

VILLAGE OF LOMBARD
REQUEST FOR BOARD OF TRUSTEES ACTION
For Inclusion on Board Agenda

Resolution or Ordinance (Blue) Waiver of First Requested
 Recommendations of Boards, Commissions & Committees (Green)
 Other Business (Pink)

TO : PRESIDENT AND BOARD OF TRUSTEES
FROM: Scott R. Niehaus, Village Manager
DATE : January 29, 2026 **(BOT) DATE:** February 5, 2026
SUBJECT: PC 26-02: Text amendment to Chapter 155 - Fence materials and AC setbacks for single-family residential properties

SUBMITTED BY: Anna Papke, AICP, Planning and Zoning Manager *AP*

BACKGROUND/POLICY IMPLICATIONS:

The Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition. The petitioner, the Village of Lombard, is requesting text amendments to Village Code Chapter 155, Zoning Code, and any other relevant sections for clarity and consistency.

Proposed amendments include the following:

1. Amend Section 155.205 of the Village Code, Fences, wall, and hedges, to incorporate regulations for fencing materials.
2. Amend Section 155.212 of the Village Code, Permitted obstructions in required yards, to reduce the side yard setback for new central air-conditioning systems.

The Plan Commission recommended approval of this petition by a vote of 8-0. Please place this petition on the February 5, 2026 Village Board of Trustees' agenda for a first reading.

Fiscal Impact/Funding Source:

Review (as necessary)

Finance Director _____ Date _____

Village Manager _____ Date _____



MEMORANDUM

TO: Scott R. Niehaus, Village Manager

FROM: Anna Papke, AICP, Planning and Zoning Manager *AP*

MEETING DATE: February 5, 2026

SUBJECT: **PC 26-02: Text Amendment to Chapter 155 – Fence materials and AC units on single-family residential properties**

Please find the following items for Village Board consideration as part of the February 5, 2026, Village Board meeting:

1. Plan Commission referral letter;
2. IDRC report for PC 26-02; and
3. An Ordinance granting approval of text amendments to Title 15, Chapter 155 of the Lombard Village Code.

This was a staff-driven petition. The petition included proposed regulations for fence materials, AC unit setbacks on single-family residential properties, and a prohibition of metal-sided buildings. The Plan Commission recommended approval of the fence material and AC unit regulations by a vote of 8-0. The Plan Commission requested that the metal-sided building regulations be revised and brought back to the Plan Commission for further review. Accordingly, the attached ordinance would approve the fence material regulations and the AC unit regulations. Please place this petition on the February 5, 2026, Village Board of Trustees agenda for a first reading.



VILLAGE OF LOMBARD

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February 5, 2026

Village President
Anthony Puccio

Village Clerk
Ranya Elkhatib

Trustees

Brian LaVaque, Dist. 1
Jessica Hammersmith, Dist. 2
Bernie Dudek, Dist. 3
Patrick Egan, Dist. 4
Dan Militello, Dist. 5
Bob Bachner, Dist. 6

Village Manager
Scott R. Niehaus

"Our shared Vision for Lombard is a community of excellence exemplified by its government working together with residents and businesses to create a distinctive sense of spirit and an outstanding quality of life."

"The Mission of the Village of Lombard is to provide superior and responsive governmental services to the people of Lombard."

Mr. Anthony Puccio,
Village President, and
Board of Trustees
Village of Lombard

Subject: PC 26-02: Text Amendment to Chapter 155 – Fences, AC units, metal-sided buildings

Dear President and Trustees:

Your Plan Commission transmits for your consideration its recommendation regarding the above-referenced petition.

The petitioner, the Village of Lombard, is requesting text amendments to Village Code Chapter 155, Zoning Code, and any other relevant sections for clarity and consistency. Proposed amendments include the following:

1. Amend Section 155.205 of the Village Code, Fences, wall, and hedges, to incorporate regulations for fencing materials.
2. Amend Section 155.212 of the Village Code, Permitted obstructions in required yards, to reduce the side yard setback for new central air-conditioning systems.
3. Amend Chapter 155, Article III of the Village Code, General Provisions, to incorporate regulations pertaining to metal-sided buildings in Office and Business Districts.

After due notice and as required by law, the Plan Commission conducted a public hearing for this petition on January 26, 2026. Sworn in to present the petition was Anna Papke, Planning and Zoning Manager.

Chairperson Giuliano read the Plan Commission procedures and asked if anyone other than the petitioner intended to cross examine and, hearing none, she proceeded with the petition.

Ms. Papke presented the petition and staff report. The IDRC report for PC 26-02 was entered into the public record in its entirety. Planning staff periodically reviews the Zoning Ordinance to ensure that the Village's land development regulations reflect the priorities of the Village as well as current best practices. Following a recent review, staff is proposing three amendments:

1. *Fence materials*

Proposed amendments to add provisions for permitted fence materials. Permitted fence materials will include decay-resistant wood, vinyl/PVC, aluminum, masonry, and chain link in side and rear yards. This amendment is being proposed in combination with Building Code amendments to address construction of fences. Both amendments are intended to provide clarity to residents and fence contractors about the types of materials permitted to be used as fences and appropriate construction practices.

2. *AC units in side yards of single-family residences*

The current side-yard setback for new AC units on single-family residential lots is 6 feet. Staff has received feedback from the Building Division that residents have requested the ability to place new AC units in side yard setbacks. Residents would like to avoid placing AC units behind the house where there may be a patio or other area in active use by the resident. Building staff has advised that advances in AC technology have resulted in quieter models, reducing concerns that units in side yard setbacks will create noise impacts for neighboring properties. Therefore, staff recommends reducing the side yard setback for AC units on single-family residential lots from six feet to four feet. This will provide increased flexibility for homeowners while ensuring there is adequate space between the unit and the property line for maintenance and replacements.

3. *Metal siding on building in Office and Business Districts*

Staff proposes a new section in the General Provisions of the Zoning Ordinance to prohibit metal siding on buildings in the Office and Business Districts. Recently, staff has received several inquiries from individuals considering constructing prefabricated metal buildings (pole barns, Quonset huts) along commercial corridors in the Village. Staff believes the increased interest in these types of buildings is due to changes in construction and materials costs as well as marketing efforts by building manufacturers.

Staff notes that these metal-sided buildings are not consistent with the existing aesthetic characteristics of the Village's major commercial corridors, particularly St. Charles Road and Roosevelt Road. Adopting regulations to prohibit this type of building façade in the Office and Commercial Districts will promote new construction that complements and enhances existing development in these districts.

Staff recommended approval of the text amendments as presented in the staff report.

Chairperson Giuliano asked if there were any questions or comments on the petition and staff report. Hearing none, she opened the meeting for comments among the Commissioners.

Commissioner Johnson asked if the proposed permitted fence materials were consistent with existing fences in the Village. Ms. Papke said 99% of the fences in the Village are constructed of the materials on the list. Occasionally, Code Enforcement staff receives calls about properties where non-fencing materials, such as pallets, tires, or crushed glass melded together with mortar, have been used to build fences. The text amendment would clarify that those materials should not be used for fences.

Commissioner Johnson said that of the two examples of metal-sided buildings provided in the staff report, she agreed that the all-metal building was not compatible with existing development, but she could see that the second example showing a building with some metal siding and brick accents might be appropriate in some applications. She asked if it would be possible to allow buildings with some metal siding, either through a variance process or revised regulations. She also asked about prevalence of these buildings within the Business and Office Districts.

Ms. Papke said that as written, the regulations would prohibit all metal siding. Anyone wanting to use metal siding in Business or Office Districts would need to seek a variance. Ms. Papke said it may be difficult to prove a hardship that would justify a variance to a regulation that is essentially a design requirement. She suggested other approaches to address Commissioner Johnson's concerns might include revised regulations that allow some portion of the façade to be metal, or perhaps regulating metal-sided buildings as conditional uses. She said that metal-sided buildings were not prevalent in the Business and Office Districts, but that the Building Division had noticed increased interest in the construction industry in using these building outside their traditional industrial applications. This had prompted staff to propose regulations to limit their use in districts where they may be aesthetically incompatible with existing development.

