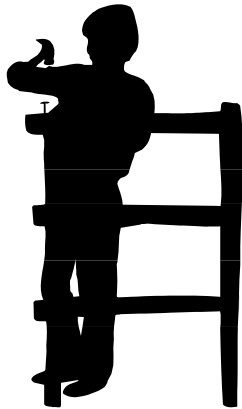


## Fence and Wall Permits

*Information on Fencing and Wall Regulations and Submittal Requirements to Obtain a Building Permit*



### DO I NEED A FENCE PERMIT?

A permit is required for all fences greater than three feet in height and walls greater than four feet. The maximum fence height permitted by City ordinance is four feet. Fences associated with swimming pools and hot tubs may be permitted to be six feet in height. Swimming pools are required to have a fence at least four (4) feet in height enclosing the yard. Hot tubs are required to have a fence at least four (4) feet in height within three (3) feet of the hot tub.

### HOW DO I GET STARTED?

The following items are required at the time of application:

- A detailed plot plan which indicates property lines. The plot plan shall note the location of the proposed fence.
- The contractor must have a valid City of Leawood license
- A completed permit application. The application must note the height of the fence, the material for the fence and note whether the fence is associated with a swimming pool or hot tub.

### GENERAL REQUIREMENTS

Fences and walls cannot be permitted in front of the building or line of the building as it extends to the side property line. For corner lots, fences and walls cannot extend beyond the build line of a street-side side yard.

In cases of interior rear setbacks, fences and walls shall be permitted to be located on the rear property line. In the case of through lots, fences and walls shall not extend beyond the applicable zoning district's setback from the street frontage.

Fence height is measured from finish grade of the adjoining ground to the top of the fence.

Fences/walls less than three (3) feet in height may be located anywhere within required setbacks. The three foot fence cannot exceed twenty four feet in length.

Fences/walls associated with patios and decks are permitted within three (3) feet of patio or deck with a maximum height of six (6) feet above grade.

Post height cannot exceed eight (8) inches above the height of the fence pickets.

Wood fences shall be constructed with posts, rails, and other structural members located on the "inside" of the fence (finished side facing out).

Fences and walls shall not restrict natural surface drainage nor be constructed to divert or channel water flow with increased velocity.

Fences and walls constructed within City owned and/or public utility easements may be removed to allow access for installation or maintenance of utilities and/or drainage. The property owner shall be responsible for the reconstruction and replacement of any fences and/or walls removed.

When the back property line of a residentially zoned lot shares a common boundary with that of another municipality, the least restrictive fence or wall height regulations of the two municipalities shall govern only for that property line which shares the municipal boundary. All other fences on the property within Leawood are limited to that allowed by this Ordinance.

Fences associated with sport courts are not permitted in front of the building or line of the building as it extends to the side property line, or beyond the build line on the street-side side setback of a corner lot. The fence must be adjoining the sport court and must be approved as part of the required approval process for sport courts. The fence cannot exceed twelve (12) feet in height.

### **FENCES ASSOCIATED WITH SWIMMING POOLS OR HOT TUBS**

A fence is required to confine a pool. A fence may be constructed within and along all interior side and rear yards, but is not permitted in front of the building or line of the building as it extends to the side property line, or beyond the build line on the street-side side setback of a corner lot. The minimum height of the fence is four (4) feet; the maximum height is six (6) feet.

A fence is required to confine a hot tub. A four foot fence may be constructed within and along all interior side and rear yards, but is not permitted in front of the building or line of the building as it extends to the side property line, or beyond the building line on the street side setback of a corner lot. A six foot fence may be erected within three feet of the hot tub, or within three feet of a patio or deck supporting the hot tub.

Gates must swing away from the pool and be self-closing as well as self-latching.

Fences in association with a swimming pool or hot tub must also comply with Appendix G in the 2006 International Residential Code.

### **APPROVED MATERIALS**

Allowed fencing materials shall be limited to cedar, redwood, CCA treated wood, wrought iron, aluminum designed to have the appearance of wrought iron, chain link, PVC coated chain link or vinyl to have the appearance of wood.

### **RETAINING WALLS**

Retaining walls exceeding four (4) feet in height, whether terraced or not, shall be designed and constructed to support lateral loads and shall be accompanied by design calculations and plans sealed by a professional engineer registered in the State of Kansas. Said plans shall be reviewed by the City.

Retaining walls six (6) feet in height or less are permitted within all required setbacks. Retaining walls greater than six (6) feet in height are permitted within all required setbacks provided that it shall be set back from the property line one foot for each foot, or part thereof, in excess of six (6) feet in height. Any exceptions or deviations from this formula shall require site plan approval by the Governing Body after recommendation of the Planning Commission. At least 10 days prior to the Planning Commission consideration of the exception or deviation, all adjacent property owners shall be notified by certified mail of the pending application.

### **PROHIBITED ITEMS**

Electric and barbed wire fences are prohibited except on Agricultural zoned properties for the purpose of containing livestock and when specifically authorized as part of an approved development plan. When permitted, the maximum height is six (6) feet.

Construction fencing is prohibited in all zoning districts as permanent fencing material, although may be used on a construction site as a temporary measure for safety purposes only.

### **BOARD OF ZONING APPEALS**

The Board of Zoning Appeals shall have the power to grant exceptions to the height restrictions for fences and walls. Such exceptions may be granted by the Board if it concludes that the granting of the exception outweighs any adverse impact the fence or wall may have on the appearance of open space, considering the following factors:

- The effect on adjoining property
- The uses and physical characteristics of adjoining property
- Proximity to arterial streets

In no case shall the Board allow a fence or wall that exceeds six (6) feet in height.

### **INSPECTION REQUIREMENTS**

For fences and walls, a final inspection is required upon the completion of the fence installation. Walls may require additional inspections. Please contact the Codes Administration Division for additional inspection requirements for walls.

### **FOR MORE INFORMATION**

City of Leawood  
Codes Administration Division  
Public Works Department  
4800 Town Center Dr  
Leawood, Kansas 66211  
**(913) 339-6700/(FAX) (913) 339-6736**  
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