

Fence Plan Approval Packet

Procedure

1. Complete and submit the following pages;
 - a. The completed *Fence Permit Application*.
 - b. The completed "*Owner Acknowledgment of Property Lines*"
 - c. The completed "Site Plan Worksheet"
 - d. Call and schedule your Fence line inspection Per #2 below.
2. If installing a new fence, the proposed fence location shall be marked by use of string attached to temporary posts.
 - a. The City of Rocky River requires a 10-day posting card to be displayed on the property stating the owner's intent to erect a fence. This 10-day posting card will be issued and available once the Fence Line Inspection is complete.
 - b. If a new fence is to be placed in the existing fence footprint, no fence line inspection is required.
3. Once your permit is issued, construction of your fence may commence and once completed contact the Building Department to schedule your **final inspection**.

**CITY OF ROCKY RIVER
21012 HILLIARD BOULEVARD
ROCKY RIVER, OH 44116
PHONE: (440) 331-0600
FAX: (440) 895-2628**

Fence Permit Application

Permit Fee: \$55.00

Date: _____

COMMERCIAL: _____ RESIDENTIAL: _____

ADDRESS OF IMPROVEMENT: _____

OWNERSHIP: _____
Name Address Phone

CONTRACTOR: _____
Name Address Phone

CONTRACTOR EMAIL: _____ ESTIMATED COST _____

TYPE OF FENCE: Ornamental Split Rail Board on Board Picket Privacy

HEIGHT & LOCATION OF FENCE: Front ____/Ht ____ Side ____/Ht ____ Rear ____/Ht ____

CORNER LOT: Yes ____ No ____

VARIANCE NEEDED: Yes ____ No ____

BOARD OF APPEALS MEETING DATE: _____

VARIANCES NEEDED: _____

PROHIBITED FENCES

Barbed Wire
Electrified

**** Caution should be used when replacing or installing a new fence on a property line and although a survey is not required, it is strongly recommended. Plan review and approvals within an HOA or any easement locations or deed restrictions are the sole responsibility of the applicant. Any dispute over the location of a proposed or installed fence shall be settled by the applicant obtaining a current survey. *By signing below I understand my responsibilities as the applicant. I further understand that I shall contact the Building Department for the initial fence location inspection and the final inspection of the fence installation.* ****

SIGNATURE OF OWNER: _____

SIGNATURE OF APPLICANT: _____

- Attach the *Site Plan Worksheet* showing location of proposed fence and its proximity to the house, garage and/or other existing fences. Label length of proposed fence.
- Submit application and drawings to the Building Department. The applicant will be required to display an "Intent to Build" sign for 10 days. This required notification sign will be issued to the applicant once the fence placement inspection is complete. After 10 days a permit can be obtained.

• **By initialing within the box I understand that a final inspection is required in order to verify the materials used and project scope. PLEASE CALL TO SCHEDULE FINAL INSPECTION**

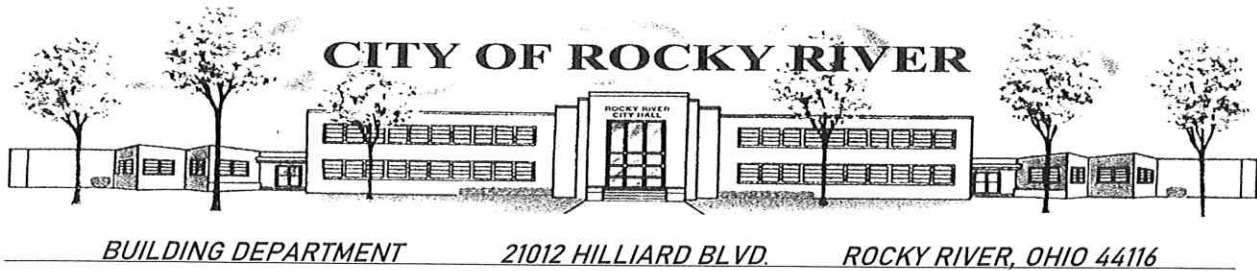
For office use only:

NOTICES SENT TO ABUTTING NEIGHBORS Date of approved Fence Location Inspection: _____

Date Sent: _____ Permanent Parcel # _____

_____ 10 Day Posting Card Issued _____

_____ Permit #: _____



Owner Acknowledgment of Property Lines

Date; _____

I hereby acknowledge that the property line location is the sole responsibility of the property owner. The location of the fence on the plan will be measured from a point that the property owner deems as the property line. The City of Rocky River assumes no responsibility for errors related to property line location. If there is a question regarding a property line a professional land surveyor should be consulted to obtain a boundary survey.

