

D E S T I N A T I O N

Flatonia

Where All Roads Lead

City of Flatonia
125 E. South Main St.
P.O. Box 329
Flatonia, TX 78941
P: 361-865-3548
F: 361-865-2817

Date: _____

Acknowledgement:

I acknowledge that I have received a copy of the Residential Building Packet provided by the City of Flatonia that discusses what I must do to obtain a construction permit. In this packet is information about what documents the city will require from me for my plan review. It also details what I must do to get an inspection of work that is done. I agree to apply for a building permit before starting any work.

I understand the City of Flatonia is presently using the 2015 International Code Council family of codes and the 2017 National Electric Code. This building packet is not designed to replace the 2015 ICC family of codes or the 2017 NEC. It is designed to provide helpful information to answer questions most frequently asked and prevent common code mistakes. I understand I may request to view the code books and ordinances at City Hall during normal office hours.

Other items received: _____

Property address where work will be done:

I am the property owner____ Contractor for the project_____.

Name and address:

Contact # _____ Email: _____

Signature of Owner/Contractor: _____

RESIDENTIAL BUILDING PACKET

**City of Flatonia
P. O. Box 329 - 125 E. South Main St.
Flatonia, TX 78941**

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CITY OF FLATONIA

General Instructions for Residential Projects New construction, Remodels & Additions

This information packet is designed to help you with planning your construction project and applying for a building permit. The guidelines apply to all types of construction projects: new construction, renovation or remodeling, additions, general repairs, erecting a fence, demolition of a structure and moving a structure. Each of these types of projects requires you getting a permit. Our aim is to help you know what is expected of you, thereby making the permit application process easy and the inspection process as problem-free as possible. We want your project to be a success and add beauty to our community.

STEP 1 – BEFORE YOU START YOUR PROJECT

- A building permit application may be submitted only on a property where the project is allowed or zoned for the use intended and platted as a lot of record. Verify that your intended use or project is allowable in the zoning district in which the property is located by speaking with the Building Department.
- Meet with the Building Department at City Hall to discuss the scope of work for your intended project.
- Addresses for new construction on undeveloped lots within the city limits of Flatonia are assigned by City Hall. Please visit City Hall to be issued your 911 address.
- Get a building permit application form. Submit your completed building permit application and project packet to get approval of your project.
- Starting a project without securing the necessary permits can subject you to a fine and/or your being required to tear down what you have started and starting the process over from scratch.
- All contractors and subcontractors must register with the City of Flatonia prior to starting a project. A building permit will not be released until all contractor registrations are complete.

STEP 2 – PREPARING A PROJECT/SITE PLAN PACKET

- If enough information is not supplied, you may be required to provide more detail which may delay your permit issuance. You can expect to be contacted by the City of Flatonia Building Department or by Bureau Veritas. Bureau Veritas has been contracted by the City to provide project reviews and inspections.
- Residential project review is limited to the primary residential structure and all accessory structures and/or fences included on the project plans at the time they are submitted. All future projects for accessory structures and/or fences not included on the initial site plan submittal will require separate review and permitting.

Section I – For New Construction

- For your PROJECT PACKET you will need to submit:
 - (2) Site Plans with these specifications:
 - a. Drawings must be dimensioned, with a scale of 1" = 20' and of sufficient clarity
 - b. Documents must be 24" x 36"
 - c. Show street address and legal description of the lot
 - d. Show the property lines, setback lines and lot dimensions
 - e. Indicate "North"
 - f. Show where you plan to take the water, sewer and electrical lines from in the building
 - g. Show footprint of the building and distance from building to property lines
 - h. Indicate location of existing utilities
 - i. Indicate the height of the building connect with existing city utilities
 - j. Indicate what the building or addition will be used for
 - k. Include title block
 - l. Show contour lines
 - m. Indicate grade levels -planned elevations after grading, including drainage
 - n. Show and label proposed structure and all existing buildings
 - o. Indicate any structures to be moved/demolished
 - p. Include sidewalks and driveways
 - q. Show all easements

- For your CONSTRUCTION PACKET you will need to submit:
 - 1. (2) Energy reports – Energy Code adopted by City (Go to www.energycodes.gov to complete a REScheck report. Be sure to PRINT 2 copies of your completed online report.).
 - 2. (2) Stamped Engineered foundation letters. Letters must include a statement that the foundation has been designed specifically for soil conditions of listed lot and that design is in accordance with the building code, must be sealed by the State of Texas Licensed Engineer that designed the foundation plans, and must show the address and legal description of the lot.
 - 3. (2) Stamped Engineered foundation plans. Must be sealed by a State of Texas Licensed Engineer OR Foundation Detail drawn to a scale of 1/4" = 1'. Foundation plans must show all dimensions, location and spacing of beams, location of post-tensioning cables (if applicable), location and sizes of rebar (if applicable), concrete specifications, slab thickness, beam sizes and details, post-tensions cable details (if applicable), other notes and requirements by the Engineer, and the address and legal description of the lot.
 - 4. (2) Sets of House Plans which include:
 - a. Documents must be 24" x 36".
 - b. Floor plans drawn to a scale of 1/4" = 1'. Floor plans must show all dimensions, room names, size and type of windows and doors, cabinets and fixtures, and ceiling heights.
 - c. Exterior elevation plans drawn to a scale of 1/4" = 1'. Exterior elevation plans must show exterior materials, windows and doors roof slopes, chimneys, and overhangs.

