



Fence and Wall Certificate Ordinances

Section 19-243 of the City Code requires that:

"Any person building or about to build any house, building, fence or wall or construct any sidewalk or pavement along the border or bounding on any of the city streets or sidewalks shall have such located and graded and the boundaries thereof adjoining such street fixed and certified to by the director/engineer. A fence or wall described in this section shall not exceed height restrictions as provided in the zoning ordinance in Appendix A to this Code or within required sight distance triangles at intersections as provided in section 19-245. It shall be unlawful to build or maintain a house, building, fence, wall, sidewalk or pavement in violation of this section."

Article 17.2.D of the City's Unified Development Ordinance states for fences and walls in residential districts:

The following restrictions shall apply to all fences and walls located in any residential district, except for fences and walls surrounding public utility structures or radio, television, or microwave transmission or relay towers:

- (1) No fence or wall located in the required setback shall be built to a height greater than 5 feet above grade in the front yard unless it is a part of a zero lot line subdivision, then it may be 6 feet.
- (2) No fence or wall located in the required side yard between the required setback and established rear yard shall be built to a height greater than 6 feet above grade.
- (3) No fence or wall located in the established rear yard shall be greater in height than 8 feet above grade height in the rear yard.
- (4) Any fence or wall serving as a retaining wall shall be solid cement, masonry, or wood and constructed to the standards of the State Building Code.
- (5) The capital of a fence post or column may extend up to 2 feet above the maximum height limit.
- (6) No fence or wall shall be constructed within a storm drainage easement which will block or materially impede the flow of stormwater runoff.

Further, Section 19-245 of the City Code states:

"In order to promote and conserve the public health and safety and pursuant to the police powers of the city and the power to prevent and abate public nuisances as conferred upon the city by state law, it is hereby declared to be a public nuisance for a

person owning and/or having the legal control of any land within the corporate limits to maintain or permit upon any such land any fence, sign, billboard, shrubbery, bush, tree, mailbox or other object, or any combination thereof, which obstructs the view of motorists using any street or the approach to any street intersection so as to constitute a traffic hazard or a condition dangerous to the public safety.

The restrictions set forth in this section shall apply to the following triangle of land:

- A sight triangle bounded on two sides by curb, measured in each direction along the back of curb for 50 feet from the midpoint of the radius of the back of curb, and on the third side by a diagonal line connecting the ends of each measured 50 foot side. Where there is no curb, the pavement edge shall be used for these measurements.

Fence and Wall Certificate Application Instructions

Submit the attached application along with a drawing of the location as described below. An application cannot be processed without an attached drawing.

By Mail:

Development Services Division
Right-of-Way Management
Department of Transportation
600 East Fourth Street
Charlotte, NC 28202-2858

By Email:

Charlotte.fence.wall@charlotte
nc.gov

Application Requirements

Location of Fence or Wall:

Provide street name, street address, and intersecting street name (if corner location). Please include an engineering scaled drawing (1"-20', 30', 40', or 50'). Also, include:

- Property lines
- Location of existing curb, gutter, and sidewalk, or edge of pavement/ditch line
- Location of fence or wall (dimension from right-of-way)
- Driveway(s)
- Street name(s)
- North arrow

Fence or Wall Description/Type:

Please provide information concerning the type of construction and design details including:

- Construction material (brick, wood, etc.)

- ❑ Length, width, and height dimensions
- ❑ Foundation/footing details

Note: Any signs that are attached to or designed/constructed as part of the fence or wall must comply with the Sign Ordinance of the Charlotte City Code.

Owner:

The property owner should be self-explanatory. The applicant may be either the owner or the fence/wall contractor (as agents for the owner).

Charlotte-Mecklenburg Building Standards:

This Fence and Wall Certificate is not intended to relieve the applicant of their responsibility to also secure any and all permits required for the construction of the fence/wall by the Charlotte-Mecklenburg Building Standards Department. (311 or 704-336-7600) These additional permits include but are not limited to:

- A Building Permit for the construction of a fence or wall over six feet in height.
- A Sign Permit for any signs that are attached to or constructed as part of a fence or wall. All signs must comply with the Sign Ordinance of the Charlotte City Code.

Please reach out to charlotte.fence.wall@charlottenc.gov for any questions regarding the application process.



Fence and Wall Certificate Application

1. Location of Fence or Wall (attach site plan):

2. Fence or Wall Description/Type of Construction (attach fence or wall design/construction detail):

3. Property Owner Name: _____
(Please Print)

Property Owner Address:

4. Applicant Name: _____
(Please Print)

Contact Phone: _____
(Please Print)

Fax: _____ E-mail: _____

It is understood and agreed that any certificate issued pursuant to this application is issued on the condition that the information provided herein is accurate to the best of the knowledge and information of the applicant. The applicant acknowledges having read and understood the application instructions attached hereto.

I agree to restore to original condition any facilities on public right-of-way damaged by the installation of the wall/fence, including, but not limited to, landscaping, sidewalk, trees, and drainage.

Signed: _____ Date: _____

This page to be completed by the Department of Transportation.
Please return with the application.



Fence and Wall Certificate

I certify that the location of the fence or wall identified in the attached application:

- Is not within the public street right-of-way.
- Does not conflict with any current street improvement plans.
- Does not create a sight obstruction for public street intersections or adjacent driveways.

Comments:

Certified by: _____ Date: _____

Name and Title: _____