



Zoning Review

Town of Whitestown | Planning Department

The following information will need to be submitted to initiate the fence review process:

- Completed fence application
- Survey, site plan, or plot plan with location of proposed fence and relevant information

Property owners planning to install a new fence will need to obtain a Zoning Review Approval from the Town. Existing fences that are substantially altered (relocate, change in height, change in materials, etc.) may also require an approval. Replacement of fences due to acts of nature such as wind or fire, does not require an approval so as long as not substantially altering the pre-existing fence.

1. Fence Zoning Review Application. Submit the following information along with a fence zoning review application:
 - a. Fence Details. Applicants must indicate specific details including location, height, and type of materials.
 - b. Survey / Site Plan. Applicants must submit a property survey or plot plan that shows where the proposed fence will be located on the property. The submitted site plans must be scaled drawings. Proposed fences must be accurately shown on the survey/site plan where they are intended to be constructed.
2. Fence appearance. The finished side of fences shall face the neighboring property.
3. Property owners shall work with their Homeowners Association if required. **The Whitestown Certificate of Approval does not relinquish any approvals needed from an HOA.**
4. Fences shall not restrict drainage or be placed in the public right of way. Fences are not permitted in easements.
5. It is the property owner's responsibility to locate the property corner markers (pins) prior to applying for a fence zoning review. The Town does not locate them for you. Metal detectors can be useful when locating iron property pins. Applicants may need to contact a land surveyor to re-establish or locate property pins if they cannot be located. The Town is not liable for fences constructed on the wrong property.

Applicable zoning review information can be submitted via email to planning staff at planning@whitestown.in.gov or brought to the Municipal Complex located at 6210 Veterans Drive.

If an applicant wishes to discuss Regulated Drainage Easements (RDE) on their property, reach out to Carol Cunningham with the Boone County Surveyor's staff at ccunningham@co.boone.in.us or (765) 483-4444.

Fence Zoning Review Application

Applicant

| | |
|--|--------|
| Name | |
| Street Address | |
| City, State, Zip | |
| Primary Contact Person for this Application | |
| Phone | E-Mail |
| Applicant is (circle one): Sole owner Joint Owner Tenant Agent Other (specify) | |

Property Owner (if different than applicant)

| | |
|------------------|--------|
| Name | |
| Street Address | |
| City, State, Zip | |
| Phone | E-Mail |

Premises Affected

| | |
|------------------------|------------------------|
| Total Acreage | |
| Subdivision | Lot Number |
| 10-digit Parcel Number | 18-digit Parcel Number |

Fence Details

| | | | |
|--|------------------|------------------|--------------|
| Fence Location (circle) | | | |
| <i>Front Yard</i> | <i>Back Yard</i> | <i>Side Yard</i> | <i>Other</i> |
| Fence Materials (circle) | | | |
| <i>Ornamental Metal</i> | <i>Wood</i> | <i>Other</i> | |
| Height (circle) | | | |
| <i>4 Feet</i> | <i>6 Feet</i> | <i>Other</i> | |
| Please provide additional details as needed: | | | |

Applicant Signature

Date

Consent of Property Owner

Complete and submit if applicant is different from property owner.

I (we)

NAME(S)

After being first duly sworn, depose and say:

- That I/we are the owner(s) of the real estate located at I (we)

ADDRESS

- That I/we have read and examined the Application and are familiar with its contents.
- That I/we have no objection to, and consent to such request as set forth in the application.
- That such request being made by the applicant (____ is) (____ is not) a condition to the sale or lease of the above referenced property.

(AFFIANT)

STATE OF INDIANA)

) SS:

COUNTY OF _____)

Subscribed and sworn to before me this ____ day of _____, _____.

, Notary Public

My Commission expires: _____ County of Residence: _____

Unified Development Ordinance

Section 4.3 Fence Standards

These standards apply to fences in all Zoning Districts.

- A. Fences cannot be erected or altered in a manner that obstructs the vision of a vehicle driver (see 4.9 Vision Clearance). Fences may be built directly along lot lines; however, fences must not encroach into rights-of-way, nor into easements prohibiting the installation of fences (e.g., drainage and utility easements). A survey of the site prepared by a licensed surveyor must be provided with applications.
- B. Height Limitations:
 - 1. Fence height is measured from the top of the fence to the finish grade adjacent to the fence. Any fence placed upon mound, berm, or masonry wall is measured from the top of the fence to the finish grade at the base of the mound, berm, or wall.
 - 2. Fences located within a required side, street side, or rear yard of a residential lot cannot exceed 6 feet in height (see Figure 4-1).
 - 3. Fences located within a required or established front yard of a residential lot cannot exceed 42 inches in height.
 - 4. Open wire mesh fences surrounding tennis courts and baseball diamond backstops may be erected to a height of 16 feet.
 - 5. Fences enclosing an institutional, business, or industrial property, may consist of an open mesh fence not to exceed 10 feet unless otherwise restricted by this Ordinance.
 - 6. Fences for agricultural uses are exempt from these height limitations.
- C. Opaque fences must be installed so the finished side of the fence is facing outward (e.g. toward the lot line) (see Figure 4-2). Fences on a lot line in which two or more property owners share in the expense of the fence are exempt from this provision.
- D. Fences for screening of permitted outdoor storage or display areas must also comply with 3.8 Outdoor Storage and Outdoor Display.
- E. Property owners should refer to any applicable Declaration of Covenants, Conditions, and Restrictions, which may impose greater restrictions than listed in this chapter. This ordinance does not abrogate any private covenants that may apply to property.
- F. Chain link fencing is prohibited in all Zoning Districts except industrial districts. Barbed wire and razor wire are prohibited in all districts.
- G. Fences must be maintained in good condition and operating order.
- H. In all Zoning Districts, temporary fences for safety and construction are permitted and are exempted from the standards of this chapter.