

## **1185.14 FENCES AND WALLS.**

The accurate location of proposed fences and walls must be shown on the plot plan submitted with the required application for zoning approval, along with the exact height, length, type of material, and type of construction of the fence or wall; and all other necessary information required to be shown on a plot plan. In addition, fences and walls shall comply with the following requirements:

(a) Location. Fences and freestanding walls may be placed along a property line when in compliance with the following requirements:

(1) With the exception of fences listed in subsection (a) (2) below and except where necessary to comply with the screening requirements of this Zoning Code, fences or walls in the "R-1" and "R-1A" residential districts shall not be permitted in any front yard and no fence or wall shall project nearer to the street on which the principal building fronts than the setback line of the principal building or use in these zoning districts, provided however that approved earth retaining walls and brick or stone pillars at driveway entrances shall be exempt. In the case of a corner lot in the "R-1" or "R-1A" residential districts, no fence or wall shall be permitted in the side yard facing the side street and no fence or wall shall project nearer to the side street than the setback line of the principal building or use in these districts.

(2) The following fence types not exceeding four (4) feet in height may be permitted in front yards and in the side yard facing the side street in the "R-1" and "R-1A" residential districts subject to the requirements in of this Zoning Code. Unless otherwise required by the Building Code, such fences must comply with the following specifications:

A. Picket fences with a maximum of eight (8) feet between posts and minimum of two (2) inch spacing between vertical pickets; or

B. Decorative wrought iron or simulated decorative wrought iron fences with a maximum spacing of eight (8) feet between posts and a minimum of three (3) inch spacing between vertical rails.

(3) It is the responsibility of the property owner to determine the location of property lines and to be certain that the fence or wall does not encroach upon the property of another. The issuance of zoning approval does not mean that the fence or wall is not encroaching upon the property of another or relieve the property owner of the responsibility of determining the location of property lines.

(4) To the extent possible, two (2) fences or walls shall not be placed back-to-back along a common property line. Every effort shall be made to utilize the existing fence or wall. Otherwise, there shall be no separation between the two (2) fences or walls, or a minimum separation of three (3) feet between fences or walls shall be provided for the maintenance of fences or walls and the ground area between the two (2) fences or walls.

(5) No fence or wall shall be permitted in an area where a clear sight triangle is necessary or otherwise impede vision at any street, alley or driveway intersection.

(b) Materials. Except where limited by subsection (a) (2) above, approved fence and wall materials include stone, brick, finished wood, chain link, wrought iron, or a synthetic look-a-like material approved by the Zoning Administrator. The smooth finished side of the fence or wall shall be the side of the fence or wall that faces outward from the yard or area being fenced. All of the framing or support members shall face the property owner (inward). Fences or walls on a single parcel or site shall have a unified style along a single

plane and for all fence or wall segments visible from off the premises in any single direction.

(c) Height. In residential districts, fences or walls, when permitted in a front yard or a side yard facing a side street, shall not exceed four (4) feet in height. When permitted in a rear yard or an interior side yard, fences or walls shall not exceed six (6) feet in height. In non-residential districts, fences or walls shall not exceed eight (8) feet in height.

(d) Historic Structures or Districts. In addition to the requirements of this section, fences or walls accessory to properties which have been listed individually or by district on the Steubenville Register of Historic Places, must also comply with the requirements of Chapter 1177 of this Zoning Code.

(e) Prohibited Fences or Walls. The following fences or walls are prohibited:

- (1) Above ground electrified fences or walls;
- (2) Snow fencing except during appropriate weather conditions; and
- (3) Temporary construction fencing or walls where no active construction activity is taking place.
- (4) Barbed wire fences, not including fences in non-residential districts topped with not more than three (3) strands of barbed wire provided the fence is at least six (6) feet in height. (Ord. 2011-70. Passed 10-11-11.)