The City of West University Place

A Neighborhood City

Fence/Wall Permit Application

3826 Amherst Street, West University Place, Texas 77005 (713) 662-5833 Fax (713) 662-5304
Inspection request line 713-662-5805 Email: inspections@westutx.gov Available 24/7 [before 7:45 AM for same day]

Project Address: _____ Application #: _____-_____

Project Name: _____ Approved Plat: ☐ Yes ☐ No Zoning District: _____

Flood Zone: _____ Subdivision: _____ Lot : _____ Block: _____

Property Owner: _____ Address: _____ City: _____

State/Zip: _____ Phone: (____)-_____-_____ Fax: (____)-_____-_____

Occupancy Type: ☐ Residential ☐ Commercial ☐ Industrial

Description of Work: _____

_____

_____

Contractor (Company Name): _____

Address: _____ City, _____ State/Zip: _____

Phone #: _____-_____-_____ Fax#: _____-_____-_____ Cell #: _____-_____-_____

Contact Person: _____ **E-mail:** _____

(PLEASE PRINT)

Valuation of the Project $_____

Signature of Permittee: Print Name: Date:

By my signature above I hereby certify I have read this document and know the same to be true and correct. In addition I hereby stipulate that I am the person legally responsible for compliance with provisions of all laws and ordinances (whether specified herein or not) governing this project to completion and a certificate of occupancy being issued.

	Item	Qty	Multiplier	Min. Fee	Fee
1	Application Fee	1	$30.00		$30.00 +
2	Fence/Wall	Lin. Ft.	$0.85 per Lin. Ft.	$25.00	+
3	Working prior to obtaining permit (Premature Work)	1	100% Additional of Normal Fee		+
	TOTAL PERMIT FEE	---------	--------	--------	$

OFFICIAL USE ONLY

Received By: _____ **Time/Date Stamp:** _____

No Exceptions Taken: _____ **Date:** _____

Rev. 12.8.2016JMH

ARTICLE VII. FENCES

Sec. 18-200. Maximum height limits.

(a) *Eight-foot limit* . No fence higher than eight feet may be constructed, improved or structurally altered on any private property.

(b) *Six-foot limit* . No fence higher than six feet may be constructed:

(1) Closer than six feet from a wall of an existing principal building used as a single-family residence on any adjacent building site, if the proximity of the fence to the building would significantly and adversely affect the beneficial circulation of air around or through the building or the beneficial exposure of the building to direct or reflected sunlight. To make these determinations, the building official shall take into account the type and design of the fence and the following (if existing or proposed in the immediate vicinity of the fence): trees, other plants and other buildings and structures.

(2) Between buildings on separate building sites where the eaves are less than two feet apart.

(c) *Height measurement* . Fence height shall be measured along each fence line on the side with the lowest grade level. If the fence is within three feet of a property line, the adjacent grade level of the adjacent property is used to measure the height of the fence, if the adjacent grade level is lower than the grade level of the property where the fence is located.

(d) *Gate height.* A gate may be no taller than may a fence at the same location, except that a gate which is not more than 40 percent opaque may extend to a height not greater than 12 inches above the maximum height of a fence at the same location.

Sec. 18-201. Property lines.

It shall be the responsibility of any person who constructs a fence, or causes it to be constructed, to locate the fence within the property lines.

Sec. 18-202. Prohibition in front or side.

(a) *Prohibition* . No fence may be constructed, improved or structurally altered on the front portion of any building site. Exceptions: this restriction does not apply to low retaining walls, institutional security fences, fences owned by any governmental entity or fences or walls specifically required or allowed to be located in the front portion of a building site by this Code or the zoning ordinance. In this article:

(1) *Front portion* means the area of a building site extending from the front street line to a depth equal to the depth of the front main wall of the principal building. The front street line is the common boundary between the front line of a building site and the street right-of-way. The front main wall is the front of the building exclusive of any porch or entranceway.

(2) *Low retaining wall* means a wall designed and used to hold earth or similar material in place, no part of which extends higher than the highest naturally occurring part of the ground in the front portion of the building site and no part of which is located outside of the building site. Six (6") high maximum.

(3) *Institutional security fence* means a fence which meets all of the following criteria:

a. The fence is located on a building site where there is a building or group of buildings specially constructed and used as an actual place of religious worship (including schools, parking lots, parsonages and other accessory buildings);

b. The fence is located along or generally parallel to a major thoroughfare, and only along side streets to the extent necessary to connect the main portion of the fence to side fences, rear fences or buildings; and

c. The fence is no more than 50 percent opaque.

