Fence Application Cover Sheet

INFORMATION IN REFERENCE TO THE STRUCTURE:

Fence Material: Chain Link ☐ Wooden ☐ Vinyl ☐ Other ☐

Fence Height (ft): _____ **Is this property a Corner Lot?** Yes ☐ No ☐

Other (Please Explain): _____

_____

Will fence be installed as Pool Barrier? Yes ☐ No ☐

APPLICANT INFORMATION:

The person completing this form is the "Applicant". The Applicant can be the owner or an individual or group acting on behalf of the owner. Is the Applicant the owner of the property where the proposed fence would be constructed ("the Site") ? Check:

Yes ☐ No ☐ Initial: _____

Name of Applicant: _____

Applicant Address: _____ **Phone#:** _____

Site Address (if different): _____

E-Mail Address: _____

Owner's Name(s) (if different from Applicant): _____

Name of Subdivision: _____

Lot #: _____ **or Parcel #:** _____ **Section:** _____

A BUILDING PERMIT IS REQUIRED FOR ALL ACCESSORY STRUCTURES AND OR ANY FENCE THAT EXCEEDS 7 FEET IN HEIGHT. ALL ACCESSORY STRUCTURES MUST MEET MINIMUM BUILDING SETBACK REQUIREMENTS.

YOU WILL NEED TO PROVIDE A SITE PLAN SHOWING DIMENSIONS AND DETAILS OF THE INSTALLATION OF THE FENCE. THIS CAN BE DRAWN ON PAPER, BUT SHOULD INCLUDE AS MUCH DETAIL (INCLUDING MEASUREMENTS) TO SHOW THE APPROXIMATE LOCATION OF THE AREA, FENCE, DRAINAGE EASEMENTS, UTILITY EASEMENTS, ROADWAYS, ETC.

YOU ARE HEREBY ADVISED NOT TO COMMENCE CONSTRUCTION PRIOR TO RECEIPT OF WRITTEN NOTICE FROM THE TOWN OF SMYRNA THAT THE PROPOSED PROJECT MEETS THE APPLICABLE REQUIREMENTS OF THE TOWN. IF YOU PROCEED WITH CONSTRUCTION PRIOR TO RECEIVING SUCH WRITTEN NOTICE THEN YOU MAY BE REQUIRED TO TEAR DOWN, REMOVE, AND/OR RELOCATE ALL OR A PORTION OF THE CONSTRUCTION, ALL OF WHICH WOULD BE AT YOUR COST.

THE GAS, WATER, AND ELECTRICAL METERS MUST REMAIN OUTSIDE OF THE FENCED AREA. THE TOWN OF SMYRNA UTILITIES DEPARTMENT MUST HAVE ACCESS TO THE METERS FOR READING, INSPECTIONS, AND MAINTENANCE PURPOSES. THE DEPARTMENT MAY REQUIRE ACCESS GATES IF PUBLIC UTILITY LINES ARE BURIED ON THE PROPERTY WHERE THE PROPOSED FENCE IS TO BE CONSTRUCTED.

Fences used as pool barriers must be inspected to verify compliance with the International Residential Code – this form cannot be used for a pool barrier.

Although response times may vary, typically, you will receive a response to your application within ten business days. If you have not received a response within that time, please contact the Public Works Department at (615) 459-9766.

The Owner hereby requests permission to place a fence/structure within the property boundary limits of the aforementioned site. The Owner is responsible for identifying the property boundary limits and ensuring all portions of fence/structure are within the property boundary limits.

By checking and signing below, the Applicant certifies that they have read **all** comments and have completed and included all forms listed below to the best of their abilities

Fence Application Cover Sheet ☐ Fence Affidavit ☐ Site Plan ☐

OWNER'S SIGNATURE: _____ DATE: _____

PRIOR TO ANY CONSTRUCTION, YOU MUST CALL 811 TO HAVE ANY UNDERGROUND UTILITIES MARKED

Submit completed application to the Public Works Department in person or email to:

bradly.jordan@townofsmyrna.org

For questions, please call (615) 459-9766.

Fence Requirements

Though a permit is not required for the installation of fences that are not taller than 7 feet in height, the Zoning Ordinance of the Town of Smyrna contains requirements for the installation of fences within the Town limits. It is important to refer to these requirements prior to the installation of a fence on your property. Certain relevant sections of the Zoning Ordinance pertaining to fences are provided below along with certain other applicable rules. Other sections of the Zoning Ordinance or certain building codes may also be relevant to your project. You are encouraged to review the Zoning Ordinance and relevant building codes prior to commencement of construction to ensure that your project meets their requirements. YOU ARE ADVISED NOT TO COMMENCE CONSTRUCTION PRIOR TO RECEIPT OF WRITTEN NOTICE FROM THE TOWN OF SMYRNA THAT THE PROPOSED PROJECT MEETS THE APPLICABLE REQUIREMENTS OF THE TOWN.

- **<u>Definitions</u> (See § 2.020 of the Zoning Ordinance):**

FENCE: An artificially constructed barrier of wood, masonry, stone, wire, metal, vinyl, or other manufactured material or combination of materials erected as a boundary, privacy screen, or enclosure.

FENCE, DECORATIVE: A fence constructed of wood, wrought iron, vinyl, or brick that is no more than three feet tall.

- **Zoning Ordinance § 3.080 <u>Obstruction to vision at street intersections and railroad intersections prohibited.</u>**

On a corner lot in any district except the Central Business District within the area formed by the center lines of the intersecting or intercepting streets and/or railroads and a line joining points on such center lines at a distance of seventy-five (75) feet from their intersection, there shall be no obstruction to vision between the height of three and one half (3 ½) feet and a height of ten (10) feet above the average grade of each street and/or railroad at the center line thereof. The requirements of this section shall not be construed to prohibit any necessary retaining wall.

- **Zoning Ordinance § 3.180 <u>Fences</u>**

Fences are allowed to be installed on any lot in any district subject to the following limitations:

A. No encroachment on the front setback is allowed. In the case of a lot with multiple road frontages, this would include the front yard setback on which the principal structure faces. On any road frontage, which the principal structure does not face, a fence could encroach on the front yard setback provided the provisions of Article III, Section 3.080 are met.
B. Fences and decorative fences are allowed to be located along property lines in the side and rear yards.
C. In no case shall a fence or decorative fence encroach upon a public utility or drainage easement without prior written approval of the Director of Utilities or the Town Engineer, whichever is applicable.
D. Decorative fences are allowed to encroach upon a front yard setback. A decorative fence is a fence constructed of wood, wrought iron, vinyl, or brick which is no more than 3 feet tall. The amount of decorative fence allowed in a front yard is limited to no more than ten horizontal feet per parcel of land constructed in individual portions not exceeding five horizontal feet each. However, no fence or decorative fence is allowed to encroach upon public right-of-way.
E. Any fence on land utilized for agricultural use as defined by this Ordinance is exempt from these provisions other than the prohibition against encroachment on public right-of-way.

- **Zoning Ordinance § 3.050 <u>Corner Lots</u>**

The side yard setback requirements for corner lots shall be the same as the front setback requirements for the next adjacent lot fronting on the street that the side yard of the corner lot faces.