

# FENCE PERMITTING

# INFORMATION

City of Cleveland Heights

Application available at [www.citizenserve.com/clevelandheights](http://www.citizenserve.com/clevelandheights)

A fence permit is required for any fence constructed or installed in the City of Cleveland Heights. Fence permits are granted through Building Department. The regulations that apply to fence size and placement also apply to masonry and stone walls, but masonry and stone walls require a building permit, rather than a fence permit. If you are planning to build a masonry or stone wall, please review the size and placement limitations below.

## Architectural Board of Review

Architectural Board of Review (ABR) approval, which is a separate approval process, is required when a proposed fence/wall is located in the front yard, corner side-yard or on a corner lot. Replacement of an existing fence/wall still requires ABR if it is located in the previously identified locations. ABR approval is needed before a permit can be issued. All commercial fences/walls require ABR approval.

## Height

In residential zoning districts, fence heights are limited as follows:

- In front yards and corner side yards, fences may be up to 4 feet in height.
- In rear yards and all interior side yards, fences are limited to 7 feet in height. However, when a fence will run parallel or approximately parallel to a house or other principal building on the property to be fenced or a neighboring property, the height of the fence is limited to a measure equal to the distance between the fence and the house, up to a maximum of 7 feet. For example, a fence running along the side of you or your neighbor's house and located 3 feet away from the house could be no more than 3 feet tall. Note that detached garages and storage sheds are accessory buildings, not principal buildings, and the distance-to-height limitation does not apply to fences running parallel to those kinds of structures.
- In the rear yards of corner lots, where the rear yard abuts the front yard of a neighboring lot, fences are generally limited to 4 feet in height. However, fences that are set back at least 5 feet from the property line and screened with an approved landscaping plan may be up to 5 feet tall.

In commercial zoning districts, fence heights are limited as follows:

- In front yards, fences may be up to 42 inches tall.
- In corner side yards, fences are limited to 42 inches in height, except when they are set back 15 feet or more from the public right-of-way, in which case they may be up to 7 feet tall. Additionally, fences in corner side yards that abut residential properties may be required to be taller than 42 inches under the terms of Zoning Code Section 1165.05.
- In rear yards and interior side yards, fences are limited to 7 feet in height.

## Materials & Landscaping Requirements

The materials from which fences may be constructed are limited in certain situations:

- Barbed-wire fencing is not permitted.
- Chain-link or wire-mesh fencing is not permitted in front or corner side yards.
- When a fence runs along or near a property line, all structural members are to be on the interior side of the fence, facing the property of the fence owner.
- In residential zoning districts, interior-side-yard fences that are greater than 10 feet in length and parallel to a street are required to be screened with landscaping. The landscaping plan must be approved by the Zoning Administrator.
- Deer net fencing around vegetable/edible and flower gardens is permitted in rear and interior side yards, and is limited to a maximum height of seven feet, including all posts. Proper installation is required, including six inches of the fence grid flared onto the ground to prevent deer from pushing underneath the fence. Deer net fencing is permitted in community gardens with no location limitations.

## Yard Definitions & Illustrations

The Zoning Code defines four different kinds of yards: front, rear, interior side, and corner side. Fence regulations vary depending on the yard in which the fence will be located. The definitions and illustrations below are intended to help you determine which regulations are applicable to your situation.

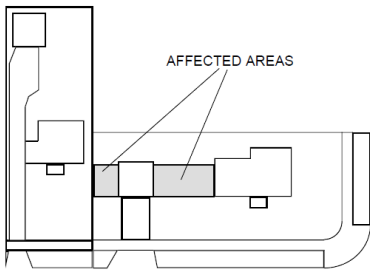
**Front yard:** A front yard is defined as the area across the full width of a lot, extending from the front of the principal building to the front lot line. An open or screened porch is considered an accessory structure and therefore part of the front yard. An enclosed porch is considered part of the principal building and therefore not part of the front yard. On a corner lot with a residential use in a residential zoning district, the front faces the narrow end of the lot, regardless of where the house's front entrance is, unless the lot is square, in which case the front yard may face either street. On a corner lot with a nonresidential use or in a nonresidential zoning district, the front yard faces the major street.

**Rear yard:** A rear yard is defined as the area across the full width of a lot, extending from the rear of the principal building to the rear lot line. On a corner lot, the rear yard is the area between the principal building, the side or rear lot line of the neighboring lot, and the corner side yard.

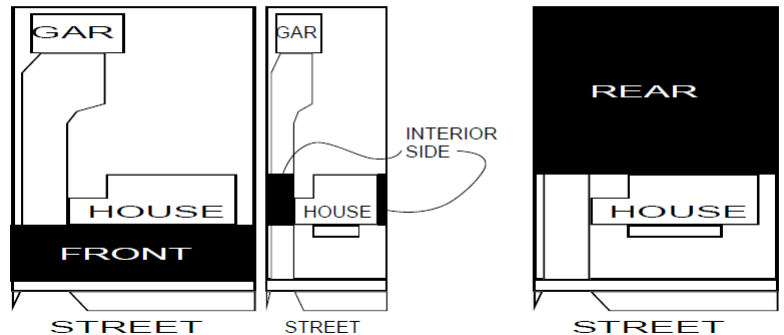
**Interior side yard:** An interior side yard is defined as the area between the principal building and the side lot line, extending from the front yard to the rear yard. An interior lot has two interior side yards. A corner lot has one.

**Corner side yard:** On a corner lot, the corner side yard is defined as the area between the principal building and the public right-of-way, extending from the front yard to the rear property line.

The illustration below depicts, in gray, the parts of a rear yard that would be affected by the regulations governing fences in the rear yards of corner lots that abut the front yards of interior lots.



Illustrations of yard locations on an interior lot:



Illustrations of yard locations on a corner lot with a residential use in a residential zoning district:

