

# TOWN OF IRONDEQUOIT

Building and Community Development



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## Fence Permit Information

### Definition

Fences shall be defined and regulated by their function and purpose such as boundary, privacy, decorative and safety fences as defined in § 235-4 of the Zoning Ordinance. All fences, with the exception of snow fences as defined in this section, shall require a building permit.

### Permit Application Requirements

- Completed signed application.
- Payment: \$50.00
- Proof of contractor / installers insurance OR signed affidavit from homeowner.
- Copy of a survey map.

### General Requirements

- All fences, with the exception of snow and deer fences as defined in this section, shall require a building permit.
- All fencing must be constructed within property boundaries.
- Fencing is prohibited over Town easements and right-of-ways within property boundaries
- Fencing shall be constructed of materials commercially available for fencing purposes and shall be uniform in appearance.
- The most finished side of a fence must face the adjoining property.
- Height of fencing is to be measured from the top of the fence to the ground directly beneath the fence.
  - (a) Fencing must follow the natural contour of the land.
  - (b) Commercially manufactured decorative caps located on top of the fence posts shall be excluded from the height measurement, but posts and caps shall not exceed 12 inches in height and width.
- Where a side yard of a lot abuts a rear yard of another lot, fencing may be permitted to be six feet high, provided it does not obstruct sight lines.
- No back-to-back boundary fences shall be permitted unless an abutting fence is owned by an adjacent property owner.
- Barbed wire and electrified fences shall be subject to Zoning Board of Appeals' approval prior to the issuance of a permit.
- Single strand wire fences or anchoring of any fence post by means of a guy wire or guy wires shall be prohibited.
- Fence height on vacant lots without a primary structure shall be limited to four feet in height in the front yard and six feet in the side and rear yards. The front yard for fencing

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is determined by front foundation lines of the adjacent properties. The minimum front yard setback for the vacant lot must match the setback of the adjoining property with the larger front yard setback.

- For the purposes of regulating fencing, a lot which adjoins a limited access highway shall be regarded as interior lot and not as a through lot or corner lot.

**Waterfront properties.** All properties or parcels of land within the Town of Irondequoit that contains shoreline frontage on either Irondequoit Bay or Lake Ontario shall be subject to the following subparagraphs:

- (1) Waterfront property owners are responsible for ensuring compliance with all applicable NYS DEC regulations pertaining to the waterfront.
- (2) Fences shall not exceed 4 feet in height to maintain unobstructed views and minimize visual impact.
- (3) Fences must maintain a minimum waterfront setback of 25 feet from the ordinary high-water impact.
- (4) Fences shall not interfere or inhibit natural drainage patterns, divert natural drainage flow, alter existing natural or man-made erosion control features, or impede designated access ways.

## Height Restrictions, Types & Setbacks

### Boundary fences

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### Nonresidential use on property

- (1) This section applies to properties used for nonresidential purposes. It may also apply to multifamily residential uses at the discretion of the Director of Community Development.
- (2) Fencing within the side and rear yard is limited to a maximum height of 4 feet.
- (3) Fencing within the side and rear yard is permitted up to a maximum height of 8 feet.

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- (4) Fencing along property lines adjacent to residential districts must incorporate visual screening elements such as privacy slats or integrated landscaping.
- (5) The Planning Board will only review fencing proposals as part of a broader site plan application.

## **Front yard decorative fencing.**

1. Front yard fencing shall not exceed 4 feet in height.
2. Fencing must be of open-type construction (split rail, picket or the like). Solid and chain link type fencing shall not be allowed.
3. Such fencing shall be set back a minimum of three feet from the front property line to allow for safe visual clearances and sidewalk snow removal.

## **Corner lots**

Rear and side street yard fencing on a corner lot shall be permitted to extend toward the street for purposes of boundary fencing, provided that a minimum setback of three feet from the property line which parallels the street is maintained. The height of fencing shall be as set forth above, with the narrower lot frontage treated as the front.

## **Snow fences**

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- (5) Deer fencing and its installation shall be maintained in good condition to assure that it has not deteriorated, come loose or has otherwise become a visual or safety nuisance or hazard.

