

§ 158.216 FENCES AND WALLS

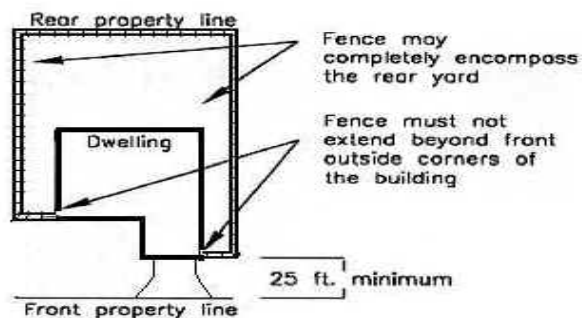
(A) Construction. All fences on property zoned residential shall consist of the following materials: chain link, wood, masonry, or stone, aluminum, vinyl coated steel or polyester powder steel, ornamental and imitation wood fences. Chicken wire or barbed wire fences in residential districts are not permitted. Vinyl coated welded wire may be used as an interface to a wooden fence. Interface is defined as a material placed upon an existing fence, inside its common boundaries for the purpose of providing additional security. Masonry or stone walls

shall be prohibited in utility and drainage easements on single-family residential zoned property, unless a specific waiver has been approved by the Zoning Administrator and City Engineer. All metal or wood fences located in utility or drainage easements shall be constructed to be easily removable.

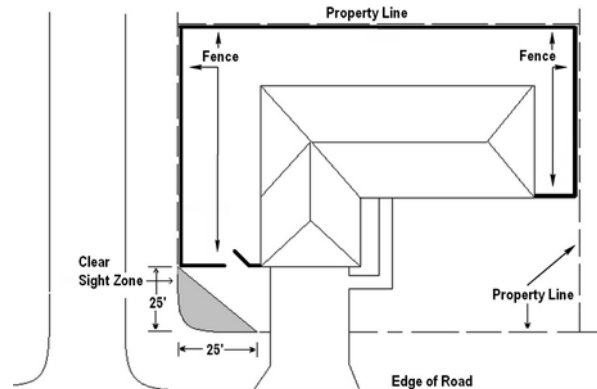
(B) Height. No residential fence shall be of a height greater than six feet from the ground level. This height limitation is not intended to apply to enclosures surrounding, or part of, recreational or sporting facilities. Fences permitted for, or enclosures surrounding recreational or sporting facilities, will be evaluated by the Zoning Administrator on an individual basis.

(C) Distance From the Front Yard Property Line. All fences on property zoned single-family residential shall be located at least (25) twenty-five feet from the front yard property line or even with the outside front corners of the building, whichever distance from the front yard property line is greater.

(D) Distance From the Rear Yard Property Line When Abutting a Public Right-Of-Way. All fences on property zoned single-family residential shall be located at least (25) twenty-five feet from the rear yard property line, when the rear yard property line abuts a public right-of-way. The Zoning Administrator may waive this requirement if special circumstances exist.



(E) Distance from the side yard property line for corner lots. On corner lots zoned single family residential, fences may be erected inside and adjacent to the side yard property line abutting a street right-of-way if the fence will not encroach into the sight triangle. The sight triangle shall be the triangular area formed by the street property lines and a line connecting them at points 25 feet from the intersection of the street lines, or in the case of a rounded property corner from the intersection of the street property lines extended.



(F) Fences to be Inside Property Line, Maintenance Responsibility. All fences shall be erected inside the property line as set out on the plat adopted by the city. The maintenance of the property on both sides of the fence shall be the responsibility of the property owner.

(G) Enclosures for Swimming Pools.

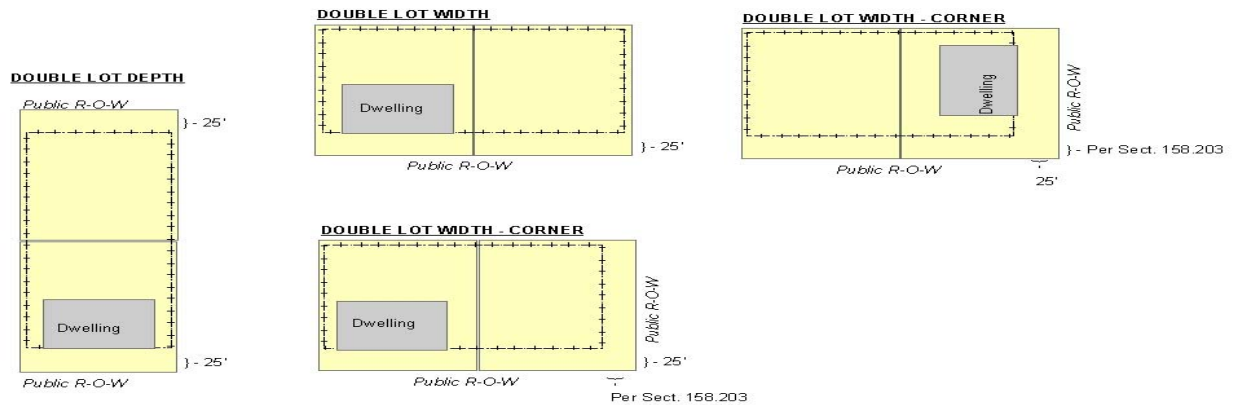
- (1) Where any pool is constructed on a lot located in the city, there shall be a fence or a suitable enclosure as set forth in the Standard Swimming Pool Code around the pool area. The pool area shall be considered to include the concrete patio.
- (2) If the enclosure around the pool area shall be a fence, the fence shall be a minimum of four feet in height and a maximum of six feet in height.
- (3) The requirements of this section shall not apply to those residential lots wherein a residential fence otherwise complying with all of § 158.006 and being at least of a height of five feet from the ground level has been constructed.

(H) Fences Used as Landscape Material. On property zoned residential, segments of fencing may be utilized as landscaped treatment provided that no property is enclosed. Fence material shall not exceed four feet in height. A two-foot break in the fence is required if the fence is to be more than 20 feet in length. The fence material shall be limited to wood, masonry, or stone.

(I) Nonresidential Fences. Fences adjacent to residential property shall conform to the requirements of division (B) through (F) of this section and §§ 153.01 through 153.10, as well as other applicable codes and regulations of the city.

(J) Fences on vacant residential lots. Fences shall only be permitted on a vacant residential lot(s) when the following criteria have been met:

- (1) The vacant lots(s) shall be adjacent to a lot that has an existing primary use.
- (2) Both the vacant lots(s) and the adjacent lot with a primary use shall be in common ownership
- (3) All lots must be located in the same zoning district and in the same future land use designation.
- (4) The proposed fence shall meet the side, front and/or rear setback requirements when abutting a public right-of-way as defined in subsections (C), (D), (E).
- (5) In the event that the abutting street to the subject property has a predominant fence setback that is greater than the requirements of this chapter, all proposed fences on that street shall be located to conform to that setback.



K. The permit applicant shall sign an affidavit from the Building Department accepting responsibility for compliance with the City's regulations as stated in §158.216 for all fence installations.