



**Zoning Administrator Determination: Requirements for location of fences on corner lots (Zoning Ordinance § 5.11.6, Fences and Walls).**

**Background:**

The Zoning Ordinance of the City of Norfolk was replaced on March 1, 2018. After the adoption of the new Zoning Ordinance, it was determined that certain items were not accurately translated into the replacement version. In some cases, this resulted in changes that were not intended.

The previous Zoning Ordinance allowed solid fences on certain corner lots to be located as close as three feet from the corner side yard property line if “the fence or wall does not extend any closer toward the front of the lot than the rearmost portion of the principal structure.” During the rewrite of the Zoning Ordinance it was determined that a six-foot, solid fence located at least three feet from the corner side yard property line should be allowed on all corner lots, provided that the fence does not extend beyond the rearmost portion of the residence. The goal of the provision was to allow for a property owner to be able to enclose the backyard with a privacy fence.

**Issue:**

During the rewrite of the Zoning Ordinance the fence requirements, including those applicable to corner lots, were translated into table 5.11.6. During the translation, the prohibition against extending the fence in front of the rearmost portion of the residence was translated incorrectly and suggests that the prohibition does not exist.

**Zoning Determination:**

**On corner lots, six-foot-tall opaque fences may be installed up to three feet from the corner side yard property line only if the fence or wall does not extend any closer toward the front of the lot than the rearmost portion of the principal structure, as shown on the edited version of table 5.11.6, attached.**

**Commentary:**

This determination is intended to maintain the intent of the Zoning Ordinance regarding the permissible location of fences on corner lots in accordance with the existing customs and practices in the City and the expectations of the City Planning Commission and the City Council.

**TABLE 5.11.6: HEIGHT STANDARDS FOR FENCES AND WALLS**

LOCATION	MAXIMUM HEIGHT (FEET)				
	RESIDENTIAL ZONING DISTRICTS	COMMERCIAL ZONING DISTRICTS	INDUSTRIAL ZONING DISTRICTS	DOWNTOWN ZONING DISTRICTS	HISTORIC AND CULTURAL CONSERVATION ZONING DISTRICTS
Front yard	2.5, or 4 if fence or wall at least 50 percent transparent.	2.5, or 4 if fence or wall at least 50 percent transparent.  Fences and walls are not permitted in O, BC-O, and BC-I districts.	2.5, or 6 if fence or wall at least 50 percent transparent.	2.5, or 4 if fence or wall is at least 50 percent transparent.	2.5, or 4 if fence or wall is at least 50 percent transparent.
Rear yard (interior)	6, or 8 if abutting a multi-family district or non-residential use.	8	8	8	6, or 8 if abutting a multi-family district or non-residential use.
Rear yard (adjacent to a street)	2.5, or 6 if fence or wall at least 50 percent transparent or if abutting an alley less than 30 ft., 6 ft. fence or wall 5 ft. from property line.	2.5, or 6 ft. if fence or wall at least 50 percent transparent  Fences and walls in the O, BC-O, and BC-I zoning districts shall be 50 percent transparent	2.5, or 6 if fence or wall at least 50 percent transparent.		
Side yard (corner)	2.5, <del>or</del> 6 if fence or wall at least 50 percent transparent, <u>or 6 ft. fence or wall 3 ft. from property line not to extend past any closer toward the front of the lot than the rear most forward corner of portion of the residence.</u>	2.5, or 6 if fence or wall at least 50 percent transparent  Fences and walls are not permitted in O, BC-O, and BC-I districts	2.5, or 6 if fence or wall at least 50 percent transparent.	2.5, or 4 if fence or wall at least 50 percent transparent.	6, or 8 if fence or wall at least 50 percent transparent.
Side yard (interior)	6, or 8 if abutting a multi-family district or non-residential use.	8	8	8	6, or 8 if abutting a multi-family district or non-residential use.

Notes: ft. = feet