### Walls

1. Walls or retaining walls which are under 18 inches in height shall be exempt from the requirements of this section.
2. All retaining walls exceeding 18 inches in height designed to retain earth shall require a building permit and must comply with the following requirements.
3. Manufactured walls. The property owner must provide written proof to the Town's Building Department that the installer will construct such walls according to the manufacturer's specifications and accepts all liability in the event of failure.
4. A professional engineer's or registered architect's original seal and signature shall be required on drawings submitted for a building permit for nonmanufactured walls.
5. Walls, regardless of the location, shall be exempt from the height restrictions of fences as long they are designed to retain earth on property slopes. The grade cannot be changed to accommodate such walls and drainage courses must be considered during design so as to not affect adjoining property.
6. Walls which will affect the toe of a slope in a steep slope EPOD area and are greater than four feet in height shall be subject to an EPOD permit approval by the Planning Board prior to the issuance of a building permit.

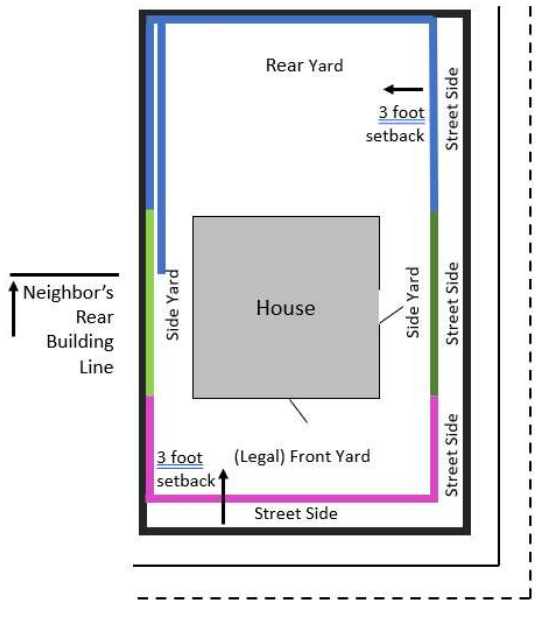
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*[1]Editor's Note: Former § 130.63, dumping grounds, which immediately followed this section, was deleted 2-4-1997 by L.L. No. 1-1997*



## Corner Lots – Fencing



Yard	Requirements/Limitations
Front	Max Height: 3.5 feet Type: Open Style (picket, split, etc) Max length: 32 linear feet Street-side setback <sup>1</sup> : 3 feet from property line
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Rear	Max Height: 6 feet Type: Any Setback: 3 feet from property line bordering street

1. Using lot dimensions provided on the survey map, any required setbacks are measured from the lot line, not the edge of pavement (sidewalk or street).
2. Adjacent property's rear yard can be used to determine where rear yard fencing can be located on a property.
3. Rear yard fence guidelines can apply to side yards that abut a neighbor's rear yard, with applicable setbacks for property lines abutting streets.

