

Department of Development & Permits
 Zoning Administration
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 Chesapeake, VA 23328
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ADMINISTRATIVE FENCE APPLICATION INSTRUCTIONS

(FENCE IN THE SECONDARY FRONT YARD & THROUGH LOTS)

PURPOSE

Section 14-201 of the Chesapeake Zoning Ordinance allows the Zoning Administrator to approve the issuance of a building permit for a fence or wall on a through lot or within the secondary front yard of a residential corner lot greater than four feet in height under the following conditions:

1. The height of the fence or wall does not exceed six (6) feet. The fence shall be constructed so that the finished side faces the street.
2. The fence or wall is constructed on or behind the building line established by the front yard of the principle dwelling located on the lot (see attached drawing).
3. A landscaping plan is approved, by the City Arborist, showing a five foot buffer yard that is installed and maintained with vegetation between the fence or wall and the public right-of-way or a one-foot vegetated buffer may be permitted along the unimproved shoulder of a paved public right-of-way abutting the fence, provided that the departments of public works and public utilities approve an "Adopt-a-Garden" or similar agreement for such vegetation.
4. The Department of Public Works determines that the fence or wall will not interfere with or impede traffic visibility.
5. Written notice is mailed to all adjacent property owners and no adjacent property owner has any objections to the fence being installed.
6. The applicant remits all fees and otherwise complies with all applicable city ordinances.

The Office of Zoning Administration is responsible for ensuring that all the above requirements have been met. The process is handled administratively and will take approximately twenty days. If the above requirements have not been satisfied or application is denied, the applicant may file an application for a variance to be heard by the Board of Zoning Appeals.

REVIEW PROCESS

The deadline for submitting an application is 5:00 PM, Monday through Friday.

The Office of Zoning Administration will review the application and site plan for completeness. If the application and site plan are found to be incomplete, the Office of Zoning Administration will return the application and plan to the applicant with a description of the manner and areas in which the application is incomplete.

Once the application is determined to be complete, the Office of Zoning Administration will mail a form letter with a copy of the site plan to all adjacent property owners using the envelopes provided by the applicant. There is a fifteen-day period from the date the notification is mailed during which adjacent property owners may contact the Office of Zoning Administration and voice objections. It is the applicant's responsibility to ensure that the adjacent property owners list is complete and correct. If it has been determined that the list submitted is incomplete, the approved application or any subsequent building permits will become null and void. The names and addresses of adjacent property owners may be obtained from the Real Estate Assessor's Office located on the fourth floor of the Chesapeake City Hall or online at <http://www.cityofchesapeake.net/page2166.aspx>.

The application and site plan are reviewed the City Arborist, Public Works Department, and Public Utilities for conformance with the City's development ordinances and standards.

The applicant will be notified by email if there was citizen opposition or if it is determined that the application and site plan does not meet City development ordinances and standards, at anytime during the the fifteen-day review period

If the application or site plan does not meet Zoning Ordinance requirements **or** if citizen objections are received, the applicant may apply for a variance to be heard by the Board of Zoning Appeals. A variance has an application fee of \$175.00 and involves a separate review and set of procedures to be followed. Completion of this process will take a minimum of one month.

Once the fifteen-day review period is complete, if no citizen opposition is received and the application meets Zoning Ordinance requirements, the application will be processed and the applicant will be notified by email that the permit is ready for payment and issuance.

The permit fee is based on the value of the fence.

ADMINISTRATIVE FENCE APPLICATION REQUIREMENTS

The following items are required as part of the application for administrative approval for a fence in the secondary front yard:

1. A completed application with the applicant's original signature.
2. Provide 1 copy of a site plan (8½" x 11" or 8½" x 14") showing the information listed below. (See attached drawings) A hand drawn site plan of the property is not acceptable. You may use the site plan you received with the closing for your property. **The following information must be added to the site plan:**
 - 1) The proposed location of the fence on the property.
 - 2) A note stating: *"The fence shall be constructed so that the finished side faces the street."*
 - 3) The type and height of the fence (maximum height allowed is six feet).
 - 4) A five (5) foot wide buffer yard "A" or "B" between the property line and the closest portion of the fence (see attached drawing #2).

-Or-

One (1) foot buffer and vegetation with approved participation in the City's Adopt-A-Garden Program. Attach City approved Adopt-A-Garden agreement.

