

CITY OF LADUE

FENCE SUBMITTAL REQUIREMENTS:

1. Trustee Notification per Section IV-C(14) of Ordinance 1175.
2. Site plan at a scale of 1"=20' or larger indicating the following:
 - A. Property lines
 - B. Building Setbacks and any easements
 - C. Existing structures including any existing fences.
 - D. Proposed fence location indicated.
 - E. Significant trees, existing/proposed landscaping if applicable, particularly if the fence is being proposed along a public street (ie. Clayton Rd., Ladue Rd., S. Price Rd., S. McKnight, etc.)
3. Fence detail showing height, post depth, spacing of vertical members, etc. This should be a drawing or photograph with dimensions provided.

Depending on the scope of work and project, additional information may be required and will be requested accordingly.

ALL DRAWINGS MUST ACCURATELY REFLECT THE PROPOSED STRUCTURE AND THE SITE THE STRUCTURE IS LOCATED ON. THE BUILDING DEPARTMENT IS NOT RESPONSIBLE FOR INCOMPLETE OR INACCURATE SUBMITTALS.

CITY OF LADUE APPLICATION FOR FENCE PERMIT

The owner is responsible for insuring that the information on the Application is true and complete. If your property is in the flood plain, consult with the Building Commissioner or City Clerk before proceeding. The City Staff will assist you in meeting the requirements of this application.

Requirements for Applications

City Ordinances require that an application must have the following items at the time of submission:

- Site plans, drawings and specifications – 2 sets.
- The fully executed application form which must be signed by the owner.
- \$100 deposit or the actual permit cost, whichever is less.

The Site Plan shall be drawn accurately to scale and must show the entire lot, building lines, street rights-of-way abutting the property, and the proposed fence location.

Applications without this site plan will not be accepted.

Plan Review

The Building Commissioner's review may reveal a potential violation of City Ordinances in the Owner's request. In such cases, the owner/agent may revise the proposal so that it complies with the ordinances and submit plans for further review.

When the City's review procedure has been completed the owner/agent will be notified that the permit has been issued or the review comments will be forwarded to the owner/agent. Building permit fees are paid when the permit is picked up.

Subdivision Trustees: Trustee notification is required on any fence permit and must be obtained before the application will be accepted by the City. Proof of notification shall be presented to the City when the application is submitted and shall consist of either a receipt of delivery by the U.S. Postal Service signed by the recipient or proof of attempted delivery by the U.S. Postal Service. Subdivision indenture provisions may require alterations to a plan that is otherwise in conformance with City ordinances. In the event your neighborhood does not have trustees, the applicant shall provide a letter to the Building Official stating such as part of their permit application.

Removal of trees over 6" caliper @ 4 ½ ft. is prohibited without a permit and may require a review by the Landscape Plan Review Board. Please ask the Building Department staff about this important aspect of your proposed improvements.

Permit Fees, Inspections, Inspection Fees

Building Permit fees are assessed at the time the permit is issued based on preliminary cost estimates. Costs are \$10.00 per \$100 of cost up to \$1,000. Above \$1,000 in cost, the fee is \$4.00 for residential and \$6.00 for commercial per \$1,000 or part thereof in excess of \$1,000. The total fee shall conform to the total cost of the work or operation.

Required Inspections: There are two required inspections as part of your fence project. The first inspection is a pier inspection to verify 30" post holes. The second is the final inspection to verify project completion and conformity with all building codes and City ordinances. Additional inspection fees may be required if plans are not on site or inspections are cancelled without notifying the Building Department in advance. Additional fees must be paid at or before the final inspection.

Other Important Information

Permit Expiration: Permits expire three months after the date of issuance unless the permitted work has begun. One extension up to six additional months may be granted by the Building Commissioner upon written application by the applicant stating the conditions which prevented commencement of the work within the three month period.

City of Ladue
Building Permit Application Form

Note: Any data marked with an asterisk () may be obtained by calling the Building Department.*

Part I: Applicant Information:

Date: _____ Address for which application is submitted: _____

Owner of property: _____

Owner's Address (if different): _____

Owner's Telephone: _____ (day) _____ (evening)

Application is hereby made to the Building Commissioner of the City of Ladue for a permit to build or construct _____ at/on the above listed property, such construction being in accordance with the drawings and specifications presented herewith and in conformity with the provisions of the Building, Zoning, and other applicable ordinances, the estimated cost of which is \$ _____ to be completed on or about _____ of 20_____.

