



# VILLAGE OF GLEN ELLYN - FENCE BUILDING PERMIT GUIDELINES\*

## REQUIRED SUBMITTALS:

A Plat of Survey must be marked with the proposed fence location and submitted with this application. A Plat of Survey that was required by a mortgage holder when the property was purchased may be used if it still reflects the existing conditions on the property or a new survey may be completed. The fence contractor will require a Plat of Survey to insure the fence location will be correctly located on your property. A description of the fence types, heights and materials should be provided on the application or may be submitted on the contractor's proposal form.

## REFERENCE DIAGRAMS AND INFORMATION:

1. The Fence Work Sheet is intended to identify the permitted location of certain types and heights of fences. Please use this worksheet to check that the fence type and height is correctly marked on your Plat of Survey. This worksheet does not reflect all possible fence locations and property configurations.
2. The International Residential Code Section AG 105 specifies the fence requirements when enclosing a swimming pool.
3. The Utility Easement Affidavit allows the construction of a fence in a utility easement with conditions.
4. The Drainage Easement Affidavit allows the construction of a fence in a drainage easement with conditions.

## CONTRACTOR REGISTRATION:

The contractor you select to install the fence must be registered with the Village of Glen Ellyn prior to the issuance of the Fence Building Permit. The contractor registration regulations, specified in Village Code Section 4-1-11, and the Contractor Registration Application are available on the Village Website.

## DEFINITIONS: Zoning Code definitions underlined:

**Accessory Structure**: Anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground, on the same lot with and of a nature customarily incidental and subordinate to the principal structure.

**Easement**: a limited right to make use of a property owned by another, typically indicated on a Plat of Survey but may be specified in the deed to the property.

**Fence**: A tangible barrier constructed of any allowable material erected for the purpose of providing a boundary or as a means of protection, or to prevent uncontrolled access, or for decorative purposes (such as an ornamental gate or ornamental gates), and/or to screen from viewers in or on adjoining properties and streets, materials stored and operations conducted behind it. A tangible barrier constructed of any allowable material erected for the purpose of providing a boundary or as a means of protection, or to prevent uncontrolled access, or for decorative purposes (such as an ornamental gate or ornamental gates), and/or to screen from viewers in or on adjoining properties and streets, materials stored and operations conducted behind it.

**Fence, Open**: A fence, including entrance and exit gates, designed and constructed so that the surface area of any segment of such fence contains at least 33.3 percent open spaces, as compared to solid materials.

**Fence, Solid**: A fence, including solid entrance and exit gates, which effectively conceals from viewers in or on adjoining properties and streets, materials stored and operations conducted behind it.

**Floodplain**: Land that is subject to a one percent chance of flooding annually or subject to the 100 year flood and designated on a Flood Insurance Rate Map available for reference in the Planning & Development Department.

**Plat of Survey**: A plan or map showing property boundaries, structures, and geographic features generated and certified by a licensed land surveyor.

**Setback Line**: A line generally parallel with and measured from the lot line, defining the limits of a yard within which no building or structure may be located above ground, except as may be permitted by the Code.

**Visibility (or Safe Sight) Triangle**: That portion of a corner lot between intersecting property lines (actual or extended) parallel to streets and a straight line connecting them at points 30' distant from the point of intersection.

## ZONING REGULATIONS:

Section 10-5-4(A)3: A fence is one of the three maximum number of accessory structures permitted on a lot and the fence must be of one consistent type on a lot.

Section 10-5-4(A)4: Fences may be installed up to the property line. No part of a fence, including the post hole excavation may extend beyond the property line without being indicated on the Plat of Survey and without the written approval of the adjacent property owner. An ornamental gate or arbor entry as part of the fence is permitted beyond the setback line provided it is open and not more than 8 feet wide or 8 feet high.

Section 10-5-5(B)4-11 When in compliance with the following regulations, a fence is permitted at any location on a lot.

- a. Limitations:
  - 1) A fence must be 33.3% open when located in the front and corner side yard setbacks. See the Fence Work Sheet for the location of front and corner side yards.
  - 2) Material (such as barbed wire, electrified, or any matter) that creates a system that is inherently dangerous to a pedestrian

using the public sidewalks or public rights-of-way is prohibited.

