

# COUNCIL CHAMBER

City of Berea, Ohio

Ordinance No. 2020 - 57  
By Jim Maxwell Sponsored By Mayor Cyril M. Klein  
AN ORDINANCE

**REPEALING AND REPLACING SECTION 309.06 (E), FENCE AND WALL REGULATIONS, OF THE ZONING CODE OF THE CITY OF BREA, AS ADOPTED MAY 7, 2012, AND AS AMENDED THEREAFTER, TO MODIFY FENCE STANDARDS.**

**WHEREAS**, the Zoning Code of the City of Berea, Ohio, was enacted by Ordinance No. 2012-29 and adopted on May 7, 2012; and

**WHEREAS**, it is important to periodically review and appropriately amend the Zoning Code of the City of Berea to ensure that it serves the best interests of the City and its residents and businesses; and

**WHEREAS**, Section 309.06 (E) of the Zoning Code requires that a 25% minimum open space be present on any fence located within five (5) feet of any property line; and

**WHEREAS**, in the opinion of the Zoning Administrator, for some properties, the requirement of 25% minimum open space may be more limiting than is reasonable.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Berea, State of Ohio:

**SECTION 1.** That Section 309.06(E), Fence and Wall Regulations, which has heretofore read as follows:

(E) Fence Standards. A minimum of 25% of uniform open space shall be present on any fence located within five (5) feet of any property line.

**shall be repealed and replaced to read as follows:**

(E) Fence Design Standards. The Zoning Administrator shall establish Fence Design Standards. Any person or entity seeking to construct a fence shall file a written application for a building permit in accordance with the Design Guidelines established by the Zoning Administrator, this Section of the Zoning Code, and all applicable state and federal laws and regulations.

**SECTION 2.** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

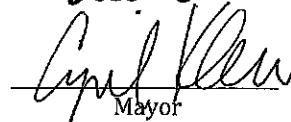
**SECTION 3.** That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: December 21, 2020

  
President of Council

ATTEST: John J. Maxwell  
Clerk of Council

APPROVED: December 21, 2020

  
Mayor

APPROVED AS TO FORM:  
John J. Maxwell  
Director of Law