(4) *Major thoroughfare* means Kirby Drive, Bissonnet Street or Bellaire (West Holcombe) Boulevard.

(b) *Rotated corner lots* . This subsection only applies to a corner lot carved out of a larger corner site originally established by the first plat or map of the subdivision in question, where the front street line of the corner lot is on a different street from the street where the larger corner site had its front street line. On such a corner lot, no fence may be constructed, improved or structurally altered along the side street line of the corner lot (this would have been the front street line of the original larger corner site) unless the fence is set back from the side street by at least one of the following two distances:

(1) A distance equal to the depth of the front setback area of any adjacent building site which has a front setback area abutting the side street; or

(2) A distance equal to the depth of the side setback area of the corner lot, measured from the side street. If the BSC is requested to issue a variance to permit a fence on the corner lot closer to the side street than prescribed above, and if a petition signed by 20 percent or more of the persons owning property along the side street within 200 feet of the rear lot line of the corner lot (and on the same side of the side street) is presented to the BSC before it acts on the request, the requested variances shall not take effect unless approved by all members of the BSC qualified and serving. Under no circumstances, with or without a variance, is a fence allowed within five feet of the side street line.

Sec. 18-203. Distance from property line; common fences.

A boundary fence shall be constructed immediately along the property line or as close as practicable to the property line. Common fences may be constructed along the property line, if the written consent of the owners of both properties is submitted.

Sec. 18-204. Easements.

No brick, masonry or similar type of fence may be constructed, improved or structurally altered if it would interfere with the installation and maintenance of utility lines in any easement reserved therefor.

Sec. 18-205. Removal of debris.

It shall be the responsibility of each person who constructs or reconstructs a fence, or causes it to be done, to clean up and remove from the premises all debris, dirt, scrap and broken pieces of concrete caused by the construction of the fence.

Sec. 18-206. Nonconforming fences.

In cases where an existing fence erected contrary to the provisions of this Code is to be removed, improved or structurally altered, each new fence must conform to this Code.

Sec. 18-207. Facing of fences.

All fences abutting on a street area shall be constructed so that all supporting members, including posts and horizontal runners, shall not face the street. This provision shall apply to such portions of a fence that face the street on which the lot faces as well as a side street.

Sec. 18-208. Emergency portals; visibility areas.

(a) Generally; location. The primary purpose of this subsection is to provide access to all sides of each building located on a single-family residential site, so that firefighters and emergency personnel can enter the building, place ladders, fight fires, etc. If such access is blocked by fences, walls or other obstructions, there must be at least two emergency portals, each with a minimum width of 30 inches, and they must be located to allow access to the sides and rear of the building, as follows:

(1) Usually there must be one portal on each side of the building facing the front street line, but on the corner sites, one may face the side street line.

(2) If there is a fully or partially-enclosed utility easement that intersects a street area adjacent to the site, there must be an emergency portal to allow emergency access to the easement area from the street area.

(b) Allowed types of portals. An emergency portal may be either: (i) a gate or door with a key box complying with the International Fire Code (see 506.1) or (ii) a breachable fence segment or gate. A segment or gate is "breachable" if it is primarily made of wood or wood substitute (not thicker than one inch, in either case) or wrought iron.

(c) Certain existing obstruction. Until December 1, 2014, it is an affirmative defense to prosecution for lack of emergency portals that: (i) existing fences, walls or other obstructions blocked the required access on December 1, 2009, and (ii) they were not replaced or structurally altered thereafter.

(d) Visibility areas. Fences, walls and other things are forbidden in certain visibility areas. See Chapter 82 of this Code.

