



Village of Cassopolis Fence Placement Application

Building Inspector Adam Dahlgren • 269-998-2765 • adamjdahlgren@gmail.com

Turn in completed application to the Cassopolis Municipal Complex, 121 N. Disbrow St., with \$25 permit fee. Make checks payable to Village of Cassopolis.

APPLICANT INFORMATION

DATE: _____ NAME: _____

ADDRESS: _____

PHONE: _____

EMAIL: _____

PROPERTY INFORMATION

PROPERTY ADDRESS: _____

PARCEL NUMBER/TAX ID: _____

ZONING DISTRICT: _____ HEIGHT OF FENCE: _____

FENCE CONSTRUCTION TYPE (chain link, wooden privacy, etc.):

APPLICANT'S RELATIONSHIP TO PROPERTY (owner, tenant, contractor):

- If the fence will have any electrical components, such as lights or electrically operated gates, the appropriate electrical permit must also be obtained and comply with all other provisions of the fence ordinance.
- The applicant is responsible for contacting MISSDIG to determine utility locations. Call 811 or visit www.missdig811.org.

Signature of Applicant: _____ Date: _____

Approved by: _____ Date: _____

Village of Cassopolis Code Ordinance
Chapter 370. Zoning
Article XVII. Development Regulations
§ 370-405. General screening requirements and fences.

B. Nonresidential uses abutting residentially zoned or residentially occupied property. Except as otherwise provided in this chapter, all premises used for business, parking, commercial or industrial purposes shall be screened from abutting residential districts or uses. A mixed-use development shall not be considered a residential use for purposes of this section. Screening shall consist of any one or combination of the following and shall apply alongside and rear property lines:

- (1) A natural buffer planted with evergreens or shrubberies which maintain their density and screening effect throughout the calendar year, not less than four feet in height at the time of planting and maintained commensurate with the adjoining residential district/land use.
- (2) A wall or fence of sufficient density or compactness to screen the structures and activities of the business from the view of occupants of adjoining premises in accordance with the requirements in § 370-405, not less than five feet in height and maintained, commensurate with the adjoining residential district/land use. Chain link fences and chain link fences with privacy slats are not acceptable as a screen for purposes of this section.

C. No such natural buffer, wall or fence shall impair safe sight distances. Further, no solid plant materials (except deciduous trees), wall or fence shall be greater than 30 inches in height within the triangle created:

- (1) Fifteen feet from the intersection of a driveway and the roadway (edge of pavement), measured along the edge of the driveway and the curblineline of the roadway from the point of intersection; and
- (2) Twenty-five feet from the intersection of street right-of-way lines, measured along both right-of-way lines from the point of intersection.

Nonresidential uses located opposite residentially zoned or residentially occupied property. Parking facilities located within the front yard of premises used for business, commercial or industrial purposes shall be screened from a residential district or use located opposite the premises. A mixed-use development shall not be considered a residential use for purposes of this section. Screening shall consist of a natural buffer planted with evergreens or shrubberies which maintain their density and screening effect throughout the calendar year, not to exceed four feet in height and maintained in a neat and attractive manner commensurate with the surrounding residential district/land use. The natural buffer shall be subject to § 370-405B(1).

D. Fences.

- (1) Residentially zoned property, residential land uses on nonresidential zoned property, or property within the C-1, C-2, and P Districts.
- (2) Chain link fences, chain link fences with privacy slats, and solid or privacy-style fences are permitted only in side and rear yards and may not exceed six feet in height.
- (3) Decorative or ornamental fencing (e.g., picket, post and rail, wrought iron) is permitted in side and rear yards and may not exceed six feet in height. Decorative or ornamental fencing not exceeding four feet in height or retaining walls not exceeding three feet in height are permitted in the front yard.
- (4) No wall or fence shall be greater than 30 inches in height within the triangle created:
 - a.(a) *Fifteen feet from the intersection of a driveway and the roadway (edge of pavement), measured along the edge of the driveway and the curblineline of the roadway from the point of intersection; and*
 - b.(b) *Twenty-five feet from the intersection of street right-of-way lines, measured along both right-of-way lines from the point of intersection. See below.*
- (5) The height of a fence shall be the average height of the fence elements (posts, gates, panels) as measured from the average finished lot grade to the highest point of each fence element.
- (6) Fencing that does not meet the requirements set forth above may be allowed as a special land use through a finding that the fencing does not have a material adverse impact on the occupants of adjacent properties, is compatible with the surrounding district/land use, and promotes the safety and welfare of the community.
- (7) I-1 or I-2 District must install fences that are at least six feet in height, completely solid and made of a material that is maintenance-free, concrete or stucco, or other material as approved by the Zoning Administrator.

E. Property within the C-3 Central Business District and PUD restricted office district. Fences are prohibited within the C-3 and PUD Districts, except for the following:

- (1) Fences required by Subsection B(2) of this section.
- (2) Fencing designed to provide security for permitted and approved operations, provided it does not impede the health, safety or welfare of vehicular or pedestrian access, is located within side and rear yards, and does not exceed six feet in height. Chain link fences and chain link fences with privacy slats are not acceptable as security fencing for purposes of this section.
- (3) Dumpster enclosures.
- (4) Decorative or ornamental fencing consisting of brick, stone, and/or maintenance-free material (e.g., wrought iron, polymer, aluminum) and used for property boundary demarcation or as landscape accents.

F. Barbed wire fences. Barbed wire fences are prohibited in all zoning districts, except where deemed necessary in this chapter and to ensure public safety.

G. Approval process. No fence shall be erected or constructed within a residential district or for a residential land use on nonresidential zoned property unless a fence permit has first been obtained from the Village.

H. Fencing to be erected or constructed for a nonresidential land use within the C-1, C-2, C-3, P, PUD, I-1, and I-2 Districts shall be subject to site plan approval pursuant to § 370-402 of this chapter. Minor modifications to existing fencing within these districts shall be subject to administrative review/approval by the Planning Commission or Village Manager and shall require a fence permit.

I. Appeals. In the event of any controversy as to the adequacy of any proposed or existing screening or the creation of any nuisance or annoyance by artificial lighting, the Zoning Board of Appeals shall have the right and is hereby given the authority to interpret the screening and lighting provisions and determine the purpose herein sought to be accomplished.

Please draw a rendering of the proposed project including the following elements:

- Nearest crossroads
- Lot lines
- Desired placement of fencing