Contractor: _____ Architect: _____

Address: _____ Address: _____

Telephone: _____ Fax: _____ Telephone: _____ Fax: _____

Contact: _____ E-Mail: _____

Part II: Property Information:

Note: Applicants proposing to erect a fence fill out (a), (d), (e), and (f) only.

*Is any part of the subject property in the Flood Plain? Yes No
If yes, consult with the Building Commissioner before proceeding.

a. *Size of lot _____ sq. ft. *Zoning District: _____

b. *Required Building Setbacks: Front _____ Rear _____ Side _____

c. *Required Accessory Use Setbacks: Front _____ Rear _____ Side _____

d. Does the property border two or more streets? Yes No

If yes, names of streets: _____

e. *Is property subject to Special Use Permit? Yes No

f. *Has a Variance to the Zoning Ordinance ever been granted/applied for? Yes No

g. Square footage of addition/new home, (including attached garages, covered porches, etc.): _____

h. Building height: _____ (See Ordinance 1175 Sec. XIII for definitions)

i. Depth below grade: _____ Number of Stories: _____

j. Exterior wall material and color: _____ Roof material and color: _____

Owner's and Owner's Agent Statement:

The undersigned owner of the building or ground above described, for the purpose of procuring the permit herein applied for, states that all of the above information is true to the best of their knowledge and belief. Except as otherwise noted on the drawings, the project complies with all applicable ordinances and Building Codes adopted by the City of Ladue. The undersigned further state that they have read and are entirely familiar with, Ordinances 1986, 1987, and 1988 as amended, and Ordinance 1175, as amended, as they apply to the proposed construction for which the permit is requested. I/we understand that incomplete applications will not be processed.

Agent's Signature

Owner's Signature

For Office Use Only:
Plan Submission Record:

Sent for Preliminary Review: _____	Permit Fee: _____	\$ _____
Preliminary ARB Decision: _____	Inspections @ \$15.00 Each: _____	\$ _____
Sent for ARB Review: _____	Inspection Adjustment: _____	\$ _____
ARB Decision: _____	Other Adjustments: _____	\$ _____
Sent to LRB: _____	Total Due: _____	\$ _____
LRB Decision: _____	Deposit of _____	\$ _____

Comment/Approval Record:

Date: _____ Reviewed By: _____

Comments: _____

Date: _____ Reviewed By: _____

Comments: _____

Date: _____ Reviewed By: _____

Comments: _____

Date: _____ Reviewed By: _____

Comments: _____

Date: _____ Reviewed By: _____

Comments: _____

Date: _____ Reviewed By: _____

Comments: _____

Date: _____ Reviewed By: _____

Comments: _____

Date: _____ Reviewed By: _____

Comments: _____

or treatment of machinery, equipment, merchandise or commodities of any type, on any lot or tract of land within the City of Ladue except a vehicle may be used temporarily for office or administrative purposes in connection with building, road, sewer, or utility construction, but must be removed immediately upon completion of the project.

- (f) Portable storage units (PSUs), as defined in Section XIV, may be placed on private property with an approved permit. PSUs may be placed on private property with an approved permit. PSUs may be placed on private property for a period of five (5) calendar days. PSUs may be so placed on two separate occasions within any twelve-month period. PSUs must be placed on concrete, asphalt or other paved surfaces only, and not within a required front or side yard. They must not be placed on the street or on sidewalks. This section does not apply to other types of storage units such as construction trailers, which are regulated elsewhere in this section. [Ord. 1917]
- (g) All fuel storage tanks shall be placed under ground except as may be allowed above ground in the Light Industrial District under the City of Ladue Building Code. [Ord. 1595], [Ord. 1917]

B. Sign Regulations

Signs are permitted in the zoning districts in accordance with the provisions of Chapter 35 of the City of Ladue Code of Ordinances relating to signs and in accordance with Section X of this zoning ordinance. [Ord. 1662]