Commissioner Spreenberg asked if the proposed fence regulations would assist Code Enforcement staff. Ms. Papke said they would.

Commissioner Spreenberg asked if the current regulations allow metal-sided buildings. Ms. Papke said they do.

Commissioner Flanigan asked if the list of fence materials would limit using new materials, and if it would be possible to have language that would allow for use of non-listed materials if deemed appropriate. Ms. Papke said that it is challenging to regulate for hypothetical conditions/materials. She said the Village tries to limit the number of regulations that require a member of staff to make an interpretation about an appropriate material, as it introduces a degree of subjectivity. She said staff would be happy to research additional materials if there were specific materials Commissioner Flanigan had in mind.

Commissioner Flanigan asked about extruded aluminum fences. Ms. Papke said that they would be permitted as an aluminum fence.

Regarding the metal-sided building amendments, Commissioner Flanigan said that as written, it would exclude buildings with 10% metal siding. Ms. Papke agreed.

Commissioner Flanigan said that he agreed a full building with metal siding would not be compatible, but he would support finding a way to allow some metal siding.

Commissioner Ali asked for more information about the number of inquiries the Village had received about constructing metal-sided buildings. Ms. Papke said there had been a couple of calls about potentially constructing a metal-sided building on a property on St. Charles Road. The Building Director also had received general inquiries from contractors about whether Lombard would allow those types of buildings.

Commissioner Ware asked for clarification that any metal-siding would be prohibited under the proposed regulations. Ms. Papke confirmed it would.

Commissioner Verson asked if there was a distinction between metal siding and metal trim. Ms. Papke said there was no distinction.

Commissioner Spreenberg said he sensed a reluctance on the part of the Plan Commission to approve the metal-sided building amendment as written, but that they were on board with the fence and AC amendments. He suggested the fence and AC amendments be moved on for Board consideration but that staff and the Plan Commission look at revised regulations for metal-sided buildings. He asked if staff was aware of other communities regulating metal-sided buildings based on a percentage of the façade.

Ms. Papke said there are examples of such regulations, or regulations that would prohibit metal-siding on some facades (front, or street-visible) but allow it on others. Staff would research options and bring them to the Plan Commission for further review.

Commissioner Flanigan agreed that he would be open to regulations that might allow metal siding on less prominent facades, with stricter regulations for street-facing facades.

On a motion by Commissioner Spreenberg, and a second by Commissioner Ware, the Plan Commission voted 8-0 to recommend that the Village Board approve the text amendments for fence materials and AC unit setbacks as presented in petition PC 26-02. The Plan Commission requested that staff conduct further research on metal-sided buildings and bring revised regulations back to the Plan Commission for review.

Respectfully,

VILLAGE OF LOMBARD

Leigh Giuliano, Chairperson
Lombard Plan Commission

ORDINANCE _____

**AN ORDINANCE APPROVING A TEXT AMENDMENT
TO THE LOMBARD ZONING ORDINANCE
TITLE 15, CHAPTER 155
OF THE LOMBARD ZONING CODE**

PC 26-02: Text Amendment to Chapter 155 of Village Code – Fence Materials and Side Yard Setbacks for AC Units on Single-Family Residential Properties

WHEREAS, the Village of Lombard maintains a Zoning Ordinance which is found in Title 15, Chapter 155 of the Lombard Code; and,

WHEREAS, the Board of Trustees deem it reasonable to periodically review said Zoning Ordinance and make necessary changes; and,

WHEREAS, a public hearing to consider text amendments to the Zoning Ordinance has been conducted by the Village of Lombard Plan Commission on January 26, 2026, pursuant to appropriate and legal notice; and,

WHEREAS, the Plan Commission has filed its recommendations with the President and Board of Trustees recommending approval of the text amendments described herein; and,

WHEREAS, the President and Board of Trustees approve and adopt the findings and recommendations of the Plan Commission and incorporate such findings and recommendations herein by reference as if they were fully set forth herein;

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LOMBARD, DU PAGE COUNTY, ILLINOIS, as follows:

SECTION 1: That Title 15, Chapter 155, Section 155.205 of the Lombard Zoning Ordinance shall be amended as shown in Exhibit A.

