



Fence Regulations Guide

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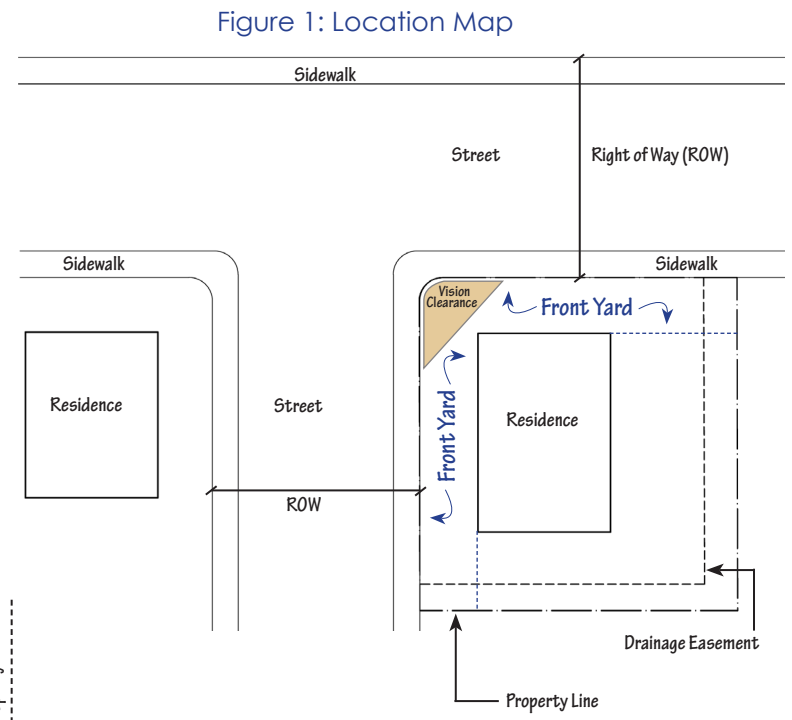


Figure 1: Location Map

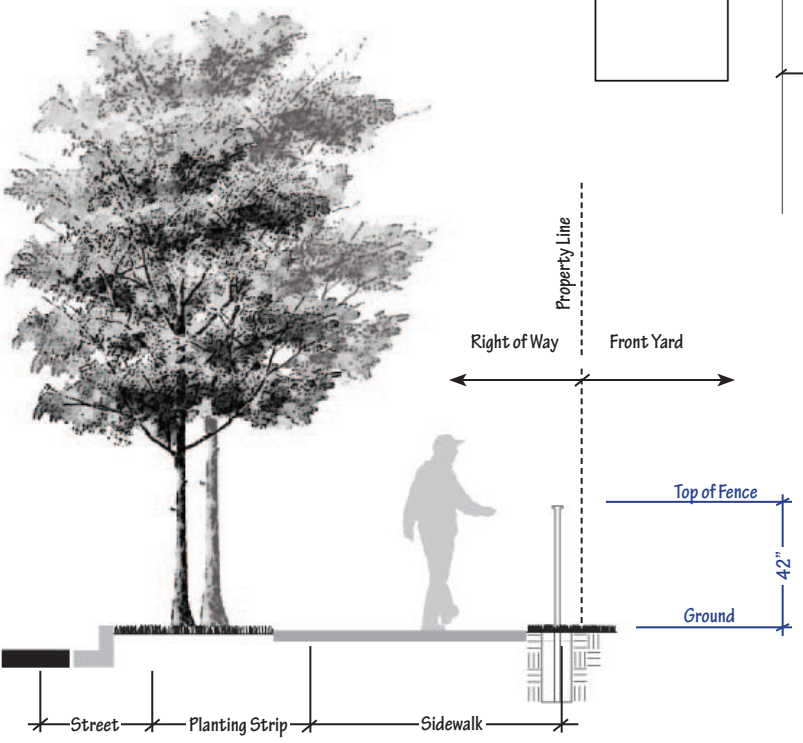


Figure 2: Front Yard Height Restrictions

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 fence to the ground adjacent to the fence.

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 or platted easements.
- 3) Corner and Through Lots are considered to have multiple Front Yards; the height restriction will apply to all Front Yards.
- 4) Lots where a property line behind a residence abuts a Collector, Arterial, Primary Arterial, or Primary Parkway (ex. Keystone) Front Yard visibility applies. *See Figure 3*
- 5) 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.
- 6) If a City-owned stormwater pipe is located on the property, fence posts must be installed no closer than 3 feet from the edge of the pipe. If the fence crosses over the pipe, removable fencing must be installed for the section over the pipe.
- 7) Fences placed near a drainage easement must not impede the flow of stormwater.
- 8) If using a bobcat or other large equipment, please contact the Engineering Department for a Right-of-Way permit. (317) 571-2441
- 9) Any questions regarding fence permits should be directed to the Office of Building and Code Services at (317) 571-2444.

