

# TOWN OF COLLIERVILLE

## Fence Permit Application

Department of Development  
500 Poplar View Pkwy  
Collierville, TN 38017

Telephone: (901) 457-2300  
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**Fence Permit Required:** It shall be unlawful for any contractor, individual or property owner to commence the installation of a fence or wall until the Development Department has issued a fence permit for such work. Any fence permit issued in conflict with the provisions of this chapter shall be null and void. It shall be the responsibility of the contractor, individual or property owner to correct any violations that may exist as determined by the Development Director (or his/her designee) within a reasonable time period specified by the Development Department. Fence permits shall not be required for maintenance of an existing fence unless more than fifty percent of the fence is being reconstructed.

Address: \_\_\_\_\_ Subdivision: \_\_\_\_\_

Height: \_\_\_\_\_ Material: \_\_\_\_\_ Valuation (\$): \_\_\_\_\_

Zoning Type: Residential \_\_\_\_\_ Commercial \_\_\_\_\_ Industrial \_\_\_\_\_ In Historic District: Yes / No

Corner Lot: Yes / No Pool Barrier: Yes / No

Owner: \_\_\_\_\_ Email: \_\_\_\_\_ Phone: \_\_\_\_\_

Contractor: \_\_\_\_\_ Phone: \_\_\_\_\_

Contractor Address: \_\_\_\_\_ Email: \_\_\_\_\_

Responsible Person \_\_\_\_\_ Date: \_\_\_\_\_

**Notes:**

- Issuance of a Building Permit shall **NOT** be held to permit or to be an approval of the violation of any Town, County, or State law.
- The subdivision covenants/ HOA regulations must be reviewed by the owner/builder for compliance. Covenants/private regulations **ARE NOT** enforceable by the Town.
- Permit void if construction has not begun within six (6) months from the date the permit was issued.
- Permit void if incorrect information is given on the application for the permit.
- Application incomplete if pages 2 and 3 are not initialed and signed.

**\*\*NO SIGNAGE OF FENCE COMPANY/CONTRACTOR ALLOWED ON FENCE\*\***

<b><u>Staff Only</u></b>		
Permit Fee: _____	Paid Date: _____	Receipt Number _____
Planning Approval _____	Engineering Approval _____	Codes Approval _____
Conditions:  		

**\*\*Read the following pages prior to the installation of the fence\*\***

**The following is an excerpt from Collierville Zoning Ordinance, Chapter 151, Section 151.006. Read the following prior to the installation of the fence.**

**Prohibited Locations:** No fence or wall shall be installed that:

- Encroaches into an alley (except for temporary fencing necessary for public safety);
- In the opinion of the Town Engineer, blocks or diverts drainage within a drainage easement per § 151.006(C)(13);
- Compromises safety by blocking vision at street intersections or obstructs the visibility of vehicles entering or leaving driveways or alleys (see also § 151.006 B);
- Blocks access to any above ground or pad-mounted electrical transformer, equipment vault, or similar device. A 15 foot clear access must be provided for maintenance of Memphis Light, Gas, and Water pad mounted transformers;
- Removes, as determined by the Development Director or his/her designee, or significantly damages a tree located within a Tree Protection Zone;
- Is located within six feet of a fire hydrant; or
- Is located on a portion of the property that is subject to road widening by the Collierville Major Road Plan.

