

Some of the elements listed may be redundant but illustrate different ways of expressing a particular feature.

POTENTIAL ELEMENTS TO BE INCLUDED IN FENCE REGULATION

General Requirements. In this section, fence and wall shall be interchangeable terms.

No fence on a residential property may exceed four (4) feet in height above grade, except as provided in sections xxxxx and xxxxx. Front yard fences are limited to 48 inches in height.

A fence shall be erected within the boundaries of the applicant's property and shall be placed wholly within but not on the property boundaries.

Fences shall not be placed atop one another.

A fence shall be erected so that its smooth or finished side faces an abutting property or roadway. All fence posts shall be placed on the fence owners' side of the fence, except for a fence to contain livestock.

A fence over four (4) feet in height shall require a zoning permit from the Administrative Officer.

A fence over eight (6) feet in height shall require approval by the Development Review Board as a conditional use subject to the provisions of Section 5.7, Conditional Use Review.

A fence over eight (6) feet in height shall be considered a structure subject to normal setback requirements for the zoning district, unless otherwise approved by the Development Review Board as a conditional use subject to the provisions of section 5.7, Conditional Use Review.

No fence shall be erected in such a manner as to inhibit or divert the natural drainage flow or cause the blockage or damming of surface water.

No fence shall be located or constructed on a terrace or wall that will have an overall height of more than that permitted, unless otherwise approved by the

Development Review Board as a conditional use subject to the provisions of Section 5.7, Conditional Use Review.

No fence shall be erected that may create a fire hazard or other dangerous condition or that may result in obstruction to fire fighting.

No plain galvanized or slatted chain link fencing is permitted on residential properties. Vinyl-coated black or green chain link fencing is permitted. Chain link fencing is discouraged in all other zones except: (a) fencing for agricultural purposes, and (b) fencing for recreational purposes, such as baseball diamonds, tennis courts, basketball courts, dog parks, or similar activities. It is recommended that any chain link fencing installed for these purposes shall be plastic coated in either dark green or black. Any chain link fencing must be approved by the Development Review Board as a conditional use subject to the provisions of Section 5.7, Conditional Use Review.

All existing fences that do not conform to the provisions of these regulations may be continued as they presently exist, except that these fences shall not be altered, extended, replaced or modified except in accordance with these regulations.

Privacy Enclosures and Kennels. Privacy enclosures (for example, around an outdoor spa) and the fencing of kennels may exceed the height limit established in section xxx, but only within areas outside of the required setbacks for structures. The portion of the enclosure or fence that is over six (6) feet in height must not be solid. It may be a lattice or similar decorative work, screen, or wire.

Front yard fencing on residential properties must be at least 40% open. Traditional stone walls are exempt

Exceptions. The DRB, through conditional use review, may authorize residential fences which exceed six feet (6') in height specifically for security or safety purposes and may require landscaping to mitigate visual impacts.

Any fence erected shall be outside road right of ways as well as all bike/ped permanent easement areas.

All fence posts shall be placed on the inside of the fence, except for a fence to contain livestock.

A fence over eight (6) feet in height shall only be permitted as part of an approved site plan review, or permitted after review by the DBR as provided for under Section xxxxx.

The DRB shall have the authority to restrict the location and height of a fence in order to meet the purposes outlined in Section xxxxxx, Site Plan Review. In no case shall a fence exceed ten (10) feet in height.

Fences shall be maintained in a safe and substantial condition.

No fence shall be located or constructed on a terrace or wall that will have an overall height of more than that permitted, unless otherwise approved by the DRB.

Fence height is generally measured from the ground level-or no more than four (4) inches above ground level- to the tallest part of the fence. Fence posts and fence posts caps do not count towards the height of the fence provided they are not taller than six (6) additional inches and represent less than 20% of the width of the fence panels.

Styles, materials, and dimensions of the proposed fence shall be compatible with the context of the neighborhood and the use of the property.

Fences shorter than four feet do not require a permit. Fences four feet to eight feet require a zoning permit.” “A fence over eight (8) feet in height shall be considered a structure subject to normal setback requirements for the zoning district, unless otherwise approved by the Development Review Board as a conditional use subject to the provisions of Section 5.7, Conditional Use Review.

Prohibited Fences and Materials.

The following fences and fencing materials are specifically prohibited:

- (1) Barbed, razor or ribbon wire or broken glass as part of any fence, unless specifically permitted.
- (2) Pointed metal fences.
- (3) Canvas and/or cloth fences, except when used to protect shrubs and vegetation.

- (4) Poultry and/or turkey wire fences within minimum front, side and rear setbacks.
- (5) Temporary fences, unless for snow control. Snow control fences shall be allowed from November 1 through to the following May 1.
- (6) Expandable fences and collapsible fences, except used during permitted time limited construction activities.
- (7) Chain link fences erected with the open loop at the top of the fence.
- (8) Fences made of scrap metal.
- (9) No plain galvanized or slatted chain link fencing is permitted on residential properties. Vinyl-coated black or green chain link fencing is permitted.

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