3. Location of the driveway situated on the adjacent lot located to the rear of the fence.

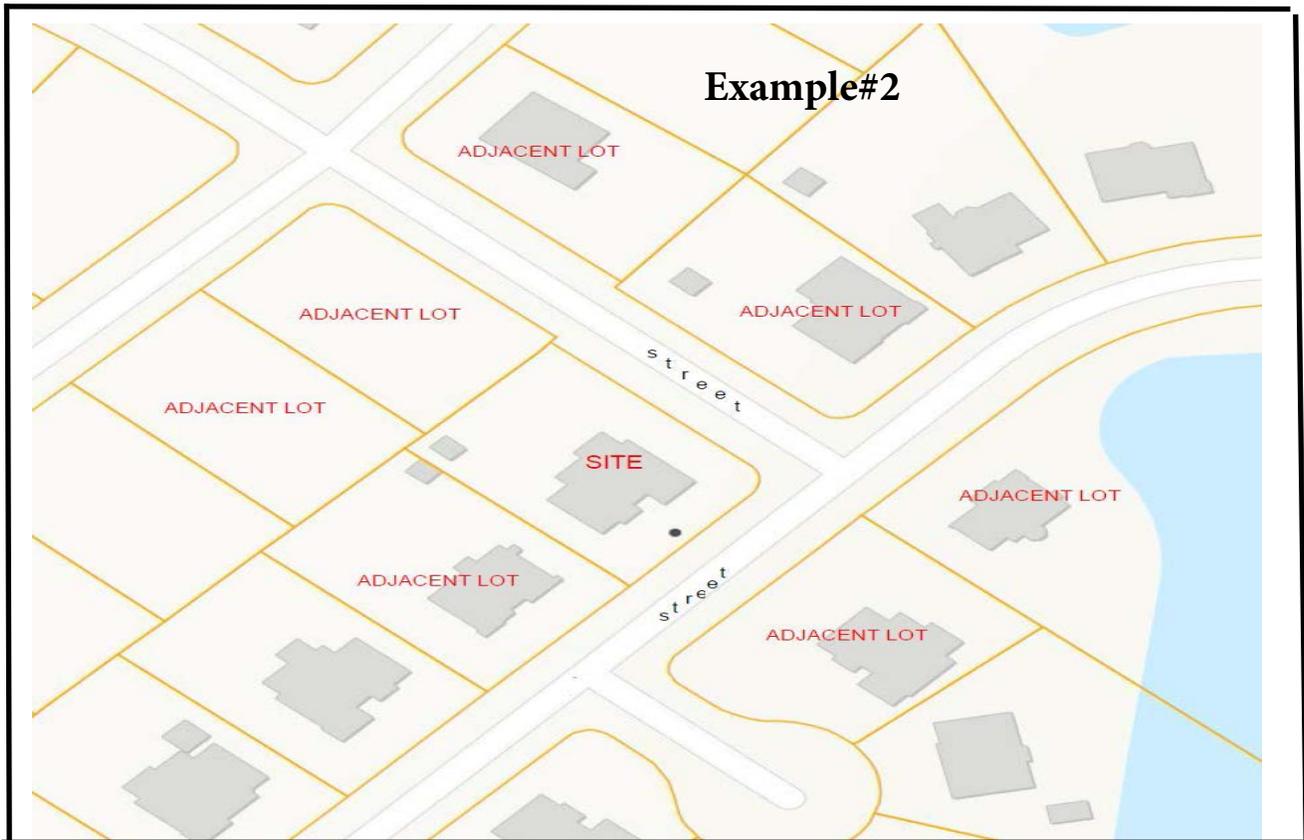
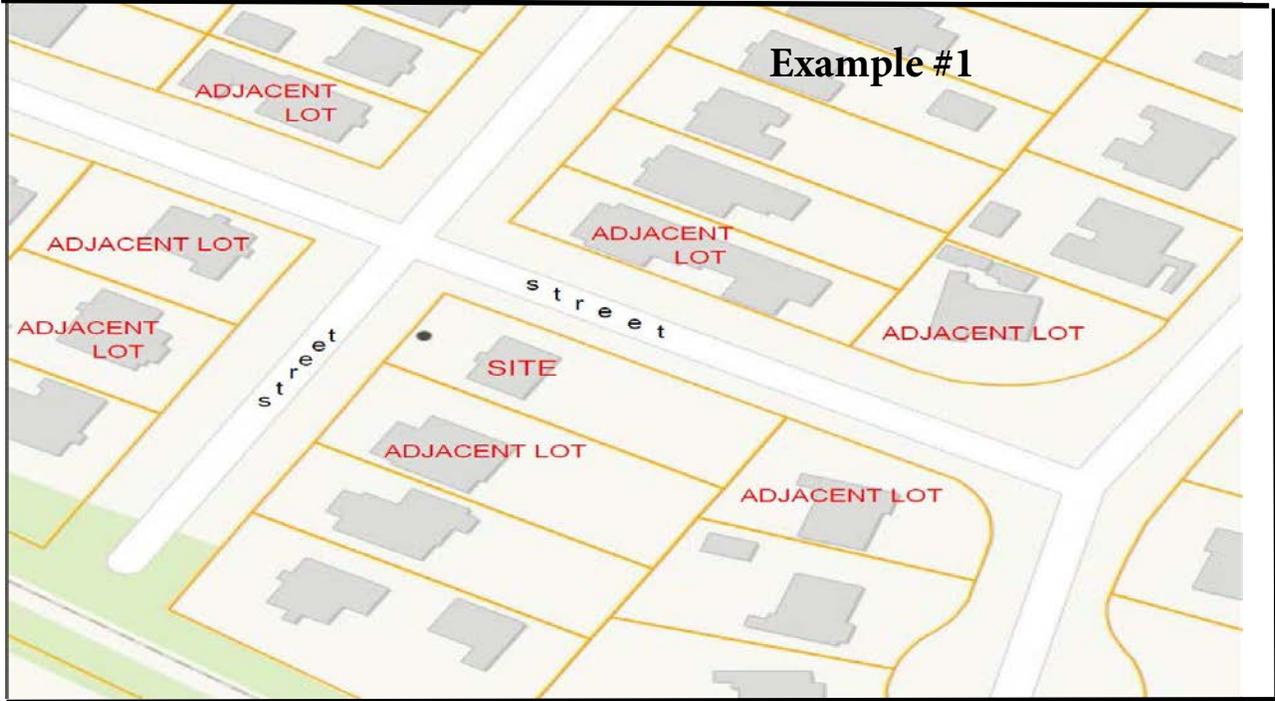
NOTE: A site plan does not always indicate the public right-of-way. The site plan sometimes extends only to the property line, which is not usually located at the edge of the street. For proper reference, please locate the metal pins, which identify the corners of your property.

