
Fence Permit Application Packet

- Zoning and Subdivision Regulations; These regulations apply to new construction offences throughout the **Residential and Commercial Zoning Jurisdictions**.
- **Read all attachments to this document, pages 3-8 before applying for the permit.**
- Please contact the Inspection Services Department at least 24 hours in advance when requesting the required inspection.

**If you have any questions, please contact the
Village of Bartley Inspection Services Department.**

Building Official
101 West Walnut Street
Bartley, NE 69020

Phone: 308-692-3222
Fax: 308-692-3500
villageofbartley@swnebr.net

Diggers Hotline 811 or 1-800-331-5666

Call Diggers Hotline for underground utility locates at least 48 hours before starting your project.
It's free and it's the law.

This handout was developed by the Inspection Services Department as a basic plan submittal.
It is not intended to cover all circumstances. Check with your Building Department for additional requirements.

FENCE PERMIT APPLICATION

Permit Fee \$0.00

Project: ☐ New ☐ Addition ☒ Replace

Fence Height: Front: _____ Rear: _____

Brief description of fence and materials to be used:

Applicant

Name: _____ Phone: _____
Address: _____ Mobile: _____
City, State Zip: _____ Fax: _____

Owner (if other than applicant)

Name: _____ Phone: _____
Address: _____ Mobile: _____
City, State Zip: _____ Fax: _____

Project Location

Address: _____ Property ID #: _____
City, State, Zip: _____ Zoning: _____

Legal Description: Lot(s): _____ Block: _____ Subdivision: _____
Unplatted Legal
Description: _____

Flood Plain Development: ☐ Yes ☐ No

Contractor:

General: _____
Address: _____
City, State, Zip: _____
Phone: _____

Signature : I have read all of the attachments and agree to abide by all. Pages 1 thru 7.

(Signature) Date _____

Village of Bartley, Nebraska Fence Permit Requirements

DEFINITIONS

Fence. Any vertical structure, other than a building or plant material which is for obstructing visual observation, or for obstructing pedestrian, automotive, or animal movement, or for beautification, and which is attached to the ground or to a building, but excluding retaining walls.

a. Fence, Closed. A fence where the design of the fence has more than fifty (50%) percent of the surface area closed.

b. Fence, Open. A fence where the design contains openings that constitute not less than fifty percent (50%) of the surface area of the fence.

c. Fence, Surface Area. The product of a length of fence measured from the inside edge of one support post or column to the inside edge of the next adjacent support post or column; times the height of the same section of fence.

Screening. The method by which a view of one (1) site from another adjacent site is shielded, concealed, or hidden. Screening techniques include fences, walls, hedges, berms, or other features as may be permitted by landscape provisions.

AGRICULTURAL DISTRICT (A-1) REGULATIONS

Fences. No fence regulations pertain to the Agricultural District.

TRANSITIONAL AGRICULTURE DISTRICT (TA) REGULATIONS

Fences. No fence regulations pertain to the Transitional Agriculture District.

Livestock

1. All livestock should be kept in a stable, barn, pen, or fenced area.
2. All structures that house livestock shall follow all minimum yard regulations set forth in this district, except that no part of the stable, barn, pen, or fenced area shall be closer than one-hundred-and-fifty (150) feet from any neighboring residence.