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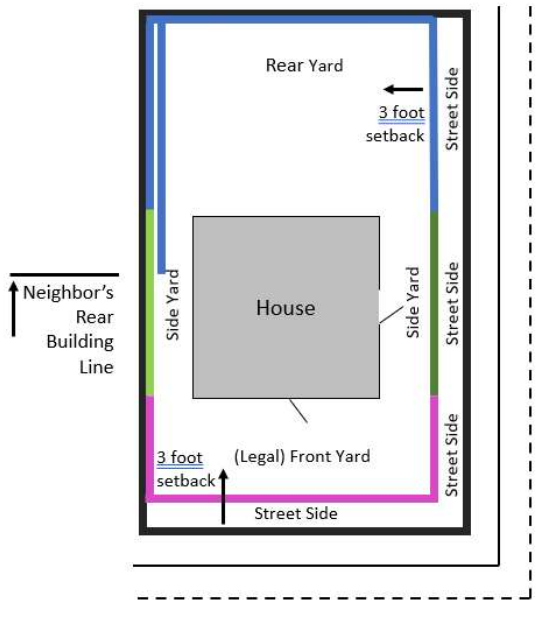
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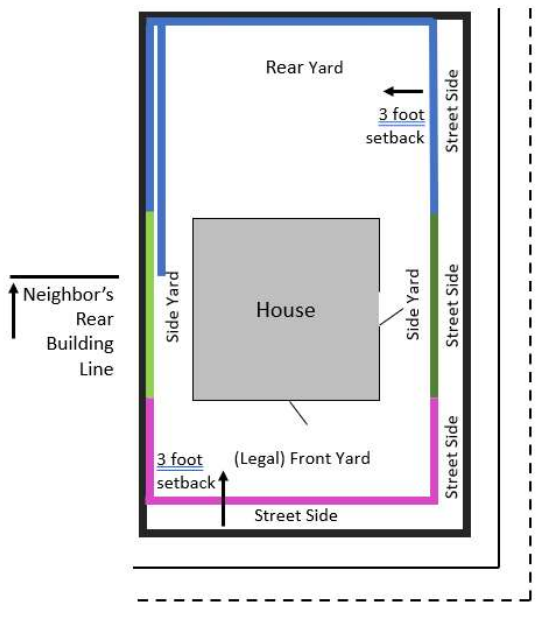
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## **Snow fences**

Snow fences for the purpose of providing a wind block for drifting snow shall be permitted between November 1 and April 15. A three-foot setback from the front property line shall be required for all such fencing. Snow fencing shall not exceed 4 feet in height and shall be comprised of wooden slats woven together with wire strands, plastic mesh, or other similar materials to be approved by the Code Enforcement Officer. Placement of such fencing shall not cause drifting snow on adjacent property or public sidewalks and streets.

## **Deer protective fencing**

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- (3) Deer protective fencing shall not be used as perimeter fencing for the property. Deer protective fencing that is not wrapped around vegetation intended for protection is considered in violation of this code.
- (4) Acceptable deer protective fencing materials include woven wire mesh, polypropylene mesh, or other similar materials approved by the Code Enforcement Officer.

# TOWN OF IRONDEQUOIT

## Building and Community Development



- (5) Deer fencing and its installation shall be maintained in good condition to assure that it has not deteriorated, come loose or has otherwise become a visual or safety nuisance or hazard.

### Walls

1. Walls or retaining walls which are under 18 inches in height shall be exempt from the requirements of this section.
2. All retaining walls exceeding 18 inches in height designed to retain earth shall require a building permit and must comply with the following requirements.
3. Manufactured walls. The property owner must provide written proof to the Town's Building Department that the installer will construct such walls according to the manufacturer's specifications and accepts all liability in the event of failure.
4. A professional engineer's or registered architect's original seal and signature shall be required on drawings submitted for a building permit for nonmanufactured walls.
5. Walls, regardless of the location, shall be exempt from the height restrictions of fences as long they are designed to retain earth on property slopes. The grade cannot be changed to accommodate such walls and drainage courses must be considered during design so as to not affect adjoining property.
6. Walls which will affect the toe of a slope in a steep slope EPOD area and are greater than four feet in height shall be subject to an EPOD permit approval by the Planning Board prior to the issuance of a building permit.