SECTION 2: That Title 15, Chapter 155, Section 155.212 of the Lombard Zoning Ordinance shall be amended as follows:

§ 155.212 - Permitted obstructions in required yards.

Type of Structure or Use Obstruction X = Permitted Obstruction	Front and Corner Side Yard	Side Yards	Rear Yard
Central air-conditioning systems, new			Must meet footnote F
<u>Central air-conditioning systems, new, for single-family residences</u>		<u>Must meet footnote H</u>	<u>Must meet footnote F</u>
<u>Central air-conditioning systems, new, not for single-family residences</u>			<u>Must meet footnote F</u>
Central air-conditioning systems, replacement	Must meet footnote E and F	Must meet footnote E and F	Must meet footnote F

- A. Open terraces and decks not over three feet above the average level of the adjoining ground, provided that a minimum two-foot side yard setback is maintained.
- B. Open terraces and decks attached to single-family residences not more than one foot above the established top of the foundation height at the front of the residence, provided that a minimum 25 foot rear yard setback is maintained.
- C. Bay windows projecting three feet or less into the yards.
- D. Bay windows, which are not supported by a foundation, are no more than ten feet wide, and project no more than two feet into the yard provided that the bay window does not encroach into any easement area.
- E. The unit shall not further encroach into the requisite yard than the previous unit.
- F. The unit shall not encroach more than ten feet into the requisite yard.
- G. The structure shall not encroach more than two feet into the side yard.
- H. The unit shall maintain a minimum setback of four feet from the interior side lot line and shall not encroach into any easement area.**

SECTION 3: 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.

Passed on first reading this ____ day of _____, 2026.

First reading waived by action of the Board of Trustees this ____ day of _____, 2026.

Passed on second reading this ____ day of _____, 2026.

Ordinance No. _____

Re: PC 26-02

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Ayes: _____

Nays: _____

Absent: _____

Approved this _____ day of _____, 2026.

Anthony Puccio, Village President

ATTEST:

Ranya Elkhatib, Village Clerk

Published in pamphlet from this _____ day of _____, 2026.

Ranya Elkhatib, Village Clerk

EXHIBIT A

§ 155.205 Fences, walls, and hedges.

(A) *Fences and walls.*

(1) *Fences or walls in residential districts.*

- (a) *Fence or wall materials.* ~~Fences or walls in residential districts shall not include the use of barbed wire or other material intended to maintain security by means of bodily injury. Electrified fences shall not be permitted in residential districts. Materials for fences or walls in the clear line of sight area shall meet the requirements of subsection 155.205(A)(1)(e) of this Chapter.~~

(i) Fences or walls in residential districts shall not include the use of barbed wire or other material intended to maintain security by means of bodily injury. Electrified fences shall not be permitted in residential districts.

(ii) Materials for fences or walls in the clear line of sight area shall meet the requirements of subsection 155.205(A)(1)(e) of this Chapter.

(ii) Fences and walls in front yards and corner side yards shall be constructed of materials which are designed and intended for use in fence installations and shall be limited to the following: masonry, wood, chemically treated or naturally resistant to decay; wood composites; vinyl/PVC; and wrought iron or aluminum.

(ii) Fences and walls in rear yards and interior side yards shall be constructed of materials which are designed and intended for use in fence installations and shall be limited to the following: masonry; wood, chemically treated or naturally resistant to decay; wood composites; vinyl/PVC; wrought iron or aluminum; and chain link.

- (b) *Permitted locations.* Fences or walls may be erected, placed, or maintained along a lot line or within a required yard on a residentially zoned property, except as otherwise restricted by subsection 155.205(A)(1)(e) of this Chapter. Fences or walls may be erected in public utility easements and drainage easements, except that fences or walls erected in said easements shall not impede drainage flow.

