Building and Zoning Permit Requirements for Fences, Walls

In accordance with he Virginia Uniform Statewide Building Code (VUSBC) a building permit must be obtained prior to beginning construction or erection of fences and walls surrounding swimming pools, fences around hazardous materials containment areas, and retaining type walls. Other types of fences are not subject to building permit requirements, HOWEVER, they must be installed in accordance with the location and maximum height limitations set forth in the York County Zoning Ordinance.

Section 24.1-271(j) of the Zoning Ordinance sets forth the following basic requirements for erecting or constructing fences or walls in *residential* areas:

- **Maximum height:**
  - **Rear yards - eight (8) feet.**
  - **Side yards - six (6) feet.**
  - **Front yards** - four (4) feet.**
- **Construction and materials:**
  - **all fences must be constructed with the "finished side" facing outwards towards surrounding properties or rights-of-way, except when such requirement is waived by the Zoning Administrator.**
  - **No barbed wire or electrified fences are permitted except in conjunction with a bona fide agricultural operation (keeping of horses in residentially zoned areas is not classified as an agricultural operation).**

Section 24.1-272(a) of the Zoning Ordinance sets forth the following basic requirements for erecting or constructing fences or walls on *commercial* or *industrial* properties: are subject to similar requirements except that maximum heights are as follows:

- **Maximum height:**
  - **Rear yards - eight (8) feet.**
  - **Side yards – eight (8) feet.**
  - **Front yards** - six (6) feet.**
- **Construction and materials:**
  - **all fences must be constructed with the "finished side" facing outwards towards surrounding properties or rights-of-way, except when such requirement is waived by the Zoning Administrator.**

**** Both street frontages of a corner lot will be considered to be a "front yard" regardless of which direction the *front* of the house or principal building is oriented. On a case-by-case basis, permission may be granted for fence heights of six (6) feet (residential property) and eight (8) feet (commercial / industrial) in one of the two *front* yards, provided the fence is located at least ½ the normally required setback distance from the front property line. Proposals for corner lot fencing must be discussed with and approved by the Zoning Division.**

In all districts, fences must be located so as not to block visibility at street or driveway or circulation intersections.

All questions regarding fences or walls should be directed to the Division of Development and Compliance, Zoning Unit, at 890-3523. Property owners are strongly encouraged to consult with the division prior to erecting fences or walls to ensure that they meet all applicable standards.

The office is located at 105 Service Drive and is open Monday through Friday, 8:15 am. to 5p.m.
6/09