

FENCE AND WALL AGREEMENT FORM

This form is to notify the public of the fence and wall requirements of the City of Dunwoody. Fences and walls, excluding retaining walls, shall comply with the following section of the Zoning Code and any other applicable sections of city code.

OWNER AFFIDAVIT

I _____ (please print) on the _____ of _____, 20____, have read and understand the above fence and wall requirements. I further agree to abide by all the requirements outlined above. If I or the contractor constructs the subject fence or wall out of compliance with these standards, then I understand that I will be subject to enforcement by the city.

The following forms/items are required to be submitted with this form:

- Site plan to scale showing location and length of the fence
- Fence detail

Owner or Agent Signature

Name (please print)

Signature

Date

Notary:

Name (please print)

Date

Signature

(Seal)

DIVISION 4. - FENCES AND WALLS

Sec. 27-266. - Applicability.

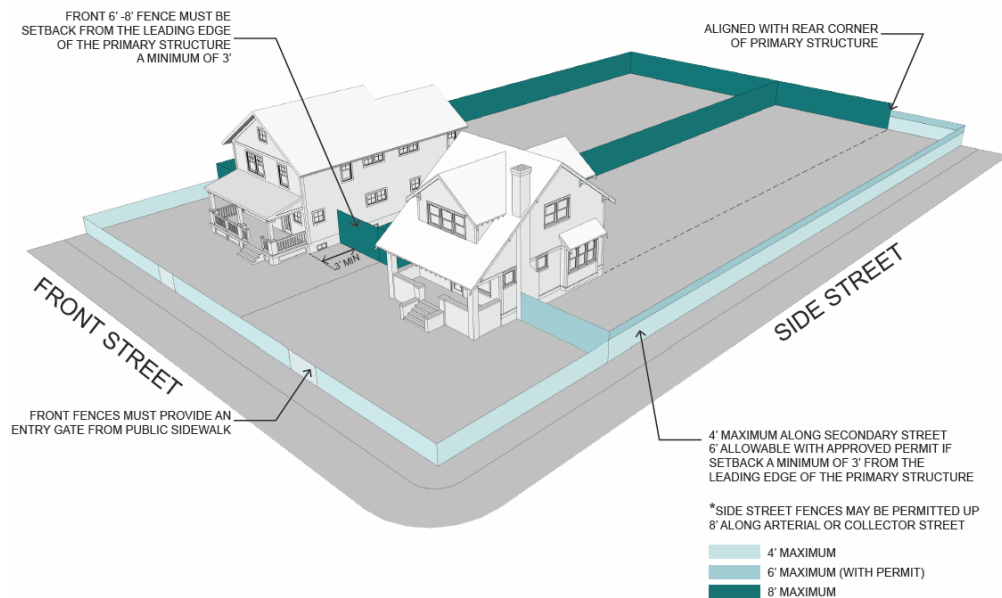
The fence and wall regulations of this division govern the design and location of all fences and walls, including retaining walls and wing walls.

- (1) *Building Permit Required.* Walls, fences, and retaining walls constructed in a front yard or a side yard fronting a street must be permitted by the Community Development Department prior to installation. To receive a permit, the applicant must submit a completed application to the Community Development Department. For walls and fences, upon receipt of a completed, compliant application, the Community Development Department shall issue the applicant a permit within one business day of receipt of the completed application at no cost to the property owner. For retaining walls, the applicable fee shall be that which is listed in the Community Development Department fee schedule as adopted by the city council. Permits shall only be issued for walls, fences, and retaining walls that conform to the provisions of this section.

Sec. 27-267. - Maximum height.

In residential zoning districts fences and walls located in street yards may not exceed four feet in height. Fences on residential lots adjacent to a collector or arterial street may not exceed eight feet in height within said street yard. Fences on residential lots fronting on a collector or arterial street may not exceed four feet within the front yard. The Community Development Director is authorized to approve an administrative permit (in accordance with article V, division 7) allowing fences in the side yard fronting a street on residential corner lots at a height of up to six feet. Fences shall not obstruct visibility as prescribed in section 27-289 of this ordinance. All other fences and walls are limited to a maximum height of eight feet unless otherwise expressly stated in this zoning ordinance ([see] Figure 15-1). The height of fences shall be measured from the natural adjacent grade on the lowest side of the fence to the top of the fence.

Figure 15-1: Maximum Fence and Wall Heights



Sec. 27-268. - Required fences and walls.

When fences or walls are required to be installed, the wall or fence must be in place before issuance of a certificate of occupancy for the principal use or structure.

