

Pollard/Capps Fence Ordinance Suggestions for Residential and Commercial Zones

Generally, fences can enhance or diminish the property value in a neighborhood. Picket fences and other enclosures in the vernacular of the village help define a space, frame a view and build character. However, a similar sized chain link fence sends a very different message to neighbors and visitors. This ordinance realizes that there are very few “one size fits all” solutions but that, generally, fencing is a right and the privacy it grants can bring enjoyment of one’s property. Done properly, fencing can enhance neighborhood character and improve property values.

Recommendations of the Planning Commission for Irvington’s Fence Ordinance:

- A fence shall be defined as a barrier intended to prevent escape, control access, or mark a boundary.
- This ordinance only applies prospectively meaning all existing fences and visual barriers are grandfathered in.
- There shall be a very simple permit application for a fence but no fee for the application.
- The application shall show with either a plat or printed map (a printout of a google map, for instance), the approximate location of the fence and its height.
- Fences shall not exceed a height of four feet forward of the setback line and shall not exceed a height of five feet back of the setback line in either R-1 or R-2, B-1 or B-2 zones.
- Fences higher than 5’ in the rear are allowed if it is shown to the ZA to be required for insurance purposes when fencing in a pool.
- Vegetation that serves as an intact and comprehensive visual barrier is generally discouraged in the front of the setback line but may be allowed by the zoning administrator who shall, before approval, shall consider proximity of the applicant to neighbors and other such factors. There is no prohibition on vegetive buffers in the rear of the property.
- Fences can be built up to the property line, but not on the property line, and shall have the finished side out. Chain link fences are not allowed.
- Those wishing for a higher fence in either the front or rear yard may apply for a CUP.
- Fences shall be maintained to community standards as determined by the zoning administrator.