

Fences and Walls

Kansas City Ordinance

Sec. 27-10. - Fences and walls.

(a)

Fences and walls, generally. No fence or wall over six feet high shall be erected on a residential lot, provided that this height restriction is further limited in subsections (b), (c), (d) and (e) of this section.

(b)

Front yard fences and walls. No fence or wall in the front yard of a residential lot may be over 48 inches high. For the purposes of this subsection, front yard is defined as the open space on the same lot with a building used as a residence, between the front wall of the building and the line of that wall extended, the side property lines of the lot, and the front property line of the lot nearest the street on which the building fronts.

(c)

Front yard fences and walls on vacant lots. No fence or wall in the front yard of a vacant residential lot may be over 48 inches high. For the purposes of this subsection, the front yard is defined as the open space between the platted or established front building line, the side property lines of the lot, and the front property line of the lot nearest the street. The depth of a front yard of any vacant residential lot shall not be less than the least depth of the front yard of any existing improved residential property on the same side of the street within the same block.

(d)

Fences and walls on corner lots. No fence or wall in the front or side yard of a residential property may be over 48 inches high. For the purposes of this subsection, side yard is defined as the open space on the same lot with a building used as a residence, situated between the side wall of the building or structure and the side property line of the lot nearest the street and extending through from the front yard to the rear yard. For purposes of this subsection, the rear yard is defined as the open space on the same lot with a building used as a residence between the rear line of the building and that line extended, the side property lines of the lot and the rear property line of the lot.

(e)

Fences and walls on vacant corner lots. No fence or wall in the front or side yard of a residential corner lot may be over 48 inches high. For the purposes of this subsection, side yard is defined as the open space situated between the platted or established side yard setback line and the side property line of the lot nearest the street and extending through from the front yard to the platted or established rear yard setback line.

(f)

Applicability. The requirements of this section do not apply to walls of buildings, portions of retaining walls below grade on one or both sides, or to any fence or wall constructed prior to March 20, 2000.

(Ord. No. 000138, § B, 3-9-00)

Sec. 27-11. - Special exceptions.

- (a) The board of zoning adjustment is hereby authorized to grant special exceptions to the requirements set forth in [section 27-10](#).
- (b) Special exceptions may be granted by the board provided that it is demonstrated that:
 - (1) There is good and sufficient cause to grant the exception commensurate with the degree and nature of the exception requested;
 - (2) The grant of a special exception will not adversely affect the appearance of the neighborhood or adjacent properties; and
 - (3) The wall or fence is compatible with the existing residence/building in terms of materials, color and design.
- (c) Upon consideration of the factors set forth in subsection (b) of this section, the board may attach such conditions to the granting of the special exception as it deems necessary.
- (d) The board of zoning adjustment is hereby authorized to establish rules and regulations for the method of requesting special exceptions, nature of hearing, and such other matters it deems appropriate.
- (e) The filing fee for requesting of a special exception shall be \$174.00.
- (f) A simple majority of the board shall be required to approve any special exception.
- (g) The requirements of sections [80-330](#) and [80-335](#) as to public hearing and notice shall not apply to this section; provided, however, that all adjacent or contiguous property owners to the subject property shall be sent mailed notice 13 days in advance of any hearing before the board requesting a special exception to [section 27-10](#). The notice shall set forth the general purpose of the hearing and the time and place thereof. The names of property owners shall be determined as the owners of record according to the records of the city assessor. For all hearings before the board of zoning adjustment, the director of city development or his/her designee shall certify by affidavit that the mailing has occurred and such affidavit shall become part of the record as proof of such mailing.
- (h) Any person or persons jointly or severally aggrieved by any decision of the board or any office, department, board or bureau of the municipality may present to the circuit court of the county in which the property is situated a petition, duly verified, setting forth that such decision is illegal, in whole or in part, and specifying the grounds of the illegality. The petition shall be presented to the court within 30 days of the date of the decision of the board.
- (i) The city manager shall have the authority to adjust the fees listed above to reflect the change in the consumer price index (all items/all urban consumers/Kansas City, Missouri/Kansas) published by the United States Department of Labor, Bureau of Labor Statistics. The

adjustments, if any, shall be made annually by the city manager in conjunction with the adoption of the annual budget of the city by filing a notice with the city clerk.
(Ord. No. 000138, § B, 3-9-00; Ord. No. 080766, § 1, 8-14-08)

Editor's note— The fees in this section have been amended at the direction of the city to reflect the fees effective as of April, 2013.

Sec. 27-12. - Electric fences.

All fence containing uninsulated electric conductors that may be exposed to human contact that are permitted under [Chapter 48](#) must meet or exceed the following standards:

a.

Commercial or heavy industrial zone.

1.

May not be located within five feet of any public street or sidewalk.

2.

May not be located less than 300 feet from a residence or from any public, private or parochial school, day care facility, church or park land.

3.

The system may not exceed 12 volts.

4.

The system used to energize the electric fence, must be listed by a national testing agency such as UL or ETL.

5.

The entire electric fence must be inside or enclosed by a primary non-electric perimeter security fence a minimum of six feet in height and located no closer than five feet to the electric fence.

6.

Warning signs must be displayed every 50 feet clearly identifying the fence as an electric fence.

b.

Agricultural zone. Electric fences may not be within five feet of any surfaced public street or sidewalk.

(Ord. No. 010845, § 1, 6-14-01)