

CITY OF FLAT ROCK

RESIDENTIAL FENCE APPLICATION REVIEW WORKSHEET

DATE: _____

ADDRESS: _____

PROPERTY OWNER: _____

PROPERTY SURVEY PROVIDED: YES _____ NO _____

SITE PLAN SKETCH MUST BE PROVIDED.

EXISTING FENCE: YES _____ NO _____

EXISTING FENCE TO REMAIN: YES _____ NO _____

(If existing fence is to remain the proposed fence must be placed adjacent to the existing or a minimum of six (6) feet away.)

PROPOSED FENCE PLACEMENT:

FOUR (4) FOOT FENCE - May be located no closer to the front of the lot than any portion of the principal building.

SIX (6) FOOT FENCE - May be located to the rear of the principal structure.

UNDER CLEARANCE: Three (3) inches if fence is freestanding.
Six (6) inches if adjacent to another fence or building.

FINISHED APPEARANCE: The best or more finished appearance side shall face the exterior of the lot.

COPY OF ORDINANCE #292 GIVEN TO APPLICANT: YES _____ NO _____

APPLICANT SIGNATURE _____

APPLICATION APPROVED: _____ DENIED: _____

BUILDING DEPARTMENT SIGNATURE: _____

DATE: _____

FENCE ORDINANCE #292

Section IV. That all ordinances or parts of ordinances, the Code of the City of Flat Rock, or parts of the Codes of the City of Flat Rock, not consistent herewith are hereby repealed.

Section V. This ordinance shall be published in the Monroe Evening News newspaper as required by Charter on the 26th day of Feb, 1991, but in no event shall be effective earlier than ten (10) days after enactment.

RICHARD C. JONES, Mayor

NORMAN F. KOSZUTA, City Clerk

I hereby certify that the foregoing is a true copy of the ordinance adopted by the Council of the City of Flat Rock at a meeting thereof on Feb 15th, 1991, the original of which proceedings is on file in my office.

NORMAN F. KOSZUTA, City Clerk

Section II. Section 2.20 of Article 2.00 of the Zoning Code for the City of Flat Rock is hereby amended to read:

2.20. -- FENCES #292

Fences shall be permitted subject to the following requirements:

1. Requirements for Freestanding Fences. Freestanding fences (ie., those that are not adjacent to another fence or structure) shall comply with the following regulations:

<u>Location in Relation to Principal Building</u>	<u>Maximum Fence Height</u>	<u>Minimum Clearance at Bottom of Fence</u>	<u>Total Height: Fence Plus Clearance</u>
(a)	6 ft.	3 in.	6 ft., 3 in.
(b)	4 ft.	3 in.	4 ft., 3 in.
(c)	4 ft.	3 in.	4 ft., 3 in.

Footnotes:

- (a) Alternative 1: Fence is located to the rear of the principal structure.
- (b) Alternative 2: Fence is located no closer to the front of the lot than any portion of the principal building.
- (c) Alternative 3: Fence is located in the front yard. Fences are permitted in the front yard in single family residential districts only, subject to Zoning Board of Appeals approval, and provided that: 1) the parcel has a minimum size of one acre, and 2) the principal dwelling is set back at least fifty feet from the front property line. Fences may also be permitted in the front yard of industrial districts or to enclose public utility facilities subject to Zoning Board of Appeals approval.

2. **Requirement for Fences Located Adjacent to Other Fences.** Any fence that is proposed to be placed adjacent or attached to another fence or structure shall comply with the following regulations:

<u>Location in Relation to Principal Building</u>	<u>Maximum Fence Height</u>	<u>Minimum Clearance at Bottom of Fence</u>	<u>Total Height: Fence Plus Clearance</u>
(a)	6 ft.	6 in.	6 ft., 6 in.
(b)	4 ft.	6 in.	4 ft., 6 in.
(c)	4 ft.	6 in.	4 ft., 6 in.

