



4800 W. Green Brook Drive, Brown Deer WI 53223
414-371-3030 - Building Inspection



BROWN DEER FENCE REGULATIONS

BUILDING PERMIT REQUIRED: FEE \$30.00

DEFINITIONS:

Fence: A structure or wall which is a barrier and used as a boundary or means of protection, confinement or screening.

Fence, Open: A fence, including gates, which has, for each one foot wide segment extending over the entire length and height of a fence, 50% of the surface area in open spaces which afford a direct view through the fence, such as chain link and wooden open weave, picket or lattice fences.

Fence, Solid: A fence, including gates, which conceals from view from adjoining properties, streets or alleys, activities conducted behind it such as stockade, dog ear or shadow box fences.

- A.** The following fences and uses are permitted and may be located in the interior side yards and rear yards:
1. Fence, Open: Not more than five (5') feet in height, except in Business and Manufacturing Zoning Districts. Such fences may be higher and in Manufacturing Districts open fences may be located in the front yard.
 2. Fence, Solid: Not more than six (6') feet in height in Business and residential Zoning Districts, not more than eight (8') feet in Manufacturing Zoning Districts.
- B.** No barbed wire, chicken wire or electrically charged fences shall be allowed except that in Business and Manufacturing Zoning Districts barbed wire may be allowed on the top of a fence six (6') or more in height.
- C.** All perimeter or border fences within five (5') feet of a lot line shall be constructed with the finished or decorative side facing the adjacent or abutting properties.
- D.** Fences may be installed in all yards except front yards and side yards adjoining a street. This means that fences **may not** be constructed in front of your home or, if located on a corner, fences **may not** be constructed in the side yard of your home that adjoins the street.
- E.** Fences can be constructed within an easement on the property, but it is **not recommended**. If a Utility company needs to get back into the easement for whatever reason, and a section of your fence needs to be removed, the expense to replace or reinstall the removed portion is **YOUR RESPONSIBILITY**, not the Utility companies.
- F.** Your fence location and construction details must be confirmed with the Building Inspection Department **BEFORE** the fence may be constructed.
1. Indicate on a copy of your plat survey where the proposed fencing will be located.
 2. Bring information about your choice of fencing when you apply for your permit, i.e. type, height, etc. Also bring a brochure which illustrates your choice if fencing.

If you have any questions regarding the above outlined regulations, please contact the Village of Brown Deer Building Inspection Department at 414-371-3030.

PROPERTY LINE INFORMATION

The Village of Brown Deer property line information is limited to lot dimensions only. If you wish to find your approximate lot dimensions, please visit the Village's GIS mapping service at <http://rmgis.ruekert-mielke.com/browndeer/>. The Building Inspection Department may also have a copy of an old survey showing your private property lines however Village staff cannot come to your house to locate your property line or take sides in a dispute over a private property line. Property line disputes between property owners are a legal issue and are not regulated by Village Ordinances.

Contract a Licensed Land Surveyor for professional service in surveying your property line and/or an attorney for legal advice regarding your rights as a property owner. Also, find out if complaints have been filed against a contractor/survey or before you hire them.

Contact the Wisconsin Consumer Protection Agency (800-422-7128), and/or the Better Business Bureau (800-273-1002) for more information.

The information below is intended to assist you in locating your property lines. All information is general in nature and should not be considered as legal advice or as a substitute for a survey.

FAQ

What does a property survey involve?

There are various type of property surveys but the most common is to survey an existing parcel of land. A professional land surveyor will typically stake the corners of a property by retracing the legal description in a deed. Various improvements may be located and made part of a map that is prepared, signed and certified by the land surveyor. There are occasions where the property line as described in the deed conflicts with that of the adjoining property's improvements or legal description. Ownership of these areas in conflict are legal matters and are beyond the realm of authority and responsibility of a surveyor to determine.

What is a survey stake?

When land is surveyed, metal stakes, also known as "irons" or "monuments", are placed in the corners of the lot. There are four main types of legal monuments: 1" diameter iron pipe that is 30" long; 3/4" diameter rebar that is 18-30" long, 1-1/4" diameter rebar that is 30" long; and 2" diameter iron pipe that is 30" long (used for plat corners in older plats). Newer stakes may have plastic caps on top or have the tip painted with a bright color. Other types of monuments may exist in the Village (such as stone markers or "pinch top" pipes) particularly in older sections of the community.

Where are survey stakes located?

When survey stakes are originally set, they are placed level to the ground at the corners of the original lot boundaries. After many years, the stakes may become buried due to landscaping and grade changes. Most are buried a few inches deep; some may be as deep as a foot or more.

What if I cannot find my survey stake?

It may have been removed or relocated by previous owners, utility companies or others. The stake may also be buried beneath the lawn surface, retaining walls, paved driveways, hedges, etc. Renting a metal detector can be helpful in locating the iron stakes. There are also many occasions over the years where parcels were created by a legal description used in a deed, but never legally surveyed and monumented.

Does finding my survey stake guarantee the location of my property line?

No. Only a licensed land surveyor can survey your actual property line per your deed. Sometimes, survey stakes have been moved or removed. It is also possible that the original lot has been subdivided and new survey stakes have been inserted in addition to the older, original stakes.

When would I need a survey?

Since land and its improvements are a major financial investment, all land ownership boundaries should be located, monumented, and mapped by a property survey. Depending on the type of survey, Wisconsin law requires the map is either recorded with the Milwaukee County Register of Deeds or filed at the County Surveyor's Office (in Milwaukee County's case this is the Southeastern Wisconsin Regional Planning Commission). Home improvement contractors typically expect the homeowner to assume the responsibility for locating lot lines. You may also need a survey to provide legal evidence if you are involved in a lot line dispute. A survey is the only document that can accurately show your property boundaries.

- **A survey may also be necessary when property;**

- Is divided into parcels for sale or development
- Is to be sold, purchased or mortgaged.
- Improvements are planned or to be developed.
- Boundary or corner locations are uncertain.
- Trespass or encroachment is evidenced or suspected

How do I get my lot surveyed?

Surveyors are licensed by the State of Wisconsin. Look in the Yellow Pages under "Surveyors-Land". While it may seem expensive to hire a surveyor, it may be cheaper than relocating improvements or legal costs incurred by encroaching on someone else's property. That is a decision for you to make. A property line in common to several owners may allow for sharing of costs. **For more information on surveys, and to find a local Surveyor to hire, visit the Wisconsin Society of Land Surveyors website at www.wsls.org.**

What can I do to settle a land boundary dispute?

There are several reasons for property disputes. Examples include: legal descriptions between adjoining properties do not coincide, survey error, a historical pattern of occupation that does not correspond to the property line, and encroachment of a building or structure. Most disputes are private matters that are to be resolved by you and your neighboring landowner(s). If the matters still cannot be resolved, the next legal step is to contact an attorney. Most disputes are settled before trial, if not before the complaint is filed.



Village of Brown Deer
 4800 W. Green Brook Dr.
 Brown Deer, WI 53223
 414-371-3030 / Fax 414-371-3045
 (PLEASE TYPE OR PRINT WITH BALL POINT PEN)

PERMIT NO:

PPR ___ - ___

PB ___ - ___

BUILDING PERMIT APPLICATION

One & Two Family Commercial

Project Address:					
OWNER:			Owner Telephone:		
Mailing Address:			City:	State:	Zip:
To Be Occupied By:			Telephone:		
CONTRACTOR:			Contractor Telephone:		
Address:			Qualifier Name: (Print Name)		
City:	State:	Zip:	City:	State:	Zip:
Contractor No:		Expires:	Qualifier License No:		Expires:
Architect/Design Engineer Firm: (If Applicable)			Contact Person: (Print Name)		Telephone:
Address:			City:	State:	Zip:
Addition		Fence (\$30.00 fee)		Garage	
Alterations		Finished Basement		Re-Roofing	
Deck (\$85.00 fee)		Fireplace		Shed	
Fascia/Soffit		Foundation Repair		Siding	
EROSION CONTROL (YOU MUST FILL OUT SEPARATE EROSION CONTROL PERMIT)				Other	
Square Footage Under Construction			Sq. Ft.	Estimated Cost of Work \$ (You must put in a total)	
DOUBLE FEES FOR WORK STARTED BEFORE OBTAINING A PERMIT				TOTAL PERMIT FEE \$ (\$60.00 MINIMUM)	
State in detail the kind of occupancy or work to be performed: (Mention alterations, replacements, fence, etc.)					

Inspections are required before any work is concealed, when work is complete and prior to Occupancy or Use. Please Have Permit Number and Address When Requesting Inspections. Please Give At Least 24 Hours Notice. FINAL INSPECTIONS ARE MANDATORY.

It is Hereby Agreed between the undersigned as owner or his/her agent, and the Village of Brown Deer, that for and in consideration of the premises and of the permit to construct erect, alter or install and the occupancy of building as above described, to be issued and granted by the Building Inspector, that the work thereon will be done in accordance with the descriptions herein set forth in this statement, and as more fully described in the specifications and plans herewith filed; and it is further agreed to construct, erect, alter or install and occupy in strict compliance with the ordinances of the Village of Brown Deer, and to obey any and all lawful orders of the Building Inspector of the Village of Brown Deer, and all State Laws relating to the construction, alteration, repairs, removal and safety of buildings and other structures and permanent building equipment.

Signature Of Applicant: _____ **Date:** _____