



Fence Regulations Guide

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Quick Facts:

- 1) A permit is **required** for any new fence on a property that is less than 3 acres.
- 2) Fences may be built along the property line, but must be placed outside of the street right-of-way, vision clearance and platted easements.
- 3) Corner lots are considered to have two Front Yards; the height restriction will apply to both Front Yards.
- 4) If a fence is placed within a utility easement and a utility company needs access, property owners will be responsible for all fence damage and repairs. Please call 811 before you dig.
- 5) If you are planning on placing a fence within a drainage or BMP (Best Management Practice) easement, please contact the Engineering Department at (317) 571-2441 prior to submitting an application. A Consent to Encroach may be required.
- 6) Fences placed near a drainage easement must not impede the flow of stormwater.
- 7) If using a bobcat or other larger equipment, please contact the Engineering Department for a Right-of-Way permit.
- 8) Any questions regarding fence permits should be directed to the Office of Building and Code Services at (317) 571-2444.

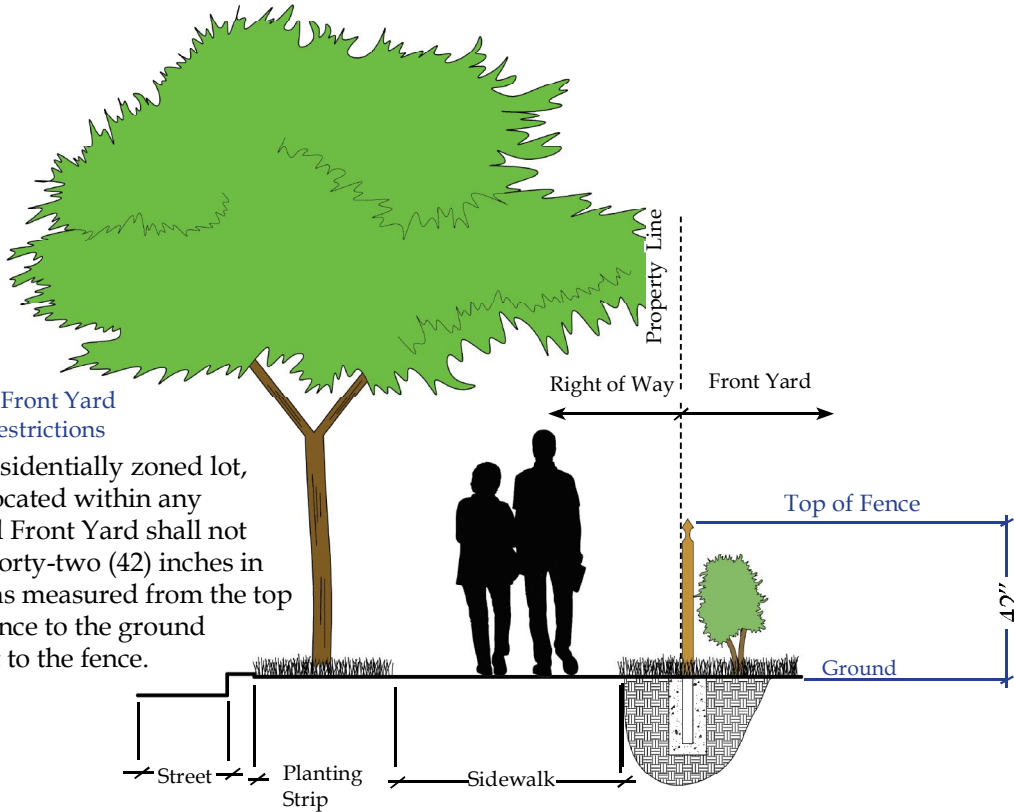


Figure 1: Front Yard Height Restrictions

*On a residentially zoned lot, fences located within any required Front Yard shall not exceed forty-two (42) inches in height, as measured from the top of the fence to the ground adjacent to the fence.



Requirements and Restrictions

Fence

Carmel Zoning Ordinance Chapter 25, Section .02, Fences

25.02.01 **Permit Required:** An Improvement Location Permit shall be obtained prior to installation of any new fence, except when the fence or wall will be used **for exempted uses on lots or tracts larger than three (3) acres.**

25.02.02 **Fences in Front Yards:** The following shall apply to all residentially zoned lots or tracts, **except those larger than three (3) acres:**

A: **Maximum Height:** Fences located within any required Front Yard shall not exceed forty-two (42) inches in height.

B: **Fence Type:** Fences located in Front Yards are not intended for privacy. At least twenty-five percent (25%) of its area shall be open to allow visibility through 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. Examples include wrought iron or picket fences. (See Figure 4)

C: **Front Setback:** Fences and walls may be constructed on the Front Lot Line but must be set back at least one foot from any sidewalk or multi-use path. (See Figure 3)

D: **Corner Lots:** The requirements of this section shall apply to yards along both streets. (See Figure 5)

E: **Collector, Parkway or Arterial Streets:** In the case of double frontage lots, where the property line behind a residence abuts a Collector, Parkway or Arterial street, a fence or wall may exceed forty-two (42) inches in height, up to six (6) feet in height, if set back at least six (6) feet from the property line, and is accompanied by plantings equivalent to a Bufferyard A.