- d. Structural plans, where required, drawn to a scale of ¼" = 1'. Structural plans must show second floor framing, ceiling framing, roof framing, headers and beams.
- e. Masonry or wood details, if applicable. Masonry on wood details must be sealed by a State of Texas Licensed Engineer or built to the International Residential Code details.
- f. Electrical plans (may be combined with floor plan) drawn to a scale of ¼" = 1'. Electrical plans must show location of receptacles and other outlets, exhaust fans, smoke detectors, light fixtures, service equipment and panels.
- g. Plumbing plans (may be combined with floor plan) drawn to a scale of ¼" = 1'. Plumbing plans must show location of fixtures, water heaters and gas outlets.

Section II – For Remodels

- 1. Prepare a “Remodel/Scope of Project” (see example pg. 6)
 - a. Follow project packet specifications as outlined above for new construction.
- 2. Prepare a “Remodel/Scope of Project Floorplan” (see example pg. 7)
 - a. Follow #4.(a. - f.) of the construction packet as outlined above for new construction.

Section III – For Additions

- 1. Prepare a “Remodel/Scope of Project” (see example pg. 6)
 - a. Follow project packet specifications as outlined above for new construction.
- 2. Prepare a “Scope of Project Floorplan” (see example pg. 8 & 9)
 - b. Follow #4.(a. - f.) of the construction packet as outlined above for new construction.

CODE COMPLIANCE WAIVERS & EXEMPTIONS

The following list of waivers & exemptions for construction documents is not comprehensive and may be updated or altered as issues arise. Waivers and exemptions are for construction documents ONLY and are not intended to relieve a contractor’s responsibility to schedule the appropriate inspections for any part of a project. ALL construction must be inspected and pass 2015 ICC Codes and 2017 NEC.

- 1. WAIVER: As part of the plan review process, the City of Flatonia will NOT require the following plans for residential structures:
 - a. Hardware Schedules
 - b. Plumbing Plans
 - c. Plumbing Riser Diagrams
 - d. Mechanical Plans
 - e. Electrical Riser Details
 - f. Framing Plans

Remodel / Scope of Project

For

The Smith Residence Remodel / 1234 Central Avenue, Anywhere USA 12345

Living Room:

- Shorten hallway and increase living room area by removing section of non-bearing wall that separates the hall from the living room (see floor plan)
- Replace all electrical receptacles and switches with new
- Install ceiling fan
- Replace all trim / molding
- Paint
- Remove and replace carpet

Dining Room:

- Convert Dining room into Private Den by adding a wall and passage door
- Replace all electrical receptacles and switches with new
- Install ceiling fan
- Replace all trim / molding
- Paint
- Remove and replace carpet

Kitchen and Laundry area

- Install new cabinets and counter tops
- Install new plumbing fixtures
- Install new appliances
- Replace all electrical receptacles and switches with new (GFCI)
- Install ceiling fan over sitting area
- Replace all trim / molding
- Paint
- Install tile flooring

Master Bedroom / Bedroom 2 / Bedroom 3

- Replace all electrical receptacles and switches with new
- Install ceiling fan
- Replace all trim / molding
- Paint
- Remove and replace carpet

Bath 1 and 2

- Replace all electrical receptacles and switches with new (GFCI)
- Install exhaust fan
- Replace all trim / molding
- Paint
- Install tile flooring

Example

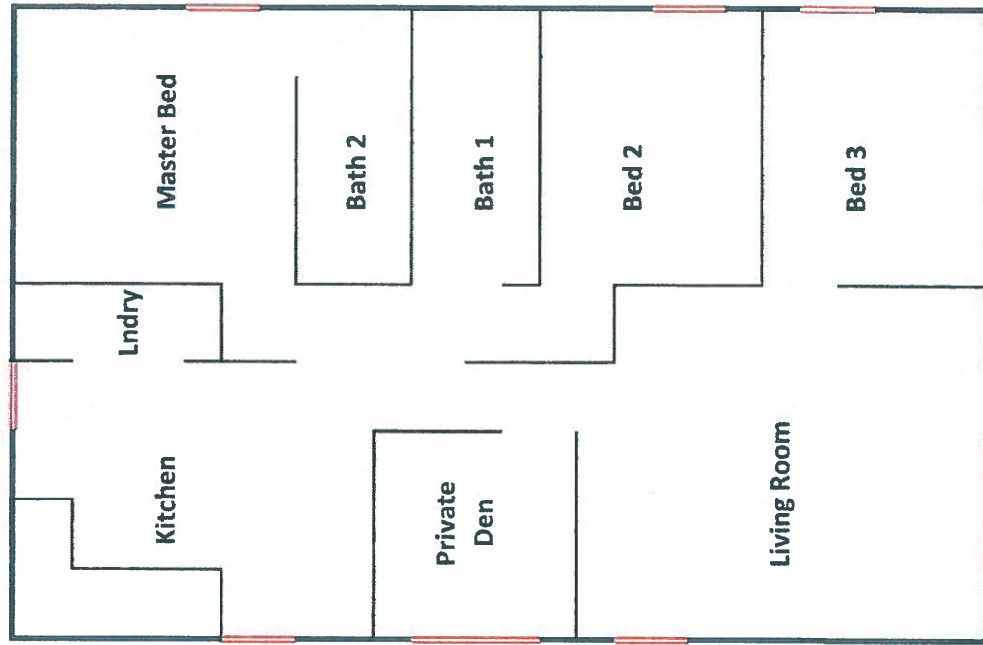
If removing a bearing wall:

- Indicate / Highlight location of wall
- Provide detail of beam size and support system including spread footing size.