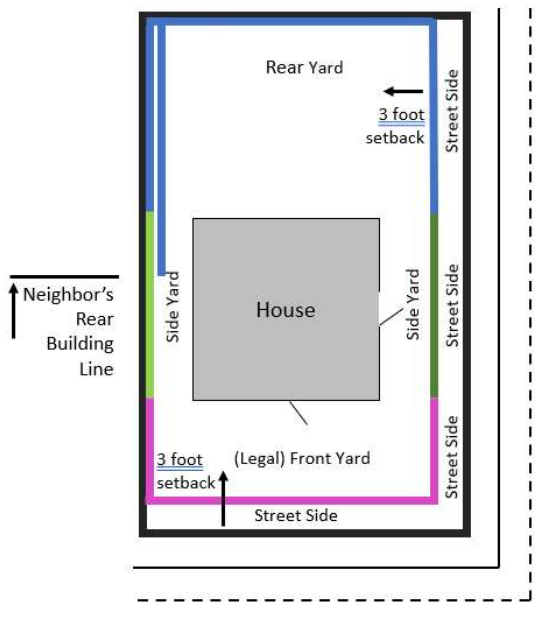
### Maintenance

1. Fences, walls and other similar construction must be maintained at all times in good and substantial condition. Dilapidated, rotted, rusted and broken fences and walls must be repaired, replaced or removed.
2. Metal fences subject to rust must be painted with a protective covering that is uniform in appearance.[1]

*[1]Editor's Note: Former § 130.63, dumping grounds, which immediately followed this section, was deleted 2-4-1997 by L.L. No. 1-1997*



## Corner Lots – Fencing



Yard	Requirements/Limitations
Front	Max Height: 3.5 feet Type: Open Style (picket, split, etc) Max length: 32 linear feet Street-side setback <sup>1</sup> : 3 feet from property line
Side (abutting street)	Max Height: 4 feet Type: Any Setback <sup>1</sup> : 3 feet from property line
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Rear	Max Height: 6 feet Type: Any Setback: 3 feet from property line bordering street

1. Using lot dimensions provided on the survey map, any required setbacks are measured from the lot line, not the edge of pavement (sidewalk or street).
2. Adjacent property's rear yard can be used to determine where rear yard fencing can be located on a property.
3. Rear yard fence guidelines can apply to side yards that abut a neighbor's rear yard, with applicable setbacks for property lines abutting streets.



# TOWN OF IRONDEQUOIT

Building and Community Development



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## Fence Permit Information

### Definition

Fences shall be defined and regulated by their function and purpose such as boundary, privacy, decorative and safety fences as defined in § 235-4 of the Zoning Ordinance. All fences, with the exception of snow fences as defined in this section, shall require a building permit.

### Permit Application Requirements

- Completed signed application.
- Payment: \$50.00
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- Copy of a survey map.

### General Requirements

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- All fencing must be constructed within property boundaries.
- Fencing is prohibited over Town easements and right-of-ways within property boundaries
- Fencing shall be constructed of materials commercially available for fencing purposes and shall be uniform in appearance.
- The most finished side of a fence must face the adjoining property.
- Height of fencing is to be measured from the top of the fence to the ground directly beneath the fence.
  - (a) Fencing must follow the natural contour of the land.
  - (b) Commercially manufactured decorative caps located on top of the fence posts shall be excluded from the height measurement, but posts and caps shall not exceed 12 inches in height and width.
- Where a side yard of a lot abuts a rear yard of another lot, fencing may be permitted to be six feet high, provided it does not obstruct sight lines.
- No back-to-back boundary fences shall be permitted unless an abutting fence is owned by an adjacent property owner.
- Barbed wire and electrified fences shall be subject to Zoning Board of Appeals' approval prior to the issuance of a permit.
- Single strand wire fences or anchoring of any fence post by means of a guy wire or guy wires shall be prohibited.
- Fence height on vacant lots without a primary structure shall be limited to four feet in height in the front yard and six feet in the side and rear yards. The front yard for fencing

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## Height Restrictions, Types & Setbacks

