

STATE OF GEORGIA
COUNTY OF FULTON

**AN ORDINANCE TO AMEND SECTION 4.11, FENCES AND WALLS, OF THE SANDY
SPRINGS ZONING ORDINANCE**

WHEREAS, the Mayor and City Council adopted a resolution on June 1, 2010 directing staff to review, clarify, and recodify the Zoning Ordinance with the assistance of the City Attorney's office; and

WHEREAS, this recodification will address recent developments in the law and issues that have been raised during the implementation, administration, and enforcement of the Zoning Ordinance; and

WHEREAS, this recodification will not include any policy changes to the ordinance.

NOW, THEREFORE, to accomplish the foregoing, the Mayor and City Council of the City of Sandy Springs, Georgia, pursuant to their authority, do hereby adopt the following Ordinance:

1.

Section 4.11, *Fences and Walls*, of the City of Sandy Springs Zoning Ordinance is hereby amended by the deletion in its entirety and the following inserted therefor:

4.11. FENCES AND WALLS

Fences and walls which conform to the provisions stated herein shall be permitted by the Department.

Hedges may be considered fences if they are planted and constructed in such a manner that they enclose, partially enclose or separate premises. A hedge does not constitute a fence when it used for an ornamental purpose and does not in fact enclose, partially enclose, or separate premises from adjoining premises.

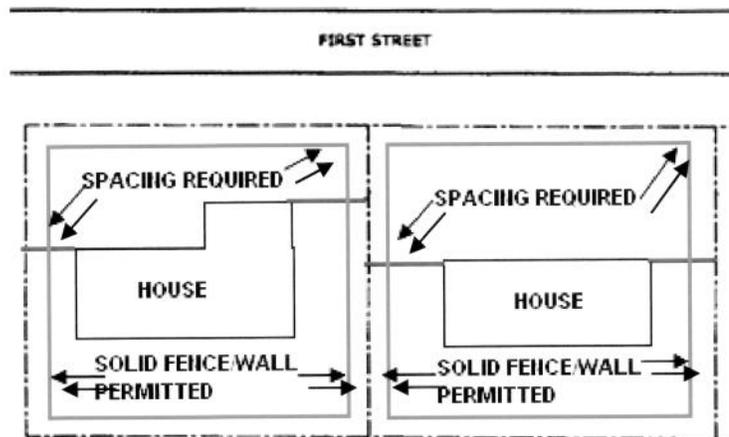
A. Visibility Triangle. Fences, walls hedges, and other vegetative materials used in association therewith must not obstruct the minimum sight distance requirements which are specified in the Development Regulations Ordinance administered by the Director of Public Works and shall not:

1. Prohibit proper lines of sight for public safety and law enforcement, or
2. Impede the flow of water or the normal pattern of natural wildlife, or
3. Impair or block the vision of vehicle drivers so as to constitute a safety hazard.

- B. Gates. See Chapter 103, Development Regulations, of the Code of the City of Sandy Springs.
- C. Maintenance of Required Landscape Areas. Landscape areas or strips required pursuant to this section shall be maintained in accordance with the requirements of the Tree Conservation Ordinance.
- D. Fence and Wall Materials. Where the Zoning Ordinance or zoning conditions require fences and walls to be solid/opaque, the visual density of the fence shall be such that it can not be seen through. The following standards shall apply to fences and walls.
1. Adjoining Right-of-Way. In all zoning districts except AG-1 (non-single family residential uses), M-1, M-1A, and M-2, wire, plastic, and/or recycled fencing materials, including chain link fencing with plastic or wooden inserts, shall not be used parallel to a street right-of-way. For single family residences and townhouses, fences constructed of woven wire or metal fabric when placed along side lot lines shall not extend beyond the front building line of the structure. The architectural treatment applied to poured concrete, common aggregate block or concrete block walls shall be approved by the Director. This provision shall not preclude the use of chain link fencing as a security fence around storm water facilities.
 2. Fences Along All Property Lines. Walls and fences constructed along all property lines shall be constructed with a finished side toward the neighboring properties.

