



City of Ann Arbor

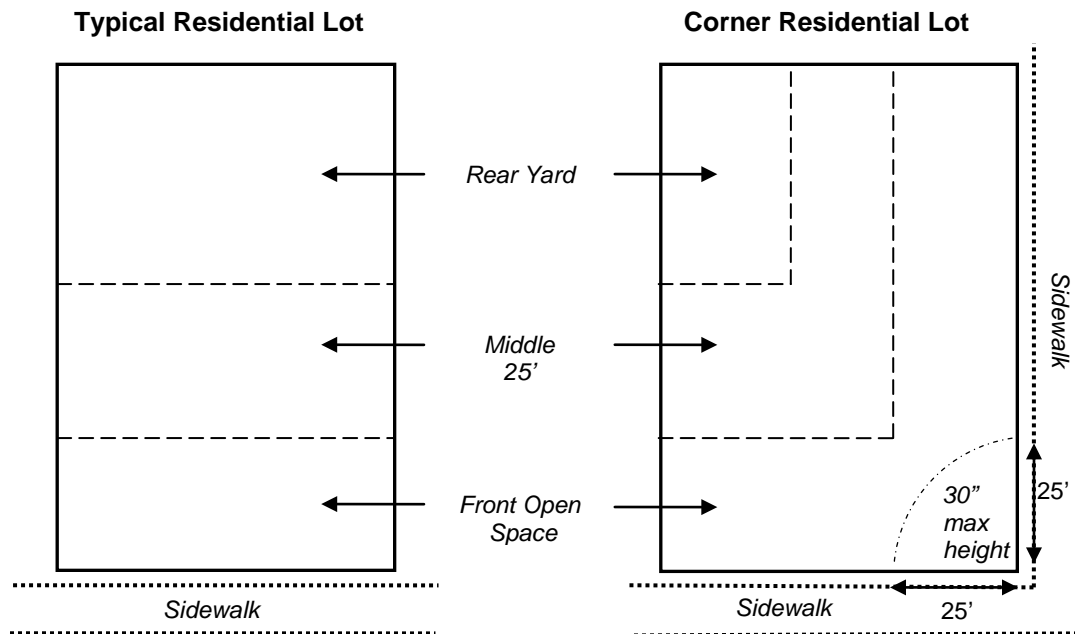
PLANNING & DEVELOPMENT SERVICES — PLANNING SERVICES

100 North Fifth Avenue | P.O. Box 8647 | Ann Arbor, Michigan 48107-8647
p. 734.794.6265 | f. 734.994.8312 | planning@a2gov.org

FENCE GUIDELINES AND ZONING COMPLIANCE PERMIT APPLICATION

City Code Chapter 104 regulates the placement and type of fences that are permitted on private property. The requirements are provided on Page 2 of this handout. The diagrams and guidelines below help explain the requirements. Your permit application should provide enough information about your proposed fence for the city planner to determine if it meets the requirements.

Residential Zoning Districts – Height and Opacity Limits



Front open space: Any fence within this area may be up to 4 feet in height and no more than 50% opaque (i.e. must be at least 50% open, such as chain link, wrought iron or picket fencing). Front open space varies by district: R1A = 40 ft; R1B = 30 ft; and R1C, R1D, R2A and R2B = 25 ft. **Exception:** On a corner lot, a fence may be no higher than 30 inches within the first 25 feet on either side of the corner intersection.

Middle 25 feet: Any fence within this area may be no more than 6 feet in height and no more than 80% opaque (i.e. must be at least 20% open, such as board-on-board fencing).

Rear Yard: Any fence within this area may be up to 8 feet in height and 100% opaque (e.g. a stockade fence). Note that a building permit is required for fences over 6 feet in height.

Other Important Information

- Opacity is a measurement of how “open” a fence must be. It is measured “head on” or perpendicular to the fence.
- All distance measurements are taken from the lot lines. The front lot line is typically located one foot on the house side of the public sidewalk.
- There is no minimum setback requirement – fences may be located up to the lot line as long as the entire fence is located on your lot.
- The City cannot locate or identify the lot lines – if you do not know where your lot lines are, you should have a licensed surveyor locate them for you.

For more information about Chapter 104, please contact a city planner in the Planning & Development Services Unit at 734.794.6265 or planning@a2gov.org.

City of Ann Arbor Code
Chapter 104: FENCES

8:431. Definitions.

The following definitions shall be applicable to the interpretation of this chapter.

- (1) *Fence*. Any artificial permanent fence, partition, structure or gate erected as a dividing marker, barrier or enclosure.
- (2) *Opacity*. The degree to which a fence is impervious to rays of light. This condition will be measured by observation of any 2 square yard area of fence between 1 foot above the ground level and the top of the fence. The observation shall be from a direction perpendicular to the plane of the fence.
- (3) *Residential district*. Those districts classified as residential in subdivisions 5:21(2) through 5:21(6E) of Chapter 55 of Title V of this Code.

8:432. Requirements.

