

12/18

MISC BUILDING PERMIT APPLICATION

(sheds, roofs, decks, fences, sprinkler systems, etc)

231 North 7th Street - P.O. Box 70

Silt, CO 81652

Phone (970) 876-2353 Ext. 109 Fax (970) 876-2937

PERMIT NO. _____

ZONE DISTRICT _____

Use of Property _____

Job address: _____

Legal Description: _____

Lot No. _____ Block _____ Subdivision _____

Owner: _____ Phone No. _____

Mailing address: _____

Email address: _____

Contractor: _____ License: _____ Phone No. _____

Contractor's Email address: _____

Describe Work: _____

New _____ Repair _____

Sq ft of Lot (s): _____ Lot Coverage (Include Overhangs): _____

Total Sq ft or Linear ft of project: _____

Notice – READ AND INITIAL BEFORE SIGNING

This permit expires 180 days from the date of issuance. I certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction.

**** REMINDER ****

You must call for utility locates at 811 or 1-800-922-1987 at least 3 business days prior to digging for your project to prevent possible fines. The law has changed regarding rules for excavation. For more information, call the number above or go to the Colorado Utility Notification website:

www.colorado811.org

Signature of Contractor / Date

Signature of Owner / Date

Valuation: _____

Total Due: _____

Permit Fee: _____

Date Paid: _____

Plan Ck Fee: _____

Receipt #: _____

Use Tax: _____

Plumbing Permit: _____

Bldg Dept Approval: _____

Mechanical Permit: _____

Planning Dept Approval: _____

Flood Plain: Yes () No () (If yes, see attached comments)



CHECKLIST FOR FENCE PERMITS

- Complete an application form.
- If you live in a homeowners association, obtain written approval from the homeowners association before you apply for your permit. Bring that approval letter with your application. We need copies of everything you provided to the homeowners association to request your approval letter.
- If you are adjacent to a ditch and will fence any part of a ditch easement, you need to obtain written approval of the ditch company detailing the arrangements you have agreed upon.
- Site plan is required. We suggest you make a copy of the Improvement Location Certificate for your property and draw on the copy. Show distance from house, from lot line, from the easements. Draw where the fence will go.
- Fence detail:
 - Is there a fence line indicated on your lot?
 - What are the linear measurements of the fence, i.e. how long?
 - How tall is the fence?
 - Are there gates in your fence? Show them in your drawing.
- Plan review process. Some items can be handled quickly when all the details are presented with the application. Please provide as much information about your project as you can to assist staff with processing your application.
- Payment of application fee, plan check fee, and use tax.
 - Use tax is calculated based on the value of the materials in the fence.
- When review is completed, a permit card will be prepared for your project and you will be notified that your permit is ready to be picked up.
- Do not start work until you have the permit card posted at your property.

Chapter 15.06 - FENCES, RETAINING WALLS AND SCREENING DEVICES^[2]

15.06.010 - Purpose and intent.

