

Lima Township

Fence Permit Application # _____

(Form date May 2019)

1. Applicant(s)

Name: _____

Applicant(s)

Address: _____

Applicant Phone No. _____

The applicant (s) is/are the owner (s) of the property involved (). The applicant (s) is/are acting on behalf of the owner (s) of the property involved ().

If the applicant is not the owner of the property involved provide the name and address of the owner(s) of record. _____

2. Address, parcel number, and current zoning of the property involved:

Address: _____ Parcel ID. _____

Zoning district: _____

3. Fence Description

(Attach supporting documentation and site plan

I/we _____ do hereby swear that the above information is true to the best of my/our knowledge.

Date _____

Applicant(s) Signature _____

Fence Permit Approved: ___ Denied ___ Zoning Inspector _____ Date: _____

- B. Actual construction is hereby defined to include the placing of construction materials in a permanent position and fastening them in a permanent manner. Where excavation, demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such excavation or demolition or removal shall be deemed to be actual construction provided that the work shall be carried on diligently. In the case of such excavation, demolition or removal, however, this provision shall expire and be of no effect three hundred sixty-five (365) days following the effective date of adoption or amendment of this ordinance, unless the Building Official has issued a permit for the actual construction of a new building.
- C. Where a building permit has been issued within three hundred sixty-five (365) days of such effective date and diligently pursued to completion, said building or structure may be completed in accordance with the approved plans on the basis of which the building permit was issued, and further, may upon completion be occupied by the use for which it was originally designed, subject thereafter to the provisions of Article 12, Non-Conforming Uses, Structures, Lots, herein, if applicable.

Section 5.16. Essential Services. Essential services shall be permitted as authorized and regulated by law and other ordinances of the Township. The construction of all buildings, underground and overhead wires and pipelines, and towers associated with essential services shall be subject to the provisions of Article 7, Site Plan Review. (See definition of Essential Service, Article 2).

Section 5.17. Fences, Walls and Screens. Except as otherwise required by this Ordinance, the following regulations shall apply:

- A. **All Districts:** Fences, walls and screens shall not to be located in any public right-of-way or any easement granted for the purposes of ingress or egress.
- B. **Rural Districts (RC, AG-1, AG-2).** Within the limits of the front yard space of a lot in the above districts, no fence wall, or other screening structure shall exceed four (4) feet in height unless at least fifty (50%) percent of the surface area is open when viewed from the perpendicular as determined by the Zoning Administrator. (Subject to Section 5.47, Visibility at Intersections and page 2-34).
- C. **Residential Districts (RR, R-1A, R-1B, R-1C, R-1D, R-2A.)** Within the limits of the front yard space of a lot within a residential district, no fence wall, or other screening structure shall exceed four (4) feet in height. No such fence, wall or other screening structure located within a side or rear yard shall exceed six (6) feet in height. (Subject to Section 5.47, Visibility at Intersections and page 2-34).

- D. **Non-Residential Districts (GC, HC, VC, O, R-O, LI).** Within the limits of the front yard space of a lot within a non-residential district, no fence wall, or other screening structure shall exceed four (4) feet in height unless at least seventy-five (75%) percent of the surface area is open when viewed from the perpendicular as determined by the Zoning Administrator. No fence, wall, or other screening structure located within a side or rear yard shall exceed twelve (12) feet in height. (Subject to Section 5.47, Visibility at Intersections and page 2-34).
- E. The use of barbed wire, spikes, nails, or any other sharp pointed instrument of any kind on top or on the sides of any fence, electric current, or charge in said fences is prohibited except in conjunction with agricultural operations. Barbed wire cradles may be placed on top of fences enclosing public utility buildings or wherever deemed necessary in the interests of public safety.
- F. On lakefront lots fences that are located between the rear of the main building and the lake shoreline shall be of an open-air type, permitting visibility through at least eighty (80%) percent of its area.
- G. Retaining walls shall be designed and constructed in accordance with applicable building code requirements.
- H. Fence height shall be designed and constructed in accordance with applicable building code requirements.

Section 5.18. Freeway Overlay District.

5.18.1. Intent.

Freeway Overlay District. The purpose of this district shall be to manage the development of the area surrounding freeway interchanges in such a manner that land will not interfere with the operational aspects of the interchange, including ramps and feeder roads; will be compatible with surrounding environment and characteristics of the site on which it is located. Community facilities and services shall be adequate to accommodate the needs of the development; and, suitable provisions will be made for the needs of motorists for service-oriented uses.

5.18.2. **Permitted Uses.** All principal permitted uses and structures, permitted accessory uses and structures and special uses and structures within the various zoning districts shall be applicable within the Freeway Overlay District as designated on the Lima Township Zoning Map.

5.18.3. **Schedule of Zoning Regulations.** All zoning district regulations (Subject to Section 4.6) for the underlying zoning districts shall apply to uses in the Freeway Overlay