For single family residences, fences and walls that exceed four (4) feet in height shall be required to have a spaced picket design in the area between the front plane of the structure and the right-of-way as shown in the Figure 4.11.D below and as approved by the Director.

Figure 4.11.D.



3. Barbed Wire. Barbed wire may be used in the AG-1 district as long as its use is associated with an allowable agricultural pursuit. Barbed wire shall not be approved for any single family dwelling lots including such lots which are located in the AG-1 district. A fence equipped with or having barbed wire, spikes, or similar device, or electric charge shall not contain said devices within six (6) feet of the ground level. No fence shall have barbed wire, spikes, or similar devices, or an electric charge in a yard fronting a street on property zoned for residential, commercial, central business district, or office use. Barbed wire, spikes, or similar devices, or an electric charge on fences shall not exceed more than twenty (20) inches above the height of the fence.

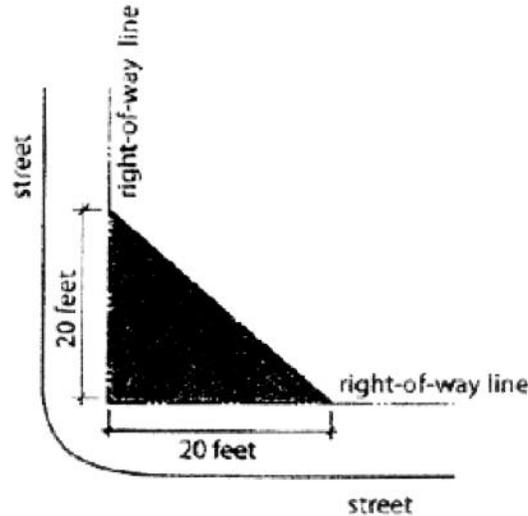
4. Minimum Landscape Requirements. A minimum three (3) foot landscape strip shall be provided between a fence or wall and a public right-of-way.

- E. Height. Fences and walls shall not exceed a height of eight (8) feet from grade and shall be ornamental or decorative in nature along public rights-of-way, except that fences or walls in any yard fronting a public/private street shall not exceed four (4) feet in height if designed with solid and/or non-spaced sections. Column and ornament heights are permitted to exceed the maximum fence/wall height up to three (3) feet.

For fences and walls, the height shall be measured from the subject finished grade to the highest point of the fence.

- F. Setback. Fences and walls, including any footings, shall be set back a minimum of three (3) feet from a public right-of-way. No wall, fence, or hedge shall be placed or maintained within the triangular area formed by the intersection of street right-of-way lines and a straight line connecting points on said street lines, each of which is twenty (20) feet distant from the point of intersection, as indicated in Figure 4.11.F below.

FIGURE 4.11.F. Fence and Wall Setback.



G. Design Guidelines for Fences and Walls.

1. Color

- a. Only black, white, or earth tones are permitted.
- b. Primary and neon colors are prohibited.

2. Material

- a. Fences or walls shall be constructed of wood, brick, stacked stone, stucco, or wrought iron in all zoning districts. Individual bricks and stones may not exceed one (1) square foot.
- b. Fences may be constructed of woven wire or metal fabric (chain link, hog wire or chicken wire), but such materials shall not extend along a right-of-way.
- c. No wall or fence shall be constructed of exposed concrete block, tires, junk, or other discarded materials.

3. Design

- a. Fences and walls over three (3) feet in height shall be designed with a column or decorative element every eight (8) feet to provide architectural variations and eliminate large expanses of blank area.

- b. Fences over four (4) feet in height parallel to the right-of-way in single family districts, shall have a spaced picket design. The spacing for said pickets shall be a minimum of two (2) inches. For double/multiple frontage lots, the requirement for a spaced picket design shall only apply along the lot line that is parallel to the front of the residence as shown on any application for a development permit and as approved by the Director.
- c. Fences that run parallel to a right-of-way in single family districts, shall be of a design substantially similar to the samples below:

FIGURE 4.11.H.1. Fence Designs along Rights-of-Way.

