

VILLAGE OF GLENCOE

ORDINANCE NO. 2009-14-3247

**AN ORDINANCE AMENDING CHAPTER 9
OF THE GLENCOE VILLAGE CODE
RELATING TO THE REGULATION OF FENCES
ADJACENT TO GOLF COURSES**

WHEREAS, Article XI of Chapter 9 of the Glencoe Village Code regulates fences within the Village; and

WHEREAS, the Village desires to authorize property owners that live adjacent to golf courses to make appropriate provisions to protect their properties and nearby properties; and

WHEREAS, the President and Board of Trustees have determined that amending Chapter 9 of the Glencoe Village Code as set forth in this Ordinance is in the best interests of the Village and its residents;

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Glencoe, County of Cook, State of Illinois, as follows:

SECTION ONE: **Recitals.** The foregoing recitals are by this reference made a part of this Ordinance as if fully set forth in this Section.

SECTION TWO: **Amendment to Section 9-75, Article XI of Chapter 9.** Section 9-75, entitled "Height Restrictions," of Article XI, entitled "Fences," of Chapter 9, entitled "Buildings and Construction," of the Glencoe Village Code is hereby amended by adding a new Subsection (c), which new Subsection will hereafter be and read as follows:

Sec. 9-75. Height restrictions.

* * *

(c) Notwithstanding any more restrictive provision in this Section, any lot located within 750 feet of a golf course may install a temporary fence made of netting or similar materials having a non-obtrusive color and design of any height that is determined by the village manager to provide reasonable screening to protect such lot from stray golf shots. A permit shall be required for any such fence, which permit shall be

issued without fee or charge and may be granted to allow multiple seasonal installations of the fence.

In reviewing any application for a permit under this subsection (c), the village manager shall consider: (i) the proximity of the golf course and adjacent lots; (ii) the proposed fence materials; (iii) the proposed height, location, and construction details for the installation of the fence in light of the objective to provide for protection of persons and property; (iv) the impact of the proposed fence, if any, on neighboring properties; and (v) minimizing visual obstructions resulting from the fence. Any denial of a fence permit by the village manager may be appealed to the Fence Board of Appeals in accordance with Section 9-78 of this Article.

SECTION THREE: Amendment to Section 9-78, Article XI of Chapter 9. Section 9-78, entitled "Fence Board of Appeals," of Article XI, entitled "Fences," of Chapter 9, entitled "Buildings and Construction," of the Glencoe Village Code is hereby amended by adding a new Subsection (d), which new Subsection will hereafter be and read as follows:

Sec. 9-78. Fence Board of Appeals.

* * *

(d) The Fence Board of Appeals shall consider appeals of denials of fence permits pursuant to Section 9-75(c) of this Article. In considering any such appeal, the Fence Board may affirm, reverse, or modify the decision of the village manager upon finding that the manifest weight of the evidence requires a different result based on the objectives of providing for protection of persons and property while minimizing visual obstructions resulting from the fence

SECTION FOUR: Effective Date. This Ordinance will be in full force and effect upon its passage, approval, publication in pamphlet form, and posting in the manner provided by law.

PASSED THIS 20th DAY OF August, 2009.

AYES: Trustees Cowans, Keefe, Levin, Shubart, and Solomon

NAYS: Trustee Bhote

ABSENT: None

ABSTAIN: None

APPROVED THIS 20th DAY OF August, 2009.

/s/ Scott M. Feldman
Village President

ATTEST:

/s/ David A. Clark
Deputy Village Clerk

Published in pamphlet form this 20th day of August 2009.

/s/ David A. Clark
Deputy Village Clerk

Posted this 20th day of August 2009.

/s/ David A. Clark
Deputy Village Clerk

Approved as to form.

/s/ Victor Filippini
Village Attorney