

Permit No. _____



VILLAGE OF WINNECONNE, WI
PO BOX 488 • Winneconne, WI 54986 • PH. 920-582-4381 • FAX 920-582-0660

Fence Zoning Permit Application

Property Owner: _____ Phone: _____

Property Address: _____

Email Address: _____

Type of Fence (**Circle One**) Boundary Protective Architectural Hedge Picket
Dog Kennel Sport Safety

Height: _____ Length: _____ (A fence under 10 ft. in length does not require a permit.)

Fence Material: _____

Fence Permit Fee: \$100.00

REQUIRED – Attach on a separate piece of paper a **property map** including:

- 1) the location of all property boundaries and
- 2) the fence location with distance from property lines and structures.

The lot survey markers indicating the property line and the provision of a string line must be located and exposed for inspection by the neighboring property owner(s) and the Zoning Administrator. The neighboring property owner(s) must be **notified prior to the permit application being submitted** as indicated via a signature by the neighbor(s) on the application acknowledging this notification.

Address of Neighbor

Signature of Neighbor:

Date

Address of Neighbor

Signature of Neighbor

Date

Address of Neighbor

Signature of Neighbor

Date

Signature of Property Owner

Date

Approved By: _____

Zoning Administrator

Date

Fee \$

Office Use Only

Credit Card Cash Check #

Today's Date

By: _____

Rev. 8-2023

Chapter 580. Zoning

Article III. Zoning General Provisions

§ 580-27. Fences.

[Amended 7-17-2018]

A. Fence permit. No person shall erect a fence in the Village unless a permit is first obtained by the owner or his agent from the Village Administrator. The applicant shall submit design specifications for approval and pay required permit fees at the time of making application.

B. Fences defined. For the purpose of this section, a "fence" is herein defined as a structure serving as a barrier, enclosure or boundary, consisting of materials including, but not limited to; vegetation, wood, stone, vinyl, brick, fieldstone, wrought iron, or metal intended to prevent ingress or egress. For the purpose of this section, the term "vegetation" shall include plantings, such as hedges and shrubbery, that when closely placed, grow to form a barrier, enclosure or boundary.

C. Corner lot vision triangle defined. For the purposes of this section, a "vision triangle" is defined as a triangle on a corner lot formed by connecting the following three points:

1. The point of intersection of the property lines adjacent to the intersecting streets;
2. A point 20 feet from said point of intersection along one lot line; and
3. A point 20 feet from said point of intersection along another lot line.

D. Fences categorized. Fences shall be categorized into seven classifications:

1. Boundary fence. A fence placed along or within seven feet six inches of the border of the property line.
2. Protective fence. A fence constructed to enclose a hazard to the public health, safety and welfare.
3. Architectural or aesthetic fence. A fence constructed to enhance the appearance of the structure or the landscape.
4. Hedge. A row of bushes or small trees planted close together which grows to form a barrier, enclosure or boundary.
5. Picket fence. A fence having a pointed post, stake, pale, or peg laced vertically with the point or sharp part pointing upward to form a part of the fence.
6. Dog kennel fence. A chain-link enclosure allowed in the side or rear yard of the property to secure canine animals.
7. Sport safety fence. Fences erected surrounding baseball, softball, or tennis facilities to prevent the projectile balls from injuring spectators.

E. Fences permitted without a permit. The following types of fences are permitted, as specified, without a permit, subject to the following restrictions and providing that said fence does not in any way interfere with traffic visibility, or block, redirect or cause a drainage problem for the adjacent or downstream properties.

1. Temporary fences erected for the protection of planting or to warn of construction hazard, or for similar purposes, shall be clearly visible or marked with colored streamers or other such warning devices at four-foot intervals. Such fences shall comply with the setback and height requirements set forth in this section. Such fences shall not be erected for more than 45 days or, in the case of a construction project, shall only be for the duration of said construction project.
2. Snow fencing shall be permitted in all districts not exceeding four feet in height, provided it is removed between May 1 and November 1 of each year. No snow fence shall extend into the street right-of-way unless installed by the Village or a contractor having a permit from the Village.
3. Underground fences are permitted in all districts.

F. Prohibited fences. No fence shall be constructed which is in a dangerous condition, or which conducts electricity, or is designed to electrically shock, or which uses barbed wire. No person shall construct or install:

1. Any wire or chain-link-type fence with the cut or salvage end of the fence exposed at the top.
2. A fence which creates a hazard to users of the street, sidewalk or to nearby property.
3. An incomplete fence, consisting only of posts and supporting members.
4. A dog kennel fence in a front yard.

G. Fencing materials suitable. Fences shall be constructed using materials suitable for residential-style fencing, including, but not limited to, vegetation, stone, vinyl, brick, fieldstone, wrought iron, metal, stockade or board-on-board wood.

