



Legislation Text

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File #: O-508-19, Version: 1

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Councilman Ujvagi

**Amending Toledo Municipal Code 1105.0301, “Fences and Hedges; Residential Districts.”**

**SUMMARY & BACKGROUND:**

The success of the Lucas County Land Bank demolition program has resulted in numerous nuisance residential properties being converted into vacant parcels available for acquisition by responsible adjacent landowners. The impact of fence height restrictions on these “side lot” acquisitions and subsequent utilization needs to be explored. As has been reviewed in several cases at the Board of Zoning Appeals in recent months, there are many reasons that a higher fence height will positively impact these transfers and facilitate the productive use of these properties.

NOW, THEREFORE, Be it ordained by the Council of the City of Toledo:

SECTION 1. That Toledo Municipal Code 1105.0301, “Fences and Hedges; Residential Districts”, which reads as follows:

1105.0301 Residential Districts.

The following standards apply in all Residential Districts:

- A. Fences or hedges may not exceed 3½ feet in height in the required front setback.
- B. Fences may not exceed 4 feet in height in the required side setback adjacent to the main building and projected to the required front setback. Any recess in the rear building plane shall not be considered part of the required setback.
- C. Fences may not exceed 7 feet in height in any other location on a lot.
- D. No part of any fencing may extend into the public right-of-way.

is hereby repealed; and

SECTION 2. That a new Toledo Municipal Code 1105.0301, “Fences and Hedges; Residential Districts” which reads as follows:

1105.0301 Residential Districts.

The following standards apply in all Residential Districts:

- A. Fences or hedges may not exceed 3½ feet in height in the required front setback.

B. Fences may not exceed 6 feet in height in the required side setback adjacent to the main building and projected to the required front setback. Any recess in the rear building plane shall not be considered part of the required setback.

C. Fences may not exceed 7 feet in height in any other location on a lot.

D. No part of any fencing may extend into the public right-of-way.

E. A clear vision triangle shall be maintained on each residential lot adjacent to a street or alley intersection. Within the clear vision triangle, no fence, wall, planting or other obstruction shall exceed three and one-half feet in height above the centerline grade of adjacent intersecting streets. A clear vision triangle is that area of a corner lot bounded on two sides by the intersecting street lines (property lines) and on the third side connecting two points on each street line 30 feet from the point of intersection.

is hereby enacted.

SECTION 3. That this Council finds and determines that all formal actions of the Council concerning and relating to the adoption of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council that resulted in those formal actions were in meeting open to the public in compliance with the law.

SECTION 4. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: \_\_\_\_\_ : yeas \_\_\_\_\_, nays \_\_\_\_\_.

Attest: \_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_

\_\_\_\_\_  
Mayor

I hereby certify that the above is a true and correct copy of an Ordinance passed by Council \_\_\_\_\_.

Attest: \_\_\_\_\_  
Clerk of Council