



Checklist for Residential Fence Application

APPLICATION WILL NOT BE ACCEPTED WITHOUT THIS LIST CHECKED OFF

- Application** Village of Silverton form provided or found online
<https://silvertonohio.us/download/zoning/Silverton-Bldg-Zoning-Application.pdf>
- Signature** Property owner or authorized signatory
Representative can complete the form and submit but owner or legal representative must also sign the application.
- Site Plan** Property overhead view on drawing
Property lines, main dwelling unit/house, garage, shed, pool and other accessory structures should be on the drawing.

Location of the public street and driveway should also be represented on the drawing.
- Fence Location** Clearly marked locations for new fencing
Delineate new fence from existing/remaining fence.
- Fence Detail** Description and/or pictures of fencing to be installed
- Fee** \$50 fee is paid when permit is issued
Check, cash or Visa and Mastercard accepted.
- Property Lines** Fence must remain on your property
Fence can be placed up to the property line. There is no set-back requirement. It is the fence owner's responsibility to know the property line location and keep the fence on their property.
The Village of Silverton does not regulate, control or have knowledge of specific property line locations. A professional surveyor would need to be used for property line locating.
- Code Provision** Village of Silverton Code of Ordinances
§§ 150.030-035 and § 150.304
www.codelibrary.amlegal.com/codes/silverton/latest/overview

VILLAGE OF SILVERTON CODE OF ORDINANCES

FENCES AND WALLS

§ 150.030 DEFINITIONS.

As used in this subchapter, the words FENCES and WALLS shall be deemed to mean any structure composed of wood, iron, steel, stone, brick, hedge, or other material erected in such a manner and position as to enclose or partially enclose any premises or any 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 as to enclose any premises shall be included within the definition of the word FENCES, excepting any specific fences and/or type of fence, as may be required by the Building Commissioner within his review procedure. Structures erected other than on lot lines or in close proximity to lot lines, which have solely an ornamental purpose and which do not in fact 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 FENCES.

(Ord. 2313, passed 8-17-72)

§ 150.031 PERMIT AND PLAN.

No fence or wall shall be erected unless and until a permit for such purpose shall have been issued by the Building Inspection Department. Application for such purpose shall be made in writing and shall be accompanied by plans or drawings showing the actual shape and dimension of the lot on which said fence or wall is to be constructed, the exact location, height, type of material and length of such proposed fence or wall and the location of all buildings on said lot. The Building Inspection Department shall insure that the plan submitted complies with any applicable building codes and prevailing industry standards.

(Ord. 2313, passed 8-17-72; Am. Ord. 00-3081, passed 7-13-00)

§ 150.032 LOCATION.

(A) Residence district A and B. In any residence district, no fence or wall shall be erected on any lot farther forward than the front wall of any dwelling located thereon or the established building setback line. On corner lots no fence or wall shall be erected nearer the side street lot line than the required building setback line on said side street. Any fence or wall not prohibited by the provisions of this section shall not exceed a height of six feet. Electrification or barbed wire of any kind is prohibited.

(B) Business district A and B. In any business district, no fence or wall shall be erected on any lot farther forward than the front wall of any building located thereon or the established building setback line. On any corner lot no fence or wall shall be erected nearer the side street lot line than the required building setback line on said side street. Any fence or wall not prohibited by the provisions of this section shall not exceed a height of eight feet, no barbed wire shall be allowed on fences of less than eight feet unless permitted by the Zoning Board of Appeals. Electrification is prohibited.

(Ord. 2313, passed 8-17-72; Am. Ord. 00-3081, passed 7-13-00)

§ 150.033 SWIMMING POOLS.

Swimming pools 24 inches or more in depth at any point, located within the corporate limits of the city, shall be surrounded by a fence not less than four foot in height, and all openings, doorways and entrances into said pool area shall be equipped with gates of equal height with said fence, which gates shall be provided with latches or otherwise made inaccessible to children.

(Ord. 2313, passed 8-17-72)

§ 150.034 VARIANCES.

Any variance to the restrictions listed shall be taken to the Zoning Board of Appeals. All fence variance appeals and requests for interpretation shall be handled in the same manner as a zoning variance case. If the appeal for a variance is granted, the permit for said fence or wall shall be issued by the Building Inspection Department. If the request for the variance is denied by the Zoning Board of Appeals, said decision may be appealed as set up in state statute for appeal of Zoning Board of Appeals decisions.

(Ord. 2313, passed 8-17-72)

Cross-reference:

Appeals from Orders of Administrative Officers and Agencies, see R.C. Ch. 2506

§ 150.035 INSPECTION.

It shall be the duty of each property owner to determine property lines and to ascertain that the fence thus constructed does not deviate from the plans as approved by the Building Inspector issuing permits, and said fence does not encroach upon another lot or parcel of land. The city shall furnish such inspection as is deemed necessary to determine that said fence is constructed in accordance with plans submitted for permit as outlined in § 150.031 hereof, provided, however, that the issuance of said permit by the city shall not be construed as to mean the city has determined said fence is not encroaching upon another lot, nor shall it relieve the property owner of the duties imposed upon him herein.

(Ord. 2313, passed 8-17-72)

§ 153.304 FENCE REGULATIONS.

Fences, walls, plant material, and similar screening devices shall not be located in any front yard area. Fences, walls, plant material, and similar screening devices located in any side yard or rear yard area shall not exceed six feet in height.

(A) Prohibited fences. All electric and barbed wire fences shall be prohibited.

(B) Maintenance. All fences shall be properly maintained by the owners of the property on which they are located. Such maintenance shall include painting, cleaning, and structural soundness in the case of a fence, wall, or other man-made object; and trimming, pruning, cutting, and other landscaping in the case of a hedge or other planting so that there is no aesthetic detriment to the surrounding area.

(C) Fence permits. All fences, regardless of type or height, require an approved fence permit on a form provided by the Zoning Enforcement Officer. Fence permits shall be

reviewed for compliance to these regulations by the Zoning Enforcement Officer.

(D) Measurement standards. Fence height shall be measured as the vertical distance between the grade of the ground abutting the fence and the top edge of the fence material including any ornamental or decorative extensions of a fence. For fences on sloping ground or on retaining walls, solid fence height of six feet may be permitted as measured from the up-slope property so long as a total height, inclusive of any retaining wall, does not exceed ten feet as measured from the down-slope property.

(Ord. 09-3306, passed 10-15-09)