The City of Rocky River does not determine property lines.

Property owner's Name (Print): _____

Property Address: _____

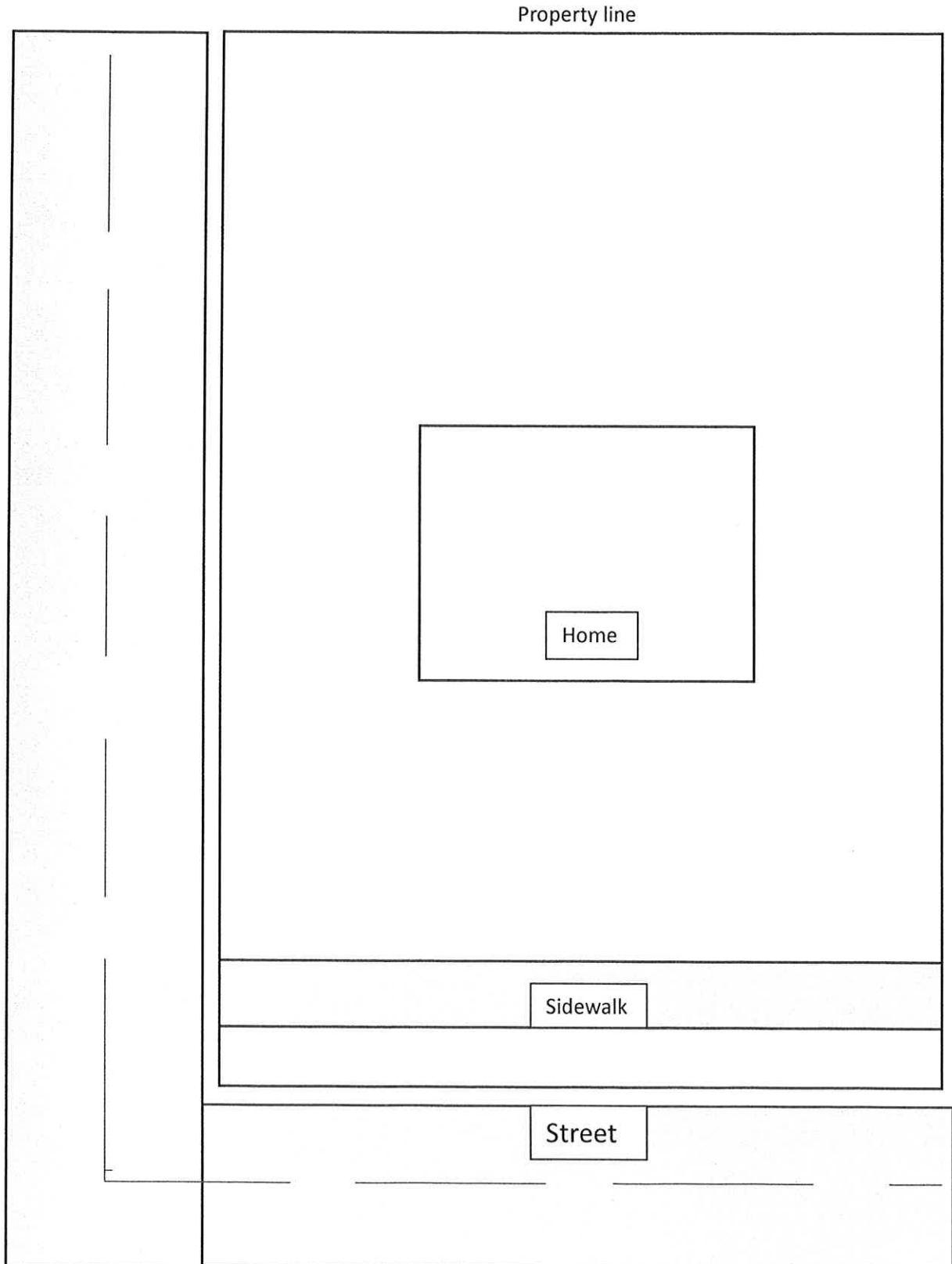
Property owner's phone: _____

Property owner's email; _____

Property owner's Name (signature): _____

Site Plan Worksheet – Corner Lot 1

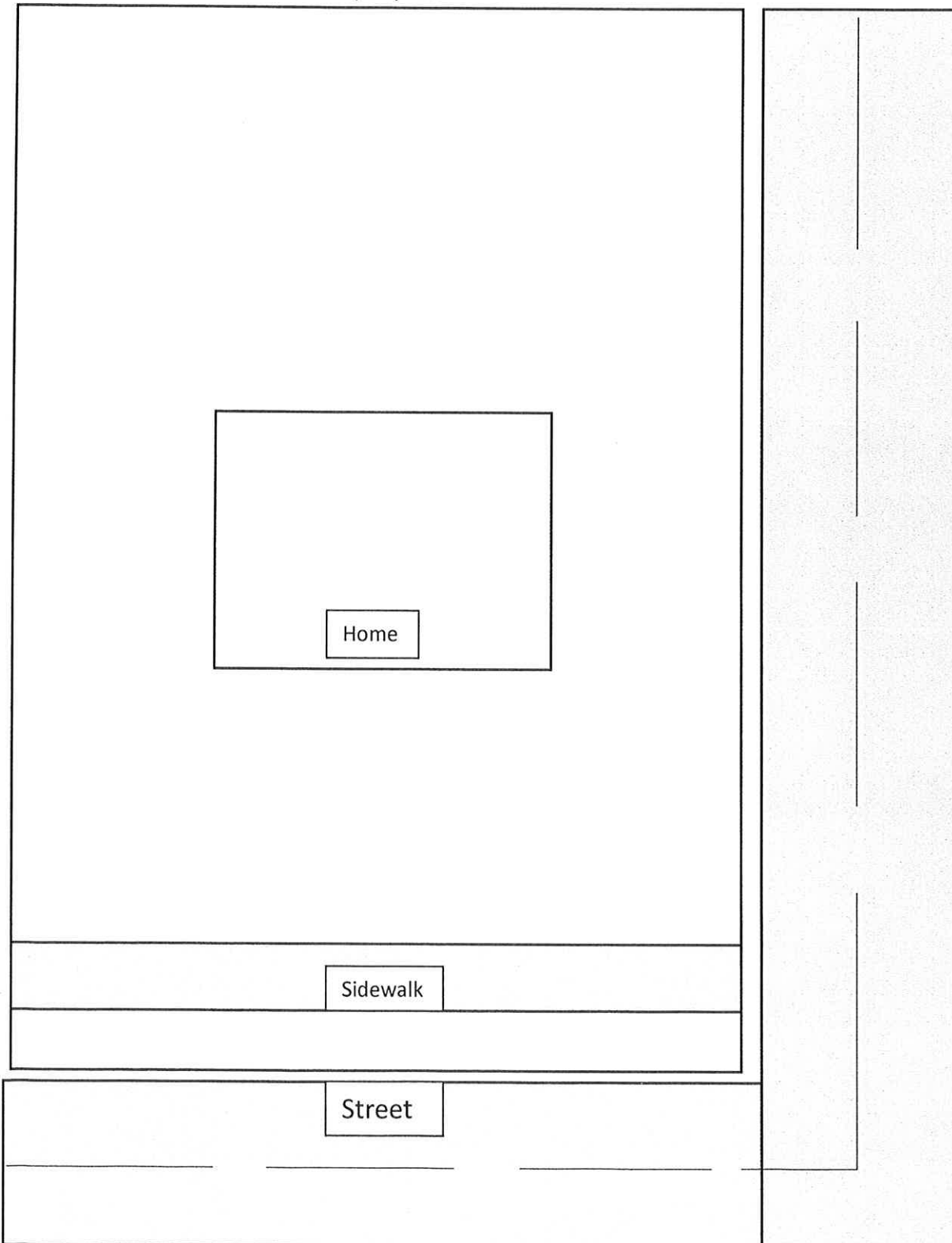
Consult the building department regarding required setback and fence requirements for corner lots.



