

# FENCE, WALL, SCREENING WALL

## APPLICATION FOR ZONING COMPLIANCE PERMIT

City of New Baltimore  
36535 Green Street  
New Baltimore, MI 48047  
(586) 725-2151 Fax (586) 725-6927

Date: \_\_\_\_\_

ADDRESS where improvement is to be made \_\_\_\_\_

Description of proposed work: \_\_\_\_\_

Cost of improvement \$ \_\_\_\_\_

Total Length \_\_\_\_\_ Height \_\_\_\_\_

Legal description of property: Lot #: \_\_\_\_\_ Subdivision \_\_\_\_\_

Owner name: \_\_\_\_\_

Owner address: \_\_\_\_\_

Owner City, State, Zip \_\_\_\_\_ Phone # ( ) \_\_\_\_\_

Applicant name: \_\_\_\_\_

Applicant address: \_\_\_\_\_

Applicant City, State, Zip \_\_\_\_\_ Phone # ( ) \_\_\_\_\_

Applicant signature \_\_\_\_\_

*All work must be completed in accordance with the State of Michigan Building Code and all applicable City Ordinances*

**Complete for Builder/Contractor:**

Name on Builder's License: \_\_\_\_\_

Builder's License #: \_\_\_\_\_ Expiration date: \_\_\_\_\_

Driver's License #: \_\_\_\_\_ State \_\_\_\_\_ Date of Birth \_\_\_\_\_

**ATTACH SEPARATE SHEET(S) FOR DRAWINGS AND/OR PLOT PLAN**

*For Office Use Only*

Permit # PB- \_\_\_\_\_ Approved by: \_\_\_\_\_

Issue Date: \_\_\_\_\_ Building Inspector \_\_\_\_\_

Permit Fee: \_\_\_\_\_

Deposit Amount: \_\_\_\_\_

Total Due: \_\_\_\_\_

Date Received

CITY OF NEW BALTIMORE  
MACOMB COUNTY, MICHIGAN  
NOTICE OF ADOPTION  
ORDINANCE NO. 194

TO AMEND THE CITY OF NEW BALTIMORE ZONING ORDINANCE, SECTION 60-101, (e) FENCES, WALLS AND PROTECTIVE BARRIERS, TO ALLOW FOR HEAVY GAUGE VINYL PRIVACY FENCES AT SIX (6') FEET IN HEIGHT AND OTHER SPECIFICATIONS DESCRIBING SAME, TO PROVIDE FOR REPEALER, SEVERABILITY, AND EFFECTIVE DATE.

THE CITY OF NEW BALTIMORE ORDAINS:

Section 1. The City of New Baltimore Zoning Ordinance, Sections 60-101, (e) Fences, Walls and Protective Barriers, is hereby amended as follows:

- (e) *Fences, walls and protective barriers.*
  - (3) All single-family residential properties where the back or side yard of the House abuts a major, secondary or collector road, as designated in the City of New Baltimore Master Plan, shall meet the following requirements:
    - a. All fences, unless otherwise approved as part of the platting or condominium process, that are located within a side or rear yard abutting a road (as described above) shall maintain a required height of six (6') feet and panel lengths of eight (8') feet to maintain uniformity along all road frontages. Such fences shall be located on the property line abutting such road and shall be installed consistent with the manufacturer's specifications.
    - b. All such fences shall:
      - i. Be a heavy gauge vinyl fence type.
      - ii. Carry a transferrable limited lifetime warranty.
      - iii. Be of a Flat-top style, not dog-ear or shadow-box style.
      - iv. Be a sand/beige color.
      - v. Have an aluminum-reinforced bottom rail.
      - vi. Have the ability to be installed to step over terrain where the topography is not flat and such installation is determined necessary by the Building Official to maintain a consistent height and character across a yard or multiple yards.
      - vii. Have a gate, of the same material as the fence, to provide access to the opposite side of the fence for maintenance purposes.

- (4) All single-family residential properties where the front yard abuts a major, collector or local road, as designated in the City of New Baltimore Master Plan, shall meet the following requirements.
  - a. No fence, wall or hedge shall be located in the front yard of a residential lot or parcel which has a height greater than forty-two (42") inches. Fences located in the front yard shall be decorative in nature. Chain link fencing is prohibited within the front yard.
- (5) Fences within fifteen (15') feet of the intersection of a driveway and the road right-of-way shall not be constructed of view-obscuring materials to ensure adequate clear vision for vehicular traffic.
- (6) All fences in multiple-family residential districts shall be subject to site plan review procedures.
- (7) Fencing on adjoining properties shall be required to maintain a back-to-back relationship. When separate fences have been installed on adjoining properties, there shall be not more than six (6") inches between the two (2) fences.
- (8) All fences hereafter erected shall be installed with the post side facing towards the property on which the fence is located.

**Section 2. Repealer.** All ordinances or parts of ordinances in conflict herewith are repealed only to the extent necessary to give this Ordinance full force and effect.

**Section 3. Severability.** If any article, section, subsection, sentence, clause, phrase, or portion of this Ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of remaining portions of the Ordinance, being the intent of the City that this Ordinance shall be fully severable.

**Section 4. Effective Date.** This Ordinance shall become effective following adoption and publication.

I, Marcella Shinska, City Clerk of the City of New Baltimore, Macomb County, Michigan, do hereby certify that Ordinance No. 173 was adopted by the City Council of New Baltimore, assembled in regular session on March 14, 2011. Said Ordinance was posted in the following places:

Notice of said posting was published in *The Voice Newspaper* on March 30, 2011.

Marcella Shinska, City Clerk

CITY OF NEW BALTIMORE  
MACOMB COUNTY, MICHIGAN  
NOTICE OF ADOPTION  
ORDINANCE NO. 173

AN ORDINANCE TO AMEND THE CITY OF NEW BALTIMORE CODE OF ORDINANCES, ARTICLE V OF THE ZONING ORDINANCE, CHAPTER 60, SECTION 60-101 TO PROVIDE REGULATIONS FOR FENCES, WALLS AND PROTECTIVE BARRIERS, TO PROVIDE FOR REPEALER, SEVERABILITY, AND EFFECTIVE DATE.

THE CITY OF NEW BALTIMORE ORDAINS:

**Section 1.** Article V of the Zoning Ordinance, Chapter 60, Section 60-101(e) is hereby amended to provide as follows:

- (e) Fences, walls and protective barriers.
  - (1) No fence shall be erected in the single-family residential district along the line dividing lots or parcels of land or located within any required rear or side yard in excess of six (6') feet in height above the average grade of the land.
  - (2) Public recreation facilities may erect a fence greater than six (6') feet in height to provide protection to adjoining residential properties after approval from the Planning Commission.
  - (3) All single-family residential properties where the back or side yard of the house abuts a major or collector road, as designated in the City of New Baltimore Master Plan, shall meet the following requirements:
    - a. All fences within ten (10') feet of the side or rear property line abutting the road shall maintain a required height of forty-eight (48") inches to ensure uniformity along all road frontages.
    - b. The fence shall be decorative in nature. For the purposes of this ordinance, decorative shall be limited to wrought iron or similar simulated material, black vinyl coated chain link, or a picket style vinyl/wooden fence.

**Section 2. Repealer.** All ordinances or parts of ordinances in conflict herewith are repealed only to the extent necessary to give this ordinance full force and effect.

**Section 3. Severability.** If any article, section, subsection, sentence, clause, phrase, or portion of this ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of remaining portions of the ordinance, being the intent of the City that this ordinance shall be fully severable.

**Section 4. Effective Date.** Provisions of this Ordinance shall become effective immediately upon publication. This ordinance being deemed to be of an emergency nature.

I, Marcella Shinska, City Clerk of the City of New Baltimore, Macomb County, Michigan, do hereby certify that Ordinance No. 194 was adopted by the City Council of New Baltimore, assembled in regular session on September 23, 2013. Said Ordinance is available at City Hall and on the City's website.

Notice of said posting was published in *The Voice Newspaper* on October 2, 2013.

Marcella Shinska, City Clerk