



## FENCE PERMIT AND INSPECTION REQUIREMENTS

### Permit Applications

- **All new fencing and all work on existing fences require a permit. *Exception: Pickets may be replaced without obtaining a permit if the new pickets are of the same material, size, and height as those being replaced.***

### Permit Requirements

1. All fence permits must be submitted online at <http://etrakit.flower-mound.com>. A site plan, clearly marking where the fence will be built, must be uploaded at the time of online permit submittal. The fence location can be marked either by highlighting the area where the fence is to be placed or by marking with "X"s where the fence will be constructed.  
**\*NOTE:** A site plan is either a survey or a scaled drawing that shows the dimensions of the lot, all structures, building lines, and any easements on the property. The information on the site plan must match the recorded subdivision plat. Typically, the property owner can find a survey in the closing paperwork from the purchase of the property. The Town Secretary's office may have a copy in record's storage. You can file a request for a search of Town records by using the following link: <https://www.flower-mound.com/252/Public-Information-Requests>.
2. If the fence is being constructed by someone other than the homeowner, the contractor must apply for the permit and be registered with the Town as a general contractor.
3. If concrete or stone columns will be installed, stamped engineered plans of the piers and the columns design must be provided.

### Payment

- Fence Permit fee is \$60.00.
- The Plans Examiner will notify you when the permit has been approved. Once you receive that notification you will login to eTRAKiT to pay for your permit. Your permit will be emailed to you after the payment is received.

### Review Time

- Your permit will be reviewed in 5-7 business days (if septic approval is required, this may take longer). If changes are required, resubmittals will take additional review time.
- Fence permits expire 60 days after the permit is issued.

### Inspection Requirements

When the project is completed, you **MUST** schedule a Final Inspection. This inspection must be scheduled through our online inspection scheduling program. To schedule an inspection, go to <http://etrakit.flower-mound.com> and use your contractor login to access your permits. Inspections can be requested as late as 7:30 a.m. for a same-day inspection. Inspections can be scheduled up to 14 days in advance (excluding holidays, weekends, and in-service days, which are the 2nd Tuesday of each month). You can also cancel inspections and check inspection results using the same website.

### Re-inspection Fees

A re-inspection fee may be assessed for the following reasons:

- Inspection called for is not ready.
- An inspection is disapproved twice for the same reason.
- Fence is not as approved on permit.

**\* A double permit fee and/or citation will be assessed/issued if work has been started without a permit.**

## FENCE REQUIREMENTS:

### Residential Fences:

#### Front Yard:

- a) No fence or wall within a required front yard shall exceed four feet (4') in height above the adjacent grade (except in "A" Agricultural District)
- b) In the "A" Agricultural District, front yard fences shall not exceed four feet (4') in height above the adjacent grade, unless it is barbed wire or metal/wire livestock fencing, which shall not exceed five feet (5') within a required front yard.

#### Keylots:

- a) A "keylot" is a lot platted with two front yards that can be addressed from either street. Fences constructed within the established front yard shall not exceed four feet (4') in height. Fences constructed within the additional required front yard shall not exceed eight feet (8') in height but must be set back a minimum of ten feet (10') from the property line. Fences constructed within the first ten feet (10') of the additional required front yard shall not exceed four feet (4') in height.

#### Visibility Clip:

- a) Visibility clips on intersections of residential streets shall maintain a twenty-five feet by twenty-five feet (25' x 25') visibility from the Right-of-Way (ROW). Other street intersections, such as collectors and arterials, have a thirty feet by thirty feet (30' x 30') visibility requirement.

#### Back Yard & Side Yards:

- a) Maximum rear and side yard fencing shall not exceed eight feet (8') in height above the adjacent grade.

#### Park, Trail & Open Space Areas:

- a) Fences and walls constructed adjacent and parallel to dedicated park, trail, or open space areas shall consist of wrought-iron or tubular steel. Said fences and walls should be a minimum of four feet (4') in height and may be required to have masonry or stone columns measuring a minimum of twenty-four inches by twenty-four inches (24"x 24") with monolithic tops. See Section 5.06(e) in the Land Development Code for a more detailed explanation.

All perimeter fencing must be constructed using the following criteria:

Perimeter fence: means any fence as defined for the purposes of this article that is adjacent to an arterial or collector road as defined in the town's thoroughfare plan and does not meet the requirements of Section 98-821 Perimeter Screening. This definition does not include any fence allowed under the Town's Urban Design Plan or any five foot (5') fence allowed under Section 98-1142(b).

#### Section 14-542. Perimeter Fence Standards

Any perimeter fence found to be in violation of subsection 14-541(3) must be repaired or replaced, as applicable, in conformity with the standards set forth below. In addition, any new perimeter fence shall be constructed in conformity with the standards set forth below. Perimeter fence repair, replacement and construction must meet the following minimum standards:

1. Fences shall be a minimum of six feet (6') in height and a maximum of eight feet (8') in height. The height of the fence shall not extend above any masonry column. The style of the fence shall be board on board, with a nominal size one inch by four inches (1" x 4") trim board at the top of the fence. Fences located within front yard setbacks must be constructed of tubular steel and may not exceed four feet (4') in height.
2. All vertical posts shall be two and three eighths inch (2-3/8") minimum outside diameter, .095-gauge galvanized metal. Vertical posts shall be spaced at no greater than eight feet on center, set a minimum of eighteen inches (18") deep into two feet (2') deep, ten inches (10") diameter concrete post footings.