Sec. 27-269. - Retaining walls in single-dwelling residential districts.

The regulations of this section apply to retaining walls in single-dwelling residential zoning districts.

(1) Newly constructed retaining walls are subject to the following maximum height limits:

Required Approval	Maximum Height (feet)
As of right (except when building permit required per Sec. 27-266(1))	Up to 4
Administrative permit (article V, division 7)	More than 4, up to 8
Special exception (article V, division 6)	More than 8, up to 12

- (2) Existing retaining walls may be repaired and replaced if the repair or replacement does not result in an increase in the height of the wall.
- (3) On lots occupied by a detached house, retaining walls must be set back from all property lines a distance equal to the required building setback. The Community Development Director is authorized to approve an administrative permit (in accordance with article V, division 7) allowing a retaining wall to encroach the setback.
- (4) A decision to allow an authorized administrative permit or special exception must be based on a determination that exceptional topographical restrictions exist on the lot in context with the adjoining property that were not created by the applicant or owner, and a determination that no practical alternative retaining wall design is feasible. The applicant must submit a site plan or a topographical map certified by an engineer or landscape architect with any exception application for retaining walls.
- (5) Retaining walls may not exceed 12 inches above grade at the higher side elevation.

Sec. 27-270. - Wing walls in single-dwelling residential districts.

The regulations of this section apply to wing walls in single-dwelling residential zoning districts.

- (1) Newly constructed wing walls that are part of the foundation of the principal structure are permitted when exceptional topographical restrictions exist on the subject lot in context with the adjoining properties that were not created by the owner or applicant.
- (2) Wing walls may not exceed ten feet in height, or the height of the foundation wall to which it is attached, whichever results in a lower wing wall height. Wing walls may not be used to allow a house to exceed the detached house infill regulations of section 27-147.

- (3) When affixed to a detached house, a wing wall may project into a street setback or rear setback for a distance not to exceed ten feet. The Community Development Director is authorized to approve an administrative permit (in accordance with article V, division 7) allowing a wing wall to project a side setback to a point not closer than five feet from the side lot line.
- (4) Guardrails must be installed atop all wing walls exceeding 30 inches in height above grade. Guardrails may not be opaque and must be a minimum of 36 inches and a maximum of 48 inches in height.
- (5) Wing walls may not exceed 12 inches above grade at the higher side elevation.

Sec. 27-271. - Measurement of wing wall and retaining wall height.

- (a) The height of wing walls is measured from the bottom of the footing or foundation at the base of the wall to the topmost point on the wall.
- (b) For zoning purposes the height of retaining walls is measured from the natural adjacent grade on the lowest side of the wall to the top of the wall.

Sec. 27-272. – Fence and Wall Materials

The following standards shall apply to fences and walls.

- (1) *Adjoining Right-of-Way.* In all single-family detached dwelling developments, wire fencing materials, including chain-link fencing with plastic, vinyl, or wooden inserts shall not be used adjoining a street right-of-way. The architectural treatment of poured concrete, common aggregate block or concrete block walls requires review and approval by the Community Development Director. This provision shall not preclude the use of chain link fencing as a security fence around storm water facilities ([see] Figure 15-2).

Figure 15-2: Examples of Permissible Fence Types



(b) Prohibited Materials:

- i. Barbed wire, razor wire, or electrically charged fencing shall not be approved for any single-family dwelling lots. Barbed wire may be used for security strands in all but single-family dwelling districts at a height of at least 6 feet above grade.
- ii. The use of plywood/sheet goods, canvas, cloth, vinyl sheeting, EFIS, or other nondurable materials is prohibited.
- iii. Chain-link fencing with plastic, vinyl, wooden, or other inserts is prohibited.

- iv. No wall or fence shall be constructed of exposed concrete block, tires, junk, or other discarded materials.
- (c) Materials not permitted in subsection (a) nor explicitly prohibited in subsection (b) may be utilized upon review and approval by the Community Development Director.
- (d) Chain link fencing, where permitted, shall be vinyl coated, black or green.
- (e) Painted or stained wood shall be maintained.
- (f) Metal fencing shall be painted or vinyl coated.
- (g) Fence supports shall face inwards.
- (h) Posts shall be anchored in concrete.
- (i) Fences may step down a slope, however supports shall be vertical and plumb.

Sec. 27-273. - Setback

- (1) Fences and walls shall be set back a minimum of three feet from a public right of way unless otherwise approved by the Community Development Director.
- (2) Fences in front yards exceeding 4-feet in height must be setback from the leading edge of the primary structure by a minimum of 3-feet.