



Town of Milliken
Fence and Wall Permit

Name: _____ Phone: _____

Address: _____

Subdivision: _____ Zoning District: _____

Type of Fence: _____ Height of Fence: _____ Fence Material: _____

Have you reviewed your HOA Covenants: YES NO

Approved By: _____ Date: _____

Please provide, on a separate piece of paper, a site plan that shows the location of the fence/wall on your property. Also, please include the location of your home and any fire hydrants near your property.

Fences and walls must meet the following requirements:

Section 16-2-485 Fences and Walls

(a) Intent. The intent of this Section is to ensure that walls and fences are attractive and in character with the neighborhood. Recognizing that fences are used to create privacy, the Town encourages privacy fences be located close to the house and not along side and rear property lines.

(b) General Provisions

1. Compatibility. **Walls and fences** shall be architecturally compatible with the style, materials and colors of the principal buildings on the same lot. If used along collector or arterial streets, such features shall be made visually interesting by integrating architectural elements such as brick or stone columns, varying the alignment or setback of the fence, softening the appearance of fence lines with plantings, or through similar techniques. A fence or wall may not consist of a solid, unbroken expanse for more than fifty (50) feet for every seventy-five (75) feet of length, or portion thereof. See Section 16-2-835 of this Article of examples.

2. Materials.

(a) **Stone walls, or brick walls with a stone or cast stone cap, treated wood fences, decorative metal, cast iron metal fences, stucco walls and stone piers** are encouraged. Solid walls and fences are permitted only in rare and side yards. **Retaining walls** are permitted where required for landscaping and approved with a final drainage plan or architecture purposes. **Hedges** may be used in the same manner and for the same purposes as a fence or wall. Refer to Section 16-2-835 of the Article for illustrations of fence styles that the Town is encouraging.

(b) **Fences** used in front yards and adjacent to public streets along side and rear yards shall be at least fifty percent (50%) open. Allowable fences are split rail, wrought iron, picket or other standard residential fences of a similar nature approved by the Building Inspector.

(c) **Solid fences** shall be constructed to meet the wind design criteria of the adopted Uniform Building Code, using a basic wind speed of eighty (80) miles per hour.

(d) Other materials may be incorporated in fences and walls as may be approve by the Town.

3. Prohibited Material. Contemporary **security fencing** such as concertina or razor wire, barbed wire or electrically charged fences are prohibited unless specifically allowed by the Board of Trustee's. **Chain-link fencing** with or without slats shall not be used.

4. Retaining Walls. Retaining walls shall be designed to resist loads due to the lateral pressure of retained material in accordance with accepted engineering practice and shall not be unsightly or detrimental to abutting property.

5. Height Limitations. **Fences or walls** shall be:

- (a) No more than forty-two (42) inches high between the front building line and the front property line. **Walls** shall not be solid except for retaining walls. For corner lots, **front yard fence** regulations shall apply to both street sides of lot.
- (b) No more than forty-two (42) inches high if located on a side yard line in the front yard, except if required for demonstrated unique security purposes. **Fences and walls** shall not be solid, except for retaining walls.
- (c) No more than six (6) feet high for an opaque **privacy fence** located on a rear property line or on a side yard line in the rear yard.
- (d) No more than six (6) feet high for opaque **privacy fences** that are located directly adjacent to and integrated with the architecture of the house or connected to a courtyard.
- (e) No more than thirty (30) inches high when located within the site distance triangle, and **fences and walls** within this site distance triangle shall not be solid.
- (f) In the Industrial (I) District, a **chain-link fence** is permitted so long as it is not higher than six (6) feet anywhere on the premises and the visibility at the intersection shall be in accordance with the site triangle regulations. Additional landscaping must be installed to minimize the visual impact of the chain-link fence.
- (g) **Fences** around a recreation court (e.g., tennis, squash racket, squash tennis or badminton) or around a publicly owned recreation area may exceed six (6) feet in height if the fence is at least fifty percent (50%) open.

6. Maintenance. **Fencing** shall be maintained in an acceptable appearance. Missing and broken segments or fence shall be repaired in a timely manner. Dilapidated, unsightly or dangerous fences shall be removed or repaired when so ordered by the Building Inspector. **Hedges** shall be maintained in a healthy condition, trimmed and pruned as appropriate for the plant type. Dead plant material in hedges shall be removed or replaced when so ordered by the Building Inspector. **Hedges** shall not encroach upon sidewalks or street right-of-way. The Town may repair and/or replace **fencing or plants** and bill the owner if the owner does not make repairs as ordered by the Building Inspector.

(c) Warranty Period. The warranty period for perimeter **fences** along arterial and collector streets shall be two (2) years. Provision for compliance shall be as outlined in the warranty section of the subdivision improvement agreement. (Ord. 480 §2.16, 2003)

Additional Information for fencing in the Downtown Area;

- (a) Fencing in the Downtown shall only be permitted along the rear of properties as a security measure and shall be limited to six (6) feet in height.
- (b) All exterior fences which are made of wood shall be finished with a clear seal, or left in the natural color of the wood. Painted fences shall not be permitted.
- (c) Fence support posts shall be constructed inside the fence and shall not be visible from the outside of the fence.
- (d) Fencing shall be maintained in good repair and when needed, shall be replaced with fencing that is equal to or better than the original fencing.
- (e) The use of materials not customarily used for fencing shall not be permitted.

The Town strongly encourages the following standards:

All exterior fences which are made of wood shall be finished with a clear seal or left in the natural color of the wood. Painted fences are not encouraged.

Fence support posts should be constructed inside the fence and should not be visible from the outside of the fence.

All fencing should maintain a three feet clear space from the fire hydrants for emergency personnel access.