(c) *Permitted height.*

- (i) Fences or walls in any residential district shall not exceed six feet in height, except that where a lot in a residential district abuts railroad right-of-way or property(ies) in a business, office, or industrial district, the height of the fence or wall along the property line adjoining such railroad right-of-way or business, office, or industrial district on the residential lot may reach, but not exceed, eight feet in height.
- (ii) Fences or walls in required front yards shall not exceed four feet in height. ~~Fences in required front yards shall not be constructed of chain link (with or without slats).~~

- (iii) Wherever the rear yard of a lot abuts the front yard of an adjacent lot, the maximum height for any fence or wall within the required rear yard shall be four feet.
 - (iv) On a through lot within the R0, R1 or R2 Single-Family Residence District that takes driveway access from the same right-of-way as both adjacent properties, the lot line opposite the access right-of-way shall be treated as a rear lot line and allowed a maximum fence height of six feet. This provision shall not apply if either of the adjacent properties takes driveway access from a right-of-way other than that accessed by the subject property.
 - (v) Maximum height, as prescribed by this section, shall be permitted to vary by up to ~~three~~ **six** inches to allow for grade changes; clearance under fences for maintenance, footers or other obstacles customary to the use intended to be fenced; or reasonable human error. Fence posts or decorative finials may not cause the fence to exceed the maximum height limitation by more than ~~three~~ **six** inches.
- (d) *Fence installation.* When fences are located in the required front yard or corner side yard, the finished or decorative side of the fence shall face the adjacent property(ies) or street.
- (e) *Fences or walls in the clear line of sight area.* No fences or walls more than two feet in height shall be located within the clear line of sight area, as defined in § 155.802 of this Chapter, unless it meets all of the following criteria:
- (i) Fences or walls are of open construction, such as ~~chain link without slats,~~ wrought iron **and aluminum**, ~~eyelone,~~ picket, or split rail fences.
 - (ii) Fences or walls are not of solid construction, such as board on board, solid wood, brick, concrete, or chain link with slats.
 - (iii) Deciduous trees around or adjacent to the fence are free of foliage and branches from ground level to eight feet above ground level. All other plant materials which are around, adjacent to, or through the fence are no greater than two feet in height.
 - (iv) Supporting members are no great than six inches in width.
 - (v) Fences adjacent to private residential driveways that intersect with an alley shall be permitted to be of solid construction.
- (2) *Fences or walls in business and office districts.*
- (a) *Fence or wall materials.* ~~The use of barbed wire shall be permitted only around approved outside storage areas and only at a height greater than six feet and less than eight feet above the ground. No electrified fences shall be permitted. Materials for fences or walls in the clear line of sight area shall meet the requirements of subsection 155.205(A)(2)(e) of this Chapter.~~
 - (i) The use of barbed wire shall be permitted only around approved outside storage areas and only at a height greater than six feet and less than eight feet above the ground. No electrified fences shall be permitted.**

(ii) No electrified fences shall be permitted. Materials for fences or walls in the clear line of sight area shall meet the requirements of subsection 155.205(A)(2)(e) of this Chapter.

(iii) Fences and walls shall be constructed of materials which are designed and intended for use in fence installations and shall be limited to the following: masonry; wood, chemically treated or naturally resistant to decay; wood composites; vinyl/PVC; wrought iron or aluminum; and chain link.