5. A list which includes the 13-digit tax map number, name and mailing address of all persons, firms, or corporations owning all abutting property and property immediately across the street or road from the subject property. (see attached drawing #1) This is required for occupied and vacant property and land.
6. Stamped (not metered) #10 envelopes (4 1/8" x 9½") with the name and mailing address of each abutting property owner printed legibly. **Do not include a return address on the envelopes.**

ADJACENT PROPERTY OWNERS LIST OF ADDRESSES

DRAWING #1

Adjacent properties. Those properties which are either (a) contiguous, or (b) separated only by a public right-of-way.



SUGGESTED PLANT MATERIALS

A few plants to consider for buffer yards:

Trees: **Trees must be a minimum of 1½-2” caliper canopy trees at planting.**

<u>Common name</u>	<u>Botanical Name</u>
Crepe Myrtle ¹	Lagerstroemia indica
Japanese Zelkova	Zelkova serrata
Lacebark Elm	Ulmus parvifolia
Live Oak	Quercus virginiana
Sawtooth Oak	Quercus acutissima
Seedless Sweetgum	Liquidambar styraciflua ‘Rotundiloba’
Willow Oak	Quercus phellos

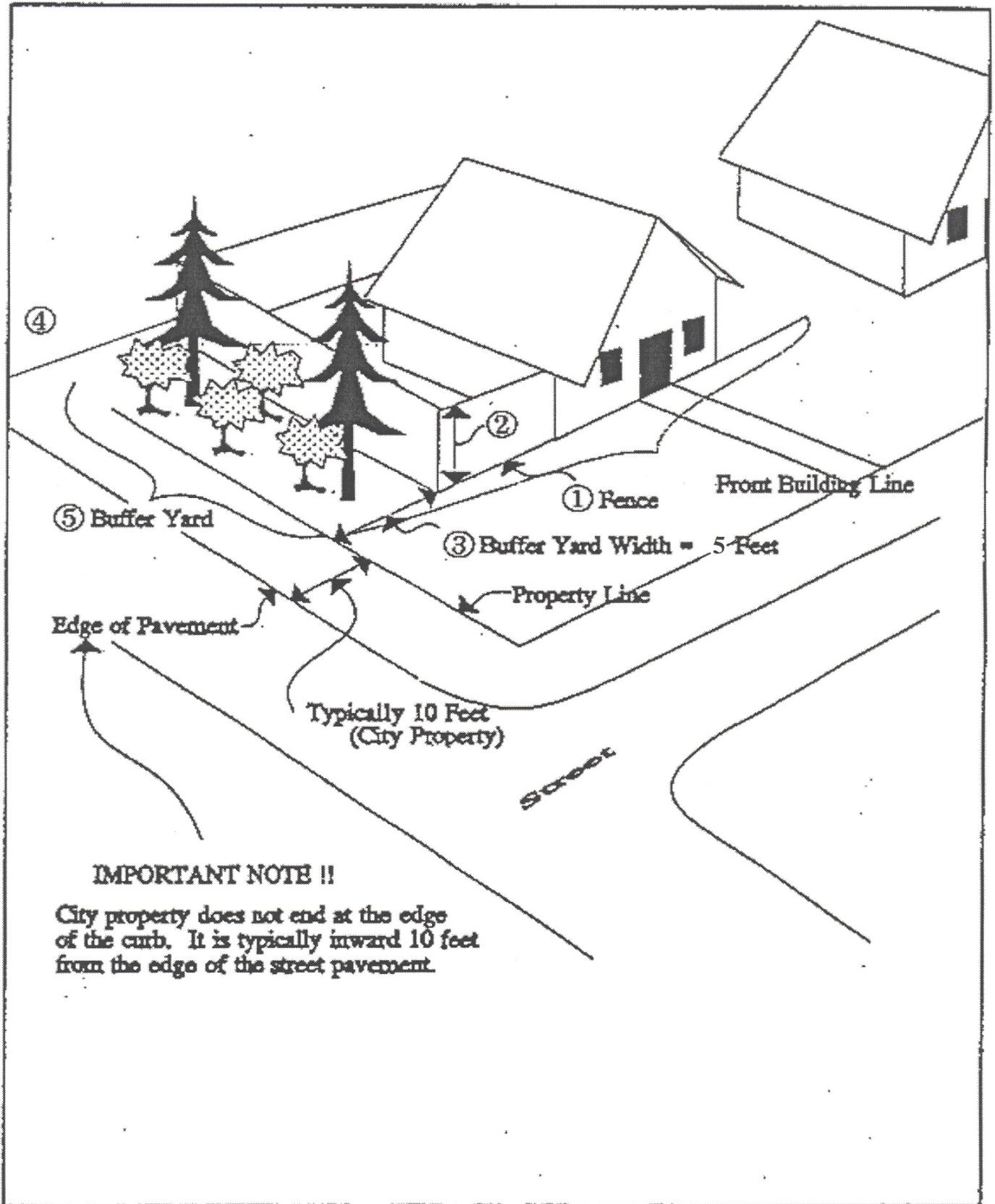
Shrubs: **Shrubs must be a minimum height of 18’ to 24” at planting and be maintained at a maximum height of four feet.**

<u>Common name</u>	<u>Botanical Name</u>
Azalea	Azalea (any non-dwarf variety) ²
Dwarf Burford Holly	Ilex cornuta ‘Burfordii’
Dwarf Nandina	Nandina domestica Compacta ‘Firepower’
Indian Hawthorne	Raphiolepis
Manhattan Euonymus	Euonymus kiautschovicus ‘Manhattan’
Japanese Boxwood	Buxus microphylla ‘Green Pillow’
Viburnum Tinus	Viburnum tinus ‘Compactum’
Wintergreen Barberry	Berberis julianae

¹ This is considered a small canopy tree and would require the installation of six (6) trees instead of the required three (3) large canopy trees for Buffer Yard B.

