

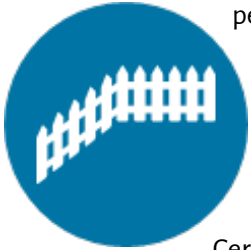
Fences and walls are allowed in residential districts in street, side, and rear yards.

These regulations are designed to maintain a uniform appearance for residential fences and walls in the village.



Permit/ Approval requirements:

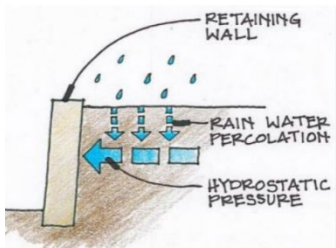
- ◆ **Residential Fences and Walls** are allowed without a permit on residential properties*, however construction and placement must conform to ordinance requirements.



◆ *Properties located within a Historic Preservation District must apply for a Certificate of Appropriateness from the Historic Preservation Committee before constructing a fence or wall. Contact the Village Clerk for details on how to apply.

- ◆ See reverse side of this pamphlet for **Non-Residential** property fence regulations.

◆ **Retaining Walls** are allowed anywhere in a yard provided, however, that no individual wall shall exceed three feet in height, and a terrace of at least three feet in width shall be provided between any series of such walls and provided further that along a street frontage no such wall shall be closer than three feet to the base setback line. **A zoning permit is required.**



Residential Fence Regulations:

- ◆ Fences shall not exceed a height of four feet in street yards.
- ◆ “Street Yard” means a yard extending across the full width of the lot, the depth of which shall be the minimum horizontal distance between the existing or proposed street or highway line and a line parallel thereto through the nearest point of the principal structure. Corner lots shall have two such yards.



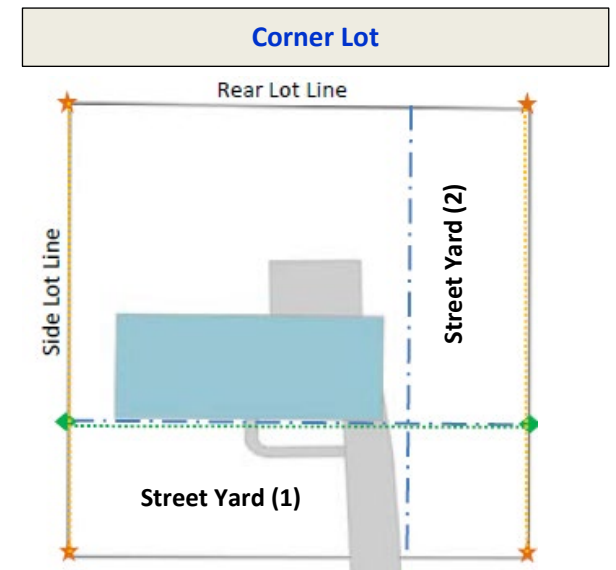
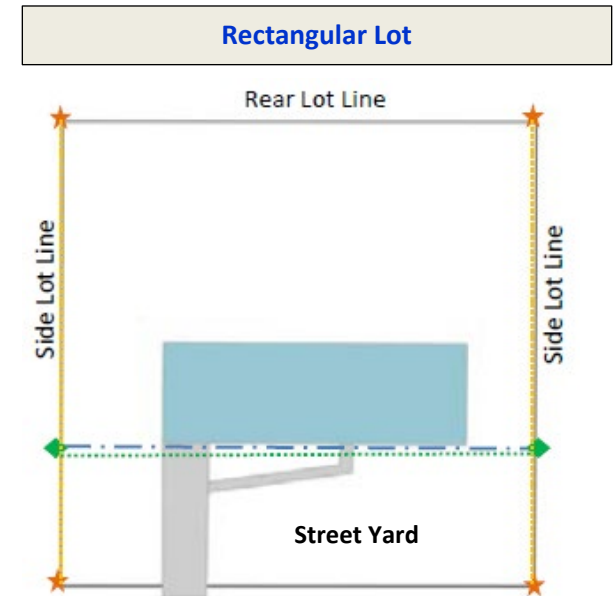
- ◆ Fences shall not exceed a height of six feet in side and rear yards.

