

Completing A Fence Application

A guide to help you understand the process:

Fee: \$15.00

What is a fence permit?

- A fence permit is the Town's approval of the proposed construction of a fence and certification that it meets with zoning and/or other department regulations.

When do you need to apply for a fence permit?

- When construction of a fence is going to be placed on a property.
- When replacing a fence that was previously constructed on the property.

Application submittal:

1. Completed the Fence Construction Permit application including the Easement Agreement attached to the application. The Easement Agreement may only be signed by the property owner.
2. Attach a copy of the site/lot plan showing where the fence is going to be located. Please note this on the site/lot plan in a different color or style (i.e. highlighter and/or red pen). If you are unable to obtain a site/lot plan, you may submit a drawing that is drawn to scale. If you are not sure of any easements, please check with Town Hall.
3. Contact MISS UTILITY by dialing 811 or visit their website at www.missutility.net before beginning construction of the fence. They will mark for any electrical, cable, water, etc.
4. Pay the application fee of \$15.00. This can be paid via cash, check or money order. Checks should be made payable to Town of Mount Airy.

How does the process work?

- Application is reviewed by the Zoning Administrator. *Note: This process normally takes 3 to 5 business days pending information that may be required to the application during review.*
- Once approved, a copy of the application with the Zoning Administrator's signature will be mailed along with an approval letter. A copy of these documents will also be mailed to the contractor if applicable. This letter grants permission to begin construction according to the dimensions, etc. noted in the application.
- Once the fence is constructed, a compliance officer will ensure the fence has been built to meet the Town regulations. After he approves construction, you will receive a second copy of the application with the his/her signature. This serves as your permit, which you should retain for your records.

We are here to inform and assist you during the process. If you have any questions or problems arise, please contact our office at (301) 829-1424.

Office Contacts:

John Breeding – Planning and Zoning Administrator

Debra Clinton – Planning and Zoning Administrative Assistant

FENCE CONSTRUCTION PERMIT

Town of Mount Airy, PO Box 50, Mount Airy, MD 21771
Phone: 301-829-1424, 301-831-5768, 410-795-6012 (Fax 301-829-1259)

Job Location: _____

Property Owner: _____

Contractor's Name: _____

Address: _____

Telephone: _____ Fax: _____

Fence Description: Type (picket, solid, split Rail)

Front Yard Height: _____ Side Yard Height: _____ Rear Yard Height: _____

MISS UTILTY Contacted: _____ Yes _____ No If yes when: _____

Information Needed to Process:

Site Plan with fence location designated, Easement agreement on reverse, **Payment: \$15.00**

I/We are aware of the fencing regulations for the Town of Mount Airy as stated below and will construct fence according to these regulations:

Date: _____ Signature: _____

Section 4.9: Fencing (Ordinance 2003-5, 03/03/2003)

- A. **Permit Required:** A permit shall be obtained prior to the construction of a fence in residential zones.
- B. **Front Yard Area Regulations:** Fences up to 42" in height are permitted in front yard areas on the front lot line and side lot lines, but shall not be closer than 12" to any existing or planned sidewalk location. Fences shall be designed to permit visibility through the fence, and shall be no more than 50% Opaque.
- C. **Side and Rear Yard Regulations:** In side and rear yard areas, fences may be located on the side and rear of lot lines. The fence material shall be no more than 6 feet in height, and maybe 100% opaque to provide for privacy. Installed, the fence shall not exceed 6'6" in height.
- D. **Setback from Driveways:** Fences shall be no closer than 5 feet to the edge of the pavement of a driveway.
- E. **Homeowner Associations:** It is the homeowner's responsibility to have their fence approved by their Homeowners Association where applicable. A permit from the town does not negate a homeowners association's covenants and/or restrictions.

Easement agreement on reverse MUST be signed for ALL Fence permits.

Issued By: _____ Date: _____
Zoning Department

Compliance Signed Off: _____ Date: _____

PATRICK T. ROCKINBERG
Mayor

LARRY G. HUSHOUR
Council President



Council Members
JASON M. POIRIER
Secretary

PAMELA M. REED
KARL L. MUNDER
PATRICIA R. WASHABAUGH

Fence Easement

While the Town of Mount Airy Zoning Code allows property owners to erect fences, at their own risk, there are caveats attached to permitting this use.

- Excavation may not cause damage to existing utilities located in the easement.
- The fence must not cause damage or a sediment control problem.
- The Town of Mount Airy may enter the property and make use of the easement area for grading, and/or the installation or repair of utilities.
- The Town of Mount Airy may enter the property and remove the fence if the fence violates one of the above provisions.

THE COST TO REPAIR RESULTING FROM ANY DAMAGES TO UTILITIES LOCATED IN THE EASEMENT OR THE COST FOR REMOVAL OF THE FENCE BY THE TOWN OF MOUNT AIRY WILL BE THE RESPONSIBILITY OF THE PROPERTY OWNER.

Witness

Signature

If you have any questions please contact Town Hall at (301) 829-1424.