**Drainage Flow:** Fences and walls must be installed to provide sufficient clearance from the bottom of the fence to the ground so drainage will flow freely and not negatively impact any adjacent property owner. Sufficient clearance shall be defined by the Town Engineer. Fences located in or along drainage easements shall have a minimum ground clearance of two inches

**Materials:** Fences and walls must be constructed of brick, ornamental iron or aluminum, vinyl, or rot resistant wood (pressure treated lumber, redwood, cypress and cedar), with the following exceptions:

- Wooden fence boards used in a nonresidential development shall be naturally rot resistant wood (redwood, cypress and cedar).
- Fence boards used within a perimeter fence required in Planned Developments, Common Open Space, Reversed Frontage fence, or a fence abutting an arterial street or collector street as designated by the Collierville Major Road Plan, in subdivisions developed after January 1, 2016, shall be naturally rot resistant wood (redwood, cypress and cedar).
- The Design Review Commission or the Historic District Commission may approve alternative materials on a case-by-case basis.
- Retaining walls.
- Formed concrete walls or concrete wall panels provided they are within side or rear yards, front yard encroachments allowed for corner lots per §151.006(C)(9), Common Open Space, or along the rear property line of Reverse and Double-Frontage Lots.
- Plastic and Composite Materials (100% recycled plastic, recycled plastic and waste wood fiber/sawdust).

**Prohibited Materials:** Specifically prohibited fencing materials shall include, vinyl coated chain link and chain link (except as may be authorized by the Development Director (or his/her designee) or the Design Review Commission for legally approved animal boarding or health care facilities, side and rear yards of RI and GI Districts when abutting similar zoned properties, municipal and governmental facilities, and when used for sports facilities to protect health, safety and public welfare), cinder block or concrete block and barbed wire. Wire mesh, single wire, or electrified fencing are prohibited except in relation to agricultural uses or when used in combination with wooden fences as may be authorized by the Design Review Commission or the Historic District Commission (if located in the Collierville Historic District).

**Front Yard Fences or Walls:** Fences and walls, with the exception of retaining walls may be allowed in front yards, subject to the following:

- Front yard fences outside of the Historic District of not more than 48 inches height may be allowed subject to the review and approval of the Design Review Commission and as noted in the table included in § 151.006(C)(4).
- Front yard fences inside the Historic District of not more than 42 inches in height may be allowed in front yards, subject to review and approval of the Historic District Commission and as noted in the table included in § 151.006(C)(4).

**Finished Side of Fence Facing Public Areas:** All fences, regardless of type or material, shall have the finished side facing public rights-of-way, common open areas, parkland or greenbelt areas and other public areas.

**Corner Lots:** On corner lots, fences, walls and hedges shall be permitted in side and rear yards. Fences and walls exceeding 48 inches in height shall not be permitted beyond the front face of the primary structure or the front yard setback line, whichever distance from the property line is greater, on the street side on which the house faces. However, on the street side on which the house does not face, an opaque fence or wall not exceeding six feet in height may extend no more than ten feet into the front yard setback. In no case shall a fence or wall greater than 48 inches in height be located closer than 20 feet from the back edge of the curb (or edge of pavement for a rural road cross section).

**Transition Height between Adjoining Fences:** A fence or wall being installed that varies in height with other fences shall transition the height of the fence to match the adjoining fence. The transition shall be provided over a minimum distance of eight feet or 4:1 ratio. Abrupt changes in height between fences shall not be permitted.

**Reverse and Double-Frontage Lots:** Fences on double frontage lots and reverse frontage lots where the rear or side yards face a public right-of-way shall be maintained by the property owner or by an established homeowner's association. In subdivisions where there is no homeowner's association, access gates shall be installed on all properties which abut the public right-of-way. All landscaped area from the fence line to the pavement edge shall be maintained by the property owner in accordance with Town regulations. All fences on double frontage lots must have the finished side of the fence facing the public right-of-way.

