

Upper Pittsgrove Township Development Regulations Ordinance

ARTICLE XII SUPPLEMENTARY DISTRICT REGULATIONS

The following regulations are applicable in all zoning district as applicable to the particular use or structure proposed and as set forth in the Schedules of District Regulations:

12.1 Fences, Walls and Hedges

Fences, walls and hedges may be erected, altered or reconstructed in accordance with the following regulations:

- A. In any zoning district, fences, wall and hedges may be located within yard areas so long as they do not encroach on public rights-of-way or neighboring properties and subject to the following:
1. Any fence, wall or hedge along the sides and front edge of any front yard area shall be at least twenty-five percent (25%) opaque, and shall not exceed four (4) feet in height. In all other areas of the property, a fence, wall or hedge shall not be in excess of six (6) feet in height with the exception of fences required for tennis courts, swimming pools and dog runs which all may not exceed ten (10) feet in height.

All fences shall be located one (1) foot from any property line unless a letter from the adjoining property owner is filed with the Zoning Officer granting permission for the fence to be located on the property line. Any fence, wall or hedge in excess of six (6) feet in height shall be set back from any side or rear property line one (1) additional foot for each additional feet over six feet.
 2. Security fences around commercial, industrial or institutional uses shall not exceed ten (10) feet in height. Fences and wall in excess of six (6) feet in height shall require a zoning and construction permit. All retaining walls require a zoning and construction permit.
 3. All fences, walls and hedges shall be in conformance with the provisions of Section 7.3AB, "Visual Obstruction."
 4. Within any zoning district designated by the term "village" in its title, a fence, wall or hedge shall not exceed six (6) feet in height may be installed in the front, rear or side yard area subject to the provisions of subsection 3 above.
 5. For purposes of this Section, a "hedge" shall be defined as any clustering or configuration of plant material in such a manner as to permanently or temporarily prohibit or inhibit unrestricted travel between properties or portions of properties or between the street or public rights-of-way and a property.

All hedges shall be planted at a distance from the adjoining property equal to the full growth diameter of the plant species or material used in said hedges plus two (2) additional feet so as to prevent overhang or over growth onto adjoining properties. All hedges shall be kept neatly trimmed so as to prevent overhang or intrusion onto adjoining properties, sidewalks or public rights-of-way.
- B. The Land Use Board may modify the above noted requirements upon request wherein it is deemed reasonable and appropriate to require the installation of a buffer between two (2) properties in order to shield a residential use from a nonresidential use on an adjoining property or from some other objectionable condition or nuisance reasonably expected such as, but not limited to, a heavily traveled thoroughfare, to provide privacy to a residential property or accessory use thereto, or to create a barrier to of noise, glare, trash or intrusions or trespass by persons, animals or vehicles.

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- C. Construction. All fences shall be constructed in accordance with the following standards:
1. The following fences and fencing materials are specifically prohibited: razor-wire fences, sharp pointed fences, canvas, and cloth fences. Commercial and industrial uses may have fences topped by a protective wire barrier.
 2. All fences shall be constructed in any manner which shall not be dangerous to persons or animals.
 3. All fences shall be permanent construction and shall withstand a wind load of fifteen (15) pounds per square foot.
 4. All fences shall be constructed or installed with stringers facing inwards.
 5. Whenever an electrified fence is to be installed adjacent to a residentially zoned or used property (has a dwelling upon it), said fence shall have a non-electrified fence installed between it and the property line for the entire distance of said property line so as to prevent children and animals from accidentally coming into contact with the electrified fencing. This provision shall not apply to a farm.
- D. Every fence or wall shall be maintained in a safe, structurally sound, upright condition and in accordance with the approved plan on file with the Construction Official or Zoning Officer. If the Zoning Officer or Construction Official, upon inspection, determines that any fence or wall or portion of any fence or wall is not being maintained in a safe, structurally sound, upright condition, said Officer or Official shall notify the owner of said fence in writing of his findings and state briefly the reasons for such findings and order such fence or wall or portion of fence or wall repaired or removed in accordance with the provisions of Section 14.7 within ten (10) days or be subject to the penalties stipulated in this Ordinance.
- E. No fence or wall hereafter erected, altered or reconstructed in any residential zoning district shall not exceed the height restrictions set forth herein this section. In all other zoning districts fences shall not exceed ten (10) feet in height unless specifically approved as part of site plan review by the Land Use Board.
- F. The foregoing restrictions shall not be applied so as to prevent the erection of an open wire or chain link fence exceeding fifteen (15) feet in height above ground level anywhere within a public park, public playground or public school properties. These restrictions shall also not be applied so as to restrict the erection of a wall for the purpose of retaining earth subject to the appropriate approvals set forth in the Uniform Construction Code.

12-2 (Reserved)

12.3 Home Occupations

For purposes of this Section, a home occupation and a commercial home occupation as defined in Section 3.3 shall be subject to the following conditions and requirements:

- A. Home Occupation A home-based business or occupation operated by a resident or residents of the dwelling unit wherein said business is located shall be permitted in all residential districts within the Township as an accessory use as set forth in the Schedule of District Regulations subject to the issuance of a zoning permit and complying with the following requirements: