



CHESTNUT HILL COMMUNITY ASSOCIATION

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Serving the community since 1947

What you need to know about the PHILADELPHIA ZONING CODE and FENCES

This information is for PROPERTY OWNERS who are contemplating building a new fence or replacing an existing fence. Importantly, it is also for REALTORS, FENCE COMPANIES, CONTRACTORS, DESIGN PROFESSIONALS, and any other entity in the position to advise on the installation of a fence.

The Chestnut Hill Community Association (CHCA) is dedicated to encouraging a sense of community and to improving the quality of life in Chestnut Hill. The CHCA does not write City zoning code or report violations. However, the CHCA does believe the Philadelphia Building and Zoning Codes regarding fences are appropriate for Chestnut Hill and supports them for the following reasons:

- The code encourages an open view of buildings and landscape, creating a more inviting community and allowing physical beauty to be seen by all.
- Visually permeable fences and related landscaping enhance the broader community's architectural tradition, balance of built environment and open space, neighborliness, and security.
- Police generally state that both pedestrians and homeowners may be safer without the obscuring quality of a completely opaque fence.

It is important to know that the Philadelphia Zoning Code (PZC) places restrictions on fence design that include three key points. (This document is intended to highlight the PZC and does not replace it.¹)

1. For fences along property street frontages, and on side property lines forward of the front wall of the house, fences are limited to 4 (four) feet in height and must be no more than 50 (fifty) percent opaque, allowing one to see through to the other side. At side property lines from the front wall of the house to the rear, and along the rear property line, fences can be a maximum of 6 (six) feet in height and can be 100 percent opaque.
2. A zoning permit is NOT required for a fence if the conditions in point 1 are satisfied. A Zoning Variance from the Philadelphia Zoning Board of Adjustment (ZBA) IS required if the fence design does not comply with these conditions.
3. Existing, non-compliant fences are NOT 'grandfathered.' When replacing a non-compliant fence, property owners must either install a compliant fence or obtain a Zoning Variance.
4. Retaining walls supporting fences may require a building permit.

The CHCA recognizes that there may be certain conditions where additional height or opacity may be appropriate. To qualify a fence for such an exception to code, one must file an application for a zoning permit with Philadelphia Department of Licenses & Inspections (L&I). (As an option, consider the use of additional landscape planting, which is not regulated.)

This application will be automatically refused, at which point the property owner can apply for a Zoning Variance and come before the CHCA Development Review Committee (DRC) and associated committees to demonstrate significant hardship, commit to reasonable mitigation of community impacts, and solicit community support (the complete DRC Review Process schedule can be viewed at the CHCA website). If the variance request is supported, the CHCA Board will issue a letter of support to the ZBA on the applicant's behalf.

¹ Refer to Code Section 14-706 Development Standards/Fencing and Walls
<http://www.amlegal.com/library/pa/philadelphia.shtml>