



Permit requirements for: Fences & Retaining Walls

Site Plan:

Two (2) site plans shall be required for all fences and/or retaining walls. The site plan shall include, but not be limited to the following:

1. Dimensions of the lot
2. Existing topography of the lot shown at not more than 2 foot contour intervals.
3. Dimensions and materials of the fence and/or the retaining wall.
4. Exact location of the fence and/or retaining wall on the property, to include distances from the property lines.

Permits Required:

All fences, and retaining walls, unless otherwise accepted, shall require a building permit. No fence and/or retaining wall may be erected, constructed, or replaced until said permit has been procured from the Building Official. The building Official may allow minor deviations and adjustments relative to the dimensions set out in this section where topographic or other natural features, utility locations, meters, trees, or other conditions so warrant and where the spirit and intent of this section will be preserved.

Plan Review:

Retaining wall permit applications will require a plan review prior to the issuance of a permit. Fences for corner lots will require an onsite inspection to locate distance from side streets before permit will be issued. Typical turnaround time for plan review is seven (7) to ten (10) days.

Fees:

The fee for a fence or retaining wall permit is \$45.00.

Inspections:

One final inspection is required upon completion of a fence.

Retaining walls over four (4) feet in height shall require a minimum of two (2) inspections.

- a. Footing/foundation inspection.
- b. Final inspection.

Call 913-385-4604 to schedule an inspection. Please have permit number available.

Design:

- **Appearance** – Those fences which have surface material, whether it be wood, chain link, metal bars, or other permitted material, attached on one side of posts and/or rails, thus producing a finished side, shall be installed with the finished sides exposed toward the street or adjacent properties.
- **Prohibited fences** – The installation of barbed wire, electric and razor ribbon fences or any similar type fence shall be prohibited.
- **Height**— No fence shall exceed six (6) feet in height except tennis court enclosures, which may not exceed twelve (12) feet in height, and except fences that are located within the building envelope of the lot (i.e., patio enclosure), shall not exceed eight (8) feet in height. The height of the fence shall be deemed to be the average distance from the finished grade to the highest point on the fence panel, excluding posts which may project above the fence panel not more than eight (8) inches. Where the terrain is not level, the average dimension may, at the discretion of the Building Official, be applied to each eight (8) foot section of the fence. Fences built in combination with retaining walls or berms, shall not exceed the required height restrictions. In addition, fences and walls built on slopes shall comply with the required height measurement along the line of the fence location. Decorative fences shall be designed so that they are at least 50% open and do not exceed two and a half (2 ½) feet in height. Split rail and wrought iron are examples of this kind of fence.

Location:

- Decorative fences may be located in the front yard, but shall be located no closer than ten (10) feet from a street right-of-way line.
- Fences, other than decorative fences, shall not be located in the front yard and may be attached to or extended from the front corner of the dwelling.
- Fences located on the side street of a corner lot shall not be less than five (5) feet from the right-of-way line except that if an adjacent lot faces the side street, the fence shall be setback from the right-of-way line a distance of fifteen (15) feet or not less than one-half the depth of the front yard of an adjacent building, whichever is the greatest setback.
- If the rear of a through lot is fenced, a gate shall be installed to provide access to the right-of-way.
- Diagrams depicting the location of fences on various types of lots are attached.

Retaining Walls:

- Retaining walls shall be designed and constructed to support lateral loads. Applications for retaining walls exceeding four (4) feet in height, whether terraced or not, shall be accompanied by design calculations and plans sealed by a professional engineer licensed in the State of Kansas. Said plans shall be reviewed prior to the issuance of a building permit. Retaining walls shall setback a minimum of two (2) feet from side and rear property lines, and retaining walls exceeding six (6) feet in height shall be required to be setback from side and rear property lines an additional one (1) foot for each two (2) feet or part thereof, in excess of six (6) feet in height, e.g. a ten (10) foot high retaining wall would be required to set back a minimum of four (4) feet from the property line. Allowances will be made for tiebacks to existing grade. Diagrams depicting the location of retaining walls on various types of situations are attached. **Any exceptions or deviations from this formula shall require site plan approval by the Planning Commission.**

Drainage and Utility Easements:

- Fences and walls shall not restrict natural surface drainage nor be constructed to divert or channel water flow with increased velocity. Fences shall not be constructed in drainage easements if they affect the flow of storm water.
- Fences installed in a utility easement may need to be removed in order to access the utilities. Fences constructed in easements are at the risk of the owner and shall not be the responsibility of the utility or city to replace them.

Site Plan Approval:

- As part of the site plan approval process, the Planning Commission may make adjustments to the height and location of fences provided that it results in a project that is more compatible, provides better storm drainage management, or provides a more appropriate utilization of the site.
- An application may be made to the Planning Commission for site plan approval of a fence that is unique and does not have the locational or design characteristics set out in these regulations.
- The site plan application may be obtained via the City Clerk.