It shall be unlawful for any person, firm or corporation to construct or cause to have constructed any fence upon any property within the corporate limits of the City of Ann Arbor, except in accordance with the requirements and restrictions herein provided.

8:433. Permit.

Any person desiring to build or cause to be built a fence upon property within the corporate limits of the City of Ann Arbor shall first apply to the planning and development services unit for a permit to do so. Application for such permit shall contain any and all information, including drawings, required and necessary for the determination of whether the erection of such fence would be contrary to the provisions of this chapter or the laws of the State of Michigan. A fee in the amount prescribed in Chapter 100 shall be paid for such permit. Fee for the permit shall be established by resolution of the city council upon the recommendations of the city administrator.

8:434. Restrictions.

The following requirements shall be observed:

- (1) Fences located in residential districts
 - (a) In the required front open space shall not exceed 4 feet in height and 50% opacity.
 - (b) Shall not exceed 6 feet in height and 80% opacity in any part which is 25 feet behind the front setback line.
 - (c) Shall not have a height of greater than 8 feet at locations other than those described in subsections (a) and (b).
- (2) In other than residential districts, fences may be extended to 12 feet in height without restriction as to solid matter or closed construction.
- (3) Fences located within 25 feet of the intersection of 2 or more street lot lines where a setback is required for a building shall not be higher than 30 inches above the sidewalk grade.
- (4) Except on top of fences having a height of 10 feet or more, there shall not be attached, affixed or placed any spike, nail, barb (including barb wire) or other pointed instrument, and all cleaved selvages and sharp points on wire fences shall be removed or bent to eliminate any sharp extrusions.
- (5) No fence shall be constructed or maintained which is charged or connected with an electrical current.
- (6) Temporary construction fences and fences required for protection around excavations shall comply with Article 13 of the Basic Building Code. Such fences shall not be maintained for a period greater than a year without special approval of the zoning board of appeals.
- (7) In determining the maximum height of a fence which separates 2 adjoining lots and which runs within 2 feet of the lot line, the maximum height at any point shall be determined from the highest grade at that point within 2 feet on either side of the lot line.
- (8) Fences not within a required open space established by Chapter 55 of this Code may be the building height limit for the district in which they are located and shall not be subject to opacity restrictions.

8:435. Maintenance of nuisances.

Fences shall be maintained so as not to endanger life or property. Any fence which, through lack of repair, type of construction or otherwise, endangers life or property is hereby deemed a nuisance. If an unsafe condition exists in regard to a fence, the planning and development services manager or designee shall serve on the owner, agent or person in control of the property upon which such fence is located, a written notice describing the unsafe condition and specifying the required repairs or modifications to be made to render the fence safe or requiring the unsafe fence or any portion thereof to be removed, and shall provide a time limit for such repair, modification or removal.

8:436. Power of the board of appeals.

Upon appeal in writing by any person directly or indirectly affected hereby, the zoning board of appeals of the City of Ann Arbor may, after a hearing in accordance with the established procedure of the Board, in its sound discretion and in the interests of the public health, safety or welfare of the inhabitants of the community, reduce or remit the requirements of this chapter in individual cases.



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ZONING COMPLIANCE PERMIT APPLICATION FOR CONSTRUCTION OF FENCES UP TO 6 FEET AND SHEDS OR FREE-STANDING DECKS UNDER 200 SQUARE FEET

Date: _____

Address: _____ Zoning District: _____

Assessor Code/Parcel ID: _____

Is property in a historic district? Yes No If yes, you must also complete a Historic District Commission Application.

Construction proposed: Fence Shed under 200 sf Free-standing deck under 200 sf

Project cost: _____

Description of project: _____

Attach copy of SITE PLAN or PLOT PLAN indicating the following:

- *Fences*: Location, height and opacity of fence.
- *Sheds and Decks*: Dimensions of proposed structure and distance from adjacent property line(s). Note that sheds and decks over 200 square feet also require a building permit application.

Owner Name: _____ Contractor Name: _____

Address: _____ Address: _____

Phone: _____ Phone: _____

Email: _____ Email: _____

Signature: _____ Signature: _____

APPROVED BY: _____ Date: _____

Comments: _____

**Please provide payment information to process the application using the payment cover sheet.
Any application received without payment information included cannot be processed.**

PLEASE RETURN TO:
Planning & Development Services – Planning Division
2000 South Industrial
Ann Arbor, MI 48104

| | |
|----------------------|------------------|
| Permit Fee: _____ | Date Paid: _____ |
| Permit Number: _____ | |



City of Ann Arbor
PLANNING & DEVELOPMENT SERVICES

Mailing: 100 North Fifth Avenue | P.O. Box 8647 | Ann Arbor, Michigan 48107-8647

Location: 2000 South Industrial Highway | Ann Arbor, Michigan 48104-6120

p. 734.794.6263 | f. 734.994.8460

PAYMENT COVER SHEET

NAME: _____

COMPANY/PROPERTY NAME: _____

ADDRESS: _____

CITY: _____ **ZIP CODE:** _____

CREDIT CARD NUMBER: _____

EXPIRATION DATE: _____

SIGNATURE: _____