

Fence and Wall Regulations

Definitions

Fence: A structure or barrier, constructed of wood, metal or other durable parts, rails, boards, wire mesh, etc., and used to mark a boundary or to define and enclose a specific area for the purpose of protection, privacy or confinement. Railings, along or adjacent to front stoops, porches, steps, landings, culverts, or bridges, shall not be considered as fences under this definition.

Fence, Wall: A masonry or wood structure used as an enclosure, boundary marker or as a means of retention for either water or earth.

Fence, Decorative: A structure, composed of wood, metal or other durable parts and used in a manner which is designed to add to the aesthetics or attractiveness of the lot upon which it is placed, rather than as an enclosure or barrier. Railings, along or adjacent to front stoops, porches, steps, landings, culverts, bridges or sidewalks, shall not be considered as decorative fences under this definition.

SECTION 4.12 FENCES, WALLS AND DECORATIVE FENCES

Except as provided in Section 4.12,2,c,(3) hereof, the erection, installation and modification of fences, walls and decorative fences shall require a land use permit pursuant to Section 20.2 and shall comply with the following regulations and requirements. This Section and the requirement for a Land Use Permit shall not apply to agricultural fencing.

1. Location.

- a. Fences, walls and decorative fences shall not be located outside or beyond the property or lot lines of the lot upon which said improvement shall be placed.
- b. Fences and walls shall be placed no closer to the front lot line than the required front yard setback line.
- c. Fences and walls shall be located no closer to the side lot line than the side yard setback line for residential corner lots that front or face onto the side street. Fences and walls may be located nearer the side yard line when said side yard is not on a street.
- d. Decorative Fences may be placed in the following locations: (1) That portion of the lot which lies in the front yard setback line and where applicable. (2) That portion of the lot which lies in the lakeside yard setback line to the beach area, provided that additional regulations enumerated in Subsections 4.12, 1, a and b are also met.

2. **Height.**

- a. Fences and walls shall not exceed six (6) feet in height in any district. However, the Planning Commission may approve a greater height in a General Business District if the increased height will better screen a use from the roadway or adjacent residential uses.
- b. Decorative fences shall not exceed four (4) feet in height as measured from the grade to the top of the highest horizontal rail.
- c. Design and Type:
 - 1) All fences shall be constructed with the finished side exposed, the support posts placed on the inside, and in a manner which serves to enhance the aesthetic appearance of the neighborhood or surrounding area.
 - 2) Decorative fences shall be constructed, by way of illustration, in a style similar to split rail or wrought iron fences. Decorative fences, although not these particular styles must be designed so that they are neither solid fences nor opaque screens. Openings in decorative fences, including gates, when closed, shall exceed fifty (50) percent of any one (1) square foot of vertical fence surface area.
 - 3) The erection of a decorative fence shall not require a permit from the Zoning Administrator.