² Requires shade

DRAWING #2





**ADMINISTRATIVE FENCE APPLICATION
FOR A FENCE IN THE SECONDARY FRONT YARD
OF CORNER LOTS AND THROUGH LOTS ONLY**

**DEPARTMENT OF DEVELOPMENT & PERMITS
ZONING ADMINISTRATION DIVISION**

APPLICATION NUMBER: _____
(Assigned by Zoning Administration)

GENERAL INFORMATION (PLEASE PRINT OR TYPE)

1. Applicant:
 Name: _____
 Address: _____

 Type of Fence & Height: _____
 Linear Feet of Fence: _____ Cost of Fence: _____
 Applicant's Interest in Subject Property: _____

 Daytime Phone: _____ Fax Number: _____
 E-mail address: _____

2. Property Owner: (If different from applicant)
 Name: _____
 Address: _____

 Daytime Phone: _____ Fax Number: _____
 E-mail address: _____

PROPERTY DESCRIPTION

1. *13-Digit Tax Map Number(s): _____
2. *Street Address (or common description if no street address is available):

3. *Zoning Classification(s): _____
4. Is the property subject to Homeowners Association limitations or Deed Restrictions pertaining to fences? No Yes
 - If yes, attach a copy of Homeowners Association approval or deed restrictions.
5. The landscape will be (check one and list selected plant species):
 - Five (5) foot Buffer Yard A, 25 shrubs¹ per 100 feet.
 - Five (5) foot Buffer Yard B, 3 large canopy trees² and 10 shrubs¹ per 100 feet.
 - Five (5) foot Buffer Yard B, 6 small canopy trees² and 10 shrubs¹ per 100 feet.

With a plant species selection of _____

¹ The shrubs must be a minimum height of 18' to 24" at planting and be maintained at a maximum height of four feet.

² Trees must be a minimum of six to eight feet high at planting.

ACKNOWLEDGEMENT

"I, the undersigned owner (or agent) certify that all statements in this application are true and correct to the best of my knowledge, is accurate and complete and includes all required information and submittals.

I also certify that the list of adjacent property owners is complete and correct as of the date of application submittal. I understand that if the list of adjacent property owners is determined to be incomplete at a later date, any action taken on this application may become null and void."

By signing below, the applicant/agent consents to entry upon the subject property by public officers, employees, and agents of the City of Chesapeake wishing to view the site for purposes of processing, evaluating or deciding this application.

Signature

Date

*Available in Real Estate Office, 4th Floor, City Hall or online at <http://www.cityofchesapeake.net/page2166.aspx>

ADJACENT PROPERTY OWNERS LIST & MAILING ADDRESSES

(Available in Real Estate Office, 4th Floor, City Hall or online at <http://www.cityofchesapeake.net/page2166.aspx>)

Tax Map #:	_____	Tax Map #:	_____
Name:	_____	Name:	_____
Street:	_____	Street:	_____
City:	_____	City:	_____
State/Zip:	_____	State/Zip:	_____

Tax Map #:	_____	Tax Map #:	_____
Name:	_____	Name:	_____
Street:	_____	Street:	_____
City:	_____	City:	_____
State/Zip:	_____	State/Zip:	_____

Tax Map #:	_____	Tax Map #:	_____
Name:	_____	Name:	_____
Street:	_____	Street:	_____
City:	_____	City:	_____
State/Zip:	_____	State/Zip:	_____

Tax Map #:	_____	Tax Map #:	_____
Name:	_____	Name:	_____
Street:	_____	Street:	_____
City:	_____	City:	_____
State/Zip:	_____	State/Zip:	_____

Tax Map #:	_____	Tax Map #:	_____
Name:	_____	Name:	_____
Street:	_____	Street:	_____
City:	_____	City:	_____
State/Zip:	_____	State/Zip:	_____

APPLICATION REQUIREMENTS CHECKLIST

The following items are required as part of the Administrative Fence application:

- The original application, with original signatures, including all required information. All information must be typed or clearly printed on the application and 8½" x 11" paper as needed. *Please include this checklist with the original application.*

- A site plan (8½" x 11" or 8½" x 14") indicating the following:
 - *The proposed location of the fence on the property.**

 - *The type of & height of the fence (maximum height allowed is six feet).**

 - *A five (5) foot wide buffer yard "A" or "B" between the property line and the closest portion of the fence (see attached drawing #2).**

 - *Location of the driveway situated on the adjacent lot located to the rear of the fence and the direction that house faces.**

 - *Note on plan: "Fence is to be constructed so that the finished side faces the street".**

- A list of the names and mailing addresses of all persons, firms, or corporations owning all abutting property and property immediately across the street or road from the subject property, and the 13-digit tax map number of such properties. (Obtain from Real Estate Office, 4th Floor, City Hall or online at <http://www.cityofchesapeake.net/page2166.aspx>)(see attached drawing #1)

- Stamped (not metered postage) #10 envelopes (4 1/8" x 9 1/2") with the name and mailing address of each abutting property owner printed legibly. **Do not include a return address on the envelopes.**

- This completed Administrative Fence Application checklist.