



Fence Permit

Community Development/Planning Dept.
401 N. Madison St., Spring Hill, KS 66083
(913) 592-3657 • (913) 592-3589 FAX
planning@springhillks.gov • www.springhillks.gov

Permit No. _____
Approved By: _____
Date: _____
Permit Fee \$ <u>25.00</u> _____

PROPERTY ADDRESS _____

ZONING _____ County (check one): Johnson Miami

OWNER OF PROPERTY _____ PHONE _____

Contractor/Installer of fence _____

Contractor Address _____ City _____ State _____ Zip _____

Contractor Phone _____ Contractor E-mail _____

Description of materials to be used (wood, chain link, plastic, iron, etc.): _____

Height of Fence: _____ Approximate cost of project (labor and materials) \$ _____

Additional Information:

- If you live in a subdivision with a homeowners' association (HOA), we recommend that you refer to the HOA covenants regarding these structures before proceeding with installation.
- Submit a plot plan drawing or mortgage survey, indicating the fence's location in relation to the property lines and the house or business.
- Please call before you dig by contacting the Kansas One-Call System at 811 or (800) 344-7233 to locate all local utilities.
- The back and side yard fences cannot be more than 6 feet tall, front yard fences not more than 2 feet tall, except for 3 foot stand-alone decorative fences.
- The finished board side must face outward toward the neighborhood.
- Corner lots **must** consider the line of site of neighboring properties.
- Building in the utility easement is at your own risk. A utility will not compensate you if a fence is damaged in their process of gaining access to utilities.
- The zoning regulations for screening and fencing are on the back of the page.
- Once the project has been completed, please contact the City of Spring Hill for an inspection at (913) 592-3657.

APPLICANT/OWNER ACKNOWLEDGEMENT

I, _____, (applicant/owner), hereby acknowledge that it is my responsibility to place the fence to be constructed on or within the property boundaries of the address provided on this application.

Signature (applicant/owner): _____ Date: _____

Please see the back of this application for more details regarding permit rules and regulations.

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SCREENING AND FENCING SECTION 17.360 Current with Ordinance 2016-04

A. Purpose and Intent. It is the purpose and intent of this Section to improve the well being of the community by the control of fencing, and the requiring of proper screening to enhance visual surroundings by screening out unsightly views and conditions, to increase the quality of living by upgrading conditions within the City of Spring Hill, to protect the residential community by affording a level of privacy and at the same time establishing better controls to the business and commercial areas. It is desirable to encourage combinations of elements of appropriate fencing, land berm and planting barriers and to soften hard transition areas. It is equally desirable to maintain a high degree of traffic safety by proper location of screening and fencing so that safety will remain paramount. All screening and fencing shall be built using new building materials that are residential in character and must be approved by the Zoning Administrator.

In addition, the Community Development Recommendations of the Spring Hill Comprehensive Plan will supplement these regulations. The purpose of the Comprehensive Plan Recommendations is to provide quality and design criteria relating to all development within the City.

B. Where Screening and Fencing is Required. Screening and fencing shall be required at the following locations:

1. All multifamily residential projects, and all commercial, office, industrial, or conditional use projects, shall include on the site plan, a detailed drawing of enclosure and screening method to be used in connection with trash bins on the property. No trash bin shall be visible from off the property, and a permanent masonry or frame enclosure shall be provided and maintained for each bin.
2. In any district where a retaining wall is needed because of abrupt changes in the grade, planting and fencing shall form a protective barrier to prevent loss or injury.
3. Around a swimming pool, as defined in Appendix G of the International Residential Code including portable seasonal pools whether private or public, shall be a protective fenced enclosure in accordance with Section 4-202.R102.5 of the Code of the City of Spring Hill. Swimming pools, hot tubs and spas in existence as of the 30th day of April, 2008 and protected with a four-foot fence and locking gate may continue their current level of pool protection provided the fence and gate are in good repair. Any substantial repair, maintenance or replacement of the fence or gate must be in compliance with Section 4-202.R102.5 of the Code of the City of Spring Hill. (Ord. 2008-13)
4. Around and about hazardous areas, holes, new construction, etc. whether temporary or permanently necessary to protect against intrusion, for control or to give a degree of privacy or whatever reason, to protect the public from a hazardous situation.
5. In Districts C-O through M-1 all buildings shall provide screening of roof clutter, including mechanical equipment, fans, vents, flues, antenna, and satellite dishes.
6. Where it is deemed necessary as a solution to a problem by either the Planning Commission or Governing Body.

(Ord. 2002-07; 2006-48; 2007-24; 2009-21)

C. Where Screening and Fencing is Prohibited. This zoning ordinance prohibits the erection of a continuous fence more than two feet high in the front yard or side yard abutting a street except: 1) in the AG and R-R district where a see-through fence with a height of four feet or less would be allowed; or 2) in the MP and M-1 district where a security fence would be allowed; or 3) the zoning administrator may approve a portion of a fence to be built in the street side yard of a corner lot to screen outdoor mechanical equipment associated with the structure, walkout doors toward the back of the side building line or other unusual cases as deemed appropriate; or 4) in the R-1 and R-2 districts a fence not to exceed six feet in height may be erected in the side and/or rear yard no closer to the abutting side street than three feet measured from the property line, provided such fence shall not be erected in the vision triangle. In addition, this ordinance prohibits the erection of a fence with a height greater than six feet in Districts R-R through MH. Further, in the interest of safety, every attempt should be made to eliminate blind corners near all drive and street intersections. (Also see Section 17.348 - Site Distance on Corner Lots.) Nothing herein shall discourage or prohibit the landscaping, planting, screening and the erection of stand alone decorative fences no taller than three feet in the front yard that are not hazardous to traffic.

(Ord 2016-04)

To provide for continuity when the side or rear yard of one residential property abuts the front yard of another residential property on a corner lot, the fence cannot protrude beyond the front building line of the adjacent lot.

Exception: The Chief Building Inspector may approve the placement of a fence on a corner lot closer to the street than the front building line of the adjacent lot provided all of the following are met:

1. The fence shall not be erected closer to the street than the street side setback line of the corner lot.
2. No blind corners are created at drive or street intersections.

(Ord. 2009-21)

D. Maintenance. It is expected that the owners of fences will maintain and keep them in good repair at all times. In addition, the finished board side must face outward from the property and the post and beams shall be on the inside of the fence. Fences and screening approved on zoning plans and construction plans are elements of the project in the same manner as parking and other details are elements of the plan. The developer, his successor and/or subsequent owners and their agents shall be responsible for the continued maintenance. Should fencing and screening not be installed, maintained, and replaced as needed to comply with the approved plan, the owner and his agent or agents shall be considered in violation of the terms of the Building or Occupancy Permit. The Building Inspector or his designee is empowered to enforce the terms of this Code.