

Zoning Enforcement Office report of actions concerning Fence

Section 10.7 Fences

No fence more than four (4) feet high shall be permitted within the front yard, nor shall any fence be more than eight (8) feet in the side yard or more than eight (8) feet high in the rear yard. However, a fence no more than eight (8) feet may be erected on the surface of a deck behind the rear building line in any residential district provided the deck does not project beyond the side yard foundation walls of the dwelling erected on the lot. Side and Rear fences not being perimeter fences must have a five (5) foot setback from the property line. added LL#2 2025

A building permit is required for all perimeter fencing. The applicant shall submit, to the Enforcement Officer a description of the fence and location on the property and shall meet with the Officer prior to issuance of the permit. The Officer shall require notification by the applicant of all adjacent property owners if a fence is proposed to be a perimeter fence or to be placed in the front yard of a property or within thirty-five (35) feet of a road. Sight clearance for safety purposes shall be ensured for all fencing located within thirty-five (35) feet of road frontage. A survey shall be required for perimeter fences unless the adjacent landowner(s) agrees, in writing, to the location of the fence.

The finished side of any fence must face outward. Fences shall not be constructed of materials that endanger health or safety. Fences shall be constructed of materials consistent with the existing character of the area in which the fence is erected

This is a perimeter fence which was installed in two sections: One by the previous owner of 72' along southern property line, then extended 100' which finished the southerly property line and then along rear property line by Ms. Carius and back to the house. Neither owner had contacted the ZEO prior to construction of the fence.

This action is brought by the zoning enforcement officer.

Ms. Carius moved into a house at 7689 State Hwy 80 Parcel Id. 41.06-1.20.00 in December of 2025. Having a dog she needed to fence in the yard, she had the existing 75' of fence and extended it 100' to the southwest corner of the lot and along the rear line then back to the rear of the house. As a new resident of Springfield she was not aware of the zoning law which requires a survey for a perimeter fence. Within the next few days I stopped by and explained the situation and asked her to have a property survey done to prove out where the property line was. The results came back in early august. The fence is on Ms. Carius property, most sections are from 1' to 2' from the property line.

As Ms. Carius followed all requests and she was continuing an existing fence, I believe that meeting the survey requirement is enough and the fence be allowed to remain where it is.

Henry Miller
ZEO
Town of Springfield
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