Footnotes:

- (a) **Alternative 1:** Fence is located to the rear of the principal structure.
- (b) **Alternative 2:** Fence is located no closer to the front of the lot than any portion of the principal building.
- (c) **Alternative 3:** Fence is located in the front yard. Fences are permitted in the front yard in single family residential districts only, subject to Zoning Board of Appeals approval, and provided that: 1) the parcel has a minimum size of one acre, and 2) the principal dwelling is set back at least fifty feet from the front property line. Fences may also be permitted in the front yard of industrial districts or to enclose public utility facilities subject to Zoning Board of Appeals approval.

3. **Fence Placement.** Fences shall be placed inside and adjacent to the property line, except in the following instances:

- (a) Where underground utilities interfere with placement of the fence on the property line, the fence may be placed on the utility easement line located nearest the property line.
- (b) Where an existing fence that is not intended to be removed is located on the property line, the proposed fence shall either be placed adjacent to or at least six (6) feet away from the existing fence.

9. **Fence Maintenance.** Fences shall be maintained in good condition. Rotten or broken components shall be replaced, repaired, or removed. As required, surfaces shall be painted, stained, or similarly treated.
10. **Barbed Wire.** Fences shall not contain barbed wire, razor wire, electric current or charge of electricity, provided, however, that fences in non-residential districts which enclose storage areas may have barbed wire provided that the barbed wire is at least six (6) feet above grade.
11. **Review and Approval.** It shall be the Building official's responsibility to review and act on all fence proposals, unless the fence is proposed as part of a site plan which is subject to the normal site plan review procedures in Section 24.02. The erection, construction, or alteration of any fence shall be done in accordance with all municipal codes and shall require appropriate permits.
12. **Obscuring Walls and Fences.** Obscuring walls and fences shall be subject to the requirements in Section 5.08.

Section III. Chapter 99 of Title VI of the Code of the City of Flat Rock is hereby repealed in its entirety.

FENCES

ORDINANCE #292
(Adopted February 19, 1991)

Fences shall be permitted subject to the following requirements:

1. Requirements for Free Standing Fences.

Freestanding fences (ie., those that are not adjacent to another fence or structure) shall comply with the following regulations:

<u>Location in Relations to Principal Building</u>	<u>Maximum Fence Height</u>	<u>Minimum Clearance at Bottom of Fence</u>	<u>Total Height: Fence Plus Clearance</u>
(a)	6 ft.	3 in.	6 ft., 3 in.
(b)	4 ft.	3 in.	4 ft., 3 in.
(c)	4 ft.	3 in.	4 ft., 3 in.

FOOTNOTES:

- (a) Alternative #1: Fence is located to the rear of the principal structure.
- (b) Alternative #2: Fence is located no closer to the front of the lot than any portion of the principal building.
- (c) Alternative #3: Fence is located in the front yard. Fences are permitted in the front yard in single family residential districts only, subject to Zoning Board of Appeals approval, and provided that: (1) the parcel has a minimum size of one acre, and (2) the principal dwelling is set back at least fifty feet from the front property line. Fences may also be permitted in the front yard of industrial districts or to enclose public utility facilities subject to Zoning Board of Appeals approval.

2. Requirements for Fences Located Adjacent to Other Fences:

Any fence that is proposed to be placed adjacent or attached to another fence or structure shall comply with the following regulations:

<u>Location in Relation to Principal Building</u>	<u>Maximum Fence Height</u>	<u>Minimum Clearance at Bottom of Fence</u>	<u>Total Height: Fence Plus Clearance</u>
(a)	6 ft.	6 in.	6 ft., 6 in.
(b)	4 ft.	6 in.	4 ft., 6 in.
(c)	4 ft.	6 in.	4 ft., 6 in.

FOOTNOTES:

- (a) Alternative #1: Fence is located to the rear of the principal structure.
 - (b) Alternative #2: Fence is located no closer to the front of the lot than any portion of the principal building.
 - (c) Alternative #3: Fences is located in the front yard. Fences are permitted in the front yard in single family residential districts only, subject to Zoning Board of Appeals approval, and provided that: (1) the parcel has a minimum size of one acre, and (2) the principal dwelling is set back at least fifty feet from the front property line. Fences may also be permitted in the front yard of industrial districts or to enclose public utility facilities subject to Zoning Board of Appeals approval.
3. **FENCE PLACEMENT:** Fences shall be placed inside and adjacent to the property line, except in the following instances:
- (a) Where underground utilities interfere with placement of the fence on the property line, the fence may be placed on the utility easement line located nearest the property line.
 - (b) Where an existing fence that is not intended to be removed is located on the property line, the proposed fence shall either be placed adjacent to or at least six (6) feet away from the existing fence.
 - (c) Fences or privacy screens may be placed elsewhere on the interior of the lot in the rear yard provided a minimum clearance of six (6) feet is provided between the proposed fence and any other fence, structure, or property line.
4. **CLEARANCE AT BOTTOM:** Clearance at the bottom of the fence shall be required as indicated in items 1 and 2 above, to prevent rotting and permit weed removal.
5. **EXISTING FENCES:** No more than two (2) fences shall be placed adjacent to each other. In order to implement this regulation, the construction of a new fence adjacent or attached to an existing fence shall not be permitted, unless the existing fence is owned in full or in part by an adjoining property owner. If the existing fence is owned in full by the applicant, it shall be removed prior to construction of the new fence. If the existing fence is owned jointly with an adjoining property owner construction of a new fence adjacent to the existing fence may be permitted only if the applicant submits a notarized letter agreeing to share in the proportionate cost of continuing maintenance and/or eventual removal of the existing fence. It shall be the applicant's responsibility to submit adequate proof of ownership of existing fences.

6. **FENCE MATERIALS.** Fences shall consist of materials commonly used in conventional fence construction, such as wood or metal.
7. **FINISHED APPEARANCE.** If, because of the design or construction, one side of the fence has a more finished appearance than the other, the side of the fence with the more finished appearance shall face the exterior of the lot.
8. **OBSTRUCTION TO USE OF ADJOINING PROPERTY:** No fence shall be erected where it would prevent or unreasonably obstruct the use of adjacent property, nor shall a fence be erected where it would obstruct or prevent the continued safe use of an existing driveway or other means of access to adjacent property. In enforcing this provision, the Building Official may require a fence to be set back a minimum distance from a driveway or property line.
9. **FENCE MAINTENANCE:** Fences shall be maintained in good condition. Rotten or broken components shall be replaced, repaired, or removed. As required, surfaces shall be painted, stained or similarly treated.
10. **BARBED WIRE:** Fences shall not contain barbed wire, razor wire, electric current or charge of electricity, provided, however, that fences in non-residential districts which enclose storage areas may have barbed wire provided that the barbed wire is at least six (6) feet above grad.
11. **REVIEW AND APPROVAL:** It shall be the Building Official's responsibility to review and act on all fence proposals, unless the fence is proposed as part of a site plan which is subject to the normal site plan review procedures in Section 24.02. The erection, construction, or alteration of any fence shall be done in accordance with all municipal codes and shall require appropriate permits.
12. **OBSCURING WALLS AND FENCES:** Obscuring walls and fences shall be subject to the requirements in Section 5.08.

A POST HOLE INSPECTION IS REQUIRED PRIOR TO CONSTRUCTION OF FENCE. POST HOLES SHALL BE 42" DEEP FOR WOOD FENCES, HOWEVER, 24" IS ACCEPTABLE FOR CHAIN LINK.

