



Applicant **City of Virginia Beach**  
Public Hearing **September 12, 2018**  
**Permitting requirements for fencing**

Agenda Item

**14**

## Request

An Ordinance to amend Section 201 of the City Zoning Ordinance pertaining to permits for fences.

## Summary of Request

The City of Virginia Beach currently requires a permit for any new fencing or fence repairs within 30-feet of any public right-of-way, as well as any fence required to enclose a pool. This mostly impacts corner lots and through lots. This amendment, as proposed by Mayor Louis Jones, would require that a permit be issued for any new fence or repairs to an existing fence, regardless of its proximity to a public right-of-way.

Fence permits are issued by the Zoning Office. A current sealed site survey is required to obtain a fence permit. Inspection for compliance once the fence is constructed or the repair is complete will require the home owner to locate the property pins, whether on the site or by obtaining an as-built site survey.

## Recommendation

Given the volume of permits, inspections and complaints this amendment may generate, additional staff may be required to accommodate the increase. Staff recommends approval of this amendment.

Requested by Mayor Jones

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AN ORDINANCE TO AMEND SECTION 201  
OF THE CITY ZONING ORDINANCE  
PERTAINING TO PERMITS FOR FENCES

Section Amended: § 201 of the City Zoning  
Ordinance

WHEREAS, the public necessity, convenience, general welfare and good zoning  
practice so require;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VIRGINIA  
BEACH, VIRGINIA:

That Section 201 of the City Zoning Ordinance is hereby amended and  
reordained to read as follows:

**Sec. 201. - Yards.**

....

(e) *Requirements for fences and walls.* Except as may be provided by the  
regulations of the Oceanfront Resort District Form-Based Code, the following  
requirements shall apply to fences and walls:

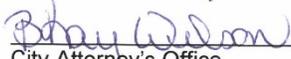
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(8) A zoning permit shall be required for the construction or repair of all fences  
and walls, or portions thereof. A current site survey is required to obtain such  
permit.

....

Adopted by the Council of the City of Virginia Beach, Virginia, on the \_\_\_\_\_ day  
of \_\_\_\_\_, 2018.

APPROVED AS TO LEGAL SUFFICIENCY:

  
\_\_\_\_\_  
City Attorney's Office

CA14453/R-1/June 5, 2018