



# Fence Permit Information

## BUILDING PERMIT REQUIRED

1. Fence installations require a permit. However, no permit shall be required for fence replacements less than 20' in length in a calendar year.
2. A survey/map of the property is required when submitting for permit. Proposed fence section(s) should be clearly marked.
3. Payment of the permit fee is due upon application.
4. Residential fence plan review typically occurs immediately, depending upon various factors of the submittal.
5. Commercial fence plan review is typically 3-4 weeks, depending upon the volume of permits already in the review office.

## HEIGHT AND LOCATION

1. Fence height shall not exceed 8' 6", including any footer or topper.
2. Fences shall be located in the side or rear yard. No fence shall be constructed in any front yard.
3. On corner lots the secondary front yard (facing the intersecting street) must comply with front yard setbacks for that block.
4. Fences shall be measured from the interior grade level to the highest portion of the fence.
5. Fences shall not be placed within adjacent private properties or adjacent public properties such as right-of-ways or easements.

## MATERIALS AND CONSTRUCTION

1. Must be of approved materials and must be of uniform construction throughout the fence. Once a pattern of material(s) and construction method is established, it must be carried throughout the entire length of the fence section from corner post to corner post.
2. Residential fences shall be constructed of materials or products specifically designed for fence construction such as chain link, wood planks and boards, masonry as defined by the building code, and/or wrought iron or ornamental metal.
3. Secondhand materials shall not be used in the construction of any fence on a residential property.
4. All wood fencing material shall be stained, pressure treated, painted or adequately sealed to prevent decay.
5. All metal surfaces subject to rust or corrosion shall be coated with paint or other material designed to protect the surface.
6. Masonry fences and/or columns installed as part of a fence with a height exceeding 6 feet measured from grade shall have a foundation designed by a professional engineer licensed by the State of Texas, the signed and sealed plans for which must be submitted with the application for such masonry fence.

## GATES

1. An access gate at least 3' wide, leading to the front yard or public right-of-way is required.
2. A gate to allow access to easement for mowing or other maintenance is required.
3. A vehicular gate that provides access across a driveway shall operate in a manner where the gate does not swing outward into any street/alley rights of way or into required front yard setbacks.

## EASEMENTS

1. Fences within easements are subject to removal by the easement/utility holder at any time.
2. Replacement of fence, if removed by a utility holder, is the responsibility of the property owner.
3. Before installing a fence within an existing drainage or utility easement, a Hold Harmless Agreement (HHA) must be executed for the property. An HHA is a record acknowledging the prior written consent of the owner(s) of the easement(s) and must be obtained from City Public Works department prior to applying for permit and installation of the fence. Contact Public Works Department at (972) 919-2597 or [public.works@farmersbranchtx.gov](mailto:public.works@farmersbranchtx.gov).

## HOMEOWNERS ASSOCIATION

1. When the property is also governed by an active Homeowners Association (HOA) that may have rules and regulations that differ from those enforced by the City of Farmers Branch, it is the property owners responsibility to check with the HOA to verify this proposed project meets their requirements as well.

## FENCE ALONGSIDE EXISTING FENCE

1. When a new fence is installed along an existing fence it is the responsibility of the homeowner to trim and maintain the area between the fences for the life of the fences. For the ease of maintenance and property appeal, the City highly recommends removal of any existing fence that runs alongside your proposed new fence.

## POOL BARRIER

1. An outdoor swimming pool, including an in-ground, above-ground or on-ground pool, hot tub or spa, shall be surrounded by a barrier which shall comply with the current pool code.
2. The top of the barrier shall be at least 48 inches above grade measured on the side of the barrier which faces away from the swimming pool.
3. Openings in the barrier shall not allow the passage of a 4-inch-diameter sphere.
4. 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 swimming pool side of the fence. Spacing between vertical members shall not exceed 1 3/4 inches in width.
5. 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.
6. Access gates shall be equipped to accommodate a locking device.
7. Pedestrian access gates shall open outward away from the pool, and shall be self-closing and have a self-latching device.
8. Gates, other than pedestrian access gates, shall have a self-latching device.
9. Where the release mechanism of the self-latching device is located less than 54 inches from the bottom of the gate, the release mechanism and openings shall comply with the following:
  - a. the release mechanism shall be located on the pool side of the gate at least 3 inches below the top of the gate; and
  - b. the gate and barrier shall have no opening larger than 1/2 inch within 18 inches of the release mechanism.

## TEMPERED GLASS/GLAZING REQUIREMENTS:

10. Glazing in walls (windows) and fences enclosing indoor and outdoor swimming pools, hot tubs and spas where all of the follow conditions are present:
  - a. The bottom edge of the glazing on the pool or spa side is less than 60" above a walking surface on the pool;
  - b. The glazing is within 60" horizontally of the water's edge of a swimming pool or spa. Glass, including glass blocks, in these areas shall be safety-rated or protected.

## RETAINING WALLS

1. Walls supporting more than 48" of unbalanced backfill that do not have permanent lateral support shall have a design provided by a Texas registered professional engineer.
2. Walls that are not laterally supported at the top and that retain in excess of 24" of unbalanced fill shall be designed to ensure stability against overturning, sliding, excessive foundation pressure and water uplift. Retaining walls shall be designed for a safety factor of 1.5 against lateral sliding and overturning.
3. HEIGHT WITH FENCING INCLUDED (Single-Family Properties Only)
  - a. A retaining wall may be installed with a fence above when the height of the fence placed above a retaining wall does not exceed 8' 6" feet above the grade established on the inside of the retaining wall.
4. REPLACEMENT - Removal and replacement of an existing retaining wall is approvable, provided the retaining wall:
  - a. Is built in the existing placement only.
  - b. Includes no changes to the existing alignment.
  - c. Does not have any additional fill material.
  - d. Does not have any additional encroachment into other private property, public right-of-way (such as a street, sidewalk or alley), flood plain or creek, etc.

Call (972) 919-2549 for Permit & Inspections questions