- (b) *Permitted location.* Fences or walls may be erected, placed, or maintained along a lot line or within a required yard in business or office district, except as otherwise restricted by subsection 155.205(A)(2)(e) of this Chapter. Fences or walls may be erected in public utility easements and drainage easements, except that fences or walls erected in said easements shall not impede drainage flow.
- (c) *Permitted height.*
- (i) No fence or wall shall be erected, placed, or maintained to a height exceeding eight feet in any business or office district.
 - (ii) Fences or walls in the required front or corner side yard shall not exceed four feet in height.
 - (iii) Wherever the rear yard of a lot abuts the front yard of an adjacent lot, the maximum height for any fence or wall shall be four feet.
- (d) *Fence installation.* When fences are located in the required front yard or corner side yard, the finished or decorative side of the fence shall face the adjacent property(ies) or street.
- (e) *Fences or walls in the clear line of sight area.* No fences or walls more than two feet in height shall be located within the clear line of sign area, as defined in § 155.802 of this Chapter, unless it meets all of the following criteria:
- (i) Fences or walls are of open construction, such as chain link without slats, wrought iron, cyclone, picket, or split rail fences.
 - (ii) Fences or walls are not of solid construction, such as board on board, solid wood, brick, concrete, or chain link with slats.
 - (iii) Deciduous trees around or adjacent to the fence are free of foliage and branches from ground level to eight feet above ground level. All other plant materials which are around, adjacent to, or through the fence are no greater than two feet in height.
 - (iv) Supporting members are no greater than six inches in width.
- (f) *Fences or walls in the B5 District.* In addition to the provisions listed in subsection 155.205(A)(2) above, all fences and walls located within the B5 District shall meet the following additional provisions:
- (i) *Fence or wall materials.* All fences in the B5 District shall be constructed of the following materials:

- a. Open fences. Aluminum, wrought iron, cast iron, welded steel, wood or PVC; pillars may be constructed of masonry materials.
 - b. Solid fences. Brick, masonry, pre-cast materials, wood or PVC with the decorative side facing the exterior of the property in which it is located.
 - c. Chain link fencing shall only be permitted for construction fencing purposes, as required by Chapter 150 of the Village Code.
 - d. Landscape hedgerows shall be permitted within the B5 District.
 - e. Barbed wire or razor wire is expressly prohibited.
- (ii) *Permitted location.* Fences or walls may be erected, placed, or maintained along a lot line or within the property. Walls or fencing of parking spaces within parking lots shall only be permissible if said spaces were granted a conditional use, as set forth within subsection 155.418(C)(14) or (15) of the zoning ordinance.
- (iii) *Permitted height.* No fence or wall shall be erected, placed, or maintained to a height exceeding six feet in the B5 District.
- (3) *Fences or walls in industrial districts.*
- (a) *Fence or wall materials.* The use of barbed wire shall be permitted only around approved outside storage areas and only at a height greater than eight feet and less than ten feet above the ground. No electrified fences or walls shall be permitted. Materials for fences or walls in the clear line of sight area shall meet the requirements of subsection 155.205(A)(3)(e) of the Chapter.
 - (b) *Permitted location.* Fences or walls may be erected, placed, or maintained along a lot line or within a required yard in the industrial district, except as otherwise restricted by subsection 155.205(A)(3)(e) of this Chapter. Fences or walls may be erected in public utility easements and drainage easements, except that fences or walls erected in said easements shall not impede drainage flow.
 - (c) *Permitted height.*
 - (i) No fence or wall shall be erected, placed, or maintained, to a height exceeding ten feet.
 - (ii) Fences or walls in a required front or corner side yard shall not exceed four feet in height.
 - (iii) Wherever a rear yard of a lot abuts the front yard of an adjacent lot, the maximum height for any fence, wall, or hedge shall be four feet.
 - (d) *Fence installation.* When fences are located in the required front yard or corner side yard, the finished or decorative side of the fence shall face the adjacent property(ies) or street.
 - (e) *Fences or walls in the clear line of sight area.* No fences or walls more than two feet in height shall be located within the clear line of sight area, as defined in § 155.802 of this Chapter, unless it meets all of the following criteria:

- (i) Fences or walls are of open construction, such as chain link without slats, wrought iron, cyclone, picket, or split rail fences.
 - (ii) Fences or walls are not of solid construction, such as board on board, solid wood, brick, concrete, or chain link with slats.
 - (iii) Deciduous trees around or adjacent to the fence are free of foliage and branches from ground level to eight feet above ground level. All other plant materials which are around, adjacent to, or through the fence are no greater than two feet in height.
 - (iv) Supporting members are no greater than six inches in width.
- (4) *Fences or walls in the CR Conservation/Recreation District.*
- (a) *Fence or wall materials.* Fences or walls in the CR Conservation/Recreation District shall not include the use of barbed wire or other material intended to maintain security by means of bodily injury. Electrified fences shall not be permitted in the CR Conservation/Recreation District. Materials for fences or walls in the clear line of sight area shall meet the requirements of subsection 155.205(A)(4)(e) of this Chapter.
 - (b) *Permitted location.* Fences or walls may be erected, placed, or maintained along a lot line or within a required yard in the CR District, except as otherwise restricted by subsection 155.205(A)(4)(e) of this Chapter. Fences or walls may be erected in public utility easements and drainage easements, except that fences or walls erected in said easements shall not impede drainage flow.
 - (c) *Permitted height.*
 - (i) Fences or walls within 30 feet of an improved public right-of-way shall not exceed four feet in height.
 - (ii) Fences or walls within 30 feet of a property line, other than property lines shared by an improved public right-of-way, shall not exceed six feet in height.
 - (d) *Fence installation.* When fences are located in the required front yard or corner side yard, the finished or decorative side of the fence shall face the adjacent property(ies) or street.
 - (e) *Fences or walls in the clear line of sight area.* No fences or walls more than two feet in height shall be located within the clear line of sight area, as defined in § 155.802 of this Chapter, unless it meets all of the following criteria:
 - (i) Fences or walls are of open construction, such as chain link without slats, wrought iron, cyclone, picket, or split rail fences.
 - (ii) Fences or walls are not of solid construction, such as board on board, solid wood, brick, concrete, or chain link with slats.
 - (iii) Deciduous trees around or adjacent to the fence are free of foliage and branches from ground level to eight feet above ground level. All other plant

materials which are around, adjacent to, or through the fence are no greater than two feet in height.

(iv) Supporting members are no greater than six inches in width.

(5) *Application for permits.* Effective March 17, 2000, permits for the erection, relocation, or placement of fence or wall shall be required. Application for a fence or wall permit shall be made to the Director of Economic Development and Planning upon a form provided by the Director of Economic Development and Planning and the permit application shall include the following information:

- (a) Property owner's name, address, and phone number;
- (b) The name, address, and phone number of the installer of the fence or wall;
- (c) Address of the property on which the fence or wall is being located;
- (d) Plat of survey for the property, showing all site improvements including driveways;
- (e) Type of fence or wall (e.g. wood, brick, wrought iron, chain link, etc.);
- (f) Site plan showing the location of fence or wall on the property and in relation to all adjacent properties and driveways;
- (g) Height(s) of fence or walls; and
- (h) Such other information as may be required by the Director of Economic Development and Planning to show full compliance with this and other applicable ordinances of the village.

(6) *Permit issuance.*

- (a) *Review of applications.* It shall be the duty of the Director of Economic Development and Planning and Director of Building, upon the filing of an application for a fence or wall permit, to examine such plans and specifications and other data related to the proposed erection or placement of the fence or wall. It appears that the proposed fence or wall is in compliance with all the requirements of this Chapter, the permit shall then be issued.
- (b) *Denial and revocation of permit.* When a permit is denied by the Director of Economic Development and Planning and/or Director of Building, a written notice shall be given to the applicant along with a brief statement of the reasons for denial. The Director of Economic Development and Planning and/or Director of Building may revoke or suspend a permit for any false statement or misrepresentation.

(7) *Permit fees.* Every application, before being granted a fence or wall permit under this Chapter, shall be subject to a fee, as is established in § 150.141 of the Code of Ordinances.

(B) *Hedges.*

(1) *Permitted locations.* Hedges may be placed or maintained along a lot line or within a required yard in any zoning district, except as otherwise restricted by subsection 155.205(B)(3).

- (2) *Permitted height.* The maximum allowed height for a hedge shall be the same maximum allowed height for a fence or wall in the zoning district in which said hedges are located, except as otherwise restricted by subsection 155.205(B)(3).
- (3) *Hedges in the clear line of sight area.* Hedges in the clear line of sight area as defined in § 155.802 of this Chapter shall not exceed two feet in height.