- 3) Exposed structural elements shall face toward the property on which the fence is constructed.
  - 4) In the Residential Estate district, chain link fences shall be prohibited in the front yard and corner side yard.
- b. Height:
- 1) Measured from ground level on the inside of the fence to the highest point of the fence
  - 2) 3' maximum in visibility triangle
  - 3) 6'6" \*\*maximum for fence located no closer to the street than the principal structure on a lot
  - 4) 4' maximum all other areas of the lot
- c. Allowance:
- 1) On lots fronting on two non-intersecting streets, a 6'6" \*\* tall fence shall be permitted if a no-access provision has been recorded for that frontage and if the rear of the homes on both adjacent lots are facing the same street. Such fence shall be positioned 4' inside the property line and maintained with viable shrubs planted 4' on center along the outside of the fence in perpetuity
  - 2) Masonry columns no greater than 2' x 2' in size and placed no closer than 8' on center

\*\* The specified 6'-6" maximum fence height includes an allowance for the fence posts or decorative post caps to extend up to 6 inches above the maximum fence height of 6 feet. This also applies to all other fences that may be provided with extended posts or decorative caps up to 6 inches above the 3 foot or 4 foot maximum fence height.

#### **BUILDING REGULATIONS:**

A building permit is not required to remove a fence or for the repair and maintenance of a fence provided not more than 20% of the existing fence posts are replaced, or not more than 20% or 300 square feet of the existing fence panels, boards, pickets, fabric, or other fence material is replaced.

If the fence is any part of the required safety barrier around a swimming pool, the fence must comply with the 2009 IRC Building Code Section AG 105 to secure the pool from unauthorized access or unsupervised use.

Fences are prohibited in utility and drainage easements to protect and maintain existing and allow new public facilities to be installed without obstructions. If a fence is proposed in an easement, it may be permitted if an affidavit is submitted and approved, or if a waiver is received from each utility service provider.

