

Village of Stewart Manor
FENCE and SHED PERMIT APPLICATION

COMPLETE BOTH SIDES OF THIS APPLICATION

- All fences and sheds in the Village of Stewart Manor require a permit including the replacement of existing fences and/or sheds. All permit applications must meet the current Village code including replacements (unless a variance to the code was granted).
- If the property is not a corner lot or abutting the business district, the attached "Fence Guidelines" form must be marked with the fence location and height.
- A copy of survey showing location of proposed fence/shed on property must also be attached to this application.
- Fees must be paid at the time of application. If the applicant is requesting a permit to legalize and maintain an existing fence and or shed, an additional legalize and maintain fee must be submitted with this application.
- Fence permit fee is \$50.00
- Shed permit fee is \$75.00
- Legalize and maintain fee for prior construction without a permit is \$150 in addition to above.
- Application must be completed in its entirety. Please fill in any blanks with not applicable (n/a).

Date: _____ Property ID : _____

Property Address: _____ Section: 33 Block: _____ Lot(s): _____

Property is: [] Interior lot [] Corner lot [] A lot abutting the business district

Type of Application: [] new fence [] legalize and maintain existing fence [] replace existing fence (must meet the current code requirements) [] shed [] legalize and maintain existing shed

Description of work/materials/reason for construction: _____

OWNER'S Last Name: _____ First Name: _____

Address: _____

Home Phone: _____ Business Phone: _____

APPLICANT (IF DIFFERENT FROM OWNER) Last Name: _____ First Name: _____

Address: _____

Home Phone: _____ Business Phone: _____

CONTRACTOR Name: _____ Lic#: _____

Business Name: _____ Phone Number: _____

Address: _____

**VILLAGE OF STEWART MANOR
BUILDING DEPARTMENT
OWNER'S AUTHORIZATION**

I (we) hereby certify that:

- 1) I agree to permit the Building Inspector and any officer or employee of the Village of Stewart Manor to enter upon the premises in the discharge of their duties with this application.
- 2) Approved plans and a copy of approved permit will remain on the premises at all times until a final inspection of the work is made. These plans will be made available to the Building Inspector.
- 3) Building Inspector will be given a minimum of 48 hours Notice to make the required inspection and no work will continue until such inspection has been completed and approved.
- 4) Owner or his representative will be responsible to arrange for all required inspections.

State of New York]
County of Nassau]

Property Owner - Please Print

Property Owner deposes and says that he/she resides at: _____, Nassau County in the State of New York, that he/she is the owner in fee of all certain lots, parcel of land shown on the attached survey Section 33 Block _____ Lot(s) _____ situated, lying and being within the Village of Stewart Manor; that I/we have read and understand items 1 through 4 as here in stated, that the work to be done upon the premises, will be done in accordance with the approved application and accompanying plans, of which he/she totally familiar and that he/she hereby names _____ as his or her representative to file this application on his/her behalf.

Signature of Owner _____

Sworn to me this _____ day of _____ 200__

Signature of Notary Public _____

INC. VILLAGE OF STEWART MANOR
FENCE GUIDELINES - NOT A CORNER LOT

See Building Dept. for corner lot guidelines and if you abut or are in the Business Zone

PLEASE SUBMIT THIS LAYOUT WITH YOUR FENCE APPLICATION

MARK ALL HEIGHTS AND LOCATION OF PROPOSED FENCING ON THIS PAGE

PLEASE SUBMIT A SURVEY OF THE PORPERTY IF AVAILABLE

- *All installations must conform to Stewart Manor's Fence Code Sec: 200-53.
- *The Village of Stewart Manor is not responsible for the location of the fencing on the property lines
- *It is the homeowner's responsibility to insure that the fence is placed on the subject property.
- *Maximum height is measured to the top of the post caps from grade.
- *Fencing must be good side out if not PVC

MAXIMUM ALLOWABLE HEIGHTS

REAR YARD

(All property from the rear of the home to the rear property line)

Up to 6 feet in height permitted, however, the top 1 foot must be open weave

GARAGE

CROSS OUT
GARAGE IF NO
GARAGE
EXISTS OR IS
ATTACHED TO
DWELLING

HOUSE

IS DWELLING
(CHECK ONE)

ATTACHED _____

DETACHED _____

SIDE YARD

(all property along the side of the home)

Up to 4 foot in height permitted but fence must be 50% open

SIDE YARD

(all property along the side of the home)

Up to 4 foot in height permitted but fence must be 50% open

FRONT YARD

(all property in front of the home)

No fencing whatsoever permitted

SIDEWALK

FENCE CODE:§ 200-53. Fences. [Amended 4-1-1997 by L.L. No. 1-1997; 10-3-2000 by L.L. No. 3-2000; 12-5-2000 by L.L. No. 5-2000; 12-6-06 by L.L. 6 of 2006]

A. Permit required.

No person, firm, association or corporation shall hereafter erect and maintain any fence for any purpose whatsoever, without first having obtained a permit therefore from the Building Inspector.

B. Applications for permit.

All applications for a permit made to the Building Inspector shall state the purpose for which the fence is to be erected. The application shall be accompanied by a plot plan showing the proposed location thereof, a drawing showing a side elevation and a statement setting forth the length, height and thickness thereof, together with a description of the material to be used in its construction.

C. Fees.

The applicant for any such permit shall pay the fees prescribed therefore under the schedule set forth in Chapter 83 of the Village Code.

D. Fences required in certain cases.

1. Excavations near a public street. Any person, firm, association or corporation owning land within the corporate limits of the Village of Stewart Manor, upon which land there is any public street, sidewalk, road or highway as a result of which the surface shall be lower than the grade of the public street, sidewalk, road or highway adjacent to said land, shall construct a chain link fence along the boundaries of such land adjacent to said public street, sidewalk, road or highway. Such chain link fence shall be constructed so as to prevent children and other persons from gaining access to said premises in which the excavation is located. Such chain link fence shall be a minimum height of seven feet in the business zone and four feet in all residential zones. The height requirements set forth in this section may be varied only in the discretion of the Building Inspector upon good cause shown.
2. The chain link fences provided for in this section shall be maintained until the foundation upon the subject lot is capped and backfilled.
3. Abandoned structures. Any person, firm, association or corporation owning land within the corporate limits of the Village of Stewart Manor, upon which land there exists a wholly or partially complete abandoned or unoccupied structure which shall have been abandoned or unoccupied for a period of more than one year, must install a chain link fence around said property in the dimensions set forth in D-1.

E. Provisions applicable to all districts.

1. No fence, or portion thereof, shall be erected within five feet of the exterior wall of an existing residential structure located on an adjacent property
2. In no case shall barbed wire, spikes, chipped glass, electricity or similar materials or devices be used in conjunction with or as part of any fence.
3. No fence shall be permitted which is expressly designed with the intent to injure or maim anyone who attempts to climb such fence.

F. Provisions applicable to residential districts.

1. Any fence in a residential district shall have its most pleasant or decorative side facing the adjacent lot or street frontage, with all posts being in the applicant's yard.
2. No fence shall be used, erected or maintained in, upon or along the lot lines of the front yard of any residential lot or parcel.
3. In the case of a corner lot, no fence shall be permitted that extends beyond the rear building lines that parallel the adjacent streets other than a four foot 50% open weave type construction (picket) and in no case shall the fence extend beyond the front building line. Where the fence is parallel to the rear building lines, the rear yard guidelines shall apply.
4. The maximum permitted heights of all walls and fences shall be as follows:
 - a. Front lot line: No fences allowed.
 - b. Side lot lines:
 - (1) From the front building line to the rear building line of the principal building located on the premises: four feet, 50% open weave type construction (picket).
 - (2) From rear building line of the principal building located on the premises to the rear lot line: six feet with the top foot of open weave type construction (not solid).
 - c. Rear lot line: six feet with the top foot of open weave type construction (not solid).
5. Exceptions. The maximum fence height for a side or rear lot line shall be six feet with the top foot of open weave type construction (not solid) when and where the same actually abuts any business district.

G. Provisions applicable to nonresidential districts.

1. Any fence facing a residential district or fronting a street shall have its most pleasant or decorative side facing the residential district or street, with all posts and supports being on the side of the wall or fence opposite the residential area or street, unless the same is a part of the design thereof. This relationship shall prevail where any more restrictive district abuts any less restrictive district, with all posts and supports to be located on the less restrictive district side.

2. The maximum permitted heights in a business district shall be:
 - a. Front lot line: No fences allowed.
 - b. Side lot lines:
 - (1) From the front building line to the rear building line of the principal building located on the premises: four feet, 50 % open weave type construction (picket).
 - (2) From the rear building line of the principal building located on the premises to the rear lot line: six feet.
 - c. Rear lot line: six feet.

H. Replacements.

Any replacement of an existing fence shall require a fence permit. All the rules of this chapter shall apply.

SHED CODE:

§ 200-30. Permitted accessory uses and structures in Residential District.

In the Residential District, no accessory use or structure shall be permitted except as follows, and all shall require a permit:

- B. **Storage sheds**, if of sturdy construction, reasonable material and erected with quality workmanship. No such sheds shall exceed eight feet in height, nor shall they be located closer than four feet to the property line.

§ 200-34. Area.

In all districts, no accessory use or structure shall be permitted if its use or presence results in the maximum building area, as defined in Article III, § 200-16, being exceeded. In all districts, in the required rear yard, no more than 30% of the area shall be utilized for accessory structures.

§ 200-35. Front yard restrictions.

A. In all districts, no accessory use or structure shall be permitted in the required front yard except a porch, stoop, stairs, driveway, walkway, awning, flagpole or lightpole.

§ 200-36. Side yard restrictions.

In the Residential District, no accessory structure shall be located in either of the required side yards of a detached house except a fence, stoop, stairs, driveway, walkway, awning, flagpole or garage, provided that said garage is not located nearer than four feet to the adjoining property line.