1. No chain-link or galvanized steel fencing shall be constructed of less than a minimum of nine-gauge tensile strength and without top rail supports and post caps.
2. No fence or fence panels shall be constructed with multiple building materials or more than one pattern of the same materials on any given lot line with the exception of a fence that sits atop a decorative retaining wall or a decorative stone wall which is a part of the fence. For example, a wooden stockade fence cannot be constructed with a wooden picket fence as part of the same fence.
 - A. This shall not prohibit two intersecting fences from having different materials if the fences are owned by different property owners.
3. No fence shall be constructed with used or discarded materials in disrepair, including, but not limited to, pallets, tree trunks or limbs, trash, tires, junk, or other similar items.
4. No fence shall be constructed of materials not specifically manufactured for fencing, such as, but not limited to, railroad ties, doors, landscape timbers or utility poles.
5. No fence shall be constructed of unsightly or dangerous materials which would constitute a nuisance.

H. Construction of fences.

1. The height of the fence shall be measured from the established grade.
2. Wooden fences shall be constructed with vertical members, or horizontal members of rail-type fences, placed on the side of the supporting members facing the adjoining property.
3. Fences shall not have sharp or pointed pickets, which can be dangerous to personal safety.
4. Fences can be placed so that the face is toward the neighboring property and is flush with the lot line. The dress side of the fence, or "face" shall be on the outside. All parts of the fence shall be erected on the owner's property.
5. Obstruction of ingress/egress area of a dwelling. No fence shall be installed in any yard that will shield any window or opening in a habitable space of a dwelling. A minimum distance of six feet shall be maintained between any solid fence and any such window or opening in a dwelling.
 - A. The Fire Department may grant a waiver to the Village Administrator to approve a fence adjacent to a required ingress/egress opening of a dwelling between four and six feet if the fence has one of the following features:
 - I. For basement ingress/egress openings, the fence opening or gate shall be the width of the ingress/egress opening or four feet, whichever is greater, with no ability to lock or secure said gate, or a four-foot wide approved breakaway fence panel and the area on both sides of the gate/fence shall continuously be free from all obstruction, including vegetation and snow and ice buildup, and shall swing or break away in the direction of egress.
 - II. For ingress/egress opening above grade, the fence opening or gate shall be the width of the ingress/egress opening or four feet, whichever is greater, with no ability to lock or secure said gate, or a four-foot wide approved breakaway fence panel, or the top of the fence shall be no taller than the bottom of the sill of the ingress/egress opening and the area on both sides of the gate/fence shall continuously be free from all obstructions, including vegetation and snow and ice buildup, and shall swing or break away in the direction of egress.
6. Fences placed on property lines.
 - A. Property boundary determinations. Fences shall be erected on the owner's property and responsibility for establishing the property line shall rest with the property owner erecting the fence.

- I. The lot survey markers indicating the property line and the provision of a string line must be located and exposed for inspection by the neighboring property owner(s) and the Village Administrator. The neighboring property owner(s) must be notified prior to the permit application being submitted as indicated via a signature by the neighbor(s) on the application acknowledging this notification.
- II. Should the applicant not be able to locate the lot survey markers indicating the property line location, or if there is a disagreement as to the validity of the location of the lot survey markers, the applicant shall be required to contract a licensed surveyor to establish the validity of the lot survey markers or to set new lot survey markers should the markers be absent or incorrectly placed.
- III. It is recommended that the fence be constructed off the lot line if maintenance will need to be done to the fencing without going onto the neighboring property. Hedges shall be trimmed or confined to the property on which they are planted.

7. Height of fences regulated.

A. Nonresidential.

- I. [1] Commercial or industrial. An industrial or commercial fence shall be no higher than eight feet in height and shall be compliant with the vision triangle height restrictions designated in Subsection H(7)(b)(4) of this section. Fences may not exceed forward of the Village right-of-way line. Arms or extensions which project from the fence on commercial and industrial properties shall project into the lot proper.
- II. [2] Park. Fences associated with baseball and/or softball fields and surrounding tennis courts may be erected in conformance with accepted industry standards for height.

B. Residential. The maximum height of fences, where permitted in the yard of or along the following lot lines shall be as follows:

- I. Rear yard. Fences six feet in height or less may be located within the rear yard or along the rear lot line.
- II. Fences six feet in height or less may be located in the side yard or along the side lot line from the rear lot line to the front of the house, which are subject to the vision triangle restriction set forth below.
- III. Front yard. Fences three feet or less may be located within the front yard, as long as they are fences that are no more than 50% solid.
- IV. Vision triangle restriction. Fences on corner lot properties requiring intersection sight distance may be a maximum of 30 inches in height and no more than 30% solid, when located in the vision triangle as described in Subsection C of this section.
[Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)]

I. Fences to be repaired and maintained. All fences shall be maintained and kept safe and in a state of good repair and the finished side or decorative side of a fence shall face adjoining property. Hedges shall be trimmed and maintained at a height that does not violate the height restrictions for its permitted location.

J. Nonconforming fences. Any fence existing on the effective date of this code and not in conformance with this section may be maintained, but no alteration, modification, enlargement, extension, replacement or improvement of the fence shall be made except in strict compliance with all the requirements of this chapter.