Requirements and Restrictions

Section 5.09: Fence and Wall Standards (FW)- Carmel Unified Development Ordinance

Permit Required 5.09(A): 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.**

Fences in Front Yards 5.09(B): The following shall apply to all residentially zoned lots or tracts, **except those larger than three (3) acres:**

1. **Maximum Height:** Fences located within any required Front Yard shall not exceed forty-two (42) inches in height. *See Figure 3*
2. **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 shall 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 3*
3. **Front Setback:** Fences and walls may be constructed on the Front Lot Line but shall be set back at least one foot from any sidewalk or multi-use path.
4. **Corner and Through Lots:** The requirements of this section shall apply to yards along all streets.
5. **Collector, Arterial, Primary Arterial, or Primary Parkway Street:** In the case of the double frontage or through lots, where the property line behind a residence abuts a Collector, Arterial, Primary Arterial, or Primary Parkway street, a fence 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. At least twenty five percent (25%) of its area shall be open to allow visibility through the fence. *See Figure 3*

Fences in Side and/or Rear Yards 5.09(C): 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 4*

Fences in other locations 5.09(D):

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

Height Measurement 5.09(E): 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 3*

Institutions, Parks, Schools 5.09(G): Except as provided in *Section 5.09(B)* fences enclosing an institution, a public park, and schools may consist of a black open mesh fence not to exceed a height of ten (10) feet unless otherwise approved by the Director of Community Services.

Vision Clearance 5.09(I): No fence, wall or other obstruction to vision shall exist in the area designated as the vision clearance area of corner lots. *See Figure 6*

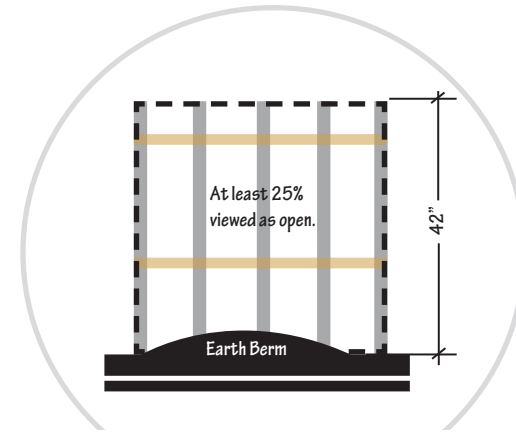


Figure 3 : Front Yard Requirements

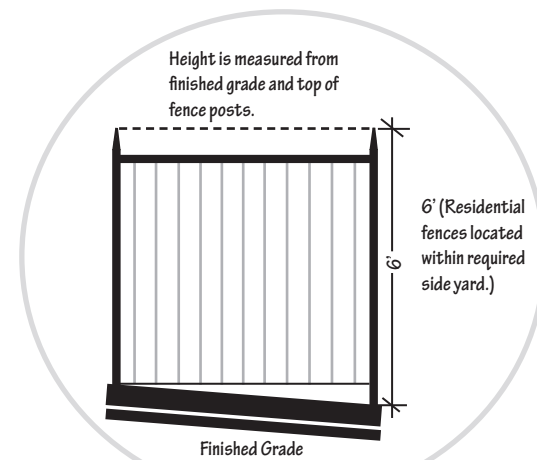


Figure 4: Measured Fence Height Locations

Useful Definitions

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

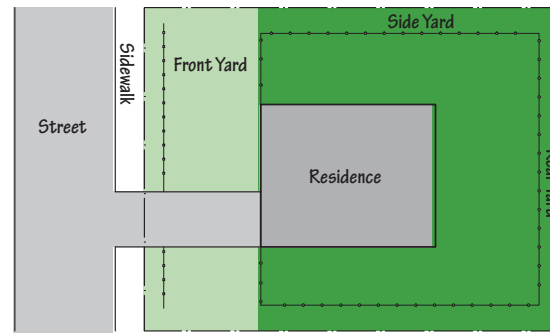
2) **Vision Clearance on Corner Lots:** A triangular space at the street corner of a Corner Lot, free from any kind of obstruction to vision between the heights of three (3) and eight (8) feet above the established street grade. The street grade is measured at the intersection of the centerlines of the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

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.

Fence Height Locations:



- A fence in the front yard shall not exceed 42 inches and at least 25% of its area shall be open as viewed on any line perpendicular to the vertical plane of the fence.
- A fence in any required side or rear yard shall not exceed 6 feet in height.

Figure 6: Vision Clearance Area

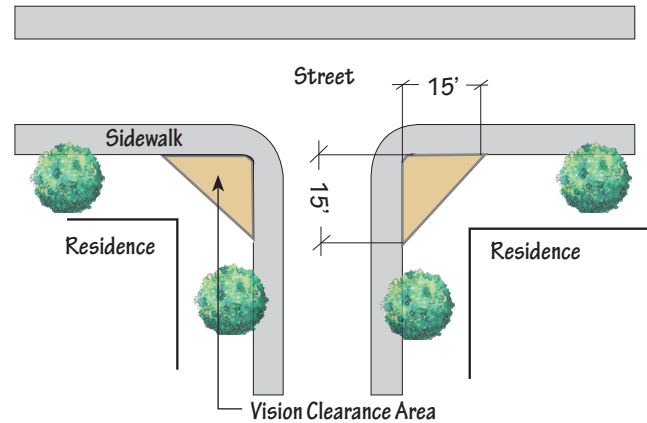
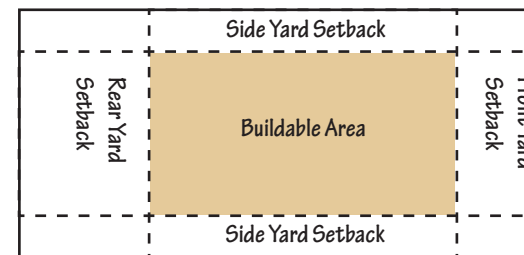
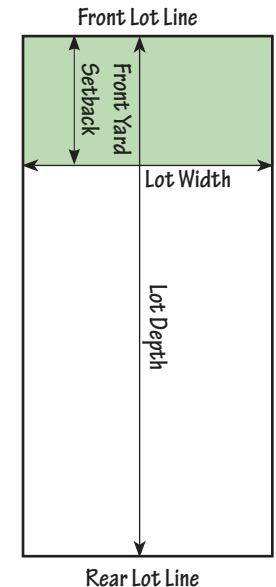


Figure 5: Buildable Area



Required width of setback is specific to zoning district.

Figure 7: Front Yard Area



Additional Fence Regulations

Subdivision Fences and Walls 5.09(B)(2)(6): No primarily wooden fences, or walls, shall be constructed within any required front yard adjacent to any Collector, Arterial, Primary Arterial, or Primary Parkway street (see also *Article 7, Section 7.11: Residential Entryway Feature, Article 7, Section 7.12: Non-Residential Entryway Feature Standards, and Article 7, Section 7.23: Perimeter Landscaping Standards*).

Athletic Facilities 5.09(F): Open wire mesh fences surrounding tennis courts or similar athletic facilities may be erected to a height of sixteen (16) feet, if such fences shall only enclose a regulation court or field area. Wire mesh fences shall be black unless otherwise approved by the Director of Community Services.

Commercial and Industrial 5.09(H): Fences enclosing commercial and industrial uses shall not exceed six (6) feet in height in a required front yard and shall not exceed ten (10) feet in a required side or rear yard. Unless otherwise approved by the Plan Commission as part of an ADLS, fences in a required front yard shall have at least seventy five percent (75%) of its area open to allow visibility through the fence.

Swimming Pools 5.09(J): In districts where a private swimming pool is permitted as an Accessory Use, the fencing for such pool must comply with both this Section 5.09: *Fence and Wall Standards* and Section 5.02(C)(7): *Private Swimming Pools or Hot Tub*.

Maintenance 5.09(K): 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.

Accessory Building and Use Standards (AB) 5.02(C)(7)(c):

- i. Walls or Fencing: Walls or fencing deemed by the enforcing authority to be impenetrable, that is not less than four (4) feet high completely surrounding the swimming pool and the deck area with exception of self-closing and latching gates and doors, both capable of being locked,
- ii. Other Means: Other means not less than four (4) feet high and deemed by the enforcing authority to be impenetrable at the time of construction and completely surrounding the pool and deck area when the pool is not used; and
- iii. Combination: A combination of Section 5.02(C)(7)(c)(i) and Sections 5.02(C)(7)(c)(ii) that completely surrounds the pool and deck with the exception of self-enclosing and latching gates and doors which are capable of being locked;

Some zoning districts and Subdivision Types have additional fence regulations.

Among these are:

- Old Town Overlay District: Section 3.56 (OT-OL)
- Pool fence: Section 5.02(C)(7)(c)
- Residential Entryway Feature: 7.11
- Non-Residential Entryway Feature Standard: 7.12
- Perimeter Landscaping Standards: 7.23



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(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.

Note: Please refer to your Homeowners Association or Covenants and Restrictions for any fence regulations in addition to the City's requirements.

Department of Community Services

Planning & Zoning

1 Civic Square, 3rd Floor
Carmel, IN 46032
p. 317.571.2417

Building and Code Services

1 Civic Square, 1st Floor
Carmel, IN 46032
p. 317.571.2444

Department of Community Services website:
www.carmeldocs.com

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