SECTION 2.43 FENCES, WALLS AND SCREENS (Ord. No. 96-10; 10/21/96), (Ord. No. 08-01; 3/17/08)

(a) APPLICABILITY

This section shall apply to all residential, office, commercial, industrial, and planned unit development zoning districts, except as otherwise noted. These regulations do not apply to lawful temporary fences to enclose construction sites or retaining walls as defined herein.

(b) LOCATION AND HEIGHT REQUIREMENTS

(1) Front Yard.

(a) Within the required front yard in the R-A, R-1, R-2, R-3, and residential PUD zoning districts, the following fences and walls are permitted:

(i) For interior lots, a solid fence or wall with a maximum height of six feet, provided it is located on or immediately adjacent to the side lot line and is a minimum of 15 feet from the front lot line. (See Figure II-1)

(ii) For corner lots, a solid fence or wall with a maximum height of six feet may be placed within that required secondary front yard which is along the side of the dwelling, provided such fence or wall is a least 15 feet from that front lot line which is parallel to the side of the dwelling. (See Figure II-2)

(b) Within the front yard in the R-A, R-1, R-2, R-3 and residential PUD zoning districts the following fences and walls are permitted:

(i) Any solid fence or wall with a maximum height of three feet.

(ii) A substantially open fence such as chain link, wrought iron, picket or split rail with a maximum height of four feet. A substantially open fence shall mean a fence which is at least 40 percent open when viewed perpendicular to the fence.

(c) Within the front yard in the commercial and industrial districts fences or walls with a maximum height of three feet are allowed.

(2) Side and Rear Yard. A maximum fence or wall height of six feet is allowed, except in commercial and industrial zones where the maximum height is eight feet.

(3) Fences or walls which exceed the maximum height otherwise permitted by the zoning district may be allowed by the Planning Commission or Site Plan Review Committee if it is demonstrated that such fence is necessary for public safety, proper screening, or is necessary for the proper

operation of the principal use.

(4) Clear Vision. A fence or wall shall comply with the requirements of Section 2.30 herein.

(5) Fences or walls shall not be erected within any public road right-of-way or private road easement.

(c) MEASUREMENT, ORIENTATION, MATERIALS AND MAINTENANCE

(1) The height of a fence or wall shall be measured as the vertical distance from the highest point of the fence to the finished grade of the ground immediately beneath the fence excluding any artificially constructed earthen berms.

(2) All fences and walls shall be erected so that the finished side of the fence or wall faces away from the property, with any visible posts or supports located on the inside of the fence or wall.

(3) Any fence, wall or landscape screen shall be of uniform design, construction and appearance and sturdily constructed to withstand normal weather conditions. The method of construction and type of materials shall be of a kind normally and customarily associated with the uses permitted in the zoning district.

(4) All fences, walls and landscape screens shall be well maintained at all times, including but not limited to not becoming a visual nuisance or pose a safety hazard to nearby residents or passersby.

(5) Barbed wire fences are prohibited in all residential zoning districts except that:

(a) Barbed wire strands may be permitted on fences used to enclose essential public service structures or buildings, wireless communication antennas or towers over 35 feet high, and wind energy systems and anemometer (MET) towers. The strands shall be a minimum of six feet above ground level. (Ord. No. 09-01; 3/31/09)