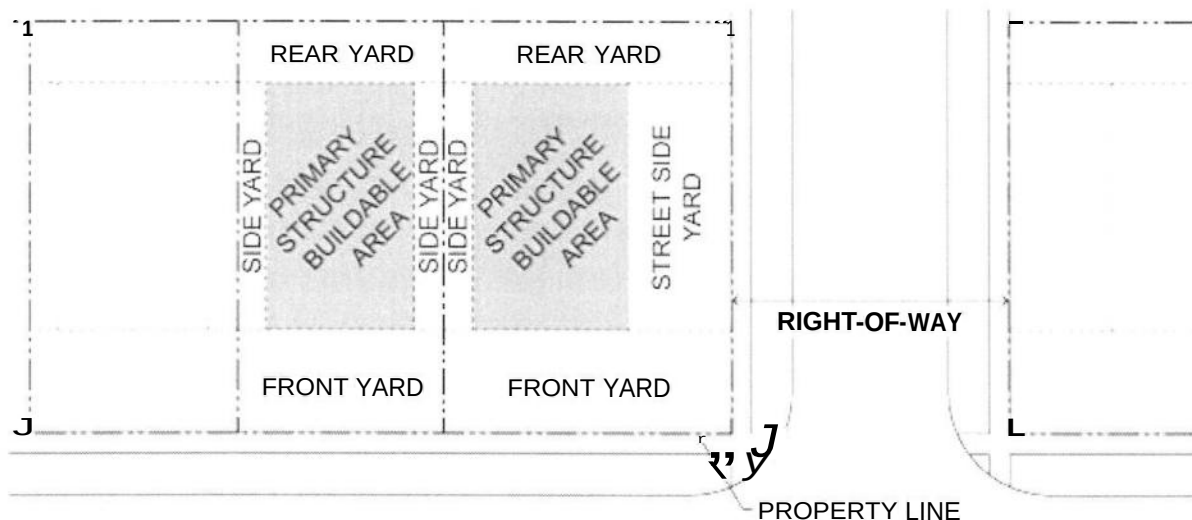
RESIDENTIAL DISTRICT (R-1) REGULATIONS

Fences.

These regulations apply only to new construction; any non-conforming fences, unless dilapidated and/or dangerous shall not be affected. No fence shall be erected, constructed, or moved until a building permit has been procured from the Village. Application for a fence building permit shall include a sketch of the lot, the location of any buildings on the lot, the proposed fence, and sufficient dimensions to accurately locate these features.

1. All fences must remain on the property and not extend beyond your property lines.
2. It is recommended to have your property surveyed by a licensed surveyor to positively identify and mark your property lines to avoid dispute. Property owners are responsible to locate property pins prior to any permit being issued. The Village of Bartley does not mediate disagreements between owners of private property. Property owners are responsible to locate and flag property pins prior to any permit being issued. The Village cannot locate property lines. Before digging or excavating the owner or contractor must contact Diggers Hotline of **Nebraska at 811 or 1 -800-331-5666**.
3. Permit Holder is responsible for calling Diggers Hotline of Nebraska prior to start of construction. The Permit Holder is responsible for scheduling all required inspections.
4. No fence shall be constructed which will constitute a traffic hazard.
5. No fencing shall conflict with the requirements of the clear vision area for streets and driveways. Fencing within a vision clearance shall not create a visual obstruction.
6. Fences shall not be closer than one (1) foot to any existing or planned public sidewalk. Fences cannot obstruct any existing or planned public sidewalks.
7. Installation of a fence may not obstruct any manhole or inlet cover nor disturb or impede existing drainage pattern/swale or natural water flow.
8. Any fence, hedge, or wall shall provide access to utility workers for meter reading and maintenance of the utility.
9. No fence shall be constructed in such a manner or be of such design as to be hazardous or dangerous to persons or animals.
10. No person shall erect or maintain any fence which will materially damage the adjacent property by obstructing the view, or hindering ventilation; or which fence shall adversely affect the public health, safety, and welfare.
11. The finished side of the fence must face to the outside of the property. Visible supports and other structural components shall face toward the owner's property.

12. Fences shall be constructed of commonly accepted, material for residential fences such as wood, plastic, vinyl, PVC/resin, concrete, stone, masonry, wrought iron, aluminum, chain link, or any other similar type fencing material; shall be structurally sound; shall have a neat, professional, and finished appearance.
13. Fences shall not be constructed of material not commonly used for residential fences such as fiberglass, barbed wire, wooden pallets, chicken wire, corrugated metals, strong bar, or galvanized tin.
14. Every fence shall be maintained in a condition of reasonable repair and not be allowed to become or remain in a condition of disrepair including noticeable leaning or missing sections, broken supports, non-uniform height, and growing or noxious vegetation. The Village may order any dilapidated, dangerous, or non-conforming fence removed at the owner's expense.
15. Electric and barbed wire fences are prohibited within the R-1 District.
16. Fences in a front yard and/or street side yard shall contain openings constituting a minimum of fifty percent (50%) of the surface area and shall be situated or constructed in such a way as not to obstruct the vehicular traffic or otherwise create a traffic hazard.
17. A six (6) foot tall, closed fence shall be required on any residential property that has a swimming pool. The swimming pool shall be enclosed by a fence or a combination of fencing and permanent building on the side or back of the lot, not the front yard. Fencing or permanent buildings used to enclose the swimming pool do not have to be directly alongside the border of said pool. Any gate used on a protective fence shall be lockable and maintained in a locked state when the pool is not in use.
18. The maximum height requirements, measured from the top of the fence to the lowest point at the base of the fence, shall be as follows:
 - a. Front Yard. Forty-eight (48) inches or four (4) feet in height.
 - b. Street Side Yard. Forty-eight (48) inches or four (4) feet in height.
 - c. Side Yard. Seventy-two (72) inches or six (6) feet in height.
 - d. Rear Yard. Seventy-two (72) inches or six (6) feet in height.
 - e. Primary Structure Buildable Area. Seventy-two (72) inches or six (6) feet in height.



