



**Town of Milliken**  
**Fence and Wall Permit**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

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

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

Type of Fence: \_\_\_\_\_ Height of Fence: \_\_\_\_\_ Fence Material: \_\_\_\_\_

Applicant understands that the Home Owners Association (HOA), if applicable, may have additional requirements, restrictions, and guidelines to follow for construction.

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

Town Approval

Permit #: \_\_\_\_\_

Zoning: \_\_\_\_\_ Flood Plain?  YES  NO County Account #: \_\_\_\_\_

Approved By: \_\_\_\_\_ Date: \_\_\_\_\_

**Please provide, on a separate piece of paper, a site plan that shows the location of the fence/wall on your property. Also, please include the location of your home and any fire hydrants near your property.**

Fences and walls must meet the following requirements:

Section 16-2-485 Fences and Walls

(a) Intent. The intent of this Section is to ensure that walls and fences are attractive and in character with the neighborhood. Recognizing that fences are used to create privacy, the Town encourages privacy fences (six foot and solid) be located close to the house and not alongside and rear property lines.

(b) General Provisions.

(1) Compatibility. Walls and fences shall be architecturally compatible with the style, materials and colors of the principal buildings on the same lot. If used along collector or arterial streets, such features shall be made visually interesting by integrating architectural elements such as brick or stone columns, varying the alignment or setback of the fence, softening the appearance of fence lines with plantings, or through similar techniques. A fence or wall may not consist of a solid, unbroken expanse for more than fifty (50) feet for every seventy-five (75) feet of length, or portion thereof. See Section 16-2-835 of this Article for examples. Fence support posts should be constructed inside the fence and should not be visible from the outside of the fence and all exterior fences made of wood shall be finished with a clear seal or left in its natural state, decorative or ornamental fence support structures maybe visible if approved by the Community Development Director.

(2) Materials.

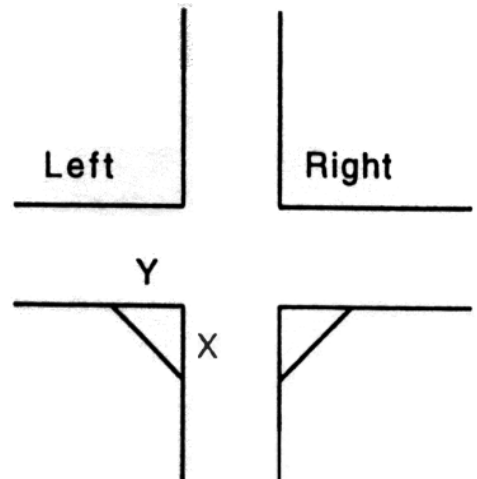
a. Stone walls, or brick walls with a stone or cast stone cap, treated wood fences, decorative metal, cast iron fences, stucco walls and stone piers are encouraged. Solid walls and fences are permitted only in rear and side yards. Retaining walls are permitted where required for landscaping and approved with a final drainage plan or architectural purposes. Hedges may be used in the same manner and for the same purposes as a fence or wall. Refer to Section 16-2-835 of this Article for illustrations of fence styles that the Town is encouraging.

b. Fences used in front yards and adjacent to public streets alongside and rear yards shall be at least fifty percent (50%) open. Allowable fences are split rail, wrought iron, picket or other standard residential fences of a similar nature approved by the Building Inspector.

c. Solid fences shall be constructed to meet the wind design criteria of the adopted Building Code, using a basic wind speed of ninety-five (95) miles per hour.

- d. Other materials may be incorporated in fences and walls as may be approved by the Town.
- (3) **Prohibited Materials.** Contemporary security fencing such as concertina or razor wire, barbed wire or electrically charged fences are prohibited unless specifically allowed by the Board of Trustees. Chain-link fencing with or without slats shall not be used, except as administratively approved for replacement, or extension of, existing chain link fencing within the town of Milliken Subdivision on residential property in close proximity to existing chain link fencing within the neighborhood. Chain link fencing is prohibited in the Downtown area as per section 16-2-721- (d) (5) a.
- (4) **Retaining Walls.** Retaining walls shall be designed to resist loads due to the lateral pressure of retained material in accordance with accepted engineering practice and shall not be unsightly or detrimental to abutting property. Any retaining wall greater than forty-eight (48") inches in height shall be engineered and allowed only with prior approval from the Town.
- (5) **Height Limitations.** Fences or walls shall be:
- No more than forty-two (42) inches high between the front building line and the front property line. Walls shall not be solid except for retaining walls. For corner lots, front yard fence regulations shall apply to both street sides of lot.
  - No more than forty-two (42) inches high if located on a side yard line in the front yard, except if required for demonstrated unique security purposes. Fences and walls shall not be solid, except for retaining walls.
  - No more than six (6) feet high for an opaque privacy fence located on a rear property line or on a side yard line in the rear yard.
  - No more than six (6) feet high for opaque privacy fences that are located directly adjacent to and integrated with the architecture of the house or connected to a courtyard.
  - No more than thirty (30) inches high when located within the site distance triangle, and fences or walls within this site distance triangle shall not be solid.

Sight Distance Table			
Type of Street	Y Distance (in feet)	X Distance (in feet)	Safe Sight Distance (in Feet)
Arterial	Right 135' Left 270'	15'	500'
Collector	Right 120' Left 220'	15'	400'
Local	Right 100' Left 150'	15'	300'
Alley	Right 15' Left 15'	15'	-



- In the Industrial (I) District, a chain-link fence is permitted so long as it is not higher than six (6) feet anywhere on the premises and the visibility at the intersection shall be in accordance with site triangle regulations. Additional landscaping must be installed to minimize the visual impact of the chain-link fence.
  - Fences around a recreation court (e.g., tennis, squash racket, squash tennis or badminton) or around a publicly owned recreation area may exceed six (6) feet in height if the fence is at least fifty percent (50%) open.
- (6) **Maintenance.** Fencing shall be maintained in an acceptable appearance. Missing and broken segments of fence shall be repaired in a timely manner. Dilapidated, unsightly or dangerous fences shall be removed or repaired when so ordered by the Building Inspector. Hedges shall be maintained in a healthy condition, trimmed and pruned as appropriate for the plant type. Dead plant material in hedges shall be removed or replaced as appropriate when so

ordered by the Building Inspector. Hedges shall not encroach upon sidewalks or street rights-of-way. The Town may repair and/or replace fencing or plants and bill the owner if the owner does not make repairs as ordered by the Building Inspector.

- (7) Ornamental gates associated with fences will be allowed subject to approval by the Town.
- (c) Warranty Period. The warranty period for perimeter fences along arterial and collector streets shall be two (2) years. Provision for compliance shall be as outlined in the warranty section of the subdivision improvement agreement.
- (d) Additional Fencing Requirements for the Downtown Area:
- (1) Security or privacy fencing, not exceeding (6) feet in height, located on the rear (1/3) one third of the property and not visible from Broad Street, may be permitted if the use of the enclosed area and the design of the fence meets the intent of the downtown commercial standards. Chain link fences shall not be allowed. Decorative fencing that is 50% open is encouraged.
  - (2) All exterior fences which are made of wood shall be finished with a clear seal, or left in the natural color of the wood. Painted fences shall not be permitted.
  - (3) Fence support posts shall be constructed inside the fence and shall not be visible from the outside of the fence. Decorative or ornamental fences support structures maybe visible if approved by the Community Development Director.
  - (4) Fencing shall be maintained in good repair and when needed, shall be replaced with fencing that is equal to or better than the original fencing.
  - (5) The use of materials not customarily used for fencing shall not be permitted.

The Town strongly encourages the following standards:

- All exterior fences which are made of wood shall be finished with a clear seal or left in the natural color of the wood.
- Painted fences are not encouraged.
- Fence support posts should be constructed inside the fence and should not be visible from the outside of the fence.
- All fencing should maintain a three feet clear space from the fire hydrants for emergency personnel access.