission, as to the Zoning Ordinance text amendments referenced in Sections 1-3 below, and incorporate such findings and recommendations herein by reference as if they were fully set forth herein; and

**WHEREAS**, the Corporate Authorities have determined that it is in the best interests of the Village to clarify and expand the permitted encroachments under the Zoning Ordinance pursuant to this Ordinance;

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:** Chapter 20, Article 20.9, Section 20.9.4, Table 9-1 titled Permitted Encroachment into Required Setbacks of the Clarendon Hills Municipal Code is amended as follows:

1. Replace the term “**setback**” with “**yard**” throughout the table and any associated text; and
2. The following rows shall be added in the appropriate alphabetical position to **Table 9-1: Permitted Encroachments into Required Yards** to reflect new permitted encroachments:

**Table 9-1: Permitted Encroachments into Required Yards**

	Front Yard	Corner Side Yard	Interior Side Yard	Rear Yard
Air Conditioner/Generator  Must be located outside of required setback for yards	N	N	Y	Y
Porch, Open  Max 6-feet into required front & corner side yard setback	Y	Y	N	N
Swimming Pools  Min.7.5-feet from rear & side property lines	N	N	N	Y

**SECTION 2:** As a result of the amendment to Table 9-1, Chapter 20, Article 20.2, Section 20.2.3 is amended by adding the following definition:

**"PORCH – OPEN:** Open porches include porches that are covered by the house's roof structure, have open sides, and are integral to the design of the house. This definition shall not include uncovered decks."

**SECTION 3:** As a result of the amendment to Table 9-1, Chapter 20, Article 20.4, Section 20.4.3, Table 4-1 is amended by adding the following footnote to Table 4-1:

*"<sup>2</sup>Front Porches that are allowed encroachments within the front yard are not included in the front yard average setback calculations."*

**SECTION 4:** That 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 October 2024 pursuant to roll call vote as follows:

AYES: Trustees Chaudhry, DeAngelis, Lannert, Peterson, Tuttle, and Weicher

NAYS: None

ABSENT: None

**APPROVED** by me this 21<sup>st</sup> day of October 2024.

  
Eric Tech, Village President

ATTEST:

  
Lynn B. Dragisic, Village Clerk

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