



Applicant **City of Virginia Beach**
Public Hearing **November 14, 2018**
Permitting Requirements for Fencing

Agenda Item

D2

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 exceeding fifty-percent (50%) of the total linear feet of 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

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

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5 Section Amended: § 201 of the City Zoning
6 Ordinance
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8 WHEREAS, the public necessity, convenience, general welfare and good zoning
9 practice so require;

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

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

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17 **Sec. 201. - Yards.**

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

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27 (8) A zoning permit shall be required for the construction of all fences and walls,
28 and for repairs that are more than fifty percent (50%) of the existing fence or
29 wall, measured in linear feet. A current site survey or other documentation
30 sufficient to ensure that the fence is placed in the correct location is required
31 for such permit.

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35 Adopted by the Council of the City of Virginia Beach, Virginia, on the _____ day
36 of _____, 2018.

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APPROVED AS TO LEGAL SUFFICIENCY:


City Attorney's Office

CA14453/R-2/October 3, 2018

