

City of Wooster Fencing Regulations – Effective 9/19/18

The following are general regulations for fencing

Zoning Certificate

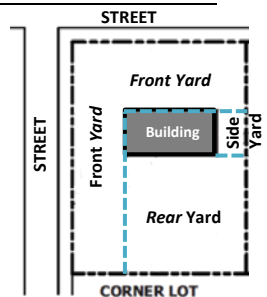
- A Zoning Certificate is required for the construction of a new fence, additions or changes to an existing fence, and reconstruction of a fence in which a valid Zoning Certificate cannot be produced.
- A Zoning Certificate is not required for typical repairs of an existing fence or for invisible fences.
- An application for a Zoning Certificate can be made at <https://woosteroh.viewpointcloud.com/> under "Planning and Zoning Division".
- A Zoning Certificate application must include the fence's location on a scaled site plan, height, color, and type. See the attached "Example Fence Site Plan" for reference.

Property Information

- It is the responsibility of the property owner, contractor, and/or applicant to determine the location of property lines.
- The general location of property lines can be found on the Wayne County Auditor GIS website at <http://wayne.oh.bhamaps.com/>. The site allows the user to search for a property under "Basic Search".
- The exact location of property lines can be determined by a privately contracted surveyor.
- All fences shall be located on the subject property and shall not cross a property line not owned by the property owner. With written permission from abutting property owners, a fence may connect with a fence on an adjoining property.

Height

- In rear yards and side yards not adjacent to streets, fences shall not exceed 6 ft. in height in a residential district or 8 ft. in height in a nonresidential district.
- In front yards, side yards adjacent to a street or along a lot line adjacent to a street:
 - Fences shall not exceed 4 ft. in height
 - At least 50% of the surface of a fence must be open (Split rail fence, fences incorporating gaps equal to the width of pickets, etc.)
 - The above shall not apply to alleys



Materials and Design

- All fences on a single property shall have a unified color.
- No fence shall be composed of scrap materials, tires, canvas, cardboard, asphalt-style shingles, or corrugated metal, welded rolled wire, chicken wire, or sheet metal with the exception that wire mesh/chicken wire may be used as a backing for split rail fences.
- In industrial districts (when visible from a street or residential district) and commercial districts, fences and walls shall be constructed of stone, brick, finished wood, iron, metal, or synthetic look-alike products. Fences may be optionally buffered with landscaping in industrial districts.
- Fencing with barbed wire, razor wire or other similar material is only permitted in industrial districts.

Visibility in Nonresidential Districts

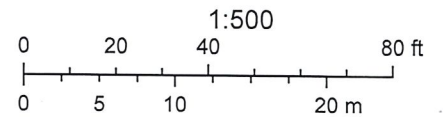
- No opaque fence shall be within 10 feet of the intersection of a driveway and sidewalk, driveway and public right-of-way, or any two driveways.
- All fences, walls, and hedges shall be subject to the visibility at intersection requirements of Section 1115.02(d).

The above information does not include a complete list of all applicable fence regulations. A full list of sign regulations can be found in Chapter 1113 of the Wooster Planning and Zoning Code at <https://www.woosteroh.com/planning/zoning-code-comprehensive-plan>

EXAMPLE FENCE SITE PLAN



October 23, 2019



Chapter 1113: Accessory and Temporary Use Regulations
Section 1113.01: Accessory Uses and Structures

