

### Section 7.13 Fences:

- (1) Intent: The intent of this section is to allow fences with a height of four (4) feet or less within required yards (setbacks) with restrictions so that fences: a) are not erected which would block views; b) do not obstruct access by emergency personnel; c) are not within the road right-of-way; are not below the flood elevation line; and d) are not closer than three (3) feet of adjacent property without the agreement of the neighboring owner.
- (2) Excluded Fences: The following fences shall not be regulated by this section:
  - (a) Agricultural fences that are used for general farming and horticultural uses, field crop and fruit farming, raising and keeping of small animals, and raising and keeping of livestock.
  - (b) Temporary fence such as snow fences placed during the winter to control drifting snow or safety fences during construction.
  - (c) A Decorative Fence no greater than eighteen (18) inches in height and/or four (4) inches in width and is not a barrier.
- (3) Location: Unless otherwise provided in this Ordinance; No fence shall be constructed within a required yard setback unless that fence is four (4) feet in height or less measured from final grade and with a width no greater than two (2) feet at any point.
- (4) Obstructions: No fence shall obstruct access by emergency personnel. A gate at least three (3) feet in width shall be provided for access by emergency personnel to all parts of the property and as such shall not be considered an obstruction.
- (5) Required Setbacks:
  - (a) No fence shall be constructed closer to the shoreline of Grand Traverse Bay than the flood elevation line.
  - (b) No fence shall be placed within a road right-of-way.
  - (c) No fence shall be placed closer than twenty (20) feet from the driving lane of a road, street or alley.
  - (d) No fence shall be placed closer than three (3) feet to an adjacent property line without both owners providing approval in writing to the Zoning Administrator and such approval shall include a statement that the fence shall be maintained in good condition and such maintenance shall be the responsibility of each property owner.
- (6) Construction: Fences shall be designed so as not to impede the natural or established water drainage along lot lines.