Site Plan Worksheet – Corner Lot 2

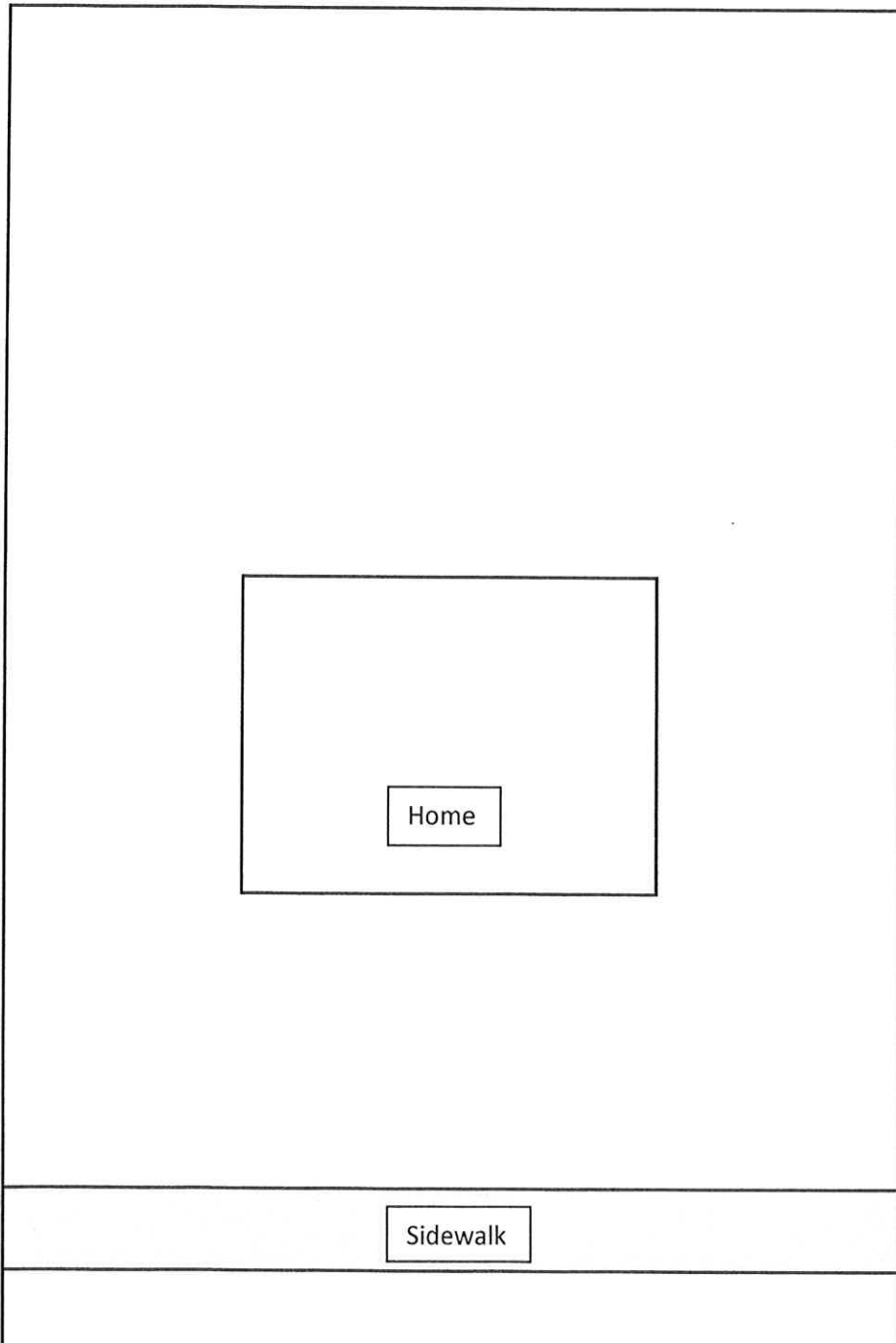
Consult the building department regarding required setback and fence requirements for corner lots.

Property line



Site Plan Worksheet – Interior Lot

Property line



Instructions:

- Pick worksheet that best represents your property (interior or corner lot).
- Show all garages, driveways, sheds, etc.
- Show the property dimensions.
- Show proposed fence and gate locations.
- Refer to the attached fence ordinance for approved fencing types.
- Detail fence heights and types.

FENCE ORDINANCE

1153.15 ACCESSORY USES AND STRUCTURES.

Accessory uses, buildings, and structures permitted in residential districts shall conform to the location, coverage, area, and maintenance standards contained in this Section and Chapter 1181, General Use Regulations. No accessory building or use shall be established on a lot unless a principal building or use has first been established on the lot in conformance with all applicable provisions of this Development Code.

