



3338 Coolidge
Berkley, Michigan 48072
(248) 658-3320
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www.berkleymi.gov

FENCE APPLICATION

Work being done at:

Address: _____ Day Telephone: _____
Name of Property Owner: _____

Contractor/Applicant:

Company Name: _____
License Holder: _____
Address: _____ City: _____ State/zip: _____
Telephone: _____ Email: _____
Federal Employer ID number: _____ Contractors License Number & Expiration: _____

If contractor is not pulling the permit in person, a letter of authorization must be present to obtain a permit.

Authorized person (not the contractor): _____ Drivers License Number: _____

Requirements: Site plan showing where fence will be installed, minimum size 8 1/2 x 11 inch paper.

Height of fence	Is fence to act as enclosure for swimming pool?
Corner Lot (yes or no)	Is fence abutting any public property (etc. alley, parks)?
Material of Fence	Is fence abutting commercial property?
Is fence abutting an existing fence?	Is fence abutting a driveway?

Please be advised that fees are set with the understanding that typically one inspection will be required. If additional inspections are necessary due to violations or inspectors being locked out, a \$30 reinspection fee will be charged.

If your property is a corner lot indicate setbacks of fence from sidewalk(s) and driveway. The building official must review the application before a certificate can be issued.

Any fence having an unfinished side (e.g. stockade fence) shall be installed so that the finished side of the fence shall be facing adjacent property or the street.

If a fence is installed abutting another fence, the second fence must be raised 4 inches in order to provide maintenance between fences.

I agree to repair any damage done to public or private property.

This certificate is granted on the express condition that the said construction shall, in all respects, conform to the ordinances of this jurisdiction including the zoning ordinance, and may be revoked at any time upon violation of any provisions of said ordinances.

Signature

Print Name Signed

Date Received

Received by (Department Representative)

Department use only:

Approved

Stipulations

Date

**CITY OF BERKLEY BUILDING DEPARTMENT
HOMEOWNER PERMIT**

Michigan State Law gives a homeowner who lives or intends to live in a single family house an exemption that allows him to act as his own contractor for that single family house

This means that a homeowner may obtain a permit for work at his own home. If you choose to act as your own contractor and obtain the required permits, please be aware of the following:

- As the permit holder, you incur all of the liability and all of the responsibility that a licensed contractor would normally assume.
- The City of Berkley cannot assist you in any cause of action against an unlicensed contractor you have hired to perform work under the permit you obtained.
- As the permit holder, it is your responsibility to have a complete understanding of the current codes.
- As the permit holder, you are responsible to correct any code violations regardless of whether or not a contractor or other persons did the work under the permit you obtained.
- As the permit holder, you are responsible for completing the job under the permit you obtained.

I have read and understand the conditions set forth by the State of Michigan for the issuance of a permit to a homeowner.

(Print Name)

(Address)

(Signature)

(Date)

(Driver's License Number)

(Date of Birth)

(Phone Number)

EMAIL _____



Email: building@berkleymi.gov

Community Development
3338 Coolidge Hwy
Berkley, MI 48072
248-658-3320
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BERKLEY CITY CODE, CHAPTER 138 ZONING,

ARTICLE 9 FENCES

Sec. 138-9.01 - Purpose

The regulations in this Article must apply in all zoning districts unless specifically provided otherwise in a Section of this Article.

Sec. 138-2.02 - Definitions

Fence: A structure erected to act as a boundary marker or erected for the purpose of restricting access to or from a lot or parcel of land, whether enclosing all or part of said lot or parcel. The following related definitions are also provided.

- A.** *Fence owner:* A person or entity who owns the parcel upon which a fence is erected.
- B.** *Landscape treatment:* A non-sight-obscuring decorative structure used to enhance, accent, or protect the landscaping of the site. Landscape treatments include, but are not limited to, timbers, boulders, planter boxes, posts, partial fences, etc. Decorative lamp posts are not considered landscape treatment.
- C.** *Landscaping screen (vegetation):* Any combination of trees, shrubs, flowers, grass, or other horticultural elements, decorative stonework, paving, screening, or other architectural elements, all of which are designed to visually enhance and to provide a screen to mitigate any objectionable aspects that may detrimentally affect adjacent land.
- D.** *Masonry walls:* A built-up construction or combination of building units or materials of clay, shale, concrete, stone, or other approved units bonded together with mortar or monolithic concrete. Reinforced concrete is not classified as masonry.
- E.** *Privacy fence:* Fences of opaque material having such qualities as to constitute a visual barrier. A visual barrier is provided if the distance or open space between the boards, slats, rails, stanchions, or balusters is less than or equal to three inches when viewed and measured at ninety degrees to the fence line.
- F.** *Privacy screen structure:* A sight obscuring structure, erected adjacent to or around, but not limited to, a patio, deck, courtyard area, swimming pool, or outdoor hot tub, designed to screen, but not enclose, the area behind it or within its confines.
- G.** *Screen walls:* A masonry wall erected to screen a nonresidential lot or parcel from a residential district.

Construction site barrier:

Building line, front: A line formed by the farthest protruding face of the building, excluding projections. The face of a building is the frontage wall of the building extending to each lot line.

Lot line, front: In the case of an interior lot, the line separating such lot from the street. In the case of a corner lot or double frontage lot, the line separating such lot from that street which is designated as the front street in the plat and the request for Commercial Occupancy Certificate/Business License.

Building line, rear: A line formed by the farthest protruding rear face of the building, excluding projections. The face of a building is the rear wall of the building extending to each lot line.

Lot line, rear: The lot line opposite the front lot line. In the case of a lot that forms a point at the rear, the rear lot line is an imaginary line that is typically parallel to the front lot line, not less than ten feet long lying farthest from the front lot line and wholly within the lot.

Lot line, side: Any lot lines other than the front lot lines or rear lot lines.

Structure: Anything constructed or erected, the use of which requires location on the ground or attachment to something having a location on the ground.

Sec. 138-9.02 – Fences and Walls

A. *Permit or Certificate Required.* The erection, construction, or substantial rebuilding of any fence, screen wall, or wall must be performed in compliance with all municipal codes and requires a zoning certificate. Building permits will be required, when required by the Building Code.

Substantial rebuilding is the reconstruction of more than fifty percent of the structure, a change in the height of the structure, or a change from existing material within a twelve-month period. Painting, cleaning, replacement of like materials, or other actions commonly considered as general maintenance are not defined as substantial rebuilding.

B. *Requirements for All Districts.*

1. No wall or fence may have barbed wire, razor wire, an electric current, concertina wire, or any other material installed for the purpose of causing injury or harm. Similar material must be determined by the Building Official.
2. Each fence or screen wall owner must maintain their fences or walls in accordance with the provisions of all maintenance codes adopted by the City and with the provisions of any site maintenance agreement they may have entered into with the City.
3. Fences and screen walls must be maintained plumb and true with adequate support and in a safe and sightly manner. The owner of a fence or screen wall must remove or repair a fence or screen wall that is dangerous, dilapidated, or otherwise in violation of this Ordinance.

C. *Requirements for Residential Districts.*

1. Fences or walls must be constructed of steel, iron, wood, vinyl, masonry, or other durable material.
2. A fence or wall must not be erected between the front building line and the front lot line.

3. Landscape treatments may be located between the front building line and the front lot line.
4. Landscape treatments which fall within the front yard or the exterior side yard and which are parallel to, or are placed along, a lot line are limited as follows:
 - a. Setback of not less than two feet when adjacent to an adjoining parcel owner's driveway.
 - b. Placement on the parcel line or setback at least twelve inches from the sidewalk, whichever is greater.
5. No portion of a fence, wall, landscape treatment, or landscaping may project beyond the fence owner's parcel line. The footing of any fence or wall may not encroach underground beyond the fence owner's parcel line.
6. The maximum height of a fence or privacy fence is six feet, four inches in height, as measured from the lowest existing adjacent grade. Where a residential parcel line is adjacent to a nonresidential district, the maximum height must not exceed eight feet for fences on said parcel line.
7. The maximum number of fences is one fence per parcel line for each parcel owner. Ownership of a fence is determined by the fence permit applicant as follows:
 - a. By a search of building permits issued to their and adjacent properties; or
 - b. By mutual agreement of the adjacent parcel owners.
8. The maximum height of privacy screen structures is six feet above the surface of the deck, patio, pool, or other area to be screened. Privacy screen structures exceeding the maximum height require a variance from the Zoning Board of Appeals.
9. When erecting a fence next to an existing fence, the maintenance of the area between the fences will be the responsibility of the person erecting the new fence. Fence panels must be raised four inches above grade to allow for maintenance of the area between fences.
10. Any fence having an unfinished side (e.g., stockade fence) must be installed so that the finished side of the fence faces adjacent properties or the street.
11. The maximum length of privacy screen structures is eighteen feet.
12. Any fence or landscape treatment erected within ten feet of a driveway or public right-of-way intersection must permit a motorist an unobstructed view of the public right-of-way when exiting a driveway. The sidewalk must be visible for a distance of ten feet on both sides of the driveway. Visibility is judged from the garage door jambs or ten feet from the sidewalk along the driveway's edge, whichever is closer. Visibility is judged from thirty inches above the sidewalk. The Community Development Director or their designee will be the judge of visibility. These requirements apply whether or not the fence is on the same parcel as the driveway.
13. Fences around swimming pools are required per Section 9.09.I.

D. Requirements for Nonresidential districts.

1. The maximum height for a fence or wall is eight feet high as measured from the lowest existing adjacent grade.
2. Required screen walls adjacent to all parcel lines separating a non-residential parcel from a residential parcel must comply with the regulations in Article 12, Landscaping and Screening.
3. No portion of a fence, wall, or screen wall may project beyond the fence owner's parcel line. The footing of any fence, wall, or screen wall may not encroach underground beyond the fence owner's parcel line.
4. The Planning Commission may revise the screen wall requirements for nonresidential districts if the Commission finds that the standards for site plan approval, as outlined in Article 12, Landscaping and Screening, have been met.

E. Fences around public or institutional parks are required if they incorporate a playfield (baseball, football, soccer, tennis, etc.).

F. In the Cemetery Zoning District, the regulations in Section 5.08 apply.