



copied from web 7/26/10

<http://www.newberlin.org/government/departments/community-development/inspection-services/application-guidelines/fences.aspx>

## Fences

---

### Guidelines

Fences are permitted accessory uses in all districts and are further regulated as follows:

#### A) Fence Location

1. No fence in the front yard shall be located closer to the street than the base setback line. No fence in the vision clearance triangle shall exceed three (3) feet in height above the mean street grade.
2. Fences 50 inches or less in height shall not require a zoning permit.
3. Fences exceeding 50 inches, but not more than 74 inches in height shall not require a zoning permit, but shall be constructed at least two (2) feet from the property line and shall not be located in the front yard or closer to a public street than the principle structure. On corner lots, the lot facing the side street (or second street) shall also be considered a front yard. The plan commission may permit the construction of a fence in the front yard, provided that all other requirements for fences are complied with.
4. Metal fences constructed in chain links or other fences constructed in low-maintenance materials which are at not less than 50 inches and not more than 74 inches in height may be constructed on the lot line, provided that all other requirements for fences are complied with.
5. Fences exceeding 74 inches in height shall be constructed only after plan commission review and approval in accordance with the procedure set forth in section 17.1204 of this ordinance. Before granting approval, the plan commission shall notify abutting neighbors, and shall determine that the height of the fence is necessary and will not adversely affect the appearance of the neighborhood or adjacent property values.
6. Fences shall be located outside of easement areas unless plan commission approval is granted to place a fence in or on the easement.

#### B) Fence construction

1. All structural and support components of a fence shall face away from adjacent properties.
2. All fences, which face a public street, shall be constructed of the same face materials as adjoining properties owner's fences, unless an alternate material is approved by the plan commission. Approved alternate materials shall not adversely affect the appearance of the neighborhood or adjacent property values.
3. All fences shall be constructed in such a manner and of such materials and colors as to not adversely affect the appearance of the neighborhood or adjacent property values.
4. All fences shall be constructed straight and plumb. Any fence, which is to be constructed or maintained in other than straight and plumb condition, including but not limited to certain types of split rail fences, shall require plan commission review and approval. Before granting approval, the plan commission shall notify abutting neighbors, and shall determine that the fence will not adversely affect the neighborhood or adjacent property values.

Maintenance. All fences shall be maintained in good repair at all times. No signs or display shall be permitted on a fence. No materials shall be stored between the fence and the lot line.

Exception. A snow fence temporarily constructed for the purpose of catching wind blown snow shall not be subject to these fence requirements provided that it shall be installed no earlier than November 1st of each year and shall be removed no later than April 1st each year.