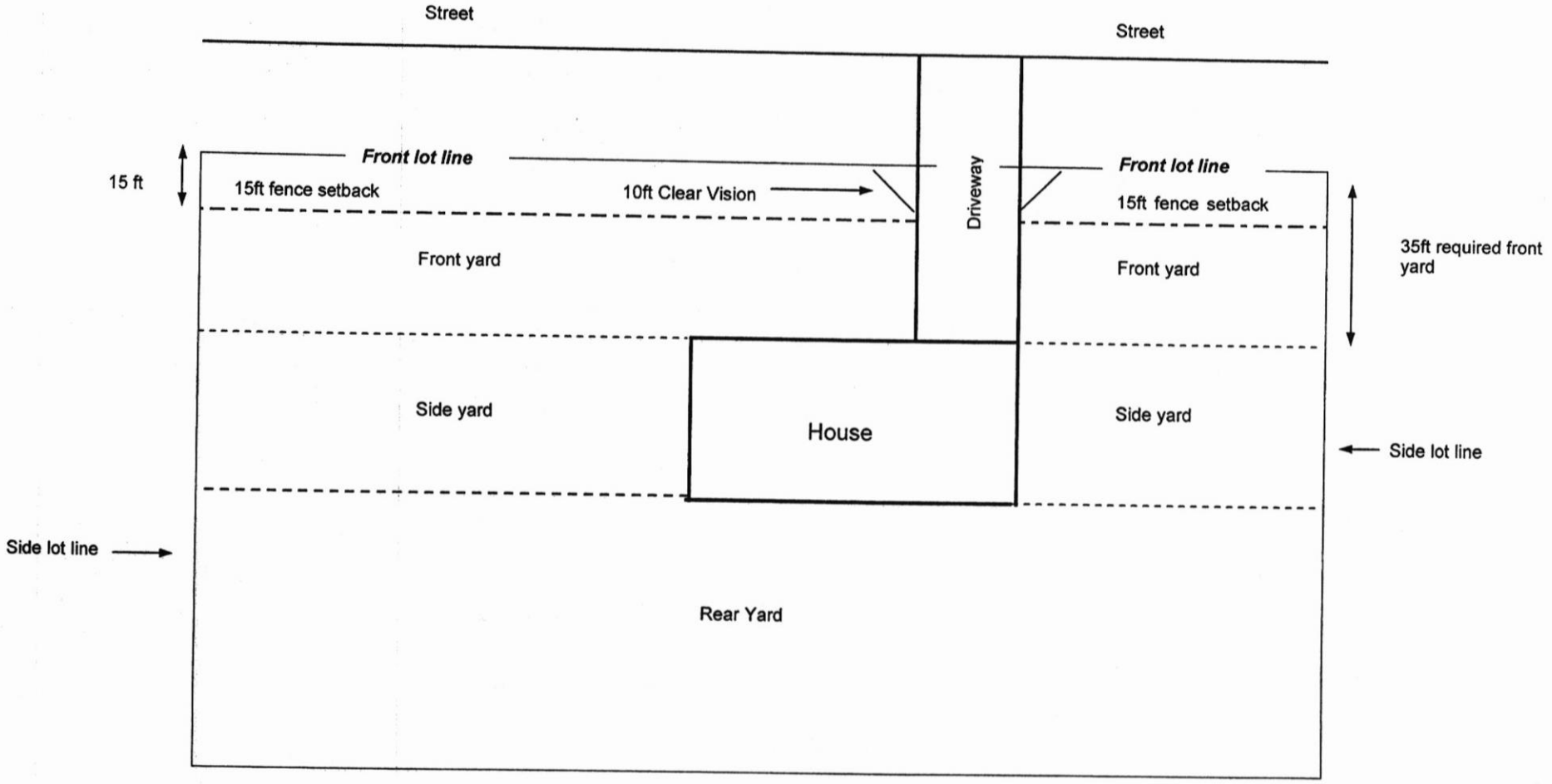
(b) Barbed wire fences may be permitted for farms, as defined in the Zoning Ordinance or for the keeping of farm animals as approved by the Building Official, which are located within a residential zoning district.

(6) In commercial and industrial zoning districts, barbed wire fences are permitted provided the barbed wire strands are at least six feet aboveground level.

(7) Above-ground electrically-charged fences shall not be erected in any district, except for farms as defined in the Zoning Ordinance, may use

Figure II-1 INTERIOR LOT – FENCE AND CLEAR VISION REQUIREMENTS

(Sections 2.30 and 2.43)



Front yard: Maximum 6-foot solid fence adjacent to side lot line and setback 15 ft. from front lot line.

