

Fences

A fence is defined as an artificially constructed barrier of any material or combination of materials, but not including hedges, shrubs, trees, or other natural growth, erected to enclose, screen or separate areas of land.



The following Q&A has key facts you need to be aware of when thinking about constructing a fence.

Q – Do I need a building permit to put up a fence?

A – It depends on the height of the fence. Please contact the Southwest Michigan Building Authority (SMBA) at 269-585-4150 for details.

Q – Who is responsible for locating my property lines? How can I find them?

A – Homeowners are responsible for verifying the location of their property lines. They can be found on your property deed, on the survey you received when you bought your home, by using the mapping tools at the County Assessor's office to help locate your property pins, or by hiring a professional surveyor.

Q – Where on my property can I place my fence?

A – Fences may be placed up to the property line. Fences cannot be placed within any public right-of-way or within the easement for private roads.

Q – What materials can my fence be made of?

A – Essentially anything. However, unless the property is a bonafide agricultural use, no barbed wire, spire tips, sharp objects, or electrically charged fences are allowed.

Q – Does it matter which side of the fence is facing in or out?

A – Fences must have the finished side facing out, away from property where the fence will be located.

Q – How tall can I build a fence in my side and rear yards?

A – The maximum fence height for all side and rear yards is 6' tall.

Q – Am I allowed to have a fence in the front yard as well? If so, are there any height restrictions?

A – Yes, Oshtemo residents can have a fence in their front yard. The maximum height for fences placed in a front yard is 4' tall. Please note in the case of corner properties, no fence greater than 30" in height can be located within 20' of the intersection of the nearest street rights-of-way or easements which interferes with traffic visibility across the corner. See fencing illustration on the back of this page for more information.

Notes:

- This is not an exhaustive outline of all requirements for fences. To find a complete copy of Ordinance Sec. 57.60 – Fences, please visit <http://online.encodeplus.com/regs/oshtemo-mi/doc-viewer.aspx#secid-2358>.
- If you reside in a condominium, please review the HOA/Deed Restrictions to see if additional requirements apply beyond the Township's requirements.
- If you have any questions, please feel free to contact the Zoning Administrator at 269-375-4260.

Check out our other fact sheets for Setbacks: Oshtemo Township, Setbacks: Basic Facts, Pools, and Accessory Buildings.

The diagram illustrates a residential lot with various setbacks and fence requirements. Key features include:

- Public Road:** Located on the left and top of the lot.
- Public Right-of-Way:** Indicated by double-headed arrows along the road boundaries.
- Property Lines:** Dashed lines defining the lot boundaries.
- Setbacks:**
 - Front Yard Setback:** Indicated by a double-headed arrow between the front fence and the road.
 - Side Yard Setback:** Indicated by a double-headed arrow between the side fence and the road.
 - Front Yard Setback:** Indicated by a double-headed arrow between the front fence and the road.
- Fences:**
 - Max 4' Tall Fence:** Located along the front and side boundaries.
 - Max 6' Tall Fence:** Located along the rear and side boundaries.
- Structures:**
 - House:** The main residence.
 - Garage:** Attached to the side of the house.
 - Drive:** A driveway leading to the garage.
- Other Labels:**
 - 20':** A specific setback dimension.
 - Max 30" Tall:** A specific setback dimension for a structure.