(a) Location Requirements for Accessory Uses. An accessory building or use permitted in a residential district shall be located as set forth in Schedule 1153.15. However, an accessory use shall only be permitted to the extent such use complies with all other accessory use regulations set forth in this Development Code.

(b) Schedule 1153.15 Permitted Accessory Structures In Front, Side And Rear Yards:

Schedule 1153.15				
Permitted Accessory Structures in Front, Side and Rear Yards				
Use	Yard Permitted	Minimum Setback From Lot Line		
		Front	Side	Rear
(1) Detached accessory buildings, including garages	Rear	NP	5 ft.	5 ft.
(2) Driveways	Front, corner side, side, rear	NA	3 ft.	3 ft.
(3) ATTACHED ARCHITECTURAL FEATURES	Rear	See also Section 1153.13		
(4) Fences, walls	Front, corner side, side, rear	0 ft.	0 ft.	0 ft.

(j) Fences, Walls, and Planting Screens. Fences shall comply with Schedule 1153.15 and shall be constructed, located, and maintained in conformance with the standards set forth below:

(1) Front Yard Fences. In the front yard of interior and corner lots, fences shall have a maximum height of thirty-six (36) inches. Only ornamental fences shall be permitted in the front yard, and the maximum length of any fence segment shall be thirty feet or the width of the front elevation of the house, whichever is less. Such fence segments shall be located no more than twelve (12) feet in front of the dwelling, and this distance shall be measured from the furthest projecting element on the front plane of the dwelling. A Zoning Certificate shall be required for a fence in the front yard, and such Certificate shall be approved by the Zoning Administrator. The Zoning Administrator may refer the application

to the Architectural Review Board when, in his/her opinion, the appropriateness of the proposed fence should be judged by the Architectural Review Board.

(2) Side Yard Fences. In the side yard, the maximum fence height shall be five (5) feet, except for chain link fences which shall not exceed four (4) feet in height. Ornamental, board on board, and picket fences are the only types of fences permitted in the side yard, except synthetic covered chain link fences are permitted to abut existing chain link fences, and except as provided for in sub-section 1153.15(j)(7) below.

(3) Rear Yard Fences. Fences in the rear yard shall not exceed six (6) feet in height, except chain link fences which shall not exceed four (4) feet in height. Ornamental, board on board, picket fences, synthetic covered chain link fences, or similar fences that are twenty-five percent (25%) transparent regardless of the angle at which the transparency is viewed are the only types of fences permitted in the rear yard, except as provided for in sub-section 1153.15(j)(7) below. However, any portion of the fence over five (5) feet in height shall be constructed of materials that are fifty percent (50%) transparent when viewed perpendicular to the fence. The openings of the fence that provide the transparency shall be evenly spaced throughout the vertical surface.

(4) Fences on a Corner Lot Within the Required Corner Side Setback. For lots located on a corner, fences may be located in the required corner side setback provided such fences are located behind the front wall of the principal building and setback five (5) feet from the corner side lot line. Only ornamental fences shall be permitted within the corner side yard to a maximum height of forty-two inches. A Zoning Certificate shall be required for a fence in the corner side yard, and such Certificate shall be approved by the Zoning Administrator. The Architectural Review Board is authorized to grant an exception to this sub-section. The Architectural Review Board may grant a complete exception from this standard, or it may modify the standard in view of the peculiarities of the site. The Architectural Review Board may also impose reasonable conditions, such as the planting of landscaping, when approving such an exception. In evaluating a request for an exception, the Review Boards shall consider:

- A. The proposed opacity of the fence;
- B. The proposed height,
- C. The location of the propose fence; and,
- D. Any impacts on adjacent property or the public right-of-way.

(5) Fences that are painted shall be one color. Fences and walls shall be maintained in good repair and condition, be structurally sound, and attractively finished at all times by the owner and/or occupant of the lot on which they are located. The smooth finished side of the fence or wall shall be the side of the fence that faces outward from the yard that is fenced;

(6) Barbed wire, and electrified fences are prohibited. Acceptable fencing materials include stone, brick, finished wood, iron, metal, or synthetic look-alike products;

(7) Privacy Fences. Basket weave, woven, louver, ventilating, stockade, palisade fences, and other fences whose vertical surface is less than twenty-five percent (25%) open to light and air shall comply with the following:

A. Height & Location. Such fences shall have a height not to exceed six (6) feet provided that the fence shall not enclose more than two (2) sides of an area and shall not be located within the front or side setback established for the principal building nor within the rear setback established for an accessory building, except as provided for in subsections 1153.15 (j) (7) B. - D. below.

