

**ARTICLE XIII.**  
**FENCING REQUIREMENTS**

**SECTION 19-400 - PERMIT REQUIREMENTS**

(A) Any person wishing to erect, alter, or relocate a fence or screen on any lot within the City of Tega Cay must first obtain a fence permit from the Zoning Administrator.

(B) Due to the topography, site, design, safety, or type of housing unit, some residential units may have special fencing requirements. Fencing not meeting the standards outlined in Section 19-401(A) through 19-401(G) must be approved by the Board of Zoning Appeals via a variance request (Section 19-92).

(C) The request for a fence permit must be submitted by the property owner or his agent.

(D) Each application for a fence permit must include a site plan which is drawn to scale and designates the exact location of the proposed fence including its height and width. The site plan shall be drawn according to an accurate survey on a plat of the lot.

(E) Some properties may have additional restrictions on fencing style, size, and/or material imposed by restrictive covenants bound to the property by associated homeowners' association, architectural review committee, or similar applicable body.

**SECTION 19-401 - FENCES IN RESIDENTIAL AND PARK DISTRICTS**

(A) No fences are permitted in the established front yard.

(B) Except for the provisions of Section 19-155 and 19-156 (Patio Houses) and under normal circumstances, fences or walls shall be limited to a maximum height of six feet (6') in the rear or side yards. On any corner lot, fence height is restricted to five feet (5') abutting the secondary street frontage. All heights are measured from finished grade. On an individual lot, if a fence is constructed on top of a freestanding wall or berm, the combined height of the fence and the wall or berm shall not exceed the maximum height that would apply to a fence or wall alone. In the case of retaining walls, a maximum four-foot (4') fence may be constructed on top of the wall for safety, regardless of the height of the wall.

(C) To eliminate an attractive nuisance, swimming pool fence enclosures must conform to the requirements established in the applicable, adopted City Building Codes.

(D) Except for those fences in a Patio House District, perimeter fences shall be constructed only of treated wood or cedar, wrought iron, vinyl, aluminum, fiberglass or another composite. Clear coat preservatives may be applied to wooden fences. Other fence types or composites may

only be neutral colors such as black, brown, white, bronze or green. Such fences shall be horizontal split rail or vertical picket type. Fences with vertical pickets shall have a minimum clear spacing of one and 5/8 inches (1 5/8") and the maximum opening shall not allow the passage of a four inch (4") sphere between the pickets and a maximum of 60% opacity (that is, it shall obscure no more than sixty percent (60%) of the view into the land) when viewed from a perspective perpendicular to the fence. As an example of this calculation, the opacity percentage for a fence with 4" wide pickets and 3" clear spacing between pickets would be  $4" / (4" + 3") = 57\%$ . Similarly, an aluminum fence with 1/2" wide vertical rails and 4.5" center-to-center spacings would have an opacity of 11%. At the discretion of the lot owner, a wire mesh may be added from the top rail to the ground. The openings in the wire mesh must be 1.5" x 1.5" or greater, and it must be made of welded, galvanized or vinyl coated wire 12 gauge or lighter in a neutral color such as green, gray, black, or brown that is complimentary to the color of the fence to which it is attached. The top rail shall not be higher than seventy-two inches (72") above grade.

(E) Fences shall not have an unfinished side facing outward from the property. Fences with vertical pickets must be constructed such that all pickets are on the same side of horizontal members.

(F) On a corner lot in any residential district, fences shall have a minimum setback of no less than 10 feet from the secondary street frontage as measured from the edge of pavement or back of gutter (if present), 5 feet from the closest edge of the sidewalk (if present), or on the property line, whichever is most restrictive. . Property owners are required to be in continued compliance after any possible street or road widening.

(G) Chain link, barbed wire, electrified above grade fences and chain link animal enclosures are prohibited in residential and park districts except that chain link fences may be used as safety fences around property used for public and community recreational purposes in residential and park districts. Chain link fences, with or without barbed wire, are allowed in all districts for security purposes of public utilities or where security enclosures are required by a regulatory agency.

(H) All fences shall be maintained in good repair and shall not obstruct sight and view of pedestrian and vehicular traffic from rights of ways or bicycle and walking trails and so as to not encroach onto neighboring and adjacent properties. Solid fencing consisting of wood or masonry shall be prohibited.

(I) All fences are to be set back a minimum of two feet (2') from the property line on each side of common driveways.

(J) No fence or wall shall be installed in in such a manner as to block or divert drainage flow on to or off of any other land.

(K) Metal fences (wrought iron or aluminum) shall not possess an exposed pressed point or other decorative finishes that could generally pose a safety hazard to the public or wildlife.