TABLE 1113-1: PERMITTED ACCESSORY USES AND STRUCTURES

Use Category and Use Type P = Permitted Use PS = Permitted Use with Standards C = Conditional Use X=Prohibited Use	AG, R-1, R-2, R-T, R-3, R-4, or R-5	C-1, C-2, C-3, or C-4	I-1, I-2, or I-3	CF	Yards Permitted F = Front S = Side R = Rear	Zoning Certificate Required	Lot Coverage	Use-Specific Standards in Section:
Amateur Radio Towers and Antennae	PS	PS	PS	PS	S or R	Yes	No	1113.01(e)(2)
Basketball Hoops	PS	PS	PS	PS	F, S, or R	No	No	1113.01(e)(3)
Bike and Skateboard Ramps	PS	PS	PS	PS	R	Yes	Yes	1113.01(e)(4)
Community Gardens	PS	PS	PS	PS	F, S, or R	Yes	No	1113.01(e)(5)
Detached Garages and Carports and Detached Storage/Utility Sheds, Gazebos, Pool Houses, and other Similar Buildings	PS	PS	PS	PS	S or R	Yes	Yes	1113.01(e)(6)
Drive-Through Facility	X	PS	PS	PS	See Section 1113.01(e)(7)	Yes	Yes	1113.01(e)(7)
Fences, Walls, and Hedges	PS	PS	PS	PS	F, S, or R	Yes	No	1113.01(e)(8)
Home Occupations	PS	PS	PS	PS	Not Applicable	Yes	No	1113.01(e)(9)
Nursery Schools or Day Care Centers (Children or Adults)	PS	PS	PS	PS	Not Applicable	Yes	Yes	1113.01(e)(10)
Outdoor Dining	X	PS	X	X	F, S, or R	Yes	Yes	1113.01(e)(11)
Outdoor Displays and Sales	X	PS	X	X	F, S, or R	Yes	Yes	1113.01(e)(12)
Outdoor Storage and Bulk Sales	X	PS	PS	X	S or R	Yes	Yes	1113.01(e)(13)
Outdoor Vending Machines and Drop-Off Boxes	X	PS	PS	PS	F, S, or R	No	Yes	1113.01(e)(14)
Patios (Unenclosed)	PS	PS	PS	PS	F, S, or R	Yes	Yes	1113.01(e)(15)
Porches and Decks	PS	PS	PS	PS	F, S, or R	Yes	Yes	1113.01(e)(16)
Playsets, Treehouses, and Trampolines	P	P	P	P	R	No	No	1113.01(e)(17)
Private Water Towers, Tanks, or Reservoirs	X	C	PS	X	S or R	Yes	Yes	1113.01(e)(18)
Raising of Small Livestock	PS	X	X	X	S or R	No	No	1113.01(e)(19)
Retail Commercial Uses, Service Commercial Uses, and Personal Service Establishments	PS	PS	PS	PS	Not Applicable	No	Yes	1113.01(e)(20)
Satellite Dishes	PS	PS	PS	PS	Not Applicable	No	No	1113.01(e)(21)
Solar Energy Systems	PS	PS	PS	PS	See Section 1113.01(e)(22)	Yes	No	1113.01(e)(22)
Swimming Pools (Outdoors)	PS	PS	PS	PS	R	Yes	Yes	1113.01(e)(23)
Tennis and Other Recreational Courts (Outdoor)	PS	PS	PS	PS	R	Yes	Yes	1113.01(e)(24)
Type-B Day Care Home (1-6 Children)	PS	PS	PS	PS	Not Applicable	No	No	1113.01(e)(25)

(8) Fences, Walls, and Hedges

A. Zoning Certificate Required

- i. No person shall construct or erect a fence or wall without first obtaining an approved zoning certificate from the Zoning Administrator and/or a building permit, if applicable. Certificates are not required for repairs of existing fences, for replacement of a fence for which the original certificate can be produced, or for invisible fences.
- ii. A zoning certificate shall not be required for vegetative hedges or invisible fences but they shall be subject to any applicable requirements of this section.

B. General Requirements

- i. All fences, walls, and hedges shall be subject to the visibility at intersection requirements of Section [1115.02\(d\)](#).
- ii. Small portions of fences, such as decorative fencing used for landscaping, that are not longer than 20 feet in length or more than three feet in height, but which comply with the yard and maintenance requirements set forth in this subsection, shall not require a zoning certificate.
- iii. All fences, walls, hedges and invisible fences, and any related supporting structures or appurtenances, shall be contained within the lot lines of the applicable lot and shall not encroach into adjoining or abutting lots and/or rights-of-way. Property owners, with written permission from abutting property owners, may connect to fences on adjoining properties.
- iv. The smooth finished side of the fence or wall shall be the side of the fence that faces outward from the lot or yard being fenced. If a fence has two similarly finished sides, either side may face the adjacent property.
- v. All fences, walls, and hedges shall be maintained in a neat and orderly manner.
- vi. Walls shall be prohibited within all utility easements. Fences that are placed in utility easements are subject to removal without notice by utility companies or the City when work is being done in the utility easements. Replacement of the fence shall be at the property owner's expense.
- vii. Fences, walls, and hedges shall not impede, inhibit, or obstruct culverts, drains, natural watercourses, or storm water drainage in any zoning district.
- viii. It shall be the duty of each lot owner and contractor, or an agent thereof, to determine lot lines and to ascertain that the fence or wall does not deviate from the plans as approved by the Zoning Administrator issuing the zoning certificate, and that the fence does not encroach on another lot or existing easement. The issuance of the certificate and any inspection by the City shall not be construed to mean that the City has determined the fence is not encroaching on another lot, nor shall it relieve the property owner of the duty imposed on him or her herein.