### Boundary fences

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# TOWN OF IRONDEQUOIT

Building and Community Development



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# TOWN OF IRONDEQUOIT

## Building and Community Development

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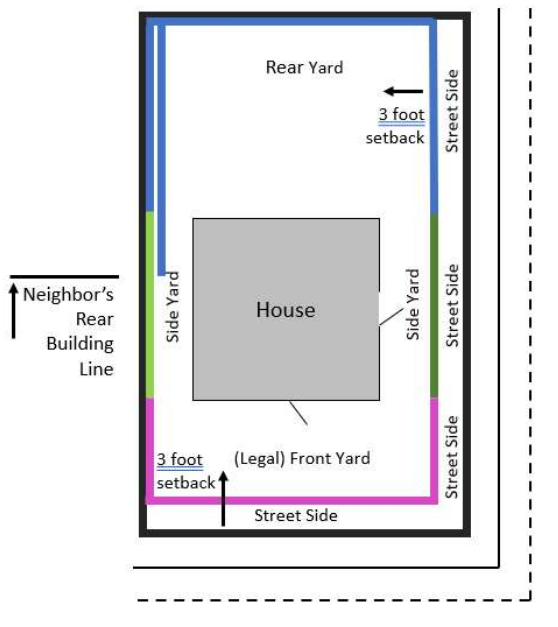
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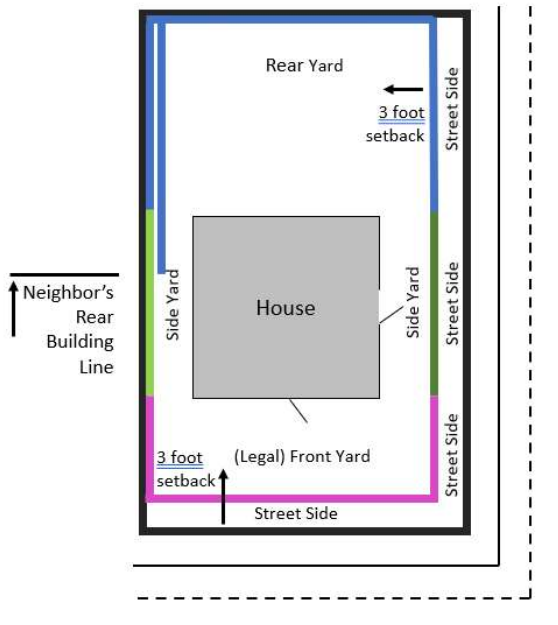
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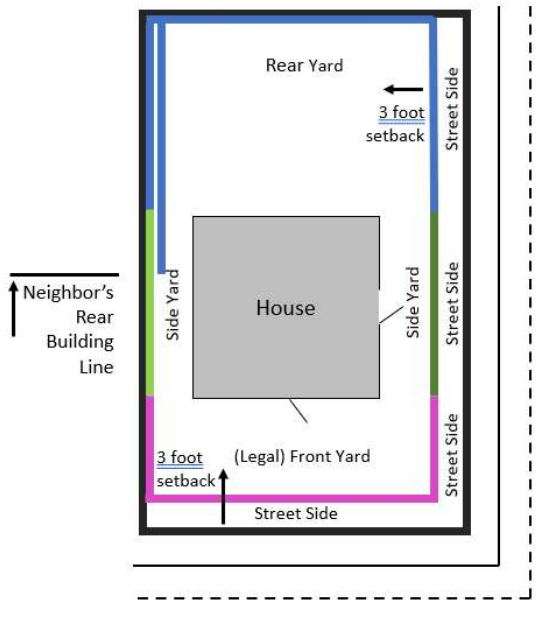
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## Fence Permit Information

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Fences shall be defined and regulated by their function and purpose such as boundary, privacy, decorative and safety fences as defined in § 235-4 of the Zoning Ordinance. All fences, with the exception of snow fences as defined in this section, shall require a building permit.

### Permit Application Requirements

- Completed signed application.
- Payment: \$50.00
- Proof of contractor / installers insurance OR signed affidavit from homeowner.
- Copy of a survey map.

### General Requirements

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- All fencing must be constructed within property boundaries.
- Fencing is prohibited over Town easements and right-of-ways within property boundaries
- Fencing shall be constructed of materials commercially available for fencing purposes and shall be uniform in appearance.
- The most finished side of a fence must face the adjoining property.
- Height of fencing is to be measured from the top of the fence to the ground directly beneath the fence.
  - (a) Fencing must follow the natural contour of the land.
  - (b) Commercially manufactured decorative caps located on top of the fence posts shall be excluded from the height measurement, but posts and caps shall not exceed 12 inches in height and width.
- Where a side yard of a lot abuts a rear yard of another lot, fencing may be permitted to be six feet high, provided it does not obstruct sight lines.
- No back-to-back boundary fences shall be permitted unless an abutting fence is owned by an adjacent property owner.
- Barbed wire and electrified fences shall be subject to Zoning Board of Appeals' approval prior to the issuance of a permit.
- Single strand wire fences or anchoring of any fence post by means of a guy wire or guy wires shall be prohibited.
- Fence height on vacant lots without a primary structure shall be limited to four feet in height in the front yard and six feet in the side and rear yards. The front yard for fencing

