

**CITY OF PARK RIDGE**

**ORDINANCE 2022 – 30**

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF PARK RIDGE  
WITH REGARD TO FENCING MATERIALS, DETACHED GARAGE SETBACKS, WINDOW  
WELLS, AND PATIO ENCROACHMENTS  
(ZA-22-0001)**

**WHEREAS**, the City of Park Ridge is an Illinois home rule municipality operating under the Constitution and Laws of the State of Illinois; and

**WHEREAS**, pursuant to its home rule powers and 65 ILCS 5/11-13-1 *et seq.*, the City has enacted zoning regulations that have been codified as the Zoning Ordinance of the City of Park Ridge (“the Zoning Ordinance”); and

**WHEREAS**, Section 11.4.e of the Zoning Ordinance establishes design standards for fencing materials; and

**WHEREAS**, Section 11.4.f of the Zoning Ordinance sets forth locations of detached garages; and

**WHEREAS**, Section 11.4.s of the Zoning Ordinance establishes encroachment rules for window wells; and

**WHEREAS**, Section 11.5 Table 8 of Zoning Ordinance sets forth encroachment standards for patios; and

**WHEREAS**, in accordance with Section 4.8 of the Zoning Ordinance, the City of Park Ridge (“the Applicant”) applied for proposed text amendments to the Zoning Ordinance to revise the design standards for fencing materials, permitted locations of detached garages, encroachment rules for window wells, and encroachment standards for patios; and

**WHEREAS**, pursuant to legal notice required by law, including notice in the Park Ridge Herald Advocate on March 24, 2022, a public hearing on the proposed amendments was convened by the Planning and Zoning Commission (“the P&Z”) on April 12, 2022; and

**WHEREAS**, upon conclusion of the public hearing, the P&Z voted 7-0 to adopt findings of fact and recommend to the City Council approval of the proposed amendments; and

**WHEREAS**, The City Council has duly considered the findings and recommendation of the P&Z and finds and determines that it is in the best interests of the City and its residents to amend the Zoning Ordinance, as set forth in this Ordinance.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Park Ridge, Cook County, Illinois, pursuant to its home rule authority provided under Article VII of the Illinois Constitution of 1970 as follows:

**SECTION 1: Recitals.** The recitals set forth above are hereby incorporated into and made a part of this Ordinance as if fully set forth in this Section 1.

**SECTION 2: Findings.** The City Council of the City of Park Ridge hereby adopts the findings of the P&Z as contained in Exhibit A to this ordinance.

**SECTION 3: Amendments to Section 11.4.e.** Section 11.4.e of the Zoning Ordinance is amended as follows for the purpose of allowing synthetic materials (e.g. PVC or vinyl) as a permitted fence material (double-underlined text to be added; ~~struck through text~~ to be deleted; omitted language is not intended to be amended):

**“SECTION 11.4 – SITE DEVELOPMENT STANDARDS**

11.4.e.6.d

...

d. Fences shall only be constructed of the following materials:

- i. Treated wood, cedar or redwood
- ii. Simulated wood
- iii. Decorate brick or stone
- iv. Wrought-iron or aluminum designed to simulate wrought-iron
- v. Coated chain link, brown, black or green in color
- vi. Synthetic materials, for example, PVC or vinyl

**SECTION 4: Amendments to Section 11.4.f.** Section 11.4.f of the Zoning Ordinance is amended as follows to eliminate the required five (5) foot setback from the rear lot line for detached garages which open onto an alley (double-underlined text to be added; ~~struck through text~~ to be deleted; omitted language is not intended to be amended):

**“SECTION 11.4 – SITE DEVELOPMENT STANDARDS**

11.4.f.3.e

...

e. Detached garages located within the rear thirty (30) feet of a lot, shall be located a minimum of three (3) feet from any lot line. ~~However, where there is a detached garage with doors that open onto an alley, such garage shall not be located closer than five (5) feet from the rear lot line.~~ The distance shall be measured from the walls of the garage. In no case shall a detached garage encroach into the corner side yard.

**SECTION 5: Amendments to Section 11.4.s.** Section 11.4.s of the Zoning Ordinance is amended as follows to revise the permitted side yard encroachment for window wells (double-underlined text to be added; ~~struck through text~~ to be deleted; omitted language is not intended to be amended):

**“SECTION 11.4 – SITE DEVELOPMENT STANDARDS**

11.4.s

...

(2) Window/Light Wells. The following shall apply only to window/light wells that encroach into a required yard:

- a. Window/light wells may encroach up to three (3) feet into the required front and rear yards. ~~and may encroach up to a maximum of two (2) feet into a required side yard.~~ Window/light wells shall have a minimum of two (2) feet between the side lot line and the window well.
- b. An encroaching window/light well may not have a length, the distance measured parallel to the foundation wall, of more than six (6) feet.
- c. When more than one (1) encroaching window/light well is installed along a wall, each shall be separated by a space of at least three (3) feet from the other.

(3) Escape Window Wells. The following shall apply only to escape window wells that encroach into a required yard:

- a. Escape window wells may encroach up to a maximum of three (3) feet into a required front and rear yard. An escape window well shall have a minimum of two (2) feet between the side lot line and the window well.
- b. Not more than two (2) escape window wells shall be permitted to encroach into each of the rear and front yards, and not more than one (1) escape window well shall be permitted to encroach into a required side yard.
- c. An escape window shall comply with the provisions of all building codes for an emergency escape window.
- d. If a window well has a maximum horizontal area of more than ~~fifteen (15) nine (9)~~ square feet, it shall be deemed to be a window/light well irrespective of its primary purpose.

**SECTION 6: Amendments to Section 11.5 Table 8.** Section 11.5 Table 8 of the Zoning Ordinance is amended as follows to revise the permitted rear yard encroachment for patios (double-underlined text to be added; ~~struck through text~~ to be deleted; omitted language is not intended to be amended):

**“SECTION 11.5 – PERMITTED ENCROACHMENTS**

...

**CITY OF PARK RIDGE, ILLINOIS**

**Table 8: Permitted Encroachments**

Types of Encroachment	Yards Where Permitted		
	Front Yard, Corner Side Yard	Interior Side Yard	Rear Yard
Patio  - No more than 5' into any required yard, <u>except the rear yard, where it may be located a minimum of 5' from the rear lot line.</u>  - If fenced, see fence requirements	Y	Y	Y

**SECTION 7: Superseding Effect.** The specific terms and conditions of this Ordinance shall prevail against other existing ordinances of the City to the extent of any conflicts.

**SECTION 8: Effective Date.** This Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

**SECTION 9: Publication.** The City Clerk is hereby authorized and directed to publish this Ordinance in pamphlet form according to law.

Adopted by the City Council of the City of Park Ridge, Illinois this 16<sup>th</sup> day of May, 2022.

VOTE:

AYES: Alderman Moran, Wilkening, Melidosian, Biagi and Joyce (5)

NAYS: None (0)

ABSENT: Alderman Sanchez and Harrington (2)

Approved by me this 16<sup>th</sup> day of May, 2022.

\_\_\_\_\_  
Marty Maloney, Mayor

Attest:

\_\_\_\_\_  
Sal Raspanti, Clerk

Exhibit A to  
**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF PARK RIDGE  
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(ZA-22-0001)

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**BEFORE THE PLANNING AND ZONING COMMISSION**

Park Ridge, Illinois

In the Matter of

Text Amendments to Sections 11.4.e, 11.4.f., 11.4.s, and 11.5 Table 8

(Regarding Fence Materials, Garage Setbacks, Window Wells and Patio Encroachment)

Case No. ZA-22-0001

**FINDINGS OF FACT**

This matter having come before the Planning and Zoning Commission for a hearing for text amendments to Sections 11.4.e, 11.4.f., 11.4.s, and 11.5 Table 8 of the Zoning Ordinance regarding fencing materials, detached garage setbacks, window wells, and patio encroachments; the Commission having held a public hearing on April 12, 2022 with due notice published in the *Park Ridge Herald-Advocate* on March 24, 2022 as required by law; and having heard evidence on the matter, based on the evidence presented, as reflected in the minutes of these proceedings, and for the reasons indicated in the minutes of this Commission in this case, the Planning and Zoning Commission finds that the following facts have been established based on the standards set forth in the Zoning Ordinance:

1. The extent to which the proposed amendments promote the public health, safety, comfort and convenience and general welfare of the City.

*The proposed amendments promote comfort and convenience and general welfare of the City through the ability for residents to have clearer information and rules regarding fencing materials, detached garage setbacks, window wells, and patio encroachments.*

2. The relative gain to the public, as compared to the hardship imposed upon the applicant.

*The relative gain to the public is the creation of clearer rules and regulations in the proposed amendments.*

3. The consistency of the proposed amendments with the Comprehensive Plan.

N/A

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4. The consistency of the proposed amendments with the intent and general regulations of this Ordinance.

*The proposed amendments are consistent with the general regulations of the Zoning Ordinance.*

5. Whether the proposed amendments correct an error or omission, adds clarification to existing requirements, or reflects a change in policy.

*The proposed amendments add clarification to the Zoning Ordinance.*

6. That the proposed amendments will benefit the residents of the City as a whole, and not just the applicant, property owner(s), neighbors of any property under consideration, or other special interest groups, and the extent to which the proposed use would be in the public interest and would not serve solely the interest of the applicant.

*The proposed amendments benefit the residents of the City through additional encroachments and more varied fencing materials allow the residents to use their property with greater ease.*

7. Whether the proposed amendments provide a more workable way to achieve the intent and purposes of this Ordinance and the Comprehensive Plan.

*The proposed amendments provide a workable way to achieve the intent and purposes of the Ordinance and Comprehensive Plan to allow residents to further improve their home with greater ease.*

8. The extent to which the proposed amendments creates nonconformities.

*The proposed amendments do not create any nonconformities, but alleviate some nonconformities potentially present in the City.*

9. The extent to which the proposed amendments are consistent with the overall structure and organization of this Ordinance.

*The proposed amendments are consistent with the overall structure and organization of the Zoning Ordinance.*

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04/12/22

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Date Approved



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Jim Hanlon, Chair