B. Privacy Fences on Rear Yards Adjacent to and Abutting Route I-90. On lot lines contiguous with the easement or right-of-way of I-90, privacy fences whose vertical surface is less than twenty-five percent (25%) open to light and air shall be permitted to a height not to exceed eight (8) feet

C. Privacy Fence on Rear and Side Yards Adjacent to and Abutting the Norfolk Southern Railroad Tracks. On lot lines contiguous with the easement or right-of-way of the Norfolk Southern railroad tracks through the City, privacy fences whose vertical surface is less than twenty-five percent (25%) open to light and air shall be permitted to a height not to exceed eight (8) feet; provided, however, that should such contiguous lot line be a side lot line, such privacy fence may not extend on such lot line beyond any front setback line which may exist as the regulations thereon are contained in these Codified Ordinances.

D. Privacy Fence Adjacent to Other Districts. Privacy fences shall be permitted to a height of (6) feet along the side and rear lot lines of lots in the R-1 District which abut a zoning district other than R-1, provided that such privacy fences shall not extend closer to any public right-of-way than the front wall of the main building.

with evergreen plant material so that within two (2) years the equipment is adequately screened from view.

1123.02 DEFINITIONS

(a) Words used in this Code are used in their ordinary English usage.

(b) For the purpose of this Development Code, the following terms shall have the meaning herein indicated:

(1) Abut. To physically touch or border upon; or to share a common property line but not overlap.

(3) Accessory structure. A structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal building, such as but not limited to fences, flagpoles, gazebos, etc. See also Structure.

(4) Adjacent. See abut.

(7) Architectural compatibility. A design or material/color selection is compatible when it does not strongly deviate from its parent building or the overall character of the neighborhood. To be compatible does not require look alike designs, but rather designs that reflect some aspects of its parent building or buildings in the general vicinity, such as scale of windows, overhangs, building materials, patterns of siding, roof slope. Conversely, incompatibly occurs when an architectural design, landscape design or accessory building proposal is aesthetically harsh or overwhelming in comparison to its neighbors.

(63) Fence. Any structure composed of wood, steel or other material erected in such a manner and positioned to enclose or partially enclose any premises or part of any premises. Trellises or other structures supporting or for the purpose of supporting vines, flowers and other vegetation when erected in such position to enclose any premises or part of any premises shall be included within the definition of the word "fence". Structures erected other than on lot lines or in close proximity to lot lines, which have solely an ornamental purpose and which do not serve the purpose of enclosing or partially enclosing premises or of separating premises from adjoining premises, shall not be included within the definition of the word "fence". For the purposes of this Development Code, a fence erected upon a graded earth mound shall be measured from the average site grade, prior to the addition of the mound, to the tallest element of the fence. Specific types of fences include:

A. Barbed wire. "Barbed wire fence" means a fence made with metal wire having sharp points, razors, or barbs along its length.

B. Chain link. "Chain link fence" means a fence made of vinyl-clad metal loops interconnected in a series of joined links.

C. Electrified. "Electrified fence" means all fences or structures, included or attached to any device or object which emits or produces an electrical charge, impulse or shock when the same comes into contact with any other object, person or animal or which causes or may cause burns to any person or animal.

D. Ornamental. "Ornamental fence" means a fence constructed for its beauty or decorative effect and when viewed at a right angle, has not less than seventy-five percent (75%) of the area of its vertical plane, the area within a rectangular outline enclosing all parts of the fence in its plane, open to light and air. Ornamental fences include:

(i) "Rail fence" or "split-rail fence" means a fence constructed of narrow, whole or split, wooden timbers placed horizontally between upright supporting posts; and,

(ii) Wrought iron fences, decorative steel fences, and aluminum fences.

E. Privacy. "Privacy fence" means a fence made to inhibit public view and provide seclusion and when viewed at right angles, has less than twenty-five percent (25%) of the area of its vertical plane open to light and air, except as provided for below. Privacy fences include:

(i) "Basket weave fence" or "woven fence" which means a fence made of interwoven strips or slats of flexible or semi-flexible material in which the pattern has the appearance of a plaited basket.