C. Fence Regulations

- (1) Fences in required front yards or required yards abutting a street or private road shall comply with the following:
 - (a) Except as specifically allowed in other paragraphs of this Section IV. C. (1), fences in required front yards or in any required side or rear yard abutting a street shall not exceed 42 inches in height, as measured from the topmost point thereof to the ground adjacent to the fence. At least 40 percent of the area of said fence shall be open as viewed on any line perpendicular to the vertical plane of the fence. Such open spaces must be reasonably dispersed throughout the entire area of the fence, except that solid stone, or brick, walls not exceeding 36 inches in height are permitted. Fences shall be located no closer than six inches to any street right-of-way line or private road right-of-way line.
 - (b) Fences in yards that abut Interstate Highways may be erected to heights of eight feet, provided that such fences are constructed of stone, brick, concrete block with stucco finish, wrought iron, wood or similar materials, except that plywood fences are not allowed;
 - (c) On double frontage or corner lots in residential districts, fences in required yards that abut Clayton Road, Conway Road, Dielman Road, Ladue Road, Lindbergh Boulevard, McKnight Road, Price Road, and Warson Road may be erected to heights of six feet, as measured from the topmost point thereof to the ground adjacent to the fence, when all of the following conditions are met:
 - (i) the primary front yard abuts a private road;

- (ii) such fences are located no closer than six feet to any street right-of-way line;
- (iii) the street side of such fence shall have landscaping consisting of a hedge, shrubbery with individual plants placed not more than five feet on center, evergreen shrubs and trees placed not more than ten feet on center, or a combination thereof, provided that all evergreen shrubs and trees are at least six feet in height and all other plant material is at least four feet in height at the time of planting, and not less than 75% of the plant material shall be evergreen shrubs or trees. The City encourages the use of evergreen shrubs, trees and other plants that have moderate lateral growth, and vertical growth that will not interfere with overhead utilities.
- (iv) such fences are constructed of stone, brick, concrete block with stucco finish, wrought iron, wood or similar materials except that plywood fences are not allowed;
- (v) no part of such fence exceeding 36 inches in height, as measured from the topmost point thereof to the ground adjacent to the fence, is located within 30 feet of the intersection of two or more streets.
- (vi) The fence and all plantings shall comply with all city ordinances regarding site obstructions at intersections.
- (vii) The property owner will be responsible for maintaining any landscaping required by this section and the removal of any trash and any debris along the fence.

{(c) (i) – (vii) amended by Ord. 1919}

- (2) Fences located within any required side or rear yard shall not exceed six feet in height, as measured from the topmost point thereof to the ground adjacent to the fence, and that the posts not exceed six feet, six inches, except as specifically permitted by another paragraph of this Section IV.C. No wire or steel mesh wire fencing or chain link fencing may be used in any manner as a part of the fence in the required front, side or rear yard. {amended by Ord. 1784}
- (3) Fences not located within any required yard shall not exceed six feet in height as measured from the topmost point thereof to the ground adjacent to the fence.
- (4) Any fence placed upon an erected earth berm shall govern its height as measured from the grade adjacent to said earth berm. Any fence placed upon a retaining wall shall govern its height as measured from the highest ground adjacent to the retaining wall.

Fences shall not be placed on top of earth berms or retaining walls in required front yards. {Ord. 1752}

- (5) Fences enclosing swimming pools must comply with the requirements of Chapter 36 of the City's Code of Ordinances and can exceed the maximum limitations of this section so as to comply with Chapter 36, but for no other reasons.
- (6) Open wire mesh fences surrounding tennis courts may be erected to a height of 12 feet, if such fences shall only enclose a regulation court area and standard apron areas.
- (7) Fences enclosing an institution, a public park, schools, commercial or industrial property may consist of an open mesh fence not to exceed a height of six feet. The Board of Adjustment may authorize fences of other types for these uses in excess of six feet for the purposes of the facility or for appropriate screening.
- (8) The Zoning Board of Adjustment, upon application, shall have discretion to permit solid or open fences up to 6-feet in height to be erected in any required front yard where said yard abuts a major thoroughfare, whenever the Board considers that such action is reasonable (and) necessary for the protection of the property of the applicant and without significant prejudices to other property in the area. The Zoning Board of Adjustment may permit the variation of the fence requirements in any district where there are practical difficulties or unusual hardships in the carrying out of these provisions due to an irregular shape of the lot, topography or other conditions. [Ord. 1379]
- (9) A permit shall be required to erect a new fence or to reconstruct, replace or repair