F: **Subdivision Fences & Walls:** No primarily wooden fences or walls 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*).

25.02.03 **Fences in Side and/or Rear Yards:** 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. (See Figure 3)

Figure 2: Measured Fence Height Locations

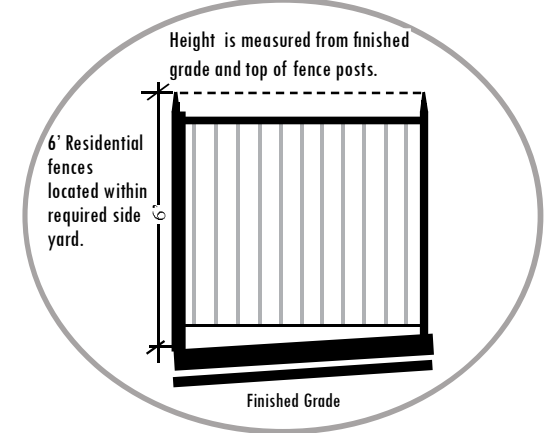
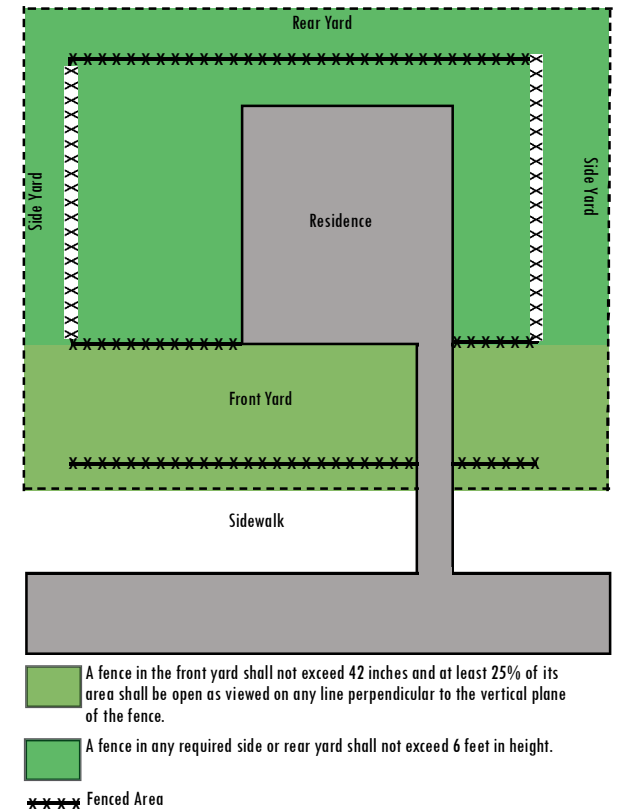


Figure 3: Fence Height Locations





5.02.04 Fences in other locations:

- A. Residential fences not located within any required yard but within the buildable area shall not exceed nine (9) feet in height.
- B. No fence shall be constructed within the twenty-foot (20') mandatory planting strip associated with frontage places and hammerheads.

25.02.05 **Height Measurement:** Fences shall be measured from its topmost point to the ground adjacent to the fence. The height of any fence placed upon an erected earth berm or masonry wall shall be measured from the ground adjacent to said earth berm or wall. (See Figure 4)

25.02.09 **Vision Clearance:** No fence, wall or other obstruction to vision shall exist in the area designated as the vision clearance area of corner lots. (See Figure 5)

25.02.10 **Swimming Pools:** 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.

25.02.11 **Maintenance:** It shall be the responsibility of the owners to ensure proper maintenance of fences in accordance with the standards set by this sub-section. This includes the repair, removal and timely replacement of missing, damaged or dilapidated materials.

