

800 ARTICLE VIII BUFFER AREAS AND FENCES

801 BUFFER AREAS

- A.** As a result of the lack of zoning prior to the adoption of this Ordinance, many residential dwellings have been constructed and located within areas that are now predominantly commercial areas. In order to protect such existing dwellings from new commercial activities or structures, such new structures shall hereafter be located no closer than one hundred (100) feet to any such existing dwelling which is occupied for dwelling purposes and further such new commercial structure or activity shall be screened from such adjoining dwelling in accordance with the following provisions.

The foregoing provision shall not, however, operate to reduce the usable area of the adjoining commercial property under bona fide separate ownership on the effective date of this Ordinance below 50% if the same would cause such a result, this buffer area shall be accordingly reduced to permit such 50% use.

- B.** Except as otherwise provided in this Zoning Ordinance, all premises used for business, commercial purposes and located within a CW, C-1, or C-2 district shall be screened from adjoining premises located in a residential district classification by any of the following:
- 1.** A natural compact planting area of evergreens or shrubberies which maintain their density and screening effect throughout the calendar year, not less than four (4) feet in height at the time of planting and maintained in a neat and attractive manner.
 - 2.** An artificial wall or fence of sufficient density or compactness to screen the structures and activities of the business from the view of occupants or adjoining premises, not less than five (5) feet in height and maintained in a neat and attractive manner.

Such planting area, wall or fence shall be at least twenty (20) feet from any adjoining street right of way.

- C.** In the event of any controversy as to the adequacy of any proposed or existing screening, the Planning Commission shall have the right and is hereby given the authority to determine, through a Site Plan Review, whether the same is in violation of these screening provisions and the purpose herein sought to be accomplished by the screening of abutting business and residential properties.

802 FENCES

A. General Standards for Fences. Except as otherwise provided, fences in all districts must meet the following standards:

1. A Land Use Permit is required for all permanent fences before installation.

2. Applications for a Land Use Permit for fence shall be accompanied by a survey and a sketch or drawing of the intended fence.
3. Fences shall be set back at least two (2) inches from adjacent lot lines.
4. The finished side of the fence shall be the exterior of the fence. The unfinished side of the fence shall face inward.
5. Fence height shall be measured from the average grade level of adjoining properties.
6. The maximum distance between fence posts shall be eight (8) feet.
7. No earth berm shall exceed two (2) feet in height. No earth berm shall be utilized in any way to enhance fencing height.
8. No fence shall exceed six (6) feet in height.
9. Fences may be constructed of wood, masonry, wrought iron, vinyl or chain link and comply with this ordinance.
10. Fence composition shall be of a uniform design and material. No fence will be constructed of material that impairs the character of the neighborhood.
11. Snow fencing is permitted from October 1st through May 1st. No land use permit is required.
12. Living fences, such as dense evergreen or other forms of shrub, shall be at least thirty-six (36) inches from the inside of the property lot line and comply with this ordinance.
13. Barbed wire and electrified fences are prohibited in all zoning districts except the AG District. This prohibition shall not apply to underground dog fences.
14. No fence shall block the view of any waterways, lakes, wetlands, or scenic vistas from adjacent properties.
15. No fence shall obstruct the view of driveways or adjacent roadways for vehicles entering or leaving the site.
16. Temporary fences for construction site enclosure or other special events may be allowed by the Ordinance Enforcement Officer.
17. On vacant lots a fence may be erected using the average of the front and rear corners of the neighboring properties dwellings as setbacks.

B. Fences in the AG District. All fences in the AG District shall comply with the following standards:

1. Fences shall be set back at least twenty (25) feet from the road right-of-way.

2. Where farm animals are kept, adequate fencing such as paige wire fence, shall be erected to prevent free roaming of farm animals outside their confinement area. Where poultry is kept, chicken wire or other similar fence material shall be used to keep poultry contained.

C. Fences in the R-1 District. All fences in the R-1 District shall comply with the following standards:

1. Side yard fences. A fence not to exceed six (6) feet in height is permitted between the front and rear corners of the dwelling.
2. Rear yard fences. The following types of fencing are permitted to extend from beyond the rear corner of the dwelling to the road right-of-way:
 - a. A privacy fence no more than three (3) feet in height.
 - b. Fencing not to exceed four (4) feet in height and complying with this ordinance.
3. Front yard fences. No fences shall be permitted beyond the front corner of the dwelling. Where an R-1 parcel abuts or adjoins a parcel designated CW, C-1 or C-2, or a public road-end access or a private easement of record, a fence no higher than four (4) feet shall be permitted beyond the front corner of the dwelling.

D. Fences in the RR-1, R-2, R-3 and R-4 Districts. All fences in the RR-1, R-2, R-3 and R-4 Districts shall comply with the following standards:

1. Side yard/rear yard. A fence not to exceed six (6) feet in height is permitted from the front corner of the dwelling to the rear lot line. Rear lot fencing is allowed.
2. Front yard- Fencing, not to exceed four (4) feet in height and complying with this ordinance may be installed beyond the front corner of the dwelling up to the road right-of-way.

E. Fences in the C-W District. All fences in the C-W District shall comply with the following standards:

1. Side yard. A fence not to exceed six (6) feet in height is permitted between the front and rear corners of the structure.
2. Rear yard. A fence not to exceed four (4) feet in height is permitted from the rear corner of the structure to no closer than twenty (20) feet from the rear property line.
3. Front yard. Fencing not to exceed four (4) feet in height is permitted from the front corner of the structure to no closer than twenty (20) feet from the front property line.

F. Fences in the C-1 and C-2 Districts. All fences in the C-1 and C-2 Districts shall comply with the following standards:

1. Side yard/rear yard. A fence not to exceed six (6) feet in height is permitted between the front corner of the structure to the rear lot line. Rear lot fencing is allowed.
2. Front yard. A fence not to exceed four (4) feet in height is permitted from the front corner of the structure to no closer than twenty (20) feet from the front property line.