Example: Residential Remodel Scope of Project



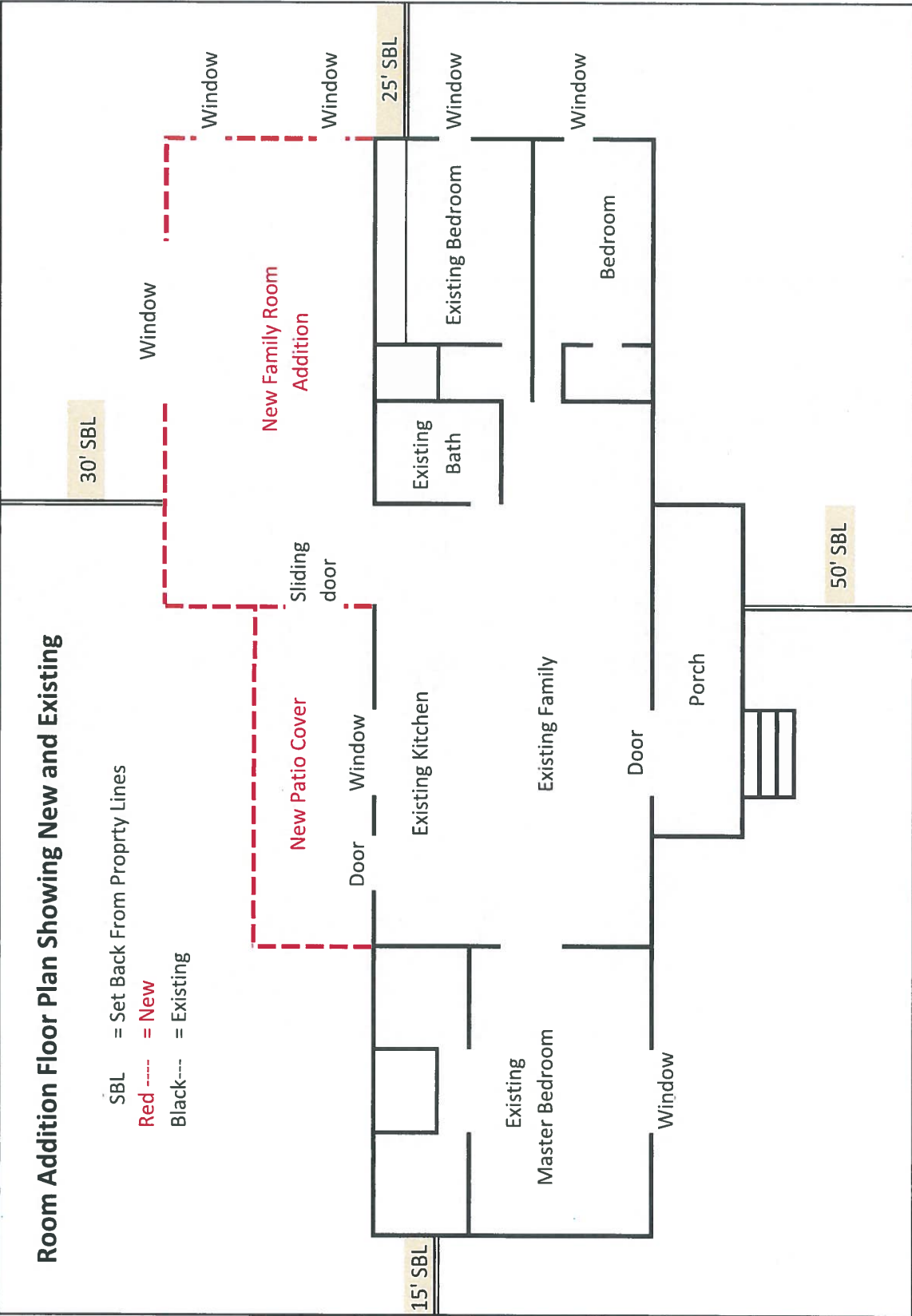
Existing Floor Plan



Proposed Floor Plan

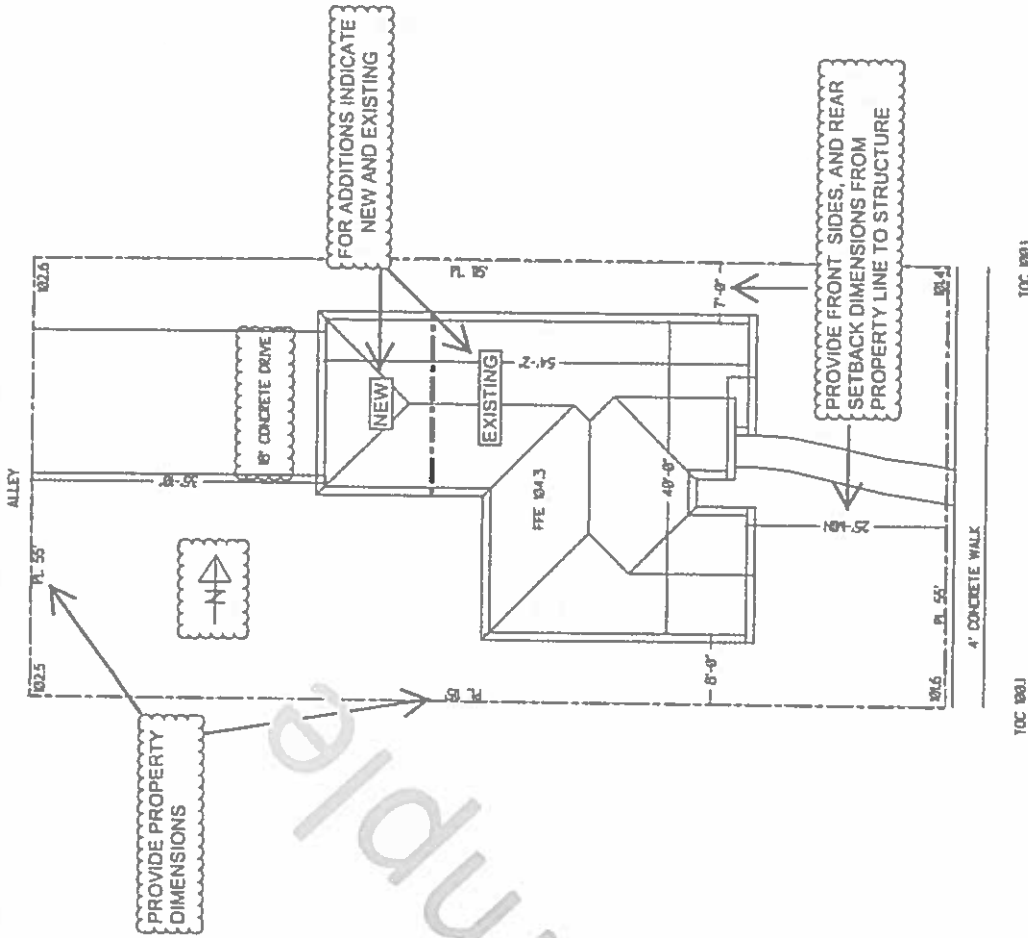
Room Addition Floor Plan Showing New and Existing

SBL = Set Back From Property Lines
 Red - - - - = New
 Black - - - - = Existing



Site Plan information should include the following:

- North Arrow
- Address / Subdivision / Lot Number / Block Number
- Scale: i.e. 1" = 10' / 1" = 20' / 1" = 30' Please Use either an Engineer or Architectural scale only. (Nonstandard scales are not acceptable, i.e. 1" = 26.5 or 1" = 16')
- Parcel / Property Dimensions all sides.
- Show setback dimensions to all structures from property line and distances between buildings.
- Label all structures i.e. Residence, Barn, Detached Garage, Storage Shed, etc.
- Dedicated driveway access to property showing street name and or alley where applicable.
- Driveway must be labeled Driveway or "DW"
- Show Easements (ingress / egress easements, public utility easements, etc.
- Square footage of all structures / existing and new



SITE PLAN

ADDRESS
LOT # / BLOCK #
SUBDIVISION / PLAT NAME

STEP 3 – LICENSING & REGISTRATION

- All of your contractors must be listed on the permit application and have current registrations with the City of Flatonia.
- CONSTRUCTION CONTRACTORS are not required to be licensed but must be registered with the City of Flatonia.
- MASTER ELECTRICIANS must be licensed by the Texas Department of Licensing and Regulation and be registered with the City of Flatonia.
- MASTER PLUMBERS must be licensed by the Texas State Board of Plumbing Examiners and be registered with the City of Flatonia.
- LANDSCAPE IRRIGATORS must be licensed by the Texas State Board of Irrigators and be registered with the City of Flatonia.
- AIR CONDITIONING CONTRACTORS must have a type A or B license from the Texas Department of Licensing and Regulation and be registered with the City of Flatonia.
- HOUSE MOVERS must be registered with the City of Flatonia.
- BACKFLOW TESTERS must be licensed by TCEQ.

- IF THE PROPERTY IS YOUR HOMESTEAD:
You may do the plumbing and electrical work yourself without having a licensed plumber or electrician. All work must be permitted, meet code and pass inspection. A licensed plumber **MUST** do any natural or bottled gas work.

- IF THE PROPERTY IS NOT YOUR HOMESTEAD:
You may do the foundation, roofing and carpentry work but you **MUST** have a licensed plumber and electrician do the plumbing and electrical work, as well as any natural or bottled gas work.

STEP 4 – GETTING YOUR PERMIT

- Submit a complete project packet along with a completed building permit application.
- Plan review fees are calculated and paid at the time of submittal.
- If enough information is not supplied, you may be required to provide more detail which may delay your permit issuance. You can expect to be contacted by the City of Flatonia Building Department or by Bureau Veritas. Bureau Veritas has been contracted by the City to provide project reviews and inspections.
- Review of your submitted plan takes up to 14 complete workdays.** You may contact the Bureau Veritas Plan Review Department to check the status of your permit at (469) 241-1834 or toll free at (800) 906-7199. Incomplete submittals will take longer.
- Once your project plan has been approved, one set of plans will be marked “Approved” and returned to you. This set must be available on the job-site at all times.
- Once plans are released for construction, any and all revisions must be submitted for review and approval and additional fees incurred must be paid.
- Plan reviews expire 180 days from the date of application; thereafter, new submittals are required.
- You will be notified when your building permit is ready to be picked up.

STEP 5 – GETTING YOUR WORK INSPECTED

- Inspections are required to insure that the construction process is proceeding according to your “City Approved” plans and that all current city and state code standards are being met.
- The contractor’s set of “approved plans” must always be kept at the project site and be available for the inspectors to reference.
- It is your responsibility to call Bureau Veritas when you are ready for work to be inspected. You may schedule an inspection by calling (817) 335-8111 or toll free (877) 837-8775.
- Covering work before it has been inspected shall require removal of cover material to allow a proper inspection to occur.
- 24-hour notice** will be needed for you to schedule inspections. Calls received on Friday or before a holiday will be scheduled for the next business day.

Typical inspections are:

1. Foundation/slab/piers
2. Water service
3. Yard Sewer
4. Elevation certificate (required in floodplain areas)
5. Plumbing rough
6. Electrical rough
7. Mechanical rough
8. Framing
9. Plumbing top out
10. Energy insulation
11. Construction electric
12. Electrical final
13. Mechanical final
14. Plumbing final
15. Energy final
16. Building final
17. Flatwork

STEP 6 - CONNECTING TO CITY UTILITIES

- To hook up the water, sewer and electrical systems of your structure you must make a deposit for utilities and pay all project tapping fees (if new installation). Your plumber and electrician or you need to check with the Utility Department to see where the lines need to be run to connect to existing water, sewer or electrical services. Temporary or Construction Meters must be requested two weeks prior to project start date to schedule installation. All fees and deposits **MUST** be paid prior to connection.
- Refer to fee schedule for current deposits and tapping fees.
- The release of temporary utilities for construction purposes will be allowed with a utilities deposit; however, this does not authorize occupancy of the building. Temporary utilities and equipment/appliance checks are not a connect for permanent service and thus may be disconnected at any time for non-compliance or inspections which do not pass code requirements. All final inspections must pass before service is considered permanent.

OTHER IMPORTANT INFORMATION

- Proof of property ownership will be verified with the Fayette County Appraisal District.
- Building Permits must be displayed at the property address until the project is completed.
- The “approved” project plans must be available on the project site at all times.
- Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced.
- Extension requests must be submitted in writing prior to the expiration date of the permit.
- A building or structure shall not be used or occupied until a Certificate of Occupancy has been issued.

FEE SCHEDULE*

PLEASE contact our Building Department at 361-865-3548 before starting any work.

Un-permitted Project..... Fees double Sec. A4.006(d)

New Residential Construction**	
Square Footage (S.F.)	Fee
0 – 1,500 S.F.	\$850.00
1,501 – 10,000 S.F.	\$850.00 for the first 1,500 S.F., plus \$0.38 for each additional S.F. to and including 10,000 S.F.
Over 10,000 S.F.	\$4,000.00 for the first 10,000 S.F., plus \$0.16 for each additional S.F. over 10,000 S.F.
Alteration/Addition for Residential Construction	
Trade Permits	Fee
Building, Mechanical, Electrical, Plumbing, Fuel Gas and similar	\$110.00 per trade
Other project types not listed above	\$175.00 per trade

**This table applies to Dwelling, Single Family Attached; Dwelling, Single Family Detached; and Dwelling, Two-Family only.

Pre-fabricated Placement and non-structural re-roof	
Fee	Description of Work
\$25 (over 120sq ft)	Residential Pre-fabricated Accessory Structure (Without Utilities)
\$25	Residential Re-roof (Non-structural, i.e. removal and replacement of shingles or roof material only.)
	*Structural roof alterations or repairs and utility installation on pre-fabricated buildings or structures shall be assessed using the alteration/addition table above.

Demolition..... \$25.00 Sec. A4.003
 Moving a Structure..... \$25.00 Sec. A4.004
 Police Escort..... \$10.00 Sec. A4.005

Fence..... Permit required, NO charge for permit

Other fees that may apply depending on the project: Sec. A7.000

Sewer tap \$675.00

¾” water tap \$675.00

1” water tap \$775.00

Larger than 1” tap.....determined by Utility Dept.

Electric Line Extension.....determined by Utility Dept.

Cutting street in order to tap.....determined by Utility Dept.

Boring in order to tap.....determined by Utility Dept.

Electric pole & Installation.....determined by Utility Dept.

Utility Deposits: Electric \$200.00

Water \$50.00

*Fee schedule subject to change without notice.

BUILDING CODES AND ORDINANCES

The City of Flatonia is currently using the 2015 International Code Council family of codes and the 2017 National Electric Code. Copies of city ordinances and the adopted building code books are available at City Hall for your review during normal business hours. A complete list of city ordinances pertaining to building construction requirements may be viewed by visiting the city website www.flatoniatx.gov and clicking the City Code link under the City tab. If you have city or building code questions the building department will try to help you. His/her job is not to design the project for you or tell you the best way to do your project. They are there to help you interpret what is required by the code and to inspect the work done to insure it meets code.

FLATONIA CODE OF ORDINANCES

CHAPTER 3: BUILDING REGULATIONS

DIVISION 4. ELECTRICITY

Sec. 3.02.154 Permits

No installation, alteration, or removal shall be made in or of the wiring of any building or structure for light, heat or power or to increase the load of energy carried by such wires or equipment, nor shall any building or structure be wired for electric lights, appliances, motors, apparatus, or heating devices nor alterations made thereto, without a written permit therefore being first obtained from the city license-issuing clerk by the person, firm or corporation having direct charge of such installation.

Sec. 3.02.155 Inspections

Upon the completion of the wiring, installation or alteration of any building or structure for light, heat, power, appliance or apparatus, it shall be the duty of the person, firm or corporation having direct charge of such to notify the electrical inspector, who shall, as early as possible, inspect such wiring, installation, appliance, and apparatus, and if installed, altered and constructed in compliance with the permit in accordance with the requirements of this division, he or shall execute a certificate of satisfactory inspection, which shall contain the date of such inspection and the result of his or her examination, but no such certificate shall be issued unless such electric wiring, motors, heating devices, appliances, and apparatus be in strict accord with the rules and requirements and the spirit of this division, nor shall current be turned on such installation, equipment, appliance, motors, heating device, and apparatus until said certificate be issued.

Sec. 3.02.158 Work by homeowners

A property owner may do electrical work in a building or on premises owned and occupied by him or her as his or her home. In such a case, a bond or license is not required. A permit for that particular job is still required, and the work must still be inspected by the electrical inspector.

DIVISION 5. PLUMBING

PART 1. IN GENERAL

Sec. 3.02.281 State Plumbing license required; work by homeowners

No person shall engage in work or the conduct of the business of plumbing or landscape irrigation within the city, except as herein specifically exempted, unless such person is the holder of a valid license as issued by the state board of plumbing examiners or the state board of irrigators. Plumbing work by a landscape irrigation installer, however, is limited to the installation and repair of irrigation systems and connection of these systems to the customer's side of the water service. Nothing contained herein shall prohibit the employment of a journeyman plumber or irrigator or apprentice to engage in plumbing work under the general supervision of a master plumber nor plumbing work done by a property owner in a building or on premises owned and occupied by him or her as his or her home. A permit for that particular job is required, and the work must still be inspected by the plumbing inspector.

ARTICLE 3.04 DEMOLITION OF BUILDINGS OR STRUCTURES

Division 2. Permit

Sec. 3.04.041 Required

Any person desiring to demolish a building or structure that is connected to city utilities shall first obtain a demolition permit from the city manager or his designee by making application for said permit, together with the appropriate fee, to the city manager or his designee.

Sec. 3.04.043 Time limits; clearing of site

(a) A permit issued to demolish a building or structure shall be considered to be a license to proceed with the work. Any permit issued shall become invalid unless the work authorized by it shall have been

commenced within thirty (30) days after issuance and completed within ninety (90) days after issuance. Demolition work is not deemed complete unless:

1. All debris is removed from the property.
2. All pipes and conduits are removed above grade and either removed or sealed below grade.
3. All piers, pilings, steps or other appurtenances are removed above grade.
4. All underground tanks are removed or abandoned in compliance with the fire prevention code.

Sec. 3.04.046 Completion of work by city

Upon the granting of a demolition permit, the person obtaining such permit will be given written notice that any failure to complete demolition in accordance with the terms of the permit will give to the city the right to enter immediately upon the premises to complete or have completed the demolition project. Upon the failure to comply with any demolition permit, the city manager or his designee is hereby authorized to immediately do everything necessary to complete the demolition project. Upon completion of the demolition project, the city may take all necessary legal action to enforce the terms of the demolition permit. This shall specifically include the right to attach a lien to the land to cover the cost of completing the demolition project.

CHAPTER 14: ZONING

ARTICLE IV. GENERAL PROHIBITIONS AND REQUIREMENTS

SECTION 3. HEIGHT, YARD AND AREA REQUIREMENTS

A. Height Requirement. Height limitations are established to ensure that buildings and structures shall not unnecessarily impact upon the privacy, views, or desirability of development of adjoining sites. Unless otherwise noted, the height limit for all buildings is 35 feet.

B. Height Exception. The height limits which may be enacted in this ordinance for the various districts shall not apply to church spires, belfries, cupolas, or domes not used for human habitation, nor to chimneys, ventilators, skylights, water tanks, parapet walls, cornices, or necessary mechanical appurtenances usually carried above the roof level, provided that such features are limited to that height necessary for their proper functioning.

C. Supplementary Yard Regulations.

1. Side or Rear Yard at Abutting Districts. Where a side lot line or rear lot line, or both, of a lot in a business or industrial district abuts upon the side or rear lot line of a lot in any residential or business district, the width of the side yard and depth of the rear yard shall be as follows:

Side or Rear of Lot in:	Abuts Lot in:	Width of side yard in less restricted district	Depth of rear yard in less restricted district
Business	Residential	20 feet	20 feet
Industrial	Residential	40 feet	40 feet
Industrial	Business	20 feet	20 feet

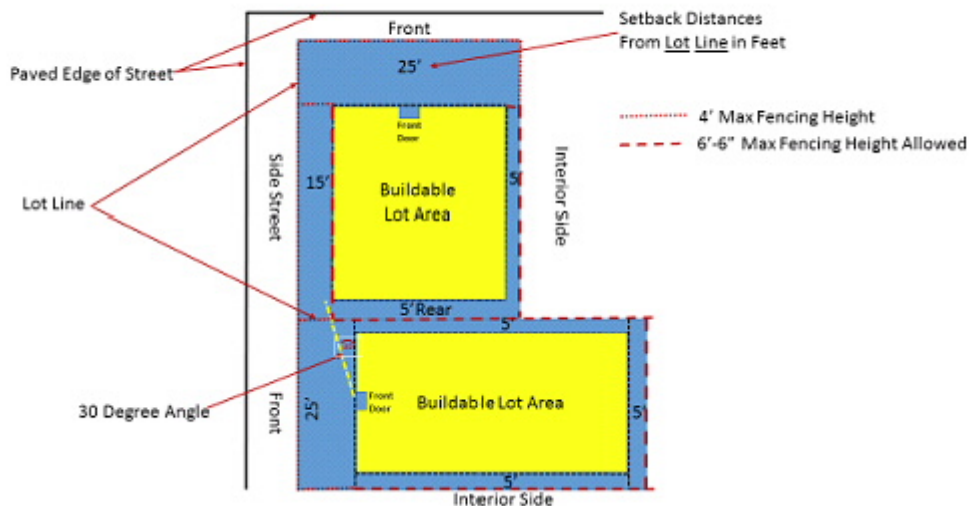
2. Reversed Corner Lot.

In any district, a reversed corner lot shall have provided on the intersection or side street of the corner lot, a desired side yard having a width equal to the depth of the front yard required for a structure on the lot to the rear of the corner lot.

30 Degree Angle Rule: Upon the approval of the City Manager, the corner lot side yard width equal to the depth of the front yard on the lot to the rear of the corner lot may be reduced to a lesser side yard depth as a result of the intersection formed by the corner lot rear lot line and a 30 degree angle measured from the rear lot's flush point of the main street facing exterior wall at the front door (See 30 Degree Figure Below). The following apply:

- * At no time will a corner lot side yard depth be less than 15 feet measured from the side yard lot line.
- * The 30 Degree Rule does not apply to reverse corner lots if there is a City right of way (alley, utility easement) separating the two adjoining lots.
- * Privacy fences not to exceed six feet and six inches (6'-6") may be erected on the lot lines out to the 30 Degree Rule intersection point establishing the corner lot side yard depth.

Reverse Corner, Fencing Heights and 30 Degree Rule



3. Projecting Architectural Features. Every part of a required yard shall be open and unobstructed from the ground to the sky except for permitted accessory structures and for the ordinary projection of sills, belt courses, cornices, buttresses, eaves, and similar architectural features, provided that such projections shall not extend into any utility easement or extend more than two feet into any required front or rear yard. Open fire escapes may extend into any required yard not more than three and one-half feet. Architectural features shall adhere to a minimum of ten feet (10') of separation from any adjoining lot structure.

4. Accessory Structures.

a. Side Yard and Rear Yard Requirements: All accessory structures in residential zoning districts shall be subject to the area and setback requirements in the following table.

ACCESSORY STRUCTURE SETBACK REQUIREMENTS

	Zoning District		
	R-1	R-2	R-3
Minimum Side Yard Setback	5 ft.	5 ft.	5 ft.
Minimum Rear Yard Setback	5 ft.	5 ft.	5 ft.
Maximum Width (% of Rear Lot Width)	30%	30%	30%
Maximum Area (% of Rear Yard occupied within aforementioned setbacks.)	25%	25%	25%

b. Reversed Corner Lot.

No accessory structure on a reversed corner lot shall be erected or altered nearer to the intersecting or side street line than the front building line to be observed by any structure on the lot to the rear of the corner lot.

If at the approval of the City Manger the Reversed Corner Lot has enacted the 30 Degree Rule for side yard depth, no accessory structure shall be erected or altered nearer the intersection formed by the corner lot rear lot line and a 30 degree angle measured from the rear lot's flush point of the main street facing exterior wall at the front door. Under the 30 Degree Rule, no accessory structure is allowed in a side yard nearer than 15' from the side yard lot line.

c. Height Limit. The height of an accessory structure to a dwelling shall not exceed fourteen (14) feet or the height of the dwelling, whichever is less.

5. Fences and Walls.

a. Permit Required. Except as otherwise provided herein, no person shall erect, alter or relocate any fence or wall within the City without first having been issued a permit therefor.

b. Permit Fee. There is no charge for permits for fences that are six feet in height or lower, or for walls (excluding retaining walls) that are four feet in height or lower. A building permit application and related building permit fee shall be required for fences that exceed six feet in height and for walls that exceed four feet in height.

c. Application Procedures.

(1) Agricultural, single-family, and two-family uses. Each application for a permit under this section shall be submitted to the Building Official on forms provided by the City. Each application shall include a site plan drawn to scale showing the location of the house(s), garage(s), and other improvements on the lot, all lot lines, and the location of the fencing or wall to be erected, altered or relocated.

(2) Uses other than agricultural, single-family, or two-family. Request for fencing or walls shall be processed as part of and according to the procedures of the site plan review.

d. General Provisions. Except as otherwise provided herein, all fences and walls within the City shall be subject to the following general provisions:

(1) No fences or walls shall be placed on or extend into public rights-of-way except as determined necessary by the governing body or its agent(s).

(2) All fences (hedges and plantings excluded) and walls shall require a fence/wall permit under this Section, unless a separate building permit is required for the fence or wall, or unless the fence or wall does not require a building permit and is authorized on an approved site plan. Fence/wall permits may be issued by the Building Official or designee, if all requirements of this Chapter have been met.

(3) Both sides of any fence or wall shall be maintained in a condition of reasonable repair and appearance by its owner and shall not be allowed to become and remain in a condition of disrepair or danger, or constitute a nuisance, public or private.

(4) No physical damage of any kind shall occur to abutting property during installation unless it is allowed under agreement with the adjacent property owner.

(5) A survey may be required by the Building Official for all fences (except hedges and plantings) or walls to be constructed on or within six feet from the lot line, unless corner property stakes are in place and marked, or written authorization is received from both parties where neighbors are involved. Additionally, retaining walls shall not be placed within any drainage or ponding easement unless also reviewed and approved by the Building Official.

(6) A fence with a minimum height of three feet shall be required on the top of any retaining wall, and on the top of any tiered retaining wall that requires a building permit. The City Manager may grant exceptions to this provision if the retaining wall does not pose a public safety concern.

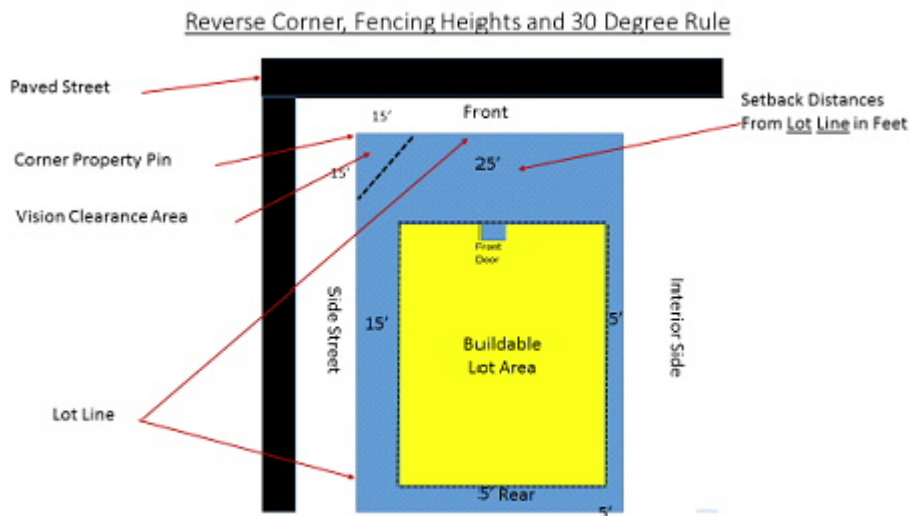
(7) Fences shall not be constructed from plywood, corrugated metal, branches, or materials originally intended for other purposes (such as agricultural, as in T-posts), UNLESS upon the illustration of a high degree of workmanship quality achieved through the use of such, prior approval is granted by the Building Official.

(8) No fences or walls shall be placed within a wetland or required wetland buffer, cross over a required rain garden, or extend below the ordinary high water level of a lake, stream, or water quality/detention pond.

(9) No fence or wall, other than the wall of a permitted structure shall be erected or altered in any front yard to exceed the height of four feet (4'). For purposes of this section, the front yard area shall be defined as the total area created when drawing a parallelogram that consist of perpendicular lines drawn from each side of the principal structure from its forward edge to the edge of lot lines defining the property. The maximum height of a privacy fence (side yard and/or rear yard fence) shall not exceed 6 feet 6 inches above the elevation of the principal structure's adjacent foundation.

(10) On City Manager approval, properties with rear or side yards that abut any railroad may be authorized privacy fencing heights not to exceed eight feet (8') along the railroad right-of-way only.

e. Vision Clearance. On any corner lot on which a front yard is required by this ordinance, no wall, fence or other structure shall be erected in excess of three feet (3') in height, and no hedge, shrub, tree or other growth shall be maintained in excess of three feet (3') in height within the triangular area formed by the intersecting lot lines as measured from the existing corner property pin and a straight line connecting edge of lot lines at points 15 feet from the corner property pin measured along each lot line.



f. Nonconforming Fences. It is the intent of this Ordinance to allow the continuation of such nonconforming fences until they are discontinued as provided herein. However,

it is not the intent of this Chapter to encourage the survival of nonconforming fences and such fences that are declared to be incompatible with permitted fences within the City. Such fences shall be regulated by the following provisions:

(1) An existing fence not allowed by this Ordinance in the district within which it is located, except when required by law or ordinance, shall not be enlarged, extended, reconstructed, or structurally altered unless such fence is changed to comply with the requirements of this Ordinance. Maintenance of a nonconforming fence will be allowed when this includes necessary repair and incidental alterations which do not expand or intensify the nonconforming fence.

6. Storage in Front and Side Yards. There shall be no storage of vehicles (other than noncommercial off-street parking), or storage or display of any merchandise or materials of any kind in any front yard required by this ordinance in any district. There shall be no storage of vehicles or storage of any merchandise or materials of any kind in any side yard or rear yard required by this ordinance that abuts any residential district unless screened by privacy fencing from residential view.

(Ordinance 2017.3.2, sec. 2, adopted 3/14/17)