Corner Lot

Easement →

No Fence Allowed

LOT
4' or 6' Fence Allowed

BRICK +
FRAME
GARAGE

1 STORY
BRICK + FRAME
WITH B.S.M.'T.

4' Fence Allowed

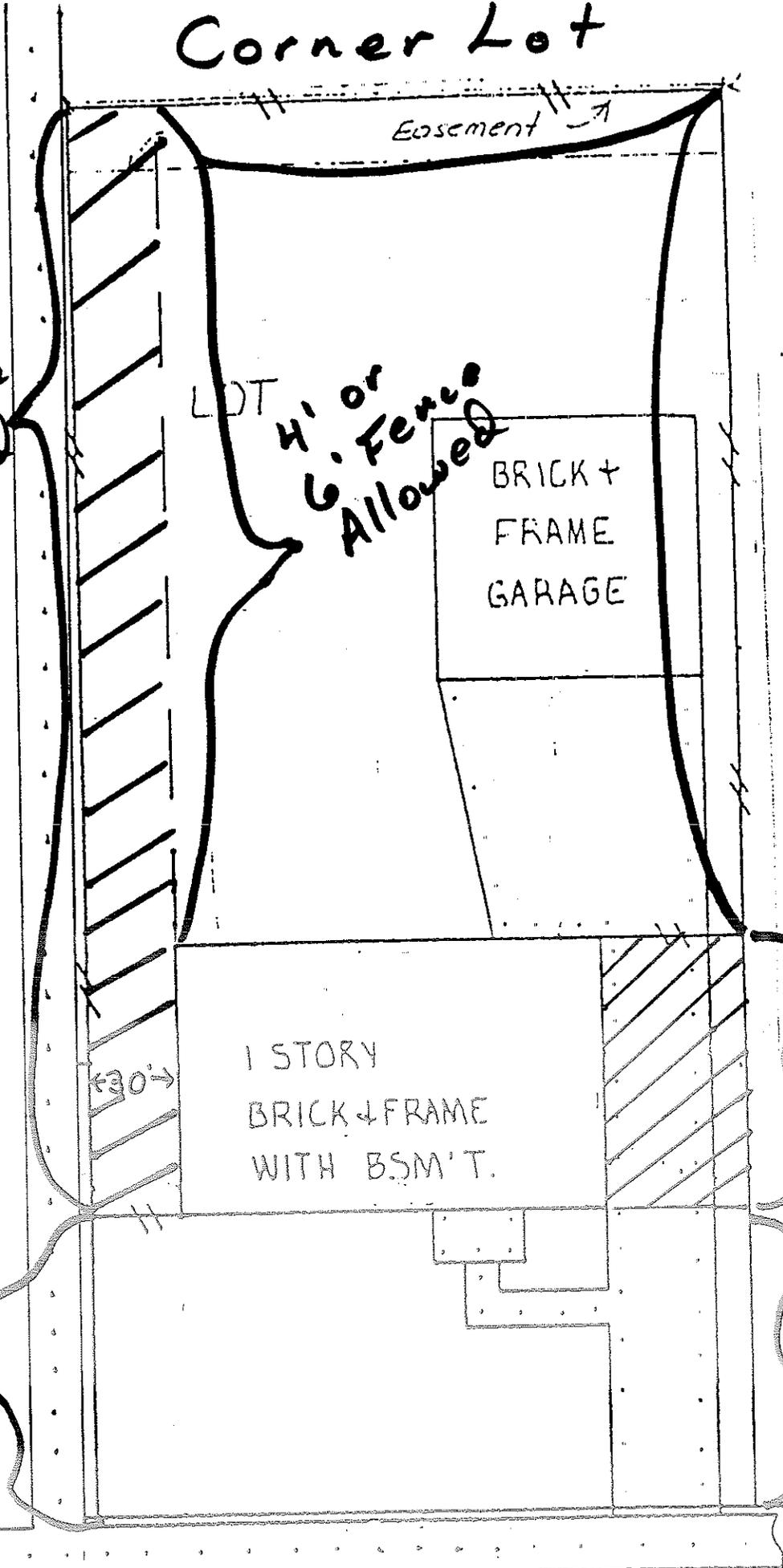
No Fence Allowed

No Fence Allowed

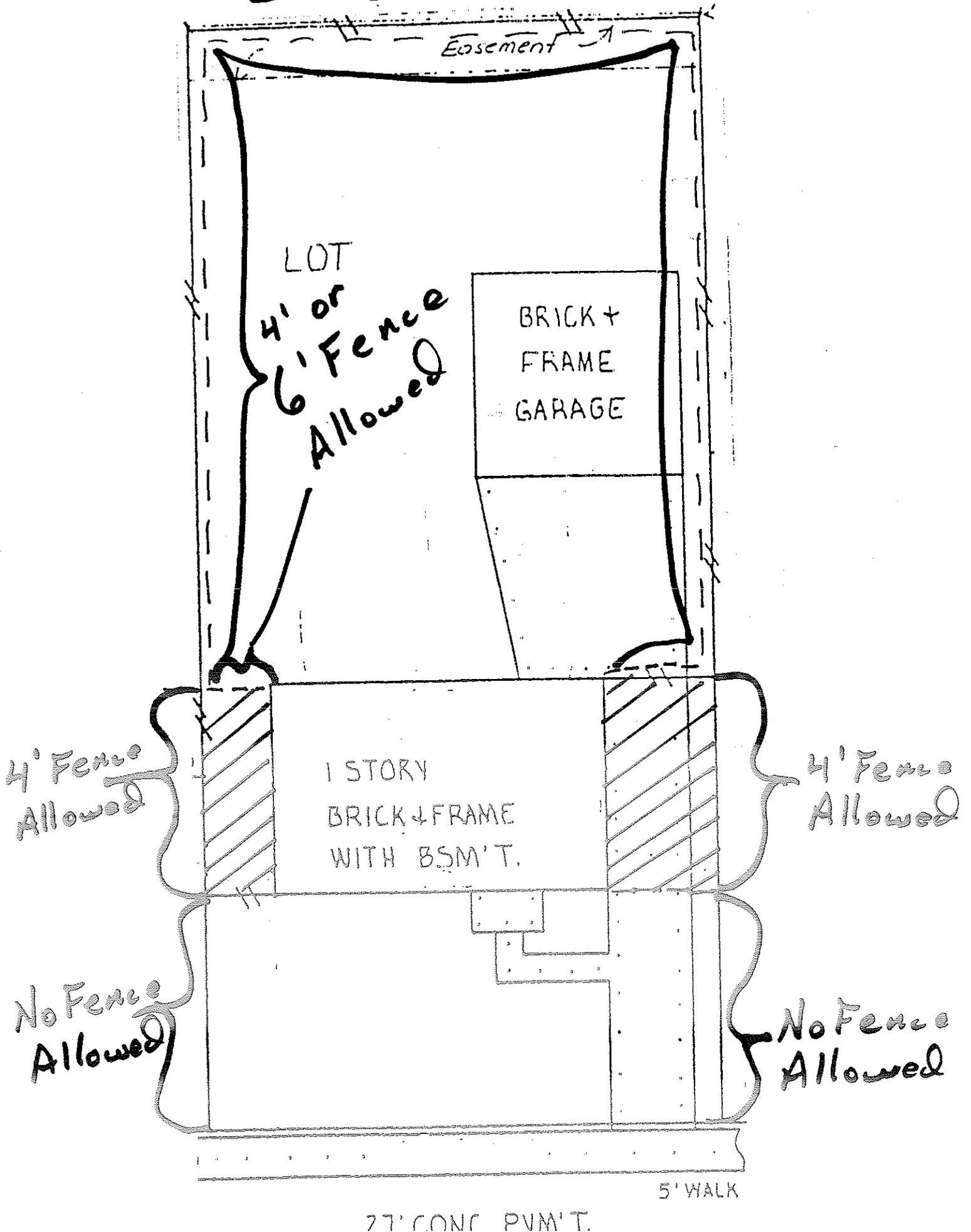
30' →

5' WALK

27' CONC. P.V.M.'T.



Interior Lot



CITY OF FLAT ROCK

RESIDENTIAL FENCE INFORMATION

FOUR FOOT FENCE:

A 4' fence is allowed from the front corner of the house to the rear of the property.

SIX FOOT FENCE:

A 6' fence is only allowed from the rear corner of the house to the rear of the property

CORNER LOT:

Each street side of a corner lot is considered a front yard, thus a fence is not allowed in the "side" front yard area unless a variance is obtained from the zoning Board of Appeals.

UNOBSTRUCTED SIGHT AREA:

An unobstructed site area shall be provided whenever a fence is allowed to be placed adjacent to a driveway where it meets the public right-of-way. (Usually one (1) foot inside the sidewalk)

Unobstructed site area is defined as:

The area formed at the corner intersection of a public right-of-way and a driveway, the two (2) sides of the triangular area being ten (10) feet in length measured along the right-of-way line and edge of the driveway, and the third side being a line connecting these two sides. (See illustration)

