

Ordinance Language*
(Section 1243.21)

- A. *In all residential zoning districts, solid fences, walls, or planting shall not exceed a height of three (3) feet within the required front yard. The height shall be measured from the average grade within a twenty-five (25) foot radius of the fence, wall, or landscaping.*
 - B. *For all other areas, fences or walls shall not exceed six (6) feet in height.*
 - C. *For corner lots, a six (6) foot high privacy fence or wall may be parallel to the side of the house which faces the street subject to the restrictions of clear vision corners as contained herein.*
 - D. *The finished side of a fence shall be placed to face adjacent property.*
 - E. *A permit shall be issued by the Zoning Administrator prior to the installation of any fence or wall regulated herein.*
- Any further questions can be directed to:
- City of Hart
407 South South Street
Hart, Michigan 49420-1299
Phone (231) 873-2488
Fax (231) 873-0100

Sponsored by:

City of Hart Planning Commission



Prepared by:

City of Hart

Fences In Residential Zones



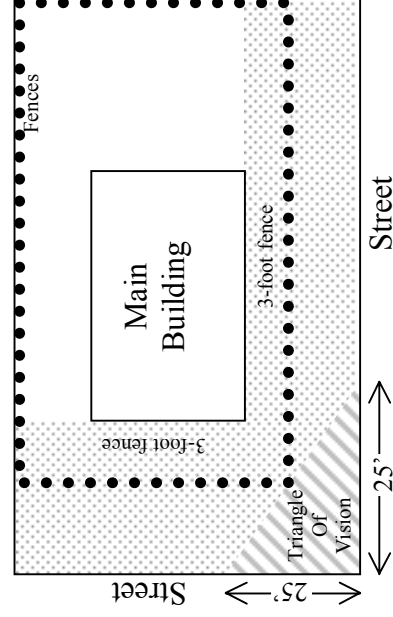
Height & Placement

- ✓ You need a zoning permit in order to erect a fence.
- ✓ In the required front yard, fencing cannot be higher than 3 feet.
- ✓ Fencing located outside of the 'required front yard' cannot be higher than 6 feet.
- ✓ The finished side of a fence needs to face adjacent properties.

Corner Lots

- ✓ Fences may be no higher than six feet on the sides of the house that face the street, as long as a clear vision corner is maintained.

Corner Lots:



Residential Lots:

Areas Other than Required Front Yard:
Fences can't be higher than 6 feet. The finished side of the fence must face the adjacent property. For corner lots, see information and graphic to the left.



Main Building

Required Front Setback Line:

Required Front Yard

In Required Front Yard:
Fencing can't be higher than 3 feet.

fence

Street

(Section 1243.16)

- A. *Accessory buildings are permitted only in connection with, incidental to, and on the same lot or contiguous lots under the same ownership with a principal building which is permitted in the particular zoning district.*
- B. *All accessory buildings shall comply with the limitations applicable in the zoning district in which it is located.*
- C. *In any district, except as noted elsewhere, an accessory building may be erected detached from the principal building, or it may be erected as an integral part of the principal building.*
- D. *No detached accessory building shall be used in any part for residential purposes.*
- E. *Detached accessory buildings together shall not occupy more than thirty percent (30%) of any required rear yard.*
- F. *Each parcel or lot shall have no more than two (2) detached accessory buildings.*
- G. *Detached accessory buildings shall not be erected in the required front yard. When a detached accessory building is located in the rear yard, the foundation of such building shall be a minimum of five (5) feet from the side and rear lot lines.*
- H. *Detached accessory buildings shall be a minimum of ten (10) feet from the principal building or buildings.*
- I. *When a detached accessory building is located on a corner lot, the entire building may not be located within the front or side yard setback and in no case shall it be closer than twenty (20) feet from either the front or street side lot line.*
- J. *In residential zoning districts, a detached accessory building, excluding garages, shall not exceed six hundred (600) square feet in size or twelve (12) feet in height.*

***Because Zoning Ordinances are subject to amendments which can change standards and regulations, please speak with the Zoning Administrator for the most up-to-date zoning language.**

Any further questions can be directed to:

City of Hart
407 South Street
Hart, Michigan 49420-1299
Phone (231) 873-2488
Fax (231) 873-0100

Sponsored by:

City of Hart Planning Commission



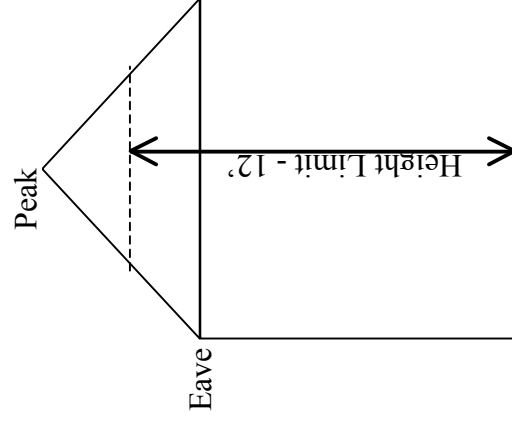
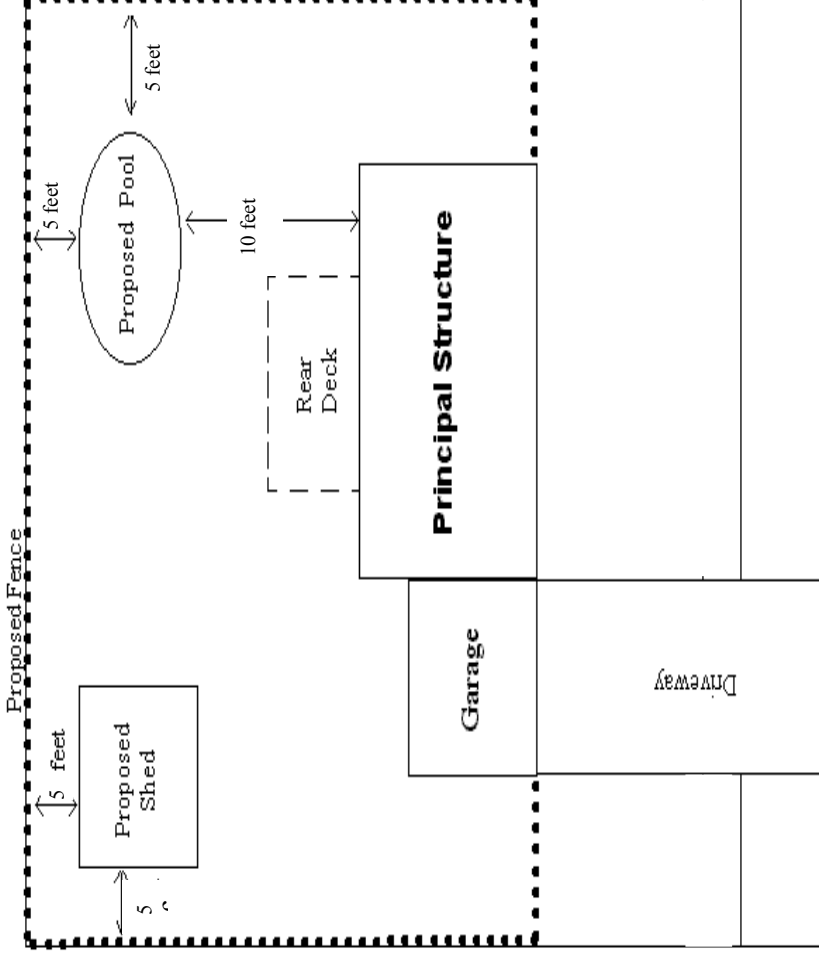
Prepared by:

Detached Structures

- ✓ Detached accessory structures, such as garages or storage sheds, may not be located in the front yard.
- ✓ A detached structure must be located at least five (5) feet from the side and rear property lines.
- ✓ No detached structure shall be located closer than ten (10) feet to any main building.
- ✓ Accessory buildings are permitted only in relation to a principal structure.
- ✓ You may not have more than two detached accessory buildings per lot or parcel.
- ✓ The total area of an accessory structure, other than garages, may not exceed 600 square feet in size or 12 feet in height.
- ✓ All attached accessory structures must comply with the setback requirements found within their residential district.

Corner Lots

- ✓ An accessory structure cannot be located within the front or side yard setback, and in no case closer than 20 feet from either lot line.



Height is measured from the midpoint of the eave and peak at average grade.

Special Notes

- ✓ Corner lots are of particular concern. Please consult with the Zoning Administrator.
- ✓ Check power lines and easements on your lot. You may not build on an easement.
- ✓ Setbacks are measured from the property line to the edge of the foundation.
- ✓ You cannot sleep or live in any portion of an accessory structure (such as a garage or shed).

Where Are My Property Lines?

How can you be certain just where your property lines are?

- ✓ City records have property descriptions that may reflect the dimensions of your lot. However, the City does not know exactly where your lot lines are located.
- ✓ Lot lines can be located by a surveyor. There are several registered land surveyors in the local area. They can be found in the yellow pages under "Surveyors-Land".

Unfortunately, people often want to know where their property lines are because of a conflict with a neighbor. Perhaps they want to put up a fence or some of the neighbor's belongings are encroaching on their lot. These types of issues are civil matters and are typically settled in court.

Note on long term encroachments

In some cases of long term encroachments, typically 15 years or more, the concept of "Adverse Possession" can come into play under Michigan case law. For example, if a survey does show that the neighbor's fence has been on your property for fifteen years or more, you may not be able to do anything about it. There are also other legal concepts such as "easements of necessity", "prescriptive easements" and "negotiated property lines" that may come into play. Consult your attorney for more information.

Any further questions can be directed to:

City of Hart
407 South Street
Hart, Michigan 49420-1299
Phone (231) 873-2488
Fax (231) 873-0100

Prepared by:

LANGWORTHY
STRADER
LEBLANG &
ASSOCIATES, INC.

Property Lines



City of Hart

January 2005