**Measurement of Fence and Wall Height:**

- Determination of height. Fence height is measured to include the body of the fence, plus allowing a maximum of six inches (on average between posts) above the finished grade (i.e. for drainage purposes). Masonry columns and fence posts are permitted to extend a maximum of 12 inches above the body of the fence. In the event fence height has been elevated through the creation of a berm, or other method for the primary purpose of increasing the elevation of the fence, the fence height is measured from the ground elevation prior to grade modification.
- Variations. To allow for minor variation in topography (less than one foot of grade change over twelve feet), the height of a fence or wall may vary up to six inches. In cases where the slope is greater than one foot of grade change over twelve feet between the ends of a particular section of a fence or wall, the height of that section of the fence or wall may vary up to eighteen inches provided any fence or wall steps are proportional.
- Average Finished Grade. The average finished grade shall be construed as the average grade measured at a point three feet on each side of the fence. In the case of a fence on a retaining wall, adjacent grade shall be the grade of the top of the wall.
- Maximum Height. The average height of a fence or wall shall not exceed the maximum height allowed. Fences or walls shall not exceed the height as depicted in the table on the next page.

Initials \_\_\_\_\_

FENCE AND WALL HEIGHT			
Fence or Wall Function		Maximum Height	
		Front Yard (feet)	Side Yard, Rear Yard, (feet)
Dumpster, refuse area, loading area, or recycling container screen walls in nonresidential developments		The greater of: 8 feet or 2 feet taller than the container being screened <sup>[6]</sup>	
Exterior storage (Site Plan approved) in RI or GI Districts		The greater of: 15 feet or 2 feet taller than the materials being screened	
All other fences & walls	Residential, except as noted	4 <sup>[1]</sup> 2 <sup>[2]</sup> 3 <sup>[3]</sup> 4 <sup>[4]</sup> 6 <sup>[6]</sup>	6 <sup>[6]</sup>
	Nonresidential and mixed-uses	8 <sup>[2]</sup> 3 <sup>[3]</sup> 4 <sup>[4]</sup> 6 <sup>[6]</sup>	8 <sup>[6]</sup>
	Perimeter Common Open Space or Reversed Frontage Lot	6 <sup>[5]</sup> 6 <sup>[6]</sup>	6 <sup>[5]</sup> 6 <sup>[6]</sup>
	FAR, R-L, and R-L1 Districts	6 <sup>[2]</sup>	6
Notes:			
<ol style="list-style-type: none"> <li>For corner lots, see §151.006 (C)(9) for allowable front yard exceptions.</li> <li>Front yard fences shall have a maximum opacity of 75% except for the exceptions specified in §151.006 (C)(8) .</li> <li>Except in FAR, R-L, and R-L1 Districts, front yard fences outside of the Historic District shall be reviewed by the Design Review Commission prior to the issuance of a fence permit.</li> <li>The Historic District Guidelines state that front yard fences should not exceed 3.5 feet. The Historic District Commission may approve taller fences on a case-by-case basis, but in no case shall front yard fences exceed a height of 4 feet.</li> <li>A perimeter Common Open Space or Reversed Frontage fence or wall abutting an arterial street or a four-lane or greater collector street as designated by the Collierville Major Road Plan may rise to a maximum height of six feet subject to the review and approval of the Design Review Commission. See § 151.006(C)(5) for materials requirements.</li> <li>In the Historic District, all fences and walls visible from a public right-of-way require the approval of the Historic District Commission.</li> </ol>			

**Opacity:** For the purposes of this section, "opacity" shall mean the degree of openness to which light or views are blocked measured perpendicular to the fence for each fence section between supports. Opacity limitations are meant to maintain an open appearance along public streets and to prevent crime.

- Except where specifically permitted otherwise, the body of a fence located between a street and a principal structure shall have a maximum opacity of 75%.
- Exceptions. The following fences are exempt from opacity limitations, subject to the review and approval of the Design Review Commission, or if located in the Historic District, the Historic District Commission:
  - A perimeter Common Open Space or Reversed Frontage fence or wall abutting an arterial street or a four-lane or greater collector street as designated by the Collierville Major Road Plan;
  - A screening fence or wall required by the Design Guidelines;
  - A screening fence or wall required as a condition of approval;
  - An opaque fence on a corner lot as specifically exempted by §151.006(C)(9);
  - Masonry walls subject to the review and approval of the Design Review Commission or the Historic District Commission (if located in the Collierville Historic District);
  - A retaining wall;
  - A pool barrier as required by the Swimming Pool Code adopted by the Town of Collierville;
  - Vegetation growing adjacent to or on a fence will not be considered in determining compliance with the opacity requirements for fences; and
  - For the purposes of fence opacity limitations, an alley is not considered a street.