C. Additional Location Requirements

- i. The following additional locational requirements shall apply to fences and walls in all nonresidential zoning district.

- ii. In order to maintain clear vision lanes for vehicles and pedestrians, no opaque fences shall be permitted within 10 feet, in any direction, of the following points:
 - a. At the intersection of a driveway and sidewalk (or front property line if there is no sidewalk);
 - b. At the intersection of a driveway and public right-of-way; or
 - c. At the intersection of any two driveways.

D. Materials and Design

- i. No fence shall be composed of scrap materials, tires, canvas, cardboard, asphalt-style shingles, or corrugated metal, welded rolled wire, chicken wire, or sheet metal, with the following exceptions:
 - a. Metal, welded and woven wire shall be allowed in the AG District to fence in farm animals and protect crops.
 - b. Wire mesh, chicken wire, and welded wire shall be allowed as a backing material for split-rail fences.
- ii. All fences on a single property shall have a unified color.
- iii. Fencing that is electrically charged shall only be permitted for the containment of livestock on lots used for agricultural purposes in the AG District. Such fencing shall be set back a minimum of 50 feet from all adjacent lot lines of lots used for residential purposes.
- iv. Fencing that includes barbed wire, razor wire, or other sharp-pointed material shall be prohibited except in the I-1, I-2, or I-3 Districts where they may be permitted, for security purposes. Such fencing shall:
 - a. Only be allowed in the side and rear yards;
 - b. Shall be mounted on the opposite side of the fence from any adjacent public right-of-way or sidewalk;
 - c. Be located a minimum of eight feet off the finished grade;
 - d. Shall be set back a minimum of 20 feet from any lot line adjacent to a residential zoning district; and
 - e. Contain no more than 18 inches of razor wire or barbed wire.
- v. All latches, hinges and hardware shall be made of non-rusting materials.

vi. Materials for Fences and Walls in Business and Special Districts

- a. Fences and walls shall be constructed of stone, brick, finished wood, iron, metal, or synthetic look-alike products.
- b. In the I-1, I-2, and I-3 Districts, the above material requirements shall only apply when the fences or walls are visible from a public right-of-way or a residential zoning district. As an alternative, fences visible from a public right-of-way or residential zoning district shall be visually softened and reasonably screened from the street or adjacent residential district with the appropriate landscaping as follows:

1. One shade or evergreen tree shall be provided for every 40 linear feet of fence or wall length or fraction thereof, not including gates or other fence openings. Each tree at the time of installation shall have a minimum caliper of two inches and a clear trunk height of at least six feet;
2. The landscaping may be flexible in its arrangement by appropriately aggregating the required plant materials.
- c. In the CF District, chain link fences shall be permitted when not located in the required building setback from a public street right-of-way provided that they are constructed of a dark, neutral-colored, non-reflective vinyl, as approved by the Zoning Administrator or the Planning Commission; whichever is applicable according to the procedures in [Chapter 1105: Review Procedures](#).

E. Measurement

- i. The maximum fence or wall height shall be measured from the lowest point within three feet on either side of the fence to the top most portion of the fence between posts. See [Figure 1113-A](#). The structure posts may exceed the maximum height allowed in this section by up to six inches including any decorative features.

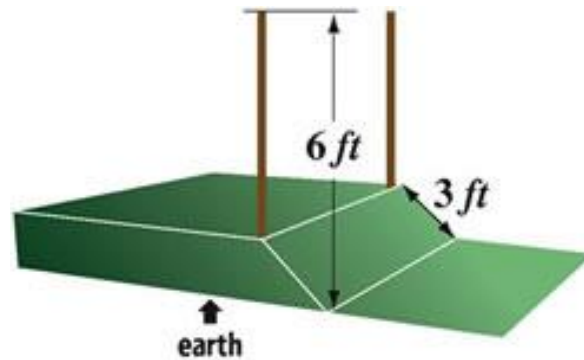


Figure 1113-A: Fencing shall be measured from the lowest point within three feet on either side of the fence.

- ii. Fencing or walls should follow the natural contour of the land on which it is located. See [Figure 1113-B](#).