DOWNTOWN COMMERCIAL DISTRICT (C-1) REGULATIONS

Motor Vehicle Repair Service, provided that all work shall be performed and all materials shall be stored within an enclosed building; and provided further that all operable or inoperable motor vehicles determined by the building officials to be a safety hazard or visual blight shall be screened from public view and access by a solid or semi-solid fence having a minimum height of six (6) feet and a visual density of no less than ninety (90) percent. Not permitted on Commercial Street.

Motor Vehicle Body Shop, provided that all work shall be performed and all materials shall be stored within an enclosed building; and provided further that all operable or inoperable motor vehicles determined by the Building Official to be a safety hazard or visual blight shall be screened from public view and access by a solid or semi-solid fence having a minimum height of six (6) feet and a visual density of no less than ninety (90) percent. Not permitted on Commercial Street.

All business, service, repair, processing, storage, or merchandise display on property abutting or facing a lot within a Residential District shall be conducted wholly within an enclosed building unless screened from the Residential District by a sight-obscuring barrier permanently maintained at least six (6) feet in height.

GENERAL COMMERCIAL DISTRICT (C-2) REGULATIONS

CONDITIONAL USES The following conditional uses may be permitted subject to approval procedures outlined in the Regulations.

Contractor and electrical supply office and equipment storage yard, providing the storage yard is completely enclosed with a six (6) foot solid fence, wall, or hedge when adjacent to a residential district.

Motor Vehicle Repair Service, provided that all work shall be performed and all materials shall be stored within an enclosed building; and provided further that all operable or inoperable motor vehicles determined by the building officials to be a safety hazard or visual blight shall be screened from public view and access by a solid or semi-solid fence having a minimum height of six (6) feet and a visual density of no less than ninety (90) percent.

Motor Vehicle Body Shop, provided that all work shall be performed and all materials shall be stored within an enclosed building; and provided further that all operable or inoperable motor vehicles determined by the Building Official to be a safety hazard or visual blight shall be screened from public view and access by a solid or semi-solid fence having a minimum height of six (6) feet and a visual density of no less than ninety (90) percent.

Fences. All business, service, repair, processing, storage or merchandise display on property abutting or facing a lot within a Residential District shall be conducted wholly within an enclosed building unless screened from the Residential District by a sight-obscuring barrier permanently maintained at least six (6) feet in height.

Landscaping.

A bufferyard consisting of a solid or semi-solid fence, hedge, or wall at least six (6) feet, but not more than eight (8) feet high, and having a density of not less than seventy (70) percent per one (1) square foot, shall be provided adjacent to an adjoining residential district unless the adjacent residential district and the commercial development are separated by a street right-of-way. Said fence or wall shall be maintained in good condition by the owner or owners of the property.

COMMUNICATION TOWER REGULATIONS

Screening.

Ground level equipment, buildings, and the tower base shall be screened from public streets and residential-zoned properties and shall not encroach in the building setback. Landscaping shall be required to screen as much of the support structure as possible. The Village may permit any combination of existing vegetation, topography, walls, decorative fences, or other features instead of landscaping, if they achieve the same degree of screening as the required landscaping. If the antenna is mounted on an existing building, and other equipment is housed inside an existing structure, landscaping shall not be required.

1. It shall be the responsibility of the property owner or contractor to pay the permit fee and obtain the permit prior to commencing work.
2. Fences shall not be constructed within 1 foot of any existing or planned sidewalk or within one foot of any alley, easement, or right of way. Fences may be allowed in easements with approval of the code official.
3. Fences shall not exceed 48 inches in height within the front yard or street side setback.
4. Fences shall not exceed 6 feet in height in the side or rear yard and must be in compliance with setbacks.
5. Fences shall not be constructed on lots, which will obstruct the view of approaching motor vehicles or pedestrians on sidewalk.
6. The Building Inspector must approve all materials used in the construction of a fence.
7. Fences shall **not** be erected or maintained which are constructed of barbed wire or charged with electricity.
8. It is recommended that the owner have a survey completed to locate the property boundaries. It is the owner's responsibility to know where the property boundaries are located. Property owners are responsible to locate and flag property pins prior to any permit being issued. **The Village cannot locate property lines.**
9. Before digging or excavating the owner or contractor must contact **Diggers Hotline of Nebraska at 811 or 1-800-331-5666.**
10. Any request for variance or modification to the above regulations shall be submitted in writing and approved by the Village Board of Trustees.
11. Attached is an application for a fence permit. Please complete this form in its entirety. All incomplete applications will be returned.
12. Installation of a fence may not obstruct any manhole or inlet cover nor disturb or impede existing drainage pattern/swale or natural water flow.