Non-spaced Designs Permitted up to Four (4) Feet in Height

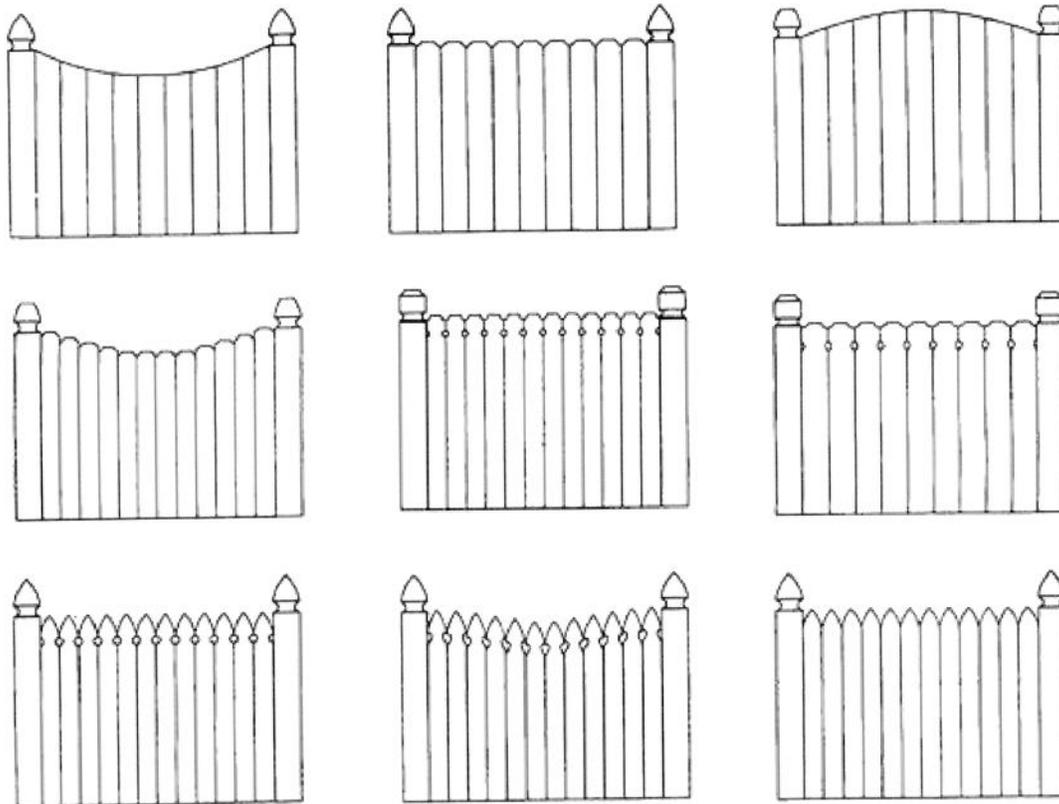
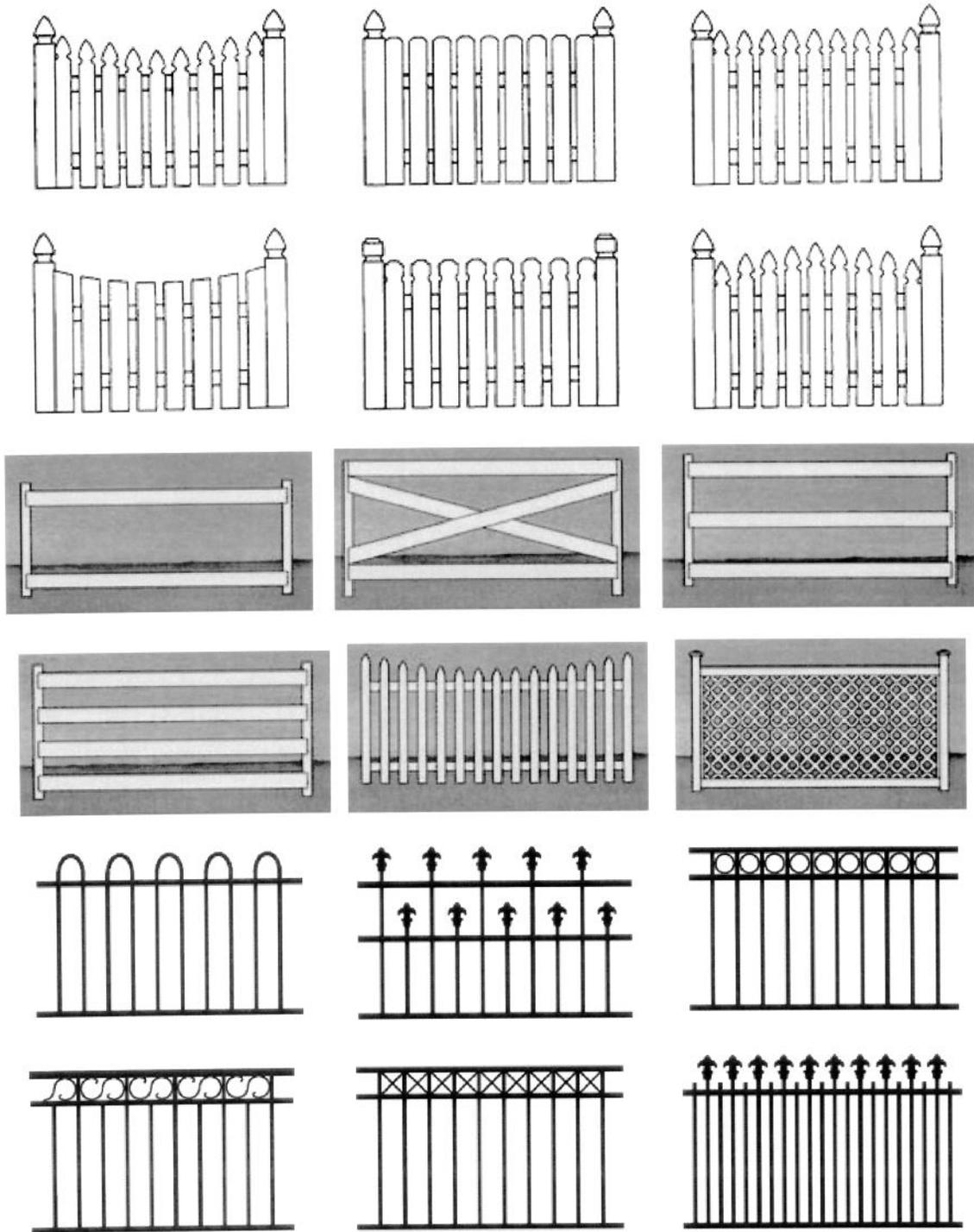


FIGURE 4.11.H.2. Fence Designs along Rights-of-Way.

Spaced Design Required if Over Four (4) Feet



2.

All ordinances, parts of ordinances, or regulations in conflict herewith are repealed.

3.

Severability. Should any court of competent jurisdiction declare any section of this Ordinance invalid or unconstitutional, such declaration shall not affect the validity of the Ordinance as a whole or any part thereof, which is not specifically declared to be invalid or unconstitutional.

4.

Repeal of Conflicting Provisions. It is the intention of the Mayor and City Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances, City of Sandy Springs, Georgia and the sections of this Ordinance may be renumbered to accomplish such intention.

5.

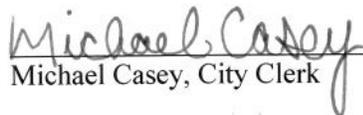
This Ordinance is effective November 16, 2010; and

ORDAINED this the 16th day of November, 2010.

Approved:


Eva Galambos, Mayor

Attest:


Michael Casey, City Clerk

(Seal)

