



## Town of Little Elm Fence Requirements

**This outline is not intended to be a reliable or all-inclusive reflection of all applicable regulations. It is designed to provide abstract guidance on the application and inspection process. Chapter 106 (Zoning) of the Little Elm Code of Ordinances should be consulted for a comprehensive listing of applicable regulations.**

### 1. Permits & Inspections

- A. Fence construction or repair of greater than fifty percent (50%) of the length of the fence requires a permit. Repairs with a total length of less than one full length of fence (side or backyard) maybe completed without a permit with material matching the existing fence. Customary maintenance may be performed without a permit, but please call the Permitting office (214-975-0456) to verify the determination, so to ensure work completed without a permit does not receive code enforcement service.
- B. Plot plan showing exact materials, location, height, dimensions from property lines, sidewalks, curbs, and location of gates must accompany a completed application form.
- C. *A footing inspection is required.* The footing inspection must be completed prior to pouring concrete.
- D. *A final inspection is required* and must be scheduled within one week (five business days) of completion.
- E. All fence installers are required to be registered with the Town of Little Elm.
- F. Fences that fail inspection through the Rental Registration program shall be repaired or replaced accordingly.

### 2. Regulations

- A. Fences shall not be over eight (8) feet in height, excluding a maximum 6" allowance for ground clearance and a decorative cap.
- B. No fence material shall be used to construct a fence except for those listed and regulated in this chapter. Generally, residential fences should only be wooden or black tubular steel (powder coated ornamental iron).
- C. Barbed wire, electric, and/or other injurious material is prohibited in the Town, unless the property is an agricultural district over five acres in size with a current AG-exemption tax status, legitimately needed for industrial purposes, or otherwise approved by the Director.
- D. Fence sections shall have their back side (the side with exposed posts and rails) oriented to the interior of the residential lot to minimize their exposure to the public.
- E. Fences and walls are allowed in front yards up to thirty inches (30") in height and must be either: split-rail, wrought iron, picket fence, or decorative masonry wall. Lots over 1 acre in size are exempt from this regulation, subject to review and approval by the Director. All front yard fences should generally be 50% open, except for walls when allowed.
- F. Fences cannot encroach upon any property line (front, side, or rear).
- G. On all corner lots fences shall not be closer than 15 feet from the face of any curb, unless otherwise approved by the Director or when the building setback line is closer than 15 feet to the curb.
- H. No fence shall be erected on public right-of-way or within any drainage easement, unless otherwise authorized by the Director.
- I. Fences facing rights-of-way (on back, side or corners) – All fences erected on side yards of corner lots and reverse corner lots or backing to a right-of-way shall be Cedar, board on board with a decorative cap

so that a finished fence side faces the street.

- J. Fences located between houses that face the street – the portion of fence that is parallel to the street and perpendicular to the fence along the side yard must be constructed of Cedar, board on board with a decorative cap so that the finish fence side faces the street
- K. All fences installed adjacent to a floodplain, creek, or dedicated open space shall be black tubular steel.
- L. Properties that have exterior fences improved by the Town through the Neighborhood Integrity Grant program shall maintain, repair, and replace the fence to the same standard as it was installed by the Town.

### 3. Wooden Fence Standards

- A. All vertical posts shall be galvanized steel with a minimum two and three-eighths inch diameter, a minimum CS 20 (.095) thickness, and set in a concrete footing.
- B. Concrete footings shall be a minimum of eight inches in diameter and must be at least six inches deeper than the post depth.
- C. For fences less than seven feet in height, posts shall be spaced at a maximum of eight feet on center, set in a concrete footing of no less than 24 inches deep.
- D. For fences that are seven feet or greater in height, posts shall be spaced at a maximum of six feet on center, set in a concrete footing of no less than 36 inches deep.
- E. Wood material shall be western red cedar. White wood, if pre-stained or stained a natural brown or earth tone color, is allowed.
- F. All materials shall be securely fastened, vertical boards to horizontal stringers, stringers to vertical posts, top rail, to ensure an ongoing attractive appearance and safe condition, free from rot, rust, vandalism, and other sources of decay.
- G. The bottom of the fence shall be designed to prevent ground to wood contact. This can be achieved through the use of a concrete mow strip poured between the fence supports or by installing a 2x6 pressure treated kick board to cover the gap between the bottom of pickets and the ground. This kick board may have ground contact, except in the direction of drainage from back yard to front yard, minimum 1” inch gap.
- H. Perimeter walls adjacent to a subdivision. A fence that is parallel to, perpendicular to, approximately parallel to, or approximately perpendicular to such wall shall not exceed the height of the adjacent subdivision wall. A fence that is separated from the subdivision screening wall by a public alley or right-of-way is deemed to not be adjacent to the subdivision screening wall. If abutting, the height of the fence may be allowed to transition or increase in height from the height of the subdivision screening wall to the maximum allowable height of the fence, provided that the transition does not exceed an even or smooth rate of increase over a span of not less than 16 feet in length.

### 4. Exceptions

- A. The use of chain link, vinyl, split-rail, and composite materials may be allowed, if constructed to manufacturer's specifications, subject to discretionary review and approval by the Director. Otherwise, they are generally prohibited. Existing non-conforming chain link fences may replace with similar material.
- B. Dog runs, swimming pool fences, and other similar situations within the interior of a back yard can be constructed of alternate materials, as long as all exterior and shared fence lines are built to compliance and the alternate interior materials are shorter than the exterior fence and not visible to the public, subject to discretionary review and approval by the Director.
- C. Decorative gate embellishments are allowed. They shall not exceed the height of the fence by more than two (2) feet.
- D. Alternate materials and methods that deviate from the fence standards listed above may be submitted, subject to discretionary review and approval by the Director.