

Fences

Q: Do I need a permit for a fence?

A: Yes, you need a permit for a fence.

Q: How tall can the fence be?

A: Section 65-6 of the Village Codes states:

Provisions applicable to residential districts:

- 1.** Any fence in a residential district shall have its most pleasant or decorative side facing the adjacent lot, with all posts being in the applicant's yard;
- 2.** Maximum permitted heights are as follows:
 - a.** Front lot line: four feet
 - b.** Side line lot: 1. From front lot line to rear of building: 4 feet; 2. From rear of building to rear lot line: 5 feet; 3. Rear lot line: 6 feet.
- 3.** Exceptions:
 - a.** The maximum fence height for a side or rear yard is six feet when abutting a business or industrial district;
 - b.** Swimming Pools – See Section 65-9 in the Village Code

Q: How would I go about getting a permit for a fence taller than noted in Section 65-6 above?

A: An application needs to be made to the building department for the nonconforming fence. Since the proposed fencing does not comply with the village Code, the application will be denied by the Superintendent Of Buildings. The denial letter issued by the Building Department provides you with the opportunity to make an application to the Board of Zoning and Appeals for a "variance" from the requirements of the Village Code. The Board of Zoning Appeals will hear the facts and circumstances surrounding your request at a public hearing. All interested parties will have the opportunity to be heard. After all the evidence is presented, a decision to grant or deny the variance will be made.

Q: Who determines if a fence is on my property or my neighbors?

A: Whether a fence is located on your property or your neighbor's property is a civil matter between you and your neighbor, the Incorporated Village of Manorhaven has no involvement. However, a fence permit will only be issued to the property owner upon whose property the fence is located.

Q: If I am hiring a fence contractor does he need to be licensed in the Incorporated Village of Manorhaven?

A: Yes and No, If the Contractor is a Landscaper then yes all landscape contractors need to be licensed in the Village. If the contractor is a fence company, than No the contractor does not need to be licensed.