- A. The purpose and intent of this chapter is to regulate the construction and installation of fences, retaining walls and screening devices within town boundaries and to control the design and use of fences, retaining walls and screening devices within town boundaries, and to control the design and use of fences, retaining walls and screening devices, in accordance with the regulations contained herein:
1. Promote the effective use of fences, retaining walls and screening devices;
 2. Protect the public, preserve the town's character, and prevent visual discord and clutter within the town;
 3. Encourage the development of private property in harmony with the desired character of the town while providing due regard for the public and private interests involved.
- B. Abatement.
1. All fences, retaining walls, and screening devices legally in existence as of the effective date of this ordinance codified in this chapter that do not conform to these regulations shall be considered pre-existing and nonconforming;
 2. Upon the replacement of 25 percent or more of a pre-existing or nonconforming fence, retaining wall or screening device, within a five-year period, owner of that property shall bring fence, retaining wall or screening device into conformance with these regulations. Such a time period will be established by the town administrator or his designee, using permit records, if any, visual observations and/or other technology.
- C. Dangerous fences, retaining walls and screening devices.
1. All fences, retaining walls or screening devices within or directly adjacent to a public right-of-way or public property and/or those that pose an immediate danger to public health or safety, including, but not limited to, drainage obstruction, shall be removed, repaired or relocated in a manner that eliminates the public hazard or drainage obstruction;
 2. The town administrator shall, in his sole discretion, make a determination of whether such a fence, retaining wall or screening device poses an immediate danger to public health or safety;
 3. The town shall provide written notice of such a condition to the owner of the property or to the owner's representative by hand delivery or by first class mail, and the town shall allow up to ten days for owner to cure said problem. The town shall have the right, without liability, to issue citations to the owner and fine the owner, to conduct repairs to bring the owner's fence, retaining wall or screening device into compliance, and to assess the costs against the owner in the manner permitted with regards to a violation per Title 1 of this code;
 4. Within such ten-day period, the owner of a property who received such notice as contemplated by this section, may file a written appeal to the planning and zoning commission, to be reviewed at the next available regularly scheduled commission meeting.

(Ord. No. 3-2016, § 1, 10-24-2016)

15.06.020 - Permit required for fences, retaining walls and screening devices.

- A. A permit is required for any new fence, retaining wall or screening device exceeding 42 inches in any zone district.
- B. A permit is required for replacement of 25 percent or more of the perimeter of a conforming fence, retaining wall or screening device exceeding 42 inches in any zone district.

- C. A permit is required for replacements of 25 percent or more of a nonconforming length of fence, retaining wall or screening device in any zone district.
- D. An applicant for a fence, retaining wall or screening device shall submit a complete permit application on forms provided by the town, in addition to the following items:
 - 1. Site plan to scale indicating all property lines and locations of existing and proposed fences, retaining walls, and screening devices;
 - 2. Narrative and/or drawing indicating proposed material(s), height(s) and topography (if requested by the town).
- E. Retaining Wall Additional Requirements.
 - 1. The site plan shall detail the proposed construction materials, proposed height and location of retaining wall on property;
 - 2. The structural design of such a wall, if 48 inches or more in height, or more than two horizontal steps, shall be designed by a Colorado licensed professional engineer and the engineer's stamp shall be clearly depicted on the design plan;
 - 3. Such engineered plan shall have considered a site specific soils report for the site, and shall state that the design is in accordance with the soils report recommendations;
 - 4. The town may refer such engineered plan to the town engineer for his review, at the applicant's cost;
 - 5. The town engineer may request additional materials, inspections, and a certification from the design engineer, following construction of wall, that wall was built to the design specifications;
 - 6. No fence, retaining wall, equipment, vehicle or other material may be placed on top of the wall or affecting the wall within 48 horizontal inches of the edge, other than that material and those uses called out in the design specifications;
 - 7. If an applicant proposes uses and/or materials to be placed on top of the wall, or affecting the wall within 48 horizontal inches of the edge, he may submit a written and stamped Colorado licensed professional engineer's statement that such proposal is appropriate.

(Ord. No. 3-2016, § 1, 10-24-2016)

15.06.030 - Materials for fences, retaining walls and screening devices.

- A. An applicant for a fence, retaining wall or screening device shall construct same of durable materials that require low maintenance, are architecturally compatible with the primary building on the site and are aesthetically pleasing as viewed from the street. The following materials may be used:
 - 1. Masonry walls with stucco or other acceptable finish or constructed from masonry block units with an indigenous pattern or finish;
 - 2. Stone or rock, or a dense material designed to emulate stone or rock, which does not include a thin, flat material such as patterned asphalt roofing material or a mural on concrete;
 - 3. Wooden fences constructed from newly milled lumber that is pressure treated, or milled, treated native wood. Slab lumber, used lumber or rough-hewn lumber is not acceptable without the planning and zoning commission's special review of the construction detail(s) and material(s);
 - 4. Chain link fence, constructed with round metal posts and top rail (color shall be dark or natural, if coated);
 - 5. Concrete painted an earth tone color (retaining walls only); and
 - 6. Other materials that can withstand exposure to the weather and are aesthetically pleasing, as approved by the town administrator or his designee.