(ii) "Louver fence" or "ventilating fence" which means a fence made of a series of slats placed at an angle or positioned so as to provide air but to deflect light perpendicular to its vertical plane.

(iii) "Board on board fence" or "picket fence."

(iv) "Stockade fence" or "palisade fence" means a fence constructed with a row of stakes, pales or pickets placed upright against each other and having at least fifty percent (50%) of the area of its vertical plane closed to light and air.

(95) Lot frontage. That portion of the lot extending along the street right-of-way.

(96) Lot line. The boundary line defining the limits of the lot. Lot line is synonymous with "property line."

A. Lot line, front: The line separating an interior lot from the street right-of-way on which the lot fronts. On a corner lot, the street right-of-way with the least amount of street frontage shall be the front lot line.

B. Lot line, rear: The lot line opposite and most distant from the front lot line; or in the case of triangular or otherwise irregularly shaped lots, a line 10 feet in length entirely within the lot, parallel to and at a maximum distance from the front lot line.

C. Lot line, side: Any lot line other than a front or rear lot line.

(97) Lot of record. A lot which is part of a subdivision, the part of which has been recorded in the office of the County Recorder, or a lot or parcel of land described by metes and bounds, the description of which was recorded, prior to adoption of this Development Code.

(98) Lot size. The total horizontal area contained within the lot lines exclusive of any portion of the right-of-way of any public street.

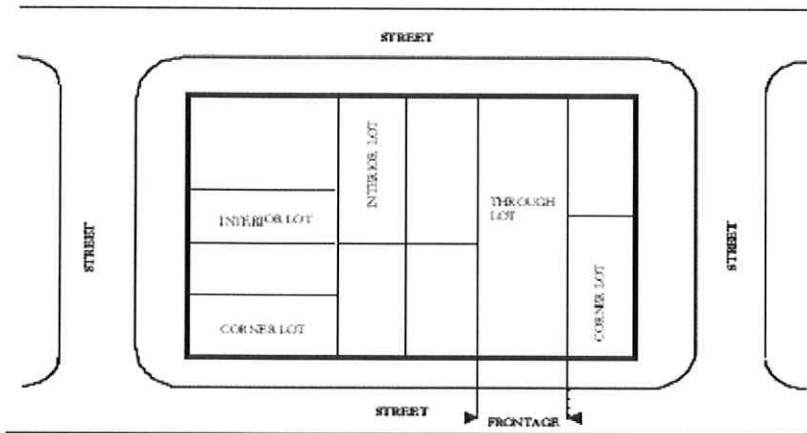
(99) Lot types. Terminology used in this Development Code with reference to corner lots, interior lots and through lots is as follows. See also Figure 3 for an illustration of lot types.

A. Lot, corner. A lot which adjoins the point of intersection or meeting of two (2) or more streets and in which the interior angle formed by the street lines is 135 degrees or less.

B. Lot, interior. A lot abutting or with frontage on only one street.

C. Lot, through: A lot having frontage on 2 parallel or approximately parallel streets.

Figure 3 - Illustration of Lot Types



(100) Lot width. The horizontal distance between the side lot lines, measured at right angles to the lot depth at the front setback line.

(151) Right-of-way line. The line between a lot, tract, or parcel of land and a contiguous public street, and demarcating the public right-of-way. "Right-of-way line" also means "street line."

(152) Roadway. The pavement measured between curbs, that portion of a right of way available for vehicular travel, including parking lanes.

(160) Setback. Setback means the required minimum horizontal distance between a lot line or the proposed thoroughfare line shown on the Mapped Streets Plan, whichever is more restrictive and a building, surface parking lot, outdoor storage, or structure as established by this Development Code.

(161) Setback Line. A line established by this Development Code generally parallel with and measured from the lot line, defining the minimum distance a building, structure,

(185) Yard. An open space on the same lot with a principal building or structure extending between the lot line and the extreme front, rear or side wall of the main building or structure.

A. Yard, corner side. On a corner lot, the yard between the principal building and the side lot line adjacent to the street and extending from the front yard to the rear lot line.

B. Yard, front. The area across the full width of the lot between the front of the principal building and the front line of the lot.

C. Yard, rear. The area across the full width of the lot between the rear of the principal building and the rear line of the lot.

D. Yard, side. The area between the principal building and the side line of the lot extending from the front wall to the rear wall of the principal building