INTRODUCTION

Ellington Zoning Regulations regulate fences in several areas. Other regulations may impact where and how large the fence may be as well. This brochure will explain most of the issues that surround the construction and maintenance of fences in Ellington. Any questions not covered in this brochure should be addressed directly to the Planning Department at (860) 870-3120.

Do I need a Zoning Permit to construct a fence in Ellington?

Fences surrounding Single Family Residences do not require a Zoning Permit or review by the Planning and Zoning Commission. Only those circumstances where the fence does not comply with the Zoning Regulations, such as a fence that is too high in the front yard setback, will the Zoning Board of Appeals get involved.

What if my fence crosses a wetland?

Any construction/placement that lies within 100 feet of a wetland (250 feet in the Shenipsit Lake Drainage Basin) must be presented to the Ellington Inland Wetlands Agency for their review and approval. In the case of a fence crossing wetlands, the applicant must show that there will be minimal adverse impact on the wetland and that there is no other way to accomplish the property owner's desire except to impact the wetland.

IMPORTANT NUMBERS

Planning Department
Phone: 860-870-3120
Fax: 860-870-3122

North Central District Health Department
Phone: 860-745-0383
Fax: 860-745-3188

Building Department
Phone: 860-870-3124

Staff

Lisa Houlihan, Town Planner
John Colonese, Assistant Town Planner/ ZEO/Wetland Agent
Troy Ciesco, Land Use Technician
Kristin Michaud, Planning Secretary

57 Main Street, P.O Box 187
Ellington, Connecticut 06029

Town of Ellington Planning Department

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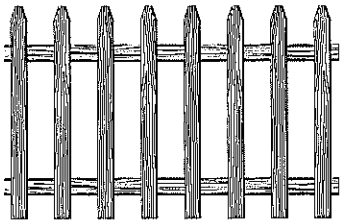
I want to Build a Fence!



Fences and Zoning Regulations
Town of Ellington Requirements

I want to build a fence!

How high can my fence be in the front yard?

Ellington Zoning Regulations Sections 2.1.6 and 2.1.7 state the requirements. Section 2.1.7 states that a fence that is erected in the FRONT yard setback area may only be 2 ½ feet in height. Although, a fence up to 4 feet in height shall be permitted in the front yard setback if there is 50% visibility throughout the entirety of the fence in the front yard setback area. If you live on a CORNER LOT, Section 2.1.6 states that no fence more than 2 feet in height shall be placed within the triangular area formed by the intersecting street lines and a straight line connecting points on said street line each of which point is 25 feet distant from the point of intersection.

What is the front yard setback?

The front yard set back area is the minimum distance from the street line to the nearest point of the building and defines the front yard. There are no buildings or structures allowed in this area. Most Residential Zones have a front yard setback of 35 feet. There are increased setback areas on certain roads. This increased setback area protects the property owner from possible future highway widening. On some roads the increased area can be as much as 25 feet, totaling a 60 foot front yard setback. Please call or consult Sections 3.2 and 2.1.10 of the Ellington Zoning Regulations to check the setback area.

How high can I make my fence around the rest of my yard?

There are no limitations on the height of the fence past the front yard setback. There are some practical limitations that should be considered however. Should the fence become unstable and fall on someone, you would most likely be liable for any injuries. A practical maximum height should be around 6 feet; you will most likely find that most places that sell fencing materials consider that a normal fence height.

Where is the edge of my property?

Property boundaries are normally marked by metal property pins, but can be marked in other ways as well. Along the road edge of the property, pins can be located by looking about 10 to 15 feet from the edge of the pavement.

How do I find my property pins?

The property pins are normally shown on the property survey of the lot. A careful search normally reveals the pins. Sometimes a metal detector needs to be used when property pins have been driven below the surface.

Where do I find the survey for my property?

When new houses are constructed the survey is filed with the Planning Department. If your house is less than 30 years old there is a good chance you can get a copy of your survey from the town. If your house is more than 30 years old you can still check with the Building Department, but it is very unlikely that a survey will be on file. Occasionally some surveys are filed by the property owner in the Town Clerk's Office. Unfortunately, State law does not require filing a survey with the Town Clerk.

I couldn't find a survey, now what?

Another source of survey information about your property might include your neighbors. The neighbors might have a survey of their property that would show your mutual boundary. If you did not find any information, a fence may still be built, but the property owner must be very careful not to build the fence on the neighbor's yard or in any of the required front yard setback area. It is the property owner's responsibility to ensure that the fence is on his or her own property and that it complies with the law.

How close to my property line can I build my fence?

There are no zoning restrictions to how close you can build a fence to the property line. One should consider, however, that you need to maintain both sides of the fence. It should placed it in such a manner as to make it easy to maintain in the future.

Do I need to put the "good" side of the fence out?

Ellington Zoning Regulations do not recognize the "good" side of the fence. The purpose of the fence should determine which side faces out. It should be remembered that horizontal cross pieces can be climbed.