**Maintenance:** Fences shall be maintained and kept in good repair by the property owner and/or homeowner association. Examples of a lack of proper maintenance include, but are not be limited to, rotten or deteriorated structural members, missing or broken components, excessive sagging of structural members or warping or distortion of planks and fence or wall materials. Lack of proper maintenance and upkeep of a fence or wall shall constitute a violation of these regulations.

**Double Fences:** Double fences shall be allowed in the side and rear yards with the exception of double frontage or reverse frontage lots where rear property lines face a public right-of-way. A fence permit shall be required prior to the installation of a double fence. A double fence may be installed on the opposite side of a common property line where a fence has been installed that does not provide adequate screening measures, including, but not limited to, height of opposing fence installed below the prescribed maximum height or the use of transparent materials such as chain-link fencing. Double fences shall be installed against the property line so as to prevent non-maintainable land between fences.

**Swimming Pools:** In accordance with the Swimming Pool Code adopted by the Town of Collierville, as amended, fencing for pools shall be a minimum of 48 inches in height as measured from the finished grade. All other fence provisions in the currently-adopted Swimming Pool Code as amended shall apply.

**Public Easements:** Fences, walls and hedges installed in or along public easements (utility, drainage, pedestrian and the like) are subject to removal at the owner's expense in the event maintenance or construction work is required within or along the public easement.

**Acknowledgement of Town fencing regulations** \_\_\_\_\_ **Date:** \_\_\_\_\_

## Requirements for Swimming Pool Barriers (Fences)

1. All outdoor and indoor swimming pools shall be surrounded by a barrier.
2. The top of the barrier shall be no less than 48 Inches above grade where measured on the side of the barrier that faces away from the pool.
3. The vertical clearance between grade and the bottom of the barrier shall not exceed 2 inches for grade surfaces that are not solid, such as grass or gravel, were measured on the side that faces away from the pool.
4. The vertical clearances between a surface below the barrier to a solid surface, such as concrete, and the bottom of the barrier shall not exceed 4 Inches where measured on the side of the required barrier that faces away from the pool.
5. Where the top of the pool is above grade (above ground pool) the barrier shall be installed on grade or shall be mounted on top of the pool structure.
6. Openings in the barrier shall not allow the passage of a 4 inch diameter sphere.
7. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches or more, spacing between vertical members shall not exceed 4 inches. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1.75 inches in width.
8. Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches, the horizontal members shall be located on the pool side of the fence. Spacing between vertical members shall not exceed 1.75 Inches in width.
9. The pool side of the required barrier shall be not less than 20 Inches from the water's edge.
10. Access gates shall be equipped to accommodate a locking device. Pedestrian access gates shall open outward away from the pool and shall be self-closing and have a self-latching device.
11. Gates not intended for pedestrian use, such as utility or service gates, shall remain locked when not in use.
12. Double gates or multiple gates shall have at least one leaf secured in place and the adjacent leaf shall be secured with a self- latching device. The gate and barrier shall not have openings larger than 1/2 inch within 18 inches of the latch release mechanism.
13. Where the release mechanism of the self-latching device is located less than 54 Inches from grade, the release mechanism shall be located on the pool side of the gate at least 3 inches below the top of the gate, and the gate and barrier shall not have openings greater than 1/2 inch with 18 Inches of the release mechanism.
14. Where a wall of a dwelling or structure serves as part of the barrier, doors and operable windows with a sill height of less than 48 inches that provide direct access to the pool through the wall shall be equipped with an alarm that produces an audible warning when the door or its screen or window is opened.