

Why do I need written permission to put my fence over a utility easement?

Utility easements contain overhead or buried utility service lines. Crews need to be able to access these utilities when problems arise. Keeping easements clear of obstructions allows our crews to quickly get needed equipment to these areas and address problems such as electrical outages or sewer backups.

Anything that is located within a utility easement is there at the property owner's risk. In an emergency situation there may be little or no time to allow relocation by the property owner.

The City will not be responsible for any damages caused by such removal.

Garden fences are exempt from zoning regulations except that no garden fence shall create a traffic or pedestrian hazard, or be located within the front yard or street side yard.

Disputes between property owners concerning fences and/or plantings, trees, bushes, hedges or other natural or manufactured structures obstructing views, sunlight or air shall be considered a civil matter between private parties and shall be resolved in a court of law.

Building related forms are available online.

Visit our website at www.cityofestherville.org

and click on the Housing/Building Information link.



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Guide to Fencing & Landscaping



A permit is not required to install a fence.

The term “fence” means a constructed barrier of any material or combination of materials erected to enclose or screen areas of land. Plants, shrubs, bushes and trees are not normally considered fences.

No fence more than four feet (4') in height may be located in any front yard. Fences less than four feet (4') may be located on any part of a lot.

No fences are allowed within the “sight triangle”. No fence shall obscure clear view of traffic at street intersections or driveways so as to create a safety hazard to pedestrians or vehicular traffic.

Except as provided above, fences up to eight feet (8') tall may be erected in any required side or rear yards. Fences in excess of eight feet (8') may be allowed in the cases of tennis courts, swimming pools, other recreational amenities, or for commercial and industrial uses upon review by the zoning administrator.

Determining the maximum height for fences and walls shall be made by measuring from the natural grade of the lot adjacent to the fence to the top of the finished fence structure.

Fences or walls shall not be closer than six inches to any property line. Perennial plantings, including shrubs and hedges, shall not be planted closer than three feet to any property line. Except that fences, walls and perennial plantings may be placed up to the property line by written mutual agreement of adjoining property owners.

In the case of retaining walls, the height requirements shall apply only to that part of the retaining wall above the ground surface of the retained land.

Retaining walls constructed from concrete, stone or other natural or manufactured materials, if used for the purposes of terracing land, holding back failing natural slopes, or for changing the contour of the land for development purposes will not be subject to yard setback requirements.

It is the responsibility of the property owner to locate all easements on their property prior to constructing or placing a fence. No permanent structure, except a fence, shall be erected within a utility easement. Said fence construction requires the express written permission of the City. Said fence may be removed by the City at any time for necessary relocation or repairs of City utilities. In such event the removal and replacement of said fence shall be at the expense of the property owner.

Fences shall not be constructed of non-treated or natural wood products; corrugated tin, corrugated metal, or corrugated fiberglass; or sheet metal. Fences may be constructed from chain link, non-decomposing wood products (e.g. pressure-treated, redwood, cedar, etc.), molded plastic or wrought iron. The zoning administrator may approve other materials.

Fences in side and rear yards shall have at least one (1) access point, to allow for access for public safety and utility purposes.

