

Athens Township Zoning Code

Subsection 6.04 (e) Fences, Walls, Terraces, Stoops, and Hedges

1. No fence, wall or hedge two (2) feet or greater in height shall be erected without the issuance of a Certificate of Zoning Compliance and permit fees have been paid. Applications for such permit shall include plans and drawings showing the actual and accurate shape and dimensions of the property upon which the fence, wall or hedge is to be erected; the exact height, location, length, type of material and type of construction of such proposed fence or wall; the location of the buildings on the lot; or any such other information as deemed necessary for such permit. Fences, walls or hedges less than two (2) feet in height do not require a Certificate of Zoning Compliance.
2. Unless specifically noted, the provisions of this Code shall not apply to fences, terraces or walls less than two (2) feet in height above the average natural grade, nor to terraces, steps, or unroofed stoops not over three (3) feet high above the level of the floor of the ground story.
3. A new Zoning Certificate is required whenever an existing fence is replaced with a new fence.
4. All fences and walls shall be structurally sound, safe, and properly finished at all times. Fences shall be designed, constructed, and finished so the supporting members thereof shall face the property of the owner of the fence. Ground areas between fences and property lines and between fences shall be kept properly maintained at all times.
5. The height of a fence, wall, or hedge shall be measured from the established grade line to the highest point of the fence posts and finials. Any light fixture placed on a pier or post may not exceed a height of one (1) foot above the fence, wall, or hedge. The height may not be artificially increased by the use of mounding unless otherwise required by the zoning district regulations.
6. Front Setback area.
 - a. Open fences and hedges are permitted inside or along the property line of the front setback area.
 - b. Any open fences or hedges shall not exceed four (4) feet in height.
 - c. No closed fence shall be located in the front setback area.
7. Side Setback Area.
 - a. Open or closed fences, walls, and hedges are permitted inside or along the property line of a side setback area.
 - b. Any fences, walls or hedges shall not exceed six (6) feet in height.
8. Rear Setback Area.
 - a. Open or closed fences, walls, and hedges are permitted inside or along the property line of the rear setback area.
 - b. Any fences, walls or hedges shall not exceed six (6) feet in height.
9. Prohibited Uses.
 - a. No fence, wall or hedge or other landscaping plantings or materials shall be located within any drainage easement, or apparent drainage course for any parcel or subdivision which would be detrimental to the public health safety and welfare.
 - b. No fence, wall or hedge or other landscape plantings or materials shall be located so as to adversely affect the vision of drivers on the public streets or from driveways intersecting public streets.
 - c. No fence, wall, hedge, plantings or landscape plantings or materials shall visibly obscure, hide, or screen fire hydrants, street address numbering, or other security or emergency service equipment, controls or components.
10. Prohibited Materials.
 - a. Fences, walls or other landscaping equipped with or having barbed wire, spikes, sharp points or any similar device or an electrical charge sufficient to cause shock are prohibited.
 - b. Chicken wire, poultry wire or hex netting fence consisting of a galvanized or PVC coated material shall be prohibited except in the case of the keeping of non-domestic small animals as permitted by conditional use in *Subsection 6.04 (j)*.
 - c. This section shall not be construed or applied to prohibit underground invisible fences installed for the purpose of confining pets to property.

Fence, Closed. A fence designed to inhibit public view and provide seclusion and, when viewed at right angles, having less than 50% of its vertical surface area open to light and air. Examples include, but are not limited to, board on board fences and picket fences where the boards abut one another.

Fence, Open. A fence constructed for its functional, ornamental, or decorative effect and, when viewed at right angles, have more than 50% of its vertical surface area open to light and air. Examples include, but are not limited to, chain link, split rail, or wrought iron fences.