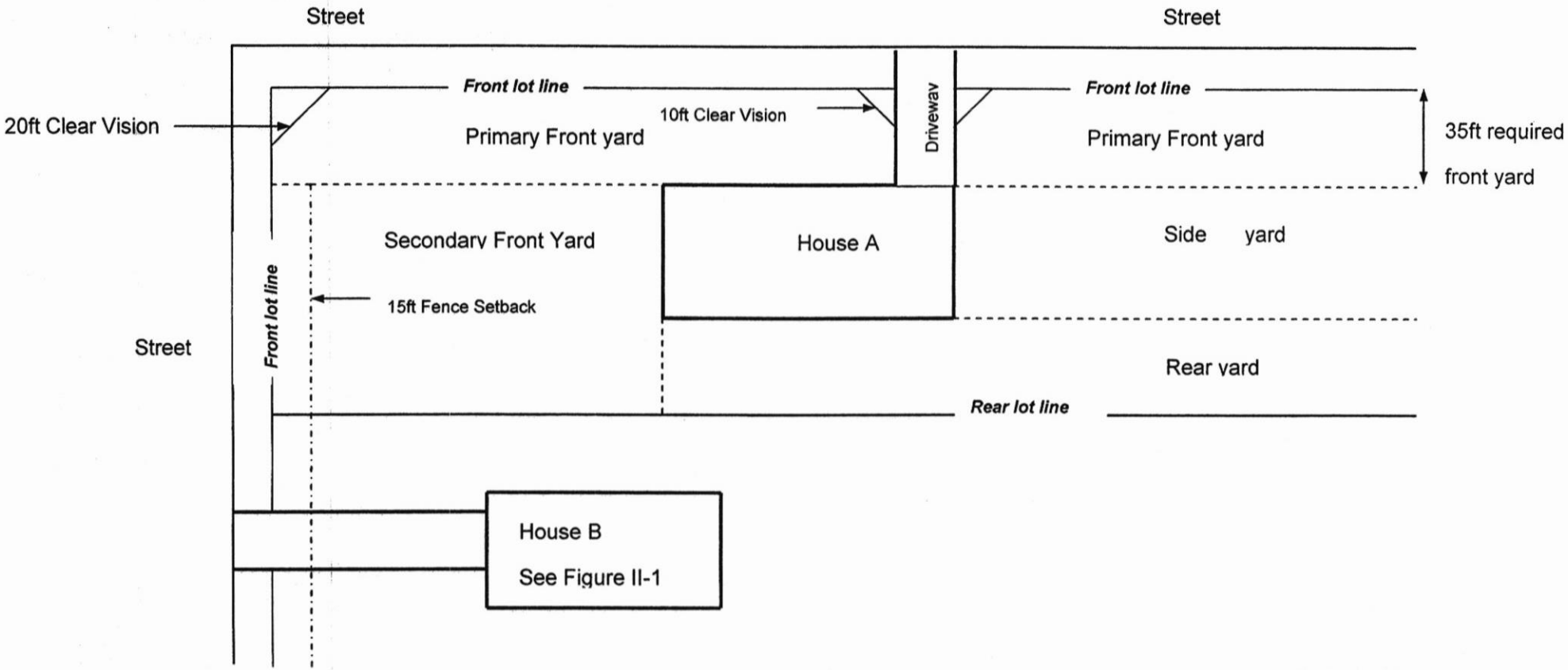
3-foot solid fence or wall, or 4 foot "see-through" fence anywhere in front yard.

Side yard: Maximum 6-foot solid fence.

Rear yard: Maximum 6-foot solid fence.

Figure II-2 CORNER LOT – FENCE and CLEAR VISION REQUIREMENTS

(Sections 2.30 and 2.43)



Primary front yard: 3-foot solid fence or wall, or 4-foot "see-through" fence anywhere in front yard.

Secondary front yard: Maximum 6-foot solid fence or wall setback 15 feet from front lot line parallel to side of building.

3-foot solid fence or wall, 4-foot "see-through" fence.

Side yard: Maximum 6-foot solid fence or wall.

Rear Yard: Maximum 6-foot solid fence or wall.