- B. Barbed wire, razor wire, slab wood, rough-hewn wood or wood with bark still attached, electric, or other fences not described in this section, are not permitted. An applicant who wishes to use such materials may submit a fence exception application in accordance with this code, and request that the planning and zoning commission, at a regularly scheduled meeting, consider the applicant's reasons for such appeal. If applicant installs such a fence as contemplated by this section either without a permit or prior to the commission's ruling, the applicant automatically loses his right to an appeal and must remove the fence within seven days of the town's notice to applicant.
- C. Screening Device Provisions in Commercial and Multi-Family Zone Districts.
 - 1. An applicant for trash and/or refuse collection area(s) for or within commercial or multi-family properties shall design enclosure with a six-foot high solid wood fence or masonry wall, styled and colored to match the material of adjacent walls or the main building on the site (hereinafter "required screening wall"), in accordance with Chapter 17.42 of this code, if applicable. The town administrator or his designee may require a screening wall for other properties that have requested a special use permit or other zoning action;
 - 2. An applicant for a required screening device must design such device in order to completely screen stored materials on all sides;
 - 3. An applicant for a required screening device shall construct the device of permitted materials as described in this section, in a manner that creates a completely opaque screen through which no portion or silhouette of the items screened is visible. Chain link fencing with interwoven plastic, wood, vinyl or metal slats does not satisfy required screening requirements.
- D. Design and Construction.
 - 1. An applicant for a fence, retaining wall or screening device adjacent to a street, park or open space shall install so that a decorative or finished surface faces the street or public open space;
 - 2. An applicant for a fence, retaining wall or screening device in excess of 150 feet in length shall avoid a long, flat appearance by incorporating cap treatments on posts or columns, use of accentuated columns, texture or elements which provide relief to the surface, the setting back of wall portions, planters on or in the wall, and/or the use of materials that break up the long appearance of such walls;
 - a. The town administrator or his designee shall determine conformance with this section, in accordance with Chapter 17.42 of this code, if applicable, following permit application and prior to fence, retaining wall or screening device construction;
 - b. Where side or rear lot lines are adjacent to public parks or open space, or where rear lot lines are adjacent to public rights-of-way, the applicant shall utilize the same materials, design and color for all fences, retaining walls or screening device construction on all lots.

(Ord. No. 3-2016, § 1, 10-24-2016)

15.06.040 - Heights of fences, retaining walls or screening devices in all residential districts.

Except as otherwise provided for in this code, the maximum height of fences, retaining walls, or screening devices, or combination thereof, shall be as follows in all residential zone districts:

- A. Forty-two inches in any yard adjoining a public street;
- B. Forty-two inches for any portion of side yard or rear yard fence that extends into the setback adjoining a public street;
- C. Six feet in rear yards and side yards, where these areas do not adjoin a public street;
- D. The height of fences, retaining wall, or screening devices shall be measured from the top of the curb of the adjoining street or the top of the crown of the adjoining street or alley where no curb exists;

- E. If the elevation of the yard is above or below the elevation of the street, the maximum height of a fence in that yard shall be six feet, except as otherwise stated for yards that adjoin public streets and alleys;
- F. No property owner may artificially lower or raise his lot, by cutting, filling or other means, in order to avoid the provisions of this section.

(Ord. No. 3-2016, § 1, 10-24-2016)

15.06.050 - Maintenance of fences, retaining walls and screening devices.

- A. All fences, retaining walls, and screening devices whether required by this code or not, shall be maintained with finishes and surfaces in good repair and shall be in sound structural condition;
- B. The town shall notify the owner of such fence, retaining wall, or screening device of a violation of this section and shall have the duty to comply with this section within ten days of such notification;
- C. The town, in its sole discretion, may allow applicant to construct fences, retaining walls, or screening devices on property owned by or under the control of the town and subject to approval by the town administrator or his designee under the following conditions:
 - 1. More than ten feet of right-of-way or public property exists between the back of the closest adjoining curb, street drainage structure, street traveled lane, sidewalk, traffic control device or similar public improvement;
 - 2. The owner acknowledges by receipt of permit that the town may request such fence, retaining wall or screening device be removed within 30 days' notification, at owner's sole cost;
 - 3. The construction of a fence, retaining wall, or screening device shall not create a hazard to pedestrian traffic, vehicular traffic or any other public use of the adjoining public property, including, but not limited to, pedestrian, access and drainage easements; and
 - 4. Construction of such fences, retaining walls, or screening devices shall otherwise conform to all provisions of this code.

(Ord. No. 3-2016, § 1, 10-24-2016)

15.06.055 - Exceptions—Special review.

- A. Any person may apply to the planning and zoning commission for an exception to the provisions of Sections 15.06.030 and 15.06.040, regarding type, size, height, and location of fences, retaining walls and screening devices. Additionally, an applicant may appeal a decision or interpretation made by the town administrator or his designee regarding the provisions of the aforementioned sections.
- B. An exception may be granted if the fence, retaining wall or screening device will result in a harmonious addition to the community, otherwise complies with this chapter, and is consistent with the following guidelines:
 - 1. Fence, retaining wall or screening device height shall be limited to the lowest possible height in order to achieve the intended result, and in no case shall residential fences exceed six feet in height;
 - 2. Fence, retaining wall or screening device shall not negatively detract from the adjacent properties or the surrounding visual corridors;
 - 3. Fence, retaining wall or screening device shall be designed to accommodate the existing topography of the site;
 - 4. Fence, retaining wall or screening device shall be located completely within the applicant's property;

5. Fence, retaining wall or screening device shall not create a hazard to pedestrian traffic, vehicular traffic, or any use of a public property, including, but not limited to, pedestrian, access and drainage easements.
- C. An applicant requesting a fence exception shall submit to the town a complete fence permit application on a form provided by the town, and a statement by the applicant detailing the type of exception requested, for consideration by the planning and zoning commission in a regularly scheduled meeting.
1. The applicant for a fence exception shall submit to the town a fee equal to the fence permit fee, as established by the board annually or more often as necessary;
 2. Submittals shall be in conformance with this chapter;
 3. Applicant shall publicly notice the fence exception in a manner of a zoning variance, per this code.
- D. Appeal to Commission's Decision—Process. Any person aggrieved of a decision by the planning and zoning commission regarding a fence exception may appeal to the board of trustees within seven days of the commission's fence exception decision, for consideration at a regularly scheduled meeting.
1. The applicant for a fence exception appeal shall submit to the town a statement as to the reason for the appeal, and any other item as requested by the town in order for the town to review the appeal;
 2. The applicant for a fence exception appeal shall submit to the town a fee equal to the fence permit fee, as established by the board annually, or more often as necessary;
 3. Applicant shall publicly notice the fence exception appeal in a manner of a zoning variance, per this code;
 4. The board shall review the fence exception appeal at the first available regularly scheduled meeting following the commission's decision;
 5. The board, in its sole and final discretion, shall affirm the commission's decision, deny the commission's decision, or affirm the commission's decision with additional conditions.

(Ord. No. 3-2016, § 1, 10-24-2016)

15.06.060 - Violations—Penalties.

In the case that any fence, retaining wall or screening device is erected, constructed, reconstructed, altered, repaired, converted or maintained, or any fence retaining wall or screening device is used, in violation of this title, the town administrator or his designee, in addition to other remedies, may institute an action for injunction, or mandamus, or other appropriate action or proceeding to prevent or remove such violation. Any person who violates any provision of this chapter shall be punished in accordance with Chapter 1.12 of this code.

(Ord. No. 3-2016, § 1, 10-24-2016)