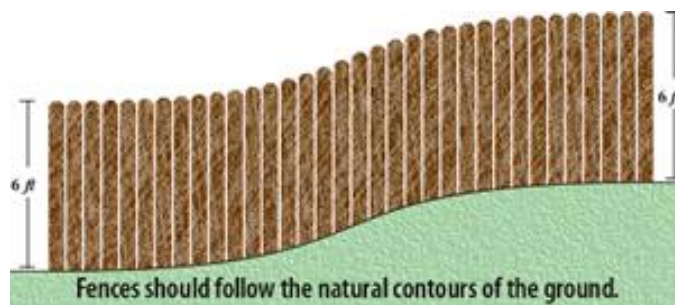


Figure 1113-B: This illustrates how fencing is measured along a natural contour.

- iii. A fence may be erected on top of a wall but the combined height of the fence and wall shall not exceed the heights specified within this section for a fence or wall. Fences or walls located on top of a retaining wall shall be measured from the top of the finished grade at the top of the retaining wall.

F. Retaining Walls

- i. Retaining walls shall be measured from the top of the footing to the top of the wall.
- ii. Retaining walls that exceed six feet in height shall be benched so that no individual retaining wall exceeds a height of six feet except where the Zoning Administrator determines that topography requires a wall of greater height, and each bench is a minimum width of 36 inches. See [Figure 1113-C](#).
- iii. Retaining walls over six feet shall be approved by the City Engineer in addition to the Zoning Administrator. Plans for such retaining wall shall be prepared by a professional engineer.
- iv. Retaining walls should substantially follow or preserve the existing grade or contour of land.



Figure 1113-C: This image illustrates a retaining wall that has been benched so that there is not a single, excessively tall, retaining wall.

G. Fences, Walls, and Hedges in Front Yards

The following shall apply to fencing, walls, and hedges in front yards:

- i. Fences, walls, and hedges shall not exceed 48 inches in the required front yard building setback or along any lot line that is adjacent to a street, including corner lots. Such requirement shall not apply to lot lines that run parallel and adjacent to an alley.
- ii. At least 50 percent of the vertical surface of a fence or wall located in a required front yard building setback, or along any line that is adjacent to a street, including corner lots, shall be open. This requirement shall not apply to fences or walls that run parallel and adjacent to a public alley right-of-way.

- iii. For double frontage lots, fencing in the yard that is deemed the rear yard for accessory use purposes (See Section [1115.01\(d\)](#).) may exceed 48 inches and 50 percent openness requirement if the fencing is set back a minimum distance from the right-of-way equal to the front yard building setback in the applicable district but in no case shall it exceed the height allowed in rear yards for the applicable zoning district. See Section [1113.01\(e\)\(8\)](#). This setback shall not apply if the entire block face contains double frontage lots with the rear façade of the buildings facing the same street.

H. Fences, Walls, and Hedges in Side and Rear Yards

The following shall apply to fencing, walls, and hedges in side and rear yards:

- i. There shall not be a height requirement for hedges in side and rear yards.
- ii. Fences and walls shall not exceed six feet in any side or rear yard within any residential zoning district.
- iii. Fences and walls shall not exceed eight feet in any side or rear yard within any nonresidential zoning district.

I. Temporary Fences

Temporary fences such as construction site fences and snow fences shall be allowed subject to Building Code requirements and the following conditions:

- i. Fences around construction sites shall be allowed for the duration of the construction work, and snow fences shall be allowed for a period not to exceed five months in any calendar year.
- ii. A zoning certificate shall not be required for temporary fences.

(9) Home Occupations

The following standards for home occupations are intended to provide reasonable opportunities for employment within the home, while avoiding changes to the residential character of a dwelling that accommodates a home occupation, or the surrounding neighborhood, where allowed by this section.

- A.** The home occupation shall be clearly secondary to the full-time use of the property as a residence.
- B.** Any home occupation that provides services where members of the public visit or enter the premises may be permitted if designed to accommodate one customer at a time and which meets all other applicable requirements for home occupations.

C. Permitted Home Occupations

The following uses, and other uses determined by the Zoning Administrator to be similar in nature and impact, may be approved as a home occupation when in compliance with this section:

- i. Art and craft work including, but not limited to ceramics, painting, photography, dressmaking, millinery, sewing, weaving, tailoring, ironing, washing, and sculpting;
- ii. Office-only uses, including, but not limited to, an office for an architect, financial advisor, attorney, consultant, counselor, insurance agent, planner, tutor, or writer;