

**VILLAGE OF BUCHANAN
LOCAL LAW INTRODUCTORY NO. __ OF THE YEAR 2021**

**A LOCAL LAW AMENDING CHAPTER 211-21 ENTITLED YARD SCREENING TO
THE CODE OF THE VILLAGE OF BUCHANAN**

§ 211-21 Yard screening.

[Amended 7-5-2016 by L.L. No. 2-2016]

A. Required yard screening. Yard screening shall be provided within 15 feet of the boundary or property line of any manufacturing or commercial use of off-street parking lot which abuts a residential use and on any special use where such screening is required by the Board of Appeals. Such screening shall consist of a four-foot-high to six-foot-high visual screen or obstruction of suitable scrubs, fences, walls, or hedges.

B. Other yard screening. Walls, shrubs, and hedges under six feet tall may be located in any yard or court and shall be maintained in good condition **and shall be subject to compliance with all of the requirements outlined in C-H below.**

C. Fences.

(1) A drawing of the proposed fence must be submitted to the Building Department showing the exact location the fence will be located on the property and a building permit must be obtained. Fences are to be limited to four feet in height across front yards and six feet in height on side and rear yards. Fences may be located anywhere on a property; however, the Village requires front yard fences to be set back six feet from the curb to allow for snow removal. The Village will not be responsible for damage to fences caused by snow plowing and snow removal.

(2) In regard to fences, the height of the fence shall be measured from the finished grade to the top of the fence. In the case of a fence located on the top of a wall or berm, the height of the fence shall include the height of the wall or berm. Fences located more than 10 feet away from the wall will not be required to include the height of the wall when calculating fence height.

(3) All fences installed before the adoption of this section shall be exempt from the requirements of Subsection C.

D. One decorative entrance gate or archway, not exceeding eight feet in height and eight feet in width, may be installed to allow entry to and from a yard in any side or rear yard.

E. At all street intersections in all districts, no obstructions to motorist vision exceeding three feet in height above street pavement level shall be erected or maintained on any lot within the triangle formed by the street lines of such lot and a line drawn between points along such street line 30 feet distant from their point of intersection. All corner lots are deemed to have two front yards and are therefore subject to the four-foot height restriction.

F. Walls. Walls may be located anywhere on a property. Walls less than three feet in height do not require a building permit. Walls over three feet in height require a building permit and a drawing of where the wall will be located on the property. Walls over four feet in height require a building permit and a drawing by a licensed engineer detailing the design of the wall and its location on the property.

G. Any preexisting fence or wall installed before the adoption of this section, which is damaged or destroyed to an extent equal to not more than 50% of the total wall or fence, may be restored within one year of the date of the damage; provided, however, that it shall not be altered or enlarged unless said alteration or enlargement complies with the current requirements of this chapter.^[1]

H. All fences featuring a rough or unfinished side shall be constructed such that the rough or unfinished side of the fence faces the interior of the property on which the fence is situated.

(1). All fences installed before the adoption of this section shall be exempt from the requirements of Subsection H.