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# TOWN OF IRONDEQUOIT

## Building and Community Development

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- For the purposes of regulating fencing, a lot which adjoins a limited access highway shall be regarded as interior lot and not as a through lot or corner lot.

**Waterfront properties.** All properties or parcels of land within the Town of Irondequoit that contains shoreline frontage on either Irondequoit Bay or Lake Ontario shall be subject to the following subparagraphs:

- (1) Waterfront property owners are responsible for ensuring compliance with all applicable NYS DEC regulations pertaining to the waterfront.
- (2) Fences shall not exceed 4 feet in height to maintain unobstructed views and minimize visual impact.
- (3) Fences must maintain a minimum waterfront setback of 25 feet from the ordinary high-water impact.
- (4) Fences shall not interfere or inhibit natural drainage patterns, divert natural drainage flow, alter existing natural or man-made erosion control features, or impede designated access ways.

## Height Restrictions, Types & Setbacks

### Boundary fences

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- (1) This section applies to properties used for nonresidential purposes. It may also apply to multifamily residential uses at the discretion of the Director of Community Development.
- (2) Fencing within the side and rear yard is limited to a maximum height of 4 feet.
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# TOWN OF IRONDEQUOIT

Building and Community Development



- (4) Fencing along property lines adjacent to residential districts must incorporate visual screening elements such as privacy slats or integrated landscaping.
- (5) The Planning Board will only review fencing proposals as part of a broader site plan application.

## **Front yard decorative fencing.**

1. Front yard fencing shall not exceed 4 feet in height.
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## **Corner lots**

Rear and side street yard fencing on a corner lot shall be permitted to extend toward the street for purposes of boundary fencing, provided that a minimum setback of three feet from the property line which parallels the street is maintained. The height of fencing shall be as set forth above, with the narrower lot frontage treated as the front.

## **Snow fences**

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- (5) Deer fencing and its installation shall be maintained in good condition to assure that it has not deteriorated, come loose or has otherwise become a visual or safety nuisance or hazard.

### Walls

1. Walls or retaining walls which are under 18 inches in height shall be exempt from the requirements of this section.
2. All retaining walls exceeding 18 inches in height designed to retain earth shall require a building permit and must comply with the following requirements.
3. Manufactured walls. The property owner must provide written proof to the Town's Building Department that the installer will construct such walls according to the manufacturer's specifications and accepts all liability in the event of failure.
4. A professional engineer's or registered architect's original seal and signature shall be required on drawings submitted for a building permit for nonmanufactured walls.
5. Walls, regardless of the location, shall be exempt from the height restrictions of fences as long they are designed to retain earth on property slopes. The grade cannot be changed to accommodate such walls and drainage courses must be considered during design so as to not affect adjoining property.
6. Walls which will affect the toe of a slope in a steep slope EPOD area and are greater than four feet in height shall be subject to an EPOD permit approval by the Planning Board prior to the issuance of a building permit.

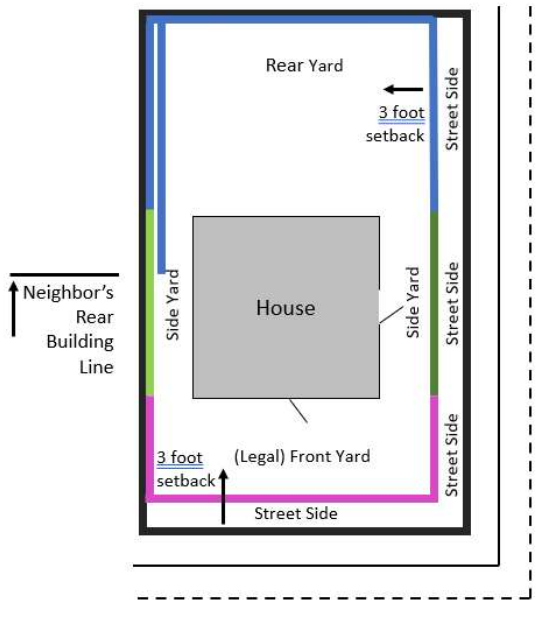
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2. Metal fences subject to rust must be painted with a protective covering that is uniform in appearance.[1]

*[1]Editor's Note: Former § 130.63, dumping grounds, which immediately followed this section, was deleted 2-4-1997 by L.L. No. 1-1997*



## Corner Lots – Fencing



Yard	Requirements/Limitations
<b>Front</b>	Max Height: 3.5 feet Type: Open Style (picket, split, etc) Max length: 32 linear feet Street-side setback <sup>1</sup> : 3 feet from property line
<b>Side (abutting street)</b>	Max Height: 4 feet Type: Any Setback <sup>1</sup> : 3 feet from property line
<b>Side (interior)</b>	Max Height: 6 feet Type: Any
<b>Rear</b>	Max Height: 6 feet Type: Any Setback: 3 feet from property line bordering street

1. Using lot dimensions provided on the survey map, any required setbacks are measured from the lot line, not the edge of pavement (sidewalk or street).
2. Adjacent property's rear yard can be used to determine where rear yard fencing can be located on a property.
3. Rear yard fence guidelines can apply to side yards that abut a neighbor's rear yard, with applicable setbacks for property lines abutting streets.

# TOWN OF IRONDEQUOIT

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## Fence Permit Information

### Definition

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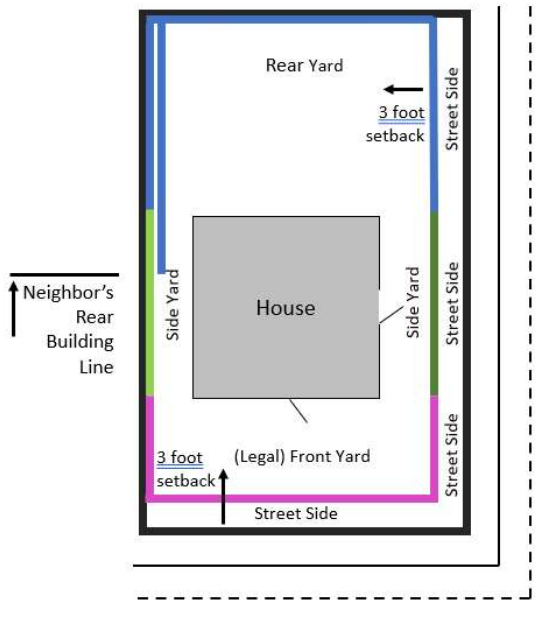
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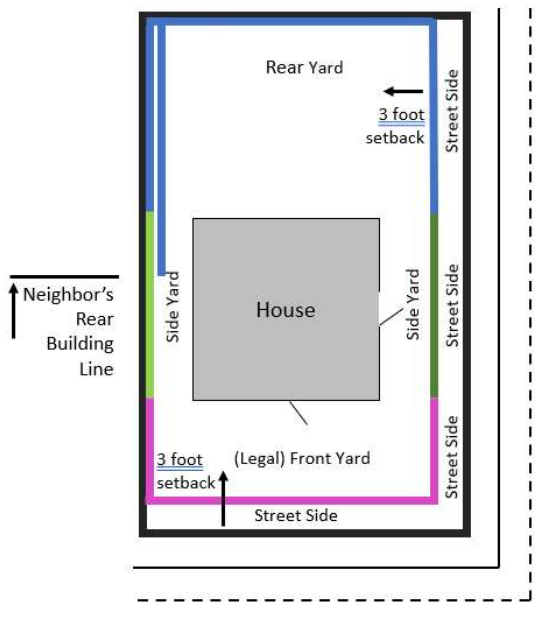
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