◆ “Side Yard” means a yard extending from the street yard to the rear yard of the lot, the width of which shall be the minimum horizontal distance between the side lot line and a line parallel thereto through the nearest point of the principal structure.



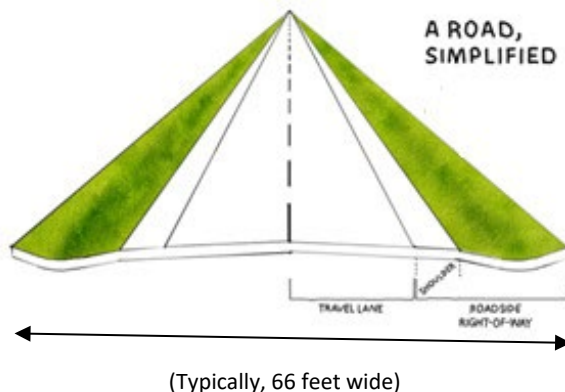
◆ “Rear Yard” means a yard extending across the full width of the lot, the depth of which shall be the minimum horizontal distance between the rear lot line and a line parallel thereto through the nearest point of the principal structure. This yard shall be opposite the street yard or one of the street yards on a corner lot.

- ◆ Fences or walls shall be kept in a good state of maintenance and repair or shall be removed.
- ◆ A fence or wall may be located on a lot line but cannot cross into an adjacent property and must be set back a minimum of 1-foot from any public right of way. Note: Public right of way is explained on the reverse side of this pamphlet.



Understanding how Public Right of Way and Easements affect the placement of a fence.

- ◆ Fences must be setback a minimum of 1 foot from any public right of way.
- ◆ No residential fence may be located in a driveway, drainage, utility, or preservation easement.
- ◆ The public road right of way is more than just the paved surface of a roadway. It also contains shoulders, ditches, sidewalks, and public utilities such as electric, natural gas, storm sewer, sanitary sewer, and communication transmission lines.
- ◆ In Wisconsin, public road right of way is typically 66 feet wide for local roads. However, public road right of way for county and state highways is often much wider. County highways are represented by a letter designation, such as county highway D; and state highways are represented by a number designation, such as state highway 20. Local roads are represented by name only, such as Main Street.
- ◆ This is a typical public right of way cross-section:



- ◆ Drainage, utility, and/or preservation easements may exist on your property. Work with a surveyor, review your subdivision plat, and/or review the title insurance documents you received when you purchased your property to determine whether any easements or other restrictions exist.

Non-residential fences. Security fences are allowed on the property lines in all districts except residential districts, and only on property lines of non-residential properties, but shall not exceed ten feet in height and shall be of an open type similar to woven wire or wrought iron fencing. **A zoning permit is required.**



For more complete information about fence and wall regulations, please contact:
Zoning Administration at (262) 534-1183

Know where the property lines are!

- ◆ When planning a fence, it is highly important to know where the property lines are! It recommended that a professional surveyor stake the property lines and that you discuss the result with abutting property owners *before* construction begins to prevent any misunderstandings.
- ◆ If a fence is mistakenly constructed on the property of another, including public right of way, whoever arranged for it to be built may have to incur the additional expense of having it removed and/or relocated.
- ◆ Please note that disputes over property boundaries are civil in nature. If an agreement between neighboring property owners cannot be reached, the use of a professional mediator or private legal counsel is recommended.



Village of Rochester

Reflections of the Past...



GUIDE TO FENCES & WALLS

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www.rochesterwi.gov/ordinances

This document serves as a summary of the regulations and procedures affecting fences and walls and is intended for convenience only. It does not serve as a replacement of the ordinance itself. Please refer to the Village of Rochester Code, section 35-180B. "Yards" for complete requirements.