#### **STORM WATER REGULATIONS:**

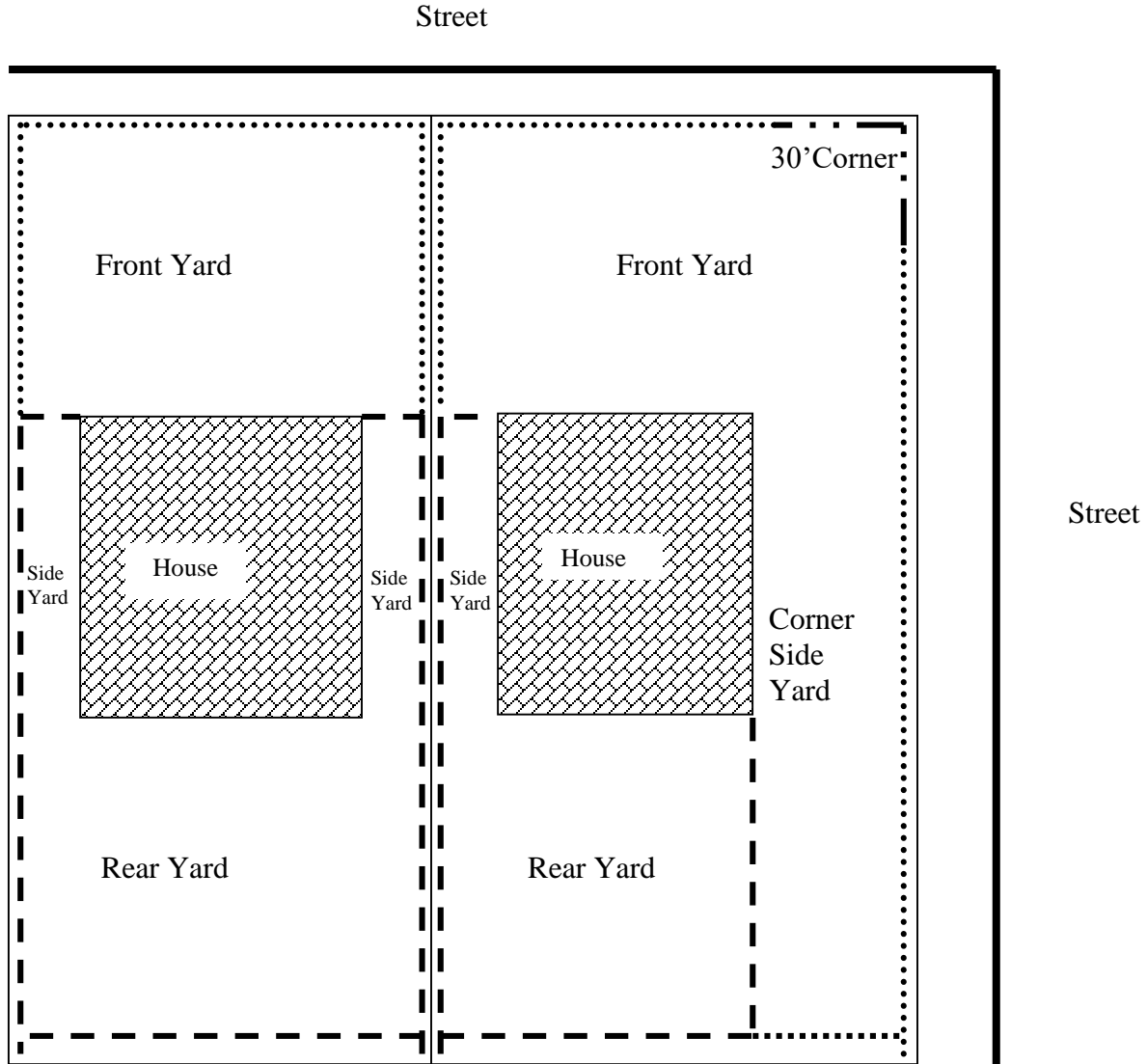
The 2013 DuPage County Countywide Stormwater & Flood Plain Ordinance Section 15-27 requires that a fence shall not unreasonably increase flood elevations or velocity, decrease flood conveyance capacity upstream or downstream of the property, or cause soil erosion or sediment deposits. The staff engineer may prohibit a fence, restrict the type of fence material, require a space between the bottom of the fence and the grade, or require other measures for compliance with the storm water regulations.

#### **TREE PRESERVATION REGULATIONS:**

Prior to removing or pruning any existing public tree to allow the installation of a fence, the contractor must be registered with, and obtain a permit from, the Public Works Department in accordance with Village Code Section 4-8-3(H). Adjacent property owners are solely responsible for the resolution of any damages to a private tree or landscaping on or near a lot line between private properties as a result of the fence installation.

*\*Note: These guidelines are not a substitute for the complete regulations provided in the Village Code and are for reference purposes only. In the event of a conflict, error, or omission, the Village Code regulations shall apply.*

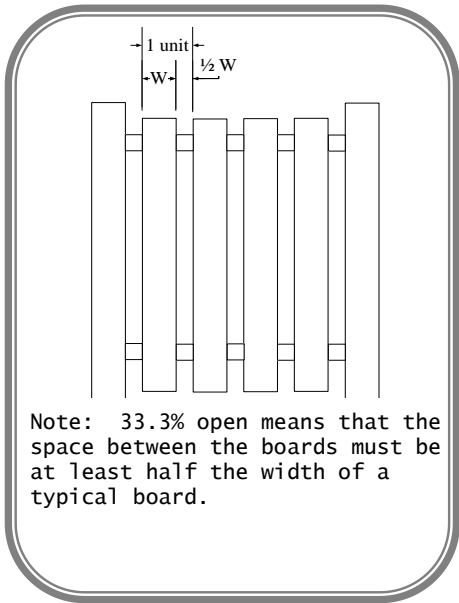
# Fence Guidelines



INTERIOR LOT

CORNER LOT

- 4 Feet maximum height, 33.3% open min. .....
- 3 Feet maximum height, 33.3% open min. - . - . - . - . - .
- 6 Feet maximum height, solid permitted - - - - -
- Property line —————
- Street —————