3. For a six foot (6') tall fence, a minimum of three (3) rails shall be used. For an eight foot (8') tall fence, a minimum of four (4) rails shall be used. The fence pickets shall be attached to the horizontal rails running from vertical post to post as described in paragraph 4 below. The size of the rails shall be no less than nominal size two inches by four inches (2" x 4") and shall be bolted to steel posts with noncorrosive metal anchor straps and one-fourth inch (1/4") noncorrosive bolts or screws.
4. All nails or fasteners shall be of non-rusting, non-corrosive metal such as hot-dipped galvanized steel. All nails or fasteners shall be of the type (such as screw shank, ring shank, or divergent-point staples) that when properly driven, will not work free due to wind vibration, or shrinkage of members.
5. All materials shall be securely fastened, vertical pickets to horizontal rails, rails to vertical posts, trim board to top rail, to ensure an ongoing attractive appearance and safe condition, free from rot, rust, vandalism, and other sources of decay.
6. The bottom of the fence shall be designed to prevent ground to picket contact. A nominal size two inches by six inches (2" x 6") kick board shall be used to cover the gap between bottom of pickets and ground. This kick board may have ground contact; however, the kick board may not impede drainage patterns or create a gap of more than two inches (2") above grade.
7. Posts and rails must be placed on the inside of the fence so that they are not facing a street.
8. The perimeter wood fence shall be constructed with pre-stained western red cedar in medium brown color or composite material in redwood color. Composite material is produced by combining wood fiber and polyethylene plastic, whereby the plastic encapsulates the wood.

### **Pool Fences:**

1. The top of the barrier must be at least forty-eight inches (48") above grade measured on the side of the barrier which faces away from the swimming pool. This minimum measurement of forty-eight inches (48") above grade shall exist around the entire perimeter of the barrier and for a minimum distance of three feet (3') measured horizontally. The maximum vertical clearance between the grade and the bottom of the barrier must be two inches (2") measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance at the bottom of the barrier may be increased to four inches (4") when grade is a solid surface such as a concrete deck, or when the barrier is mounted on the top of the aboveground pool structure. When barriers have horizontal members spaced less than forty-five inches (45") apart, the horizontal members shall be placed on the pool side of the barrier. Any decorative design work on the side away from the swimming pool, such as protrusions, indentations or cutouts, which render the barrier easily climbable, are prohibited.

#### **Exceptions:**

- a) When the top surface of any horizontally run member is at least forty-five degrees (45°), when measured from the horizontal, such members are not required to be at least forty-five inches (45") apart.
  - b) When the barrier is an existing fence located adjacent to private property, horizontal members that are less than forty-five inches (45") apart are not required to be placed on the pool side of the barrier.
2. Opening in the barrier must NOT allow the passage of a one and three-quarter inch (1-3/4") diameter sphere.

#### **Exceptions:**

- a) When vertical spacing between such openings is forty-five inches (45") or more, the opening size may be increased such that the passage of a four inch (4") diameter sphere is not allowed.
  - b) For fencing composed of vertical and horizontal members, the spacing between vertical members may be increased up to four inches (4") when the distance between the tops of horizontal members is forty-five inches (45") or more.
3. Chain link fences used as the barrier must not allow the passage of a one and three-fourths inch (1-3/4") diameter sphere.
  4. Access gates must comply with the requirements of Items 1-3 listed above. Pedestrian access gates shall have a self-latching, self-closing device. The self-latching device will be located fifty-four inches (54") from the bottom of the gate.

**Exceptions:**

- a) If the release mechanism cannot be located fifty-four inches (54") from the bottom of the gate, it must be located on the pool side of the barrier at least three inches (3") below the top of the gate; AND
  - b) The gate and barrier must have no opening greater than a half inch (1/2") within eighteen inches (18") of the release mechanism.
5. Pedestrian gates must swing *AWAY* from the pool. Any gates other than pedestrian access gates must be equipped with lockable hardware or padlocks and must remain locked **at all times** when not in use.

**Subdivision Walls and Retaining Walls:** Do not use the permit type "Residential Fence" when applying for a screening wall permit. Please use the permit type "Screening Wall" for a screening wall permit and the permit type "Retaining Wall" for a retaining wall permit. Using the wrong permit type will result in cancellation of your permit request. You will then be required to resubmit your request using the correct permit type. For screening wall and retaining wall permit fees, please see the building permit fee schedule located in Appendix A of the Code of Ordinances.

**\*\*\*PLEASE CHECK WITH YOUR HOA OR DEED RESTRICTIONS REGARDING FENCE REQUIREMENTS, AS THE TOWN OF FLOWER MOUND DOES NOT ENFORCE THESE.\*\*\***