Figure 4: Front Yard Requirements

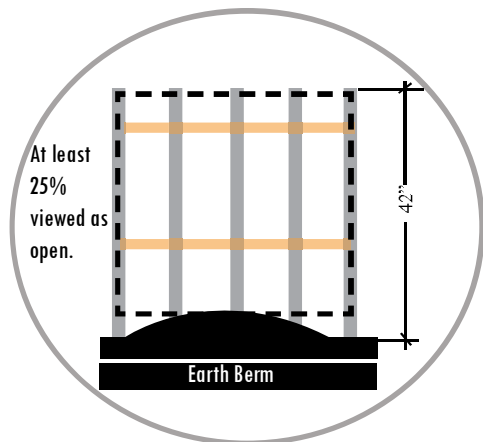
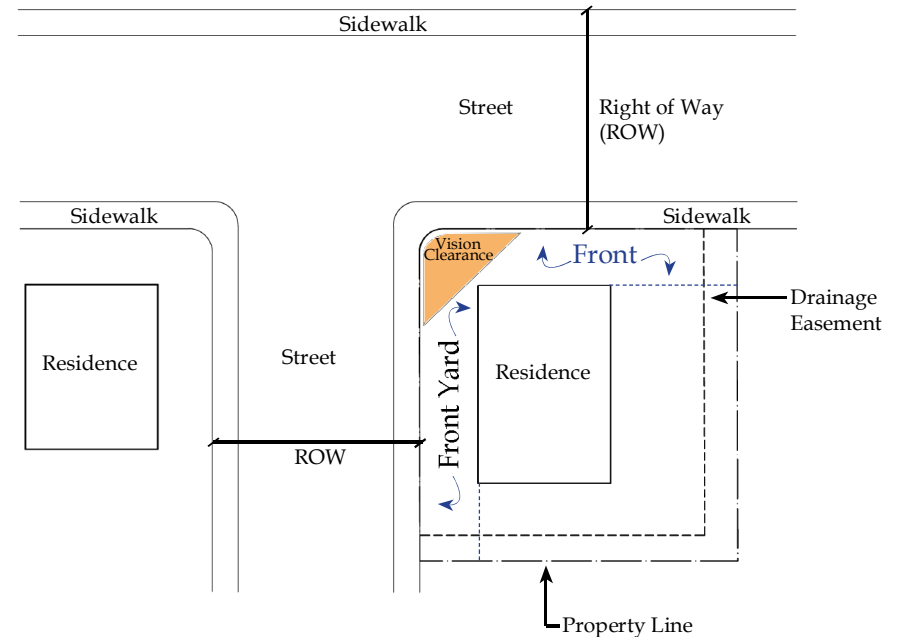


Figure 5: Location Map



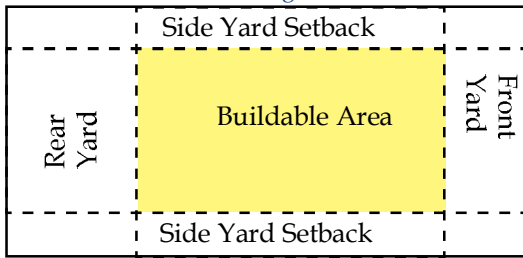


Useful Definitions

Fence

1) **Buildable Area:** the area created within the boundaries of the front, rear, and side yard setbacks for a particular zoning district.

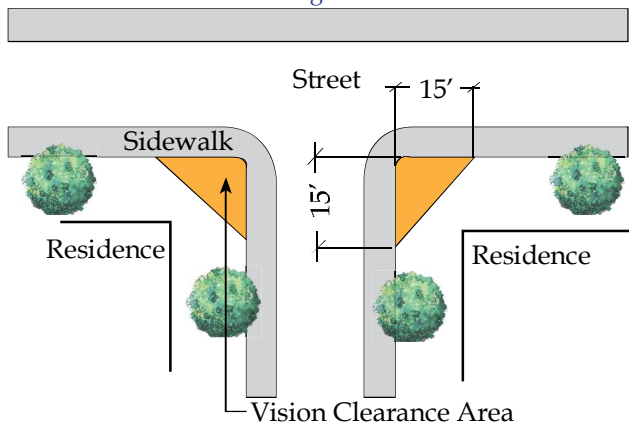
Figure 6: Buildable Area



Required width of setback is specific to zoning district.

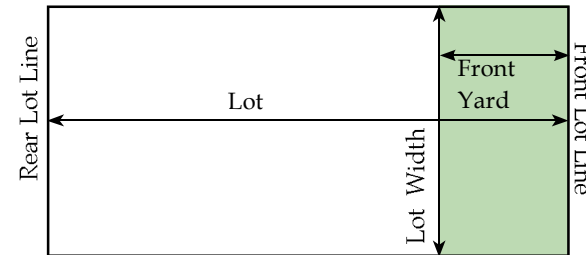
2) **Vision Clearance Area:** A triangular space at the street corner of a Corner Lot, free from any kind of obstruction of vision between the heights of three (3) and eight (8) feet above the established street grade. The street grade is measured at the intersection of the centerlines of the intersecting 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.

Figure 7: Vision Clearance Area



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.**

Figure 8: Front Yard Area



4) **Lot Line, Front:** In the case of an Interior Lot, a line separating the Lot from the Right-of-way of the street and, in the case of a Corner Lot, a line separating the narrowest frontage of the Lot from the street, except in cases where deed restrictions in effect specify another street right-of-way line as the front lot line.

5) **Lot Line, Rear:** A lot line which is opposite and most distant from the front lot line and, in the case of an irregular or triangular-shaped lot, a line ten (10) feet in length within the lot, parallel to and at the maximum distance from the front lot line.



Additional Fence Regulations

Fence

Carmel City Code, Chapter 6, Article 8

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.

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.

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).

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.

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.

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.

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.

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

Planning & Zoning
1 Civic Square, 3rd Floor
Carmel, IN 46032
p. 317.571.2417 f. 317.571.2426

Building & Code Services
1 Civic Square, 1st Floor
Carmel, IN 46032
p. 317.571.2444 f. 317.571.2499

Department of Community Services website: www.carmeldocs.com
City Website: <http://www.carmel.in.gov>

Note: This Handout has been designed to provide a brief summary. Please contact a Planning Administrator for more detailed information about your property.