



COME TOGETHER & THRIVE

Meeting Conducted Via WebEx Meeting Platform

PUBLIC ACCESS FOR RESIDENTS:

Please go to the City's Homepage at www.cityofsoutheuclid.com and click the "Join City Council Meeting Link" at the top of the webpage.

The Password to Join the Meeting is:

[xJg7D2YVes4 \(95473298 from phones and video systems\)](#)

NOTICE OF MEETING

MEETING OF: **ZONING & PLANNING PUBLIC HEARING/
COMMITTEE MEETING**

CALLED BY: RUTH GRAY, CHAIR

DATE: **September 14, 2020**

LOCATION: COMMITTEE/JURY ROOM

TIME: 6:30 P.M.

RE: ORD. 21-17 WALL & FENCE PERMITS

COMMITTEE/COUNCIL MEMBERS:

CHANELL ELSTON
JANE GOODMAN

MEMBERS OF COUNCIL:

SARA CONTINENZA
JOE FRANK
JANE GOODMAN
SUSAN HARDY

BOARDS & COMMISSION:

PLANNING COMMISSION & BZA MEMBERS

ADMINISTRATION

LAURA HEILMAN, BUILDING COMMISSIONER
MIKE LOVE, ECON. DEVELOPMENT DIRECTOR
KEITH BENJAMIN, COMM. SERVICES DIRECTOR

CITY OF SOUTH EUCLID, OHIO

ORDINANCE NO.: 21-17
INTRODUCED BY: Goodman
REQUESTED BY: Gelfand

September 11, 2017
As Amended in Committee: February 10, 2020
Reviewed by Planning Comm: July 9, 2020
Second Reading: July 27, 2020

AN ORDINANCE

AMENDING SECTION 726.05 "WALLS AND FENCES" OF CHAPTER 762 "PROCEDURES" 726 "LOT AND YARD REGULATIONS" OF PART SEVEN "PLANNING AND ZONING CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF SOUTH EUCLID, OHIO.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of South Euclid, Ohio:

Section 1: That Section 762.05 726.05 "Walls and Fences" of Chapter 762 "Procedures" 726 "Lot and Yard Regulations" of Part Seven "Planning and Zoning Code" of the Codified Ordinances of the City of South Euclid, Ohio be hereby amended to read as follows:

"726.05 WALLS AND FENCES.

(a) Definitions. For the purpose of this section the following definitions shall apply:

(1) "Decorative walls and fences". Any various permanent upright construction of permitted materials, that is not designed as a barrier to enclose an area, yard, etc., attached to a principal structure, used to prevent entrance, intended to create the impression of privacy, or to confine or mark a boundary, and is designed to withstand long-term exposure to the surrounding environmental conditions.

(2) "Walls and fences". Any various permanent upright constructions used as a barrier to enclose or border an area, yard, etc., which is used to prevent entrance, to confine or mark a boundary, and is designed to withstand long-term exposure to the surrounding environmental conditions.

(b) Restrictions.

(1) Height.

A. Rear yard maximum height. Six feet to the rear face of the principal structure. (See Figure 1.)

B. Side yard maximum height. No higher than the distance from the existing principal structure on property or the adjacent property, with a six foot limitation. (See Figure 2.)

C. Post height. Six feet six inches to accommodate decorative top. (See Figure 1.)

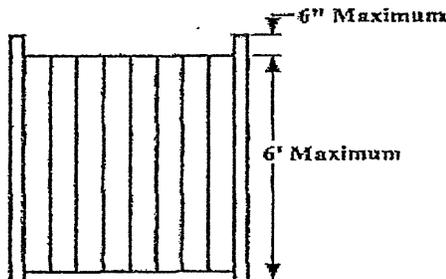


Figure 1

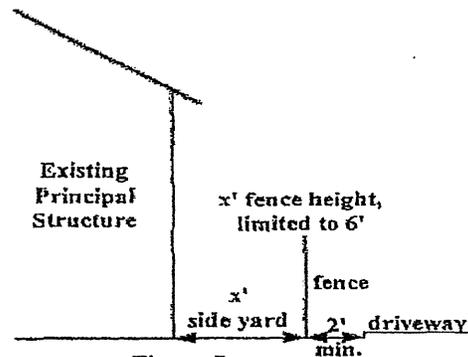


Figure 2

(2) Location.

A. No wall or fence shall be located in a front yard or from the front building setback line to the right-of-way line. (See Figure 3.)

B. No wall or fence shall be located in any side yard within two feet of an adjacent neighbor's driveway. (See Figure 2.)

C. An extension of the fence to provide closure to the building shall be permitted.

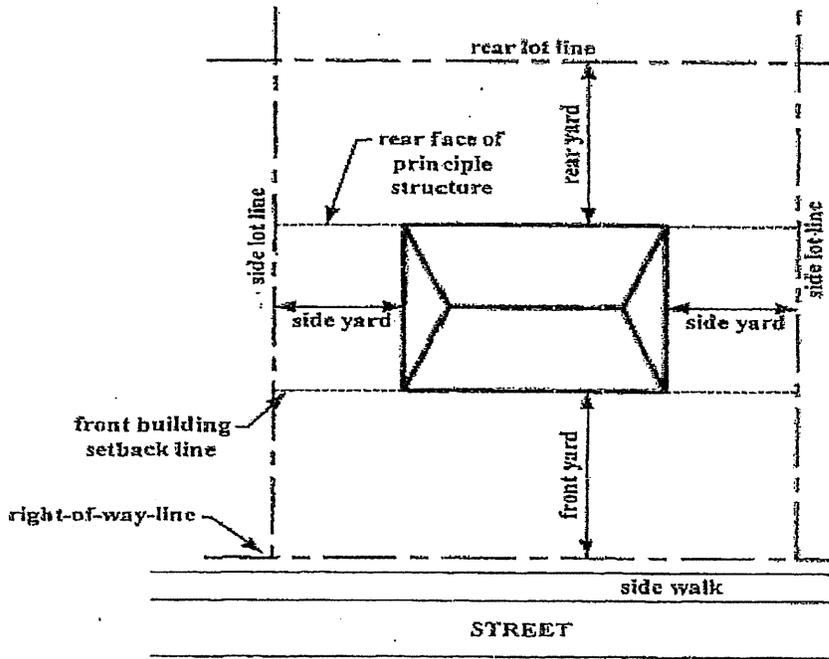


Figure 3

(3) Exemption.

A. Corner lots, walls and fences are permitted in rear and side yards and may extend from the rear lot line to the front building setback line, but not beyond the street side yard setback. (See Figure 4.)

B. In this section, principal structure shall not include patio, deck, open or seasonal porch or similar addition.

C. A decorative wall or fence is permitted in a front yard or from the front building setback line to the right-of-way line and shall not enclose an area, yard, etc., be attached to a principal structure, used to prevent entrance, or intended to create the impression of privacy, such as but not limited to the full width of the property's right-of-way line. The following restrictions shall apply to decorative walls or fences.

1. The height of the decorative wall or fence shall not exceed 36 inches.
2. The decorative wall or fence shall be a minimum of three feet from the sidewalk, or if no sidewalk exists then the right-of-way line or side lot line.
3. The decorative wall or fence shall be parallel to or follow the contour of the sidewalk, right-of-way line or side lot line.
4. The decorative wall or fence's maximum permitted linear footage shall not be greater than 60% of the right-of-way line. (See Figure 4.)
5. No gates shall be installed in the decorative wall or fence.

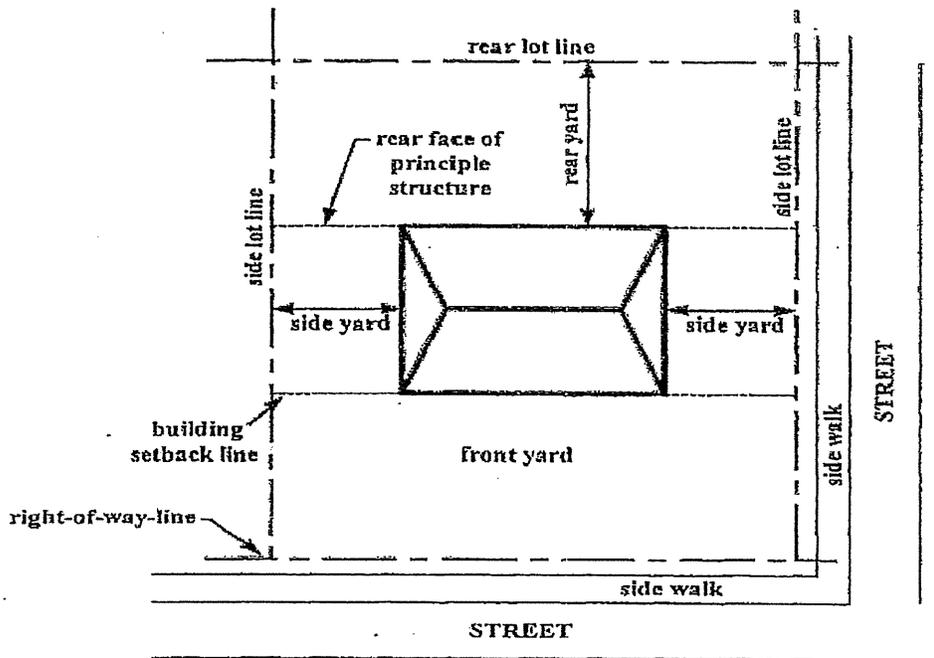


Figure 4

(4) Quality. The finished side of the fence shall face the neighboring property and be of uniform type.

(5) Construction.

A. Walls and fences. Masonry material such as but not limited to brick, concrete, stone, stucco, or grill block, or of either wood, metal or vinyl, including open diamond mesh fabric, chain link, picket, board on board, ornamental wood, ornamental vinyl or ornamental metal, split rail or stockade type. The wall or fence shall be constructed of aesthetically pleasing material that is consistent with the surrounding construction/environment.

B. Decorative walls and fences. Materials limited to split rail, ornamental metal, ornamental wood, or ornamental vinyl shall be permitted. The decorative wall or fence shall be constructed of aesthetically pleasing material that is consistent with the surrounding construction/environment.

(6) Maintenance. The property owner or occupant shall maintain all walls and fences in good condition at all times.

(7) Prohibited.

A. Snow fencing, burlap, vinyl fabric or chicken wire or similar type material are not permitted as permanent fence materials.

B. Snow fence posts shall not be permitted as a permanent fence material.

C. No fence or wall shall be electrically charged or made of any sharp-edged materials, barbed wire, razor wire, chicken wire or fiberglass.

(8) Permit.

A. All walls or fences in accordance with this section shall require a permit.

B. If requested by the Zoning Administrator, the application shall receive approval from the Architectural Review Board prior to issuance of the permit.

C. The Zoning Administrator may require the applicant to provide appropriate documentation verifying the location of property line(s).

D. Upon issuance of a permit, applicant shall notify adjacent residences via U.S Postal Service of the intent to construct a wall or fence, and shall wait thirty (30) days prior to commencing construction, and adjacent residences shall be notified via United States Postal Service Mail of the intent to construct a wall or fence.

E. The issuance of a permit shall be required for the removal of a wall or fence. and Applicant shall notify adjacent residences via U.S. Postal Service of the intent to remove a wall or fence and shall wait thirty (30) days prior to removal. ~~commencing construction, and adjacent residences shall be notified via United States Postal Service Mail of the intent to construct a wall or fence.~~

Section 2: That is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees on or after November 25, 1975, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3: Wherefore this Ordinance shall take effect and be in force from and after the earliest period allowed by law and upon signature of the Mayor.

Passed this _____ day of _____, 2017 2020.

Joseph Frank, President of Council

Attest:

Approved:

Keith A. Benjamin, Clerk of Council

Georgine Welo, Mayor

Approved as to form:

Michael P. Lograsso, Director of Law