**VILLAGE OF GLEN ELLYN  
DRAINAGE EASEMENT(S) AFFIDAVIT  
FOR THE CONSTRUCTION OF A FENCE**

**PROPERTY OWNER(S) NAME:** \_\_\_\_\_

**PROPERTY OWNER(S) ADDRESS:**

**PROPERTY ADDRESS:** \_\_\_\_\_

**PROPERTY IDENTIFICATION NUMBER (PIN):** \_\_\_\_\_

I, the undersigned, acknowledge that the attached permit application is for a fence constructed of spaced posts and panels which encroaches in whole, or in part, into a recorded drainage easement. Drainage easements are defined as easements granted to the Village for the conveyance of storm water.

I acknowledge that I, the Owner, shall construct the fence so as not to impede the flow of storm water through the easement in its historic manner and be constructed of materials and in a configuration and location as approved by the building official.

I further realize that the Village of Glen Ellyn may, at any time in the future, request access to the easement area, for any purpose, and that I, as the Owner, may be required to cease any activity or remove any improvement authorized under the Village permit(s) at my own expense.

I acknowledge that the issuance of a permit by the Village of Glen Ellyn does not affect, in any way, any right, liability, responsibility, duty or obligation pursuant to the easement conditions and terms nor is the issuance of a permit, a license or grant of authority to engage in any use or improve the subject area in any manner contrary to the terms and conditions of the easement. I further acknowledge that the Village of Glen Ellyn does not warranty or guaranty any applicant representations regarding his/her rights, liabilities, responsibilities, duties or obligations under the terms and conditions of the easement.

Signature of Property Owner:

By: \_\_\_\_\_

Subscribed and sworn to before me this  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
\_\_\_\_\_

Notary Public



VILLAGE OF GLEN ELLYN
UTILITIES EASEMENT AFFIDAVIT
FOR THE CONSTRUCTION OF A FENCE

PROPERTY OWNER(S) NAME: \_\_\_\_\_

PROPERTY OWNER(S) ADDRESS: [Empty box]

PROPERTY ADDRESS: \_\_\_\_\_

PROPERTY IDENTIFICATION NUMBER (PIN): \_\_\_\_\_

I, the undersigned, acknowledge that the attached permit application is for a fence constructed of spaced posts and panels which encroaches in whole, or in part, into a recorded utility easement. I further acknowledge that I, the Owner, shall notify all affected utility easement holders and inform them of the contemplated development or activity to occur within their designated easement area(s) and obtain their approval. Utility easements are defined as easements granted to a public entity, a publicly regulated utility or an entity using the easement for electronic transmission.

I recognize that the failure to obtain all required approval(s) from easement holder(s) renders any permit issued by the Village of Glen Ellyn null and void and without any further effect. I also recognize, as Owner, should any permit be deemed null and void I am obligated under the laws and ordinances of the Village of Glen Ellyn to immediately cease and desist activity and/or remove all improvements erected, built, constructed or relocated by the permit at my own expense. I acknowledge that the easement holder may remove the fence at any time without any claim from me.

I realize that the easement holder may, at any time in the future, request access to the easement area, for any purpose, and that I, as the Owner, may be required to cease any activity or remove any improvement authorized under the Village permit(s) at my own expense. I further realize that I, as the owner, am responsible for any damages to existing utilities as a result of the construction, maintenance, or removal of the fence.

I acknowledge that the issuance of a permit by the Village of Glen Ellyn does not affect, in any way, any right, liability, responsibility, duty or obligation pursuant to the easement conditions and terms nor is the issuance of a permit, a license or grant of authority to engage in any use or improve the subject area in any manner contrary to the terms and conditions of the easement. I further acknowledge that the Village of Glen Ellyn does not warranty or guaranty any applicant representations regarding his/her rights, liabilities, responsibilities, duties or obligations under the terms and conditions of the easement.

Signature of Property Owner:

By: \_\_\_\_\_

Subscribed and sworn to before me this
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

Notary Public