



## CITY OF PATASKALA PLANNING & ZONING DEPARTMENT

621 West Broad Street, Suite 2A  
Pataskala, Ohio 43062

### FENCES

August 1, 2018

Attached is a draft set of regulations for fences. The general changes with these regulations are as follows:

1. Addition of definitions for fence and solid fence
2. Provisions on what is to be included as part of a fence application
3. Provision added for fences in drainage easements
4. Provisions added for fence materials in specific locations
5. "Good neighbor" policy for fences located in certain areas
6. Removal of the penalty for loss of conditional use
7. Removal of provisions for a living fence
8. Removal of provision that requires adjacent property owners responsible for maintenance of the fence.

#### **Chapter 1203 – Definitions**

Fence: Any structure composed of wood, metal, stone, brick, or other material constructed in such a manner and location so as to enclose, partially enclose, or divide a premises or part of a premises for the purposes of confinement, screening, partitioning, or decoration. Trellises or other structures used for the purpose of supporting vines, flowers, or other vegetation, when constructed in such a manner as to enclose, partially enclose or divide any premises or any part of a premises shall also be considered a fence.

Solid Fence: A fence designed to inhibit public view, provide seclusion and having for than 90 percent of its vertical surface area closed to light and air.

#### **Chapter 1279 – Fences**

##### **1279.01 PURPOSE**

The purpose of this chapter is to establish criteria for fences allowing for the conservation and protection of property, the assurance of safety and security, the enhancement of privacy, and the improvement of the visual environment.

##### **1279.02 PERMITTED**

Fences shall be permitted in all zoning districts.

##### **1279.03 PERMIT REQUIRED**

- A. Unless otherwise stated in this chapter, no fence shall be constructed within the limits of the City of Pataskala without first obtaining a fence permit issued by the City Administrator or their designee.

- B. A fence permit shall not be required prior construction of a fence for properties located in the Agricultural district; however, the requirements of this chapter shall still apply.

#### **1279.04 PERMIT CONTENTS**

The following items shall be submitted as part of a fence permit application:

- A. A fence permit application form provided by the Planning and Zoning Department and the proper filing fee.
- B. A site plan displaying compliance with the applicable provisions of this chapter and including the following:
  - 1. Location of all existing buildings and structures
  - 2. Property lines, easements and rights-of-way.
  - 3. The location and dimensions of the proposed fence
- C. A rendering of the proposed fence displaying compliance with the applicable provisions of this chapter and including the following:
  - 1. Fence height
  - 2. Fence materials
  - 3. An image of the proposed fence

#### **1279.05 GENERAL REQUIREMENTS**

- A. Height: The permitted height of a fence shall be determined by its location on the property as follows:
  - 1. A fence not exceeding 48 inches in height may be constructed between the building setback line and a line three (3) feet toward the building setback line from the street right-of-way.
  - 2. A fence not exceeding 72 inches in height may be constructed in any area of the lot behind the building setback line.
- B. No fence shall be constructed within three (3) feet of the street right-of-way.
- C. All fences shall meet the traffic sight triangle visibility requirements pursuant to Section 1283.06(14).
- D. All fences shall be maintained in good repair and in a manner, that ensures continued structural integrity.
- E. Solid fences located in a drainage easement shall have a minimum two (2) inch gap as measured from grade to the bottom of the fence, or make other appropriate accommodations, to allow for proper drainage.
- F. Materials: Fence materials shall be consistent with the character of the area, as determined by the City Administrator or their designee, when at least one of the following applies:
  - 1. The property on which the fence would be located is two (2) acres or less in size.
  - 2. The property on which the fence would be located is in a platted subdivision.
  - 3. The property on which the fence would be located is in a commercial or industrial zoning district.
- G. Fences located on properties that meet the criteria of 1279.05(F) shall be constructed in a manner so that the finished side of the fence faces the adjacent properties.
- H. The property owner shall determine the location of property lines and certify the fence does not encroach upon an adjacent property.

#### **1279.06 SEVERABILITY**

If any portion of this chapter is declared to be invalid by a court of competent jurisdiction, such declaration of invalidity shall be limited to the particular portion declared invalid. This declaration of invalidity shall not affect the remainder of this chapter, and to this end, the provisions are severable.

**1279.07 ENFORCEMENT AND PENALTY**

The City Administrator or their designee shall determine compliance with the provisions of this chapter.

Whoever violates any provision of this chapter shall be subject to the provisions of Section 1209.99 of the Pataskala Code.