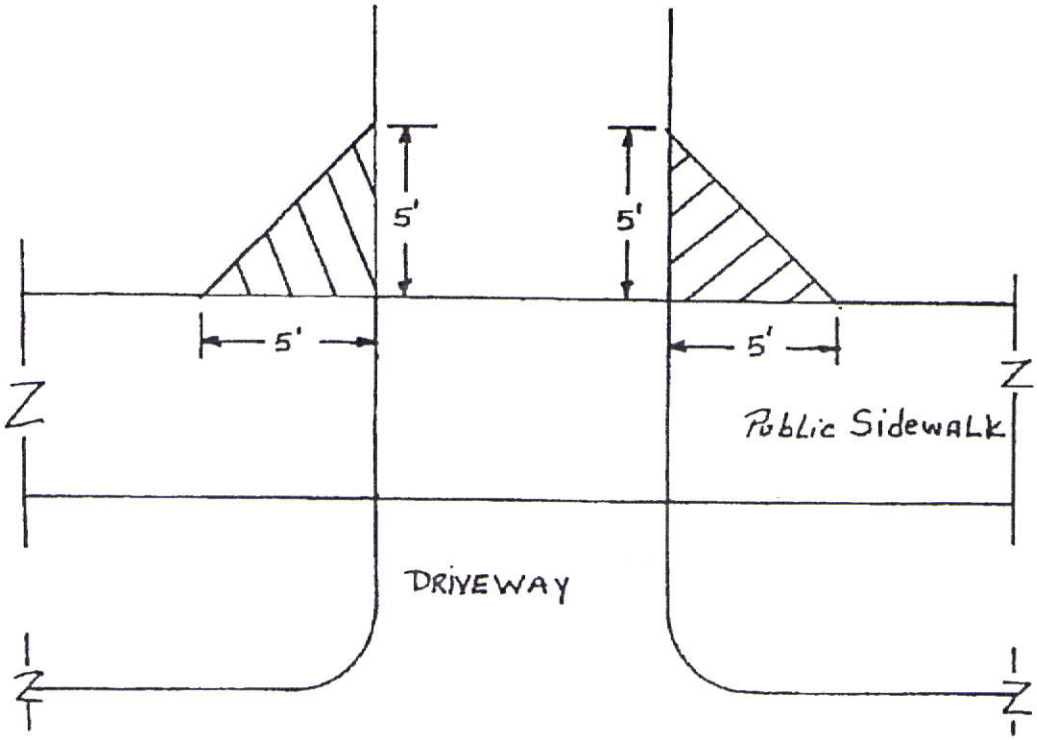
Sec. 18-209. Electricity, barbed wire prohibited.

It shall be unlawful for any person owning or controlling any property in the city to construct, maintain or permit to remain on such property any fence:

(1) Charged with electricity; or
(2) Containing any barbed wire, concertina wire or other sharpened or barbed projections.
Where chain link fence is used, no twisting or barbing of wire is permitted at the top salvage. All wire on the top salvage shall be knuckled.
Sec. 18-210. Masonry construction.
Masonry fences must be made of brick, vitrified clay tile, concrete tile, or monolithic reinforced concrete, and must be built according to the following specifications:
(1) At least eight inches thick for double-wall construction, which shall be either brick, vitrified clay tile, or concrete tile; at least six inches thick for single-wall construction, which shall be only of brick or monolithic reinforced concrete construction.

(2) Pilasters shall be placed on not more than 12-foot centers, or adequate steel reinforcing shall be placed in the whole fence. **Continued**
(3) Expansion joints shall be placed on not more than 24-foot centers.
(4) The fence shall have a foundation which shall rest on drilled footings sunk to approved bearing soil. Such footings shall be not less than 12 inches in diameter, and each footing shall have not less than four one-half-inch ties on three-foot centers. Foundation beams shall be not less than 12 inches wide and not less than 18 inches deep with not less than four five-eighths-inch reinforcing rods and three-eighths-inch ties, on not less than 30-inch centers.
(5) A gate with a minimum opening of 30 inches must be built for ingress and egress into any public easement.
Sec. 18-211. Fences on vacant lots.
Any fence construction or reconstruction on a site on which no building is located shall be constructed to comply with all of the setback requirements which apply to the location of a residence on such site. No building permit shall be issued for construction of improvements on a vacant lot, if there is a fence which does not meet all requirements of this Code.
Sec. 18-212. Maintenance.
Any person owning or controlling a fence shall maintain it in good repair so as not to endanger any person or property.

Driveway visibility triangle means the area within a triangle beginning at the precise intersection point of the edge of a driveway and the inside edge of a sidewalk (i.e., the edge farthest from the roadway). From the intersection point, the first side of the triangle extends five feet inward (away from the roadway) along the edge of the driveway, the second side of the triangle extends five feet along the edge of the sidewalk away from the driveway, and the third side is a straight line connecting the extended ends of the first two sides. If there is no sidewalk, the administrative official shall designate the probable location of a future sidewalk, which shall then be used as if it were an existing sidewalk. A typical driveway will have two such triangles, one on each side. Such triangles may include areas within, and not within, a building site. An example diagram showing driveway visibility triangles is attached to this ordinance and made a part hereof.

By my signature I am acknowledging I have read and understand all local amendments and will comply.

Signature of Permittee	Print Name	Date