



Quick Facts:

Fences can be built right up to the property line, but must be outside of the road right of way or platted easements. No building permit is necessary. If a fence is permitted to be placed within an easement or right of way through an executed Consent to Encroach Agreement (granted by the Board of Public Works), the property owner must realize that if a utility company has to access a main line within that easement, the company will not be responsible for damage. Fences placed near a drainage easement must not impede the flow of water. **Residences on a corner lot are considered to have 2 front yards so the height restriction for a front yard**

applies to both "front" yards.

Useful Definitions:

- 1) *Buildable area*: the area created within the boundaries of the front, rear, and side yard setbacks for a particular zoning district.
- 2) *Vision Clearance Area*: A triangular space at the street corner of a Corner Lot, free from any kind of obstruction to vision between the heights of three (3) and eight (8) feet above the established street grade. The street grade is measured at the intersection of the centerlines of the intersecting street pavement, and the triangular space is determined by a diagonal line connecting two (2) points measured fifteen (15) feet equidistant from the Lot corner along each property line at intersections of two (2) residential streets or twenty-five (25) feet at the intersection of any other types of Streets.
- 3) *Yard, Front*. A Yard extending across the full width of the Lot between the Building Setback Line and the Front Lot Line which is unoccupied other than by steps, walks, terraces, Driveways, lamp posts and similar Structures, the depth of which is the least distance between the Front Lot Line and the Building Setback Line. Any side of a Lot adjacent to a Street Right-of-way.

Carmel Zoning Ordinance, Section 25.02: Fences

25.02.01: On residentially used or zoned lots of less than two acres, fences located within any required front yard shall not exceed forty-two (42) inches in height, as measured from the topmost point thereof to the ground adjacent to the fence. At least twenty-five percent (25%) of its area shall be open as viewed on any line perpendicular to the vertical plane of the fence. Such open spaces must be reasonably dispersed throughout the entire area of the fence, except where solid stone or brick walls are permitted. No primarily wooden fences shall be constructed within any required front yard adjacent to any arterial, parkway or collector roadway (see also Subdivision Control Ordinance Section, 6.03.27),

25.02.02: Residential fences located within any required side or rear yard shall not exceed six (6) feet in height, as measured from the topmost point thereof to the ground adjacent to the fence.

25.02.03: Residential fences not located within any required yard but within the buildable area shall not exceed nine (9) feet in height, as measured from the topmost point thereof to the ground adjacent to the fence.

25.02.04: Any fence placed upon an erected earth berm or masonry wall must govern its height as measured to the ground adjacent to said earth berm or wall.

25.02.05: Open wire mesh fences surrounding tennis courts may be erected to a height of sixteen (16) feet, if such fences shall only enclose a regulation court area and standard apron areas.

25.02.06: Fences enclosing an institution, a public park, schools, and commercial or industrial property may consist of an open mesh fence not to exceed a height of ten (10) feet.

25.02.07: No sign, fence, wall, shrub or other obstruction to vision shall exist in the area designated as the vision clearance area of corner lots.

25.02.08: No fence shall be constructed within the approved subdivision retention/detention drainage facility easement.

25.02.09: No fence shall be constructed within the twenty-foot (20') mandatory planting strip associated with frontage places and hammerheads.

Some zoning districts have additional fence regulations. Among these are:

- M-3/Manufacturing District: Section 20D.08
- C-1/City Center District: Section 20E.08
- C-2/Old Town District: Section 20F.06
- OM/Old Meridian District: Section 20G
- Old Town Overlay & Subareas: Section 23D
- Pool fence: Section 25.01.01.C.8(b)

Department of Community Services website: www.carmeldocs.com

City Website: <http://www.carmel.in.gov>

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Note: this handout has been designed to provide a brief summary. Please contact a planning administrator for more detailed information about your property.

Additional Fence Regulations: Carmel City Code
Carmel City Code, Chapter 6, Article 8

Section 6-227 (a) (1) states that installation of new, or maintenance of existing, Improvements shall be in accordance with the current City of Carmel standards or of the federal, state or local government agency that have jurisdiction such installation and maintenance activities and in accordance with § 6-220(b)(7) of this code.

Section 6-227 (a) (2) states that no construction activity, installation of improvements or clearing of any vegetation or ground cover shall occur in areas designated as Tree Preservation Easement.

Section 6-227 (a) (3) states that no construction activity, installation of Improvements or clearing of any vegetation or ground cover shall occur within a platted or dedicated landscape easement with the exception of additional tree or plant material or other vegetation with the approval of the City of Carmel Urban Forester.

The improvements project shall comply with all aspects of Carmel City Code Section 6-227 (a) (4).

Section 6-227 (b) (3) requires written approval from the homeowners association be provided to the City for all proposed installation of new, or maintenance of existing, Improvements if the approval of the homeowners association for such work is stipulated in the restrictive covenants.

Section 6-227 (a) (4) prohibits the installation of permanent Improvements within platted easements with the exception of those Improvements allowed by a permit from the Board of Public Works and Safety.

Section 6-227 (c) (1) allows the City, and in some instances the homeowners association, depending on the restrictive covenants of subdivision, to review, approve or deny any and all Improvements within platted easements.

Section 6-227 (c) (3) states that prior to installing any new, or conducting maintenance of existing, Improvements on the premises, within platted or dedicated easements or within the right-of-way, the owner or responsible party shall review the covenants for any restrictions related to the installation or maintenance activities. The City will not approve installation of Improvements that violate existing restrictive covenants.

City Code Chapter 10 Article 2 Chapter 6

6.03.27 Subdivision entry and perimeter walls are permitted; however, no wall or fence which abuts an arterial, parkway or collector roadway shall be constructed primarily of wood. All walls abutting arterial, parkway or collector roadways shall be reviewed and approved by the Commission.

6.06.03 Utility easements in private rights-of-way or in common use recreation areas may be constructed in any easements, except in a drainage easement where they would cause an obstruction to a watercourse or to a flow of water. Fences located in easements are subject to removal by persons properly authorized to use said easement.

City Code Chapter 10 Article 1 Chapter 25

25.02.10 In districts where a private swimming pool is permitted as an Accessory Use, the fencing for such pool must comply with both this Section 25.02 and the standards applicable in the district. Whenever the Board grants Special Use approval to a private recreational development or facility that includes a swimming pool, the Board shall require appropriate fencing and shall also require the applicant to make a Commitment that necessary lifeguard protection will be provided at all times when the pool is open for use.