

From: Jeff Lowe
To: "earl@telayawine.com"
Subject: RE: Fence
Date: Tuesday, May 31, 2016 2:38:00 PM

The person on the [residential](#) property could do that, with a building permit.

I presume the intent of the code is that a commercial owner would not need to protect himself from a residence, and also the City does not want to have "walled-in compounds". But a homeowner has the opportunity to seek some relief along his rear or side lot line.

Here is the section of code for you to check out.

8-4A-3 **FENCES AND WALLS:**

- A. **Permit Required.** Anyone constructing a fence or wall over six feet (6') in height, not in conjunction with a building permit for a principal use or building, or any fence located in the floodway shall secure a permit from the City prior to construction
- B. **Maximum Height Requirements.**
1. Fences and walls located along a [street](#) frontage within the front yard setback: three and one half feet (3.5').
 2. Fences and walls located within rear and interior side [setbacks](#): six feet (6').
 3. Fences and walls on residential property with rear and interior [side yards](#) located adjacent to [commercial uses](#): eight feet (8').
 4. Fences and walls on corner properties: six feet (6') with a minimum setback of ten feet (10') from the front property line.
 5. The height of fences and walls shall be measured from the [existing grade](#).
- C. **Fences and Walls Subject to Design Review.** The following fences and walls shall be approved through the design review process as set forth in Section 8-6B-3 DESIGN REVIEW of this Title.
1. Electric and barbed wire fencing. Electric and barbed wire fencing may be allowed in the LI , C Base Districts and around agricultural uses when: a) used as the top section for security fencing; and b) located a minimum of six feet (6') above grade to the bottom wire.
 2. The use of boxes, sheet metal, old or decayed wood, broken masonry blocks, chain link with slats, or other like unsightly materials for fencing shall be prohibited.

Jeff Lowe, AICP
Planner
City of Garden City

6015 Glenwood
Garden City, ID 83714

From: Earl E. Sullivan [mailto:earl@telayawine.com]
Sent: Tuesday, May 31, 2016 2:14 PM
To: Jeff Lowe
Subject: RE: Fence

So just to clarify. If I get a building permit I could go over 6 feet?

From: Jeff Lowe [mailto:jlowe@GARDENCITYIDAHO.ORG]
Sent: Tuesday, May 31, 2016 1:53 PM
To: Earl Sullivan <earl@telayawine.com>
Subject: RE: Fence

The code allows for the maximum of 6-feet on your commercial property.

The code also says that on a residential property, with rear and side yards located adjacent to commercial uses, 8-feet is the max.

Building code requires that any structure (fence) over 7-feet tall requires a building permit.

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From: Earl Sullivan [mailto:earl@telayawine.com]
Sent: Tuesday, May 31, 2016 1:28 PM
To: Jeff Lowe
Subject: Re: Fence

If we go over 6' what do we have to do

Sent from my iPhone

On May 31, 2016, at 1:06 PM, Jeff Lowe <jlowe@GARDENCITYIDAHO.ORG> wrote:

Hi Earl, you could build a six-foot high fence without the need for a permit or Design Review, and provided it is not chainlink with slats, electric, or barb wire. You would want to stay out of the greenbelt easement.

Hope that helps...Thanks, Jeff

Jeff Lowe, AICP
Planner

City of Garden City
6015 Glenwood
Garden City, ID 83714

From: Earl E. Sullivan [<mailto:earl@telayawine.com>]
Sent: Tuesday, May 31, 2016 12:19 PM
To: Jeff Lowe
Subject: Fence

Jeff,

We have had some of our neighbors indicate that the noise from our patio is disturbing them. We don't do events after 10 but they are concerned about 3 p.m. on due to people on the patio. Since we are trying to be good neighbors I am looking at some options for doing some fencing along the area from the greenbelt to our building down the line that has residential houses. If we were to do something like that do we need to get a permit or do design review?

Earl