

Frequently Asked Questions

When do I need a building permit?- Generally speaking, when a project costs \$1,000.00 or more to construct. However, it is necessary to at least apply for a permit regardless of the cost of the project due to the fact that there are ordinances which regulate building activity regardless of the need to obtain a permit. An example would be when building a shed. A small shed may be less than \$1,000.00 to build, however there are regulations as to where you may place a shed, how large it can be, how tall it can be, etc. Also, any electrical work requires a permit to be obtained.

How large can a shed be?- This depends upon the size of your property. Sheds are referred to as accessory buildings and are governed by **Town Ordinance #96-4**. If your lot is less than 40,000 square feet in size, then you are limited one shed of up to 168 square feet. If you have greater than 40,000 square feet of property, you are allowed up to 336 square feet of shed space and more than one shed.

How tall can a shed be? 12 feet regardless of its size.

Where can I place a shed? A shed must be kept at least 5 feet off of any side or rear property line and at least 5 feet away from any other structure on the property. Additionally, if it is placed on a permanent foundation, it must be kept off of any easement. We discourage placing sheds on easements at all but they can be placed on easements if they are portable.

What is an easement? An easement is simply an area of a lot that is designated for the placement of public (or private) utilities including storm water mains or swales, water mains, sanitary sewers, gas, electric, cable tv. Etc.

Who owns an easement? Typically, the property owner. Everyone should have a Plat of Survey of their property. It will show the location and size of any easement(s) on your property. It should also show the size of the easement. **A neighbor does not have the right to be on your easement unless you have given them that right.** This happens fairly frequently that a person feels that they have the right to be on the easement portion of a property regardless of which side of a property line the easement is on. Again, easements are typically on someones' private property and only that property owner, the utility companies and the Town of Dyer has a right to be on an easement

Who has a right to be on an easement? Typically, NIPSCO, Ameritech, Cable TV., and The town. Some easements are specific and limited to, for example, Ameritech if that is all there is in the easement and all that is anticipated to be needed in the easement. However, most easements are generic and the right to use them is granted by an original developer to any and all entities to use for the installation of their particular utility.

What is a right of way?- A right of way is public property which is typically set aside for the construction of a road and the installation of utilities.

How does an easement differ from a right of way? An easement is typically privately owned and a right of way is public land.

Where does my front property line begin? If you have a sidewalk in front of your house, then that is the best way to determine where your property begins. The back side of the sidewalk (the side furthest from the street) is where your property begins. You are responsible for the maintenance of the sidewalk and the greenspace between the sidewalk and the street even though it is not actually your property. The Town simply could not afford the personnel to maintain all of that property. If you do not have a sidewalk, then the general rule of thumb is to measure back 13.5 feet from the street/curb and that is approximately where your front property line begins. Of course, the best way to determine this is to have the property surveyed and have the line determined definitively.

How large can I build a garage? Our Ordinance, #96-3, governs garages. It states that garage size is predicated on lot size. An attached garage can be 7.5% of the lot size, not to exceed 1,200 square feet in an R-1 district and 1,000 square feet in an R-2 district. A detached garage can be 7% of the lot size not to exceed 1,100 square feet in an R-1 district and 900 square feet in an R-2 district.

Detached garages must be at least 5 feet off of side and rear property lines and cannot be built on an easement. They are also limited to 15 feet in height (to the peak of the roof).

What constitutes a weeds/grass violation? Ordinance #92-9 governs this matter. Grass/weeds cannot exceed 12" in height.

What is a junk vehicle? Again, Ordinance #92-9 governs this matter. A junk vehicle is defined as that which does not carry a current license plate, is not safely operable under its own power, or is not carried on the most recent tax records of the county assessor's office. Any such vehicle can only be parked in a garage. It cannot be parked on a street, driveway or any portion of private or public property.

Can I park my RV on the street? No. This is governed by Ordinance #97-1 which declares that Recreational Vehicles-defined as a boat, motorhome, trailer, jet skis etc., must not be parked in a street or parkway (area between the sidewalk and the street). They must be parked in a driveway or on a hard surface to the rear of the residence.

Can I put a fence on my property line? Yes. Fences are allowed to be up to 6 feet tall in a residential area, 8 feet in commercial and 10 feet in industrial districts. Fences over three feet tall in residential districts are limited to side and rear of property. Front yard fences are allowed in commercial and industrial districts. They are also allowed in residential districts as well, however they are limited to 3 feet in height and must be decorative in nature. Examples would be split rail fences, wrought iron fences and picket fences. It should be noted that, although you may fence in an easement, if any work needs to be done in the easement that would require the removal of the fence, you are responsible for its removal and replacement (if you choose to replace it).

Other questions of a more specific nature can be addressed to Rick Eberly-Code Enforcement Officer. He can be reached at (219) 865-6108 or you can e-mail him at zoning@dyeonline.com.