

# Chapter 8

## RESIDENTIAL FENCES AND DECKS

### 8.01 FENCES AND DECKS IN RESIDENTIAL DISTRICTS

A. This Chapter regulates fences and decks in residential zoning districts (A, R-1, R-2, R-3, H, SRUV, T), in R-PUD districts if not otherwise regulated by an approved plan, for residential uses in the MPBD Overlay district, and for nonconforming residential uses located in commercial districts.

B. Fence restrictions for all lots:

1. Fences along the same fence line must be of uniform height, material and design.
  - a. However, in locations within a lot where a 6-foot tall solid construction fence is authorized (see below), such privacy fence may be installed along the same fence line together with one other fence type, in exception to the general restriction of uniform height, material and design.
    - i. For example, along a 100-foot side property line, 25 feet of 6-foot tall privacy fence may be constructed to screen a rear porch area, and then attach to 75 feet of Kentucky three-board fencing running along the balance of the same property line.
2. Fences are not permitted within the public right-of-way.
3. Fence gates cannot swing open onto adjacent property or onto the public right-of-way.
4. No fence shall be constructed so that any unfinished portion faces or is visible from an adjacent property or street.
5. No fence shall be permitted within the required sight distance triangle.
6. Lots less than five acres in a platted subdivision shall not have a gate across the driveway.
7. Fence height shall be measured from grade adjoining the fence.
  - a. For raised platforms attached to a single-family dwelling or swimming pool, fence height may be measured from the floor of the platform. For example, if in an allowed privacy fence location, a six-foot tall privacy fence may be placed on a three-foot tall deck, for a total height of nine feet from grade.
  - b. In cases of a fence placed on a platform or otherwise not along a property line, the finished side of the fence must face the nearest neighboring property line.
  - c. A fence placed on a platform may not exceed six feet in height from the platform base, including on lots 40,000 square feet or larger.
  - d. Railings installed on a platform consistent with the state building code, and that are 48 inches in height or less, will not be considered a fence.
  - e. All other fence rules apply to fences placed on platforms.

C. Supplemental fence regulations based on lot size and type:

1. For interior lots less than 40,000 square feet:

- a. Fences are permitted in the rear and side yards.
  - b. Fences can be no more than six feet above grade.
  - c. Fences in the rear and side yards may be solid in construction.
2. For interior lots 40,000 square feet or larger:
    - a. Fences are permitted in the front, rear and side yards.
    - b. Fences in the rear and side yards can be no more than six feet above grade, except for privacy fences, which may be no more than eight feet above grade.
    - c. Fences in the front yard shall be no more than four feet above grade and shall have an open face area of no less than 50%.
    - d. Fences in the rear and side yards may be solid in construction.
  3. For corner lots less than 40,000 square feet:
    - a. Fences are permitted in the rear, side and corner side yards
    - b. Fences in the rear and side yard can be no more than six feet above grade.
    - c. Fences in the corner side yard can extend halfway between the building or the corner side yard setback and the public right of way.
    - d. Fences in the corner side yard can be no more than four feet above grade and shall have an open face of no less than 50%.
    - e. If a house on a corner lot has a side entry garage, the fence located in the corner side yard cannot extend beyond the rear corner of the house.
    - f. Fences in the rear yard may be solid in construction.
  4. For corner lots 40,000 square feet or larger:
    - a. Fences are permitted in the front, rear, side and corner side yards.
    - b. Fences in the rear and side yards can be no more than six feet above grade, except for privacy fences, which may be no more than eight feet above grade.
    - c. Fences in the front and corner side yard shall be no more than four feet above grade and shall have an open face area of no less than 50%.
    - d. If a house on a corner lot has a side entry garage, the fence located in the corner side yard cannot extend beyond the rear corner of the house.
    - e. Fences in the rear and side yards may be solid in construction.
- D. Decks: Residential housing units are permitted to have uncovered decks which extend into the rear yard setback, up to a maximum of 16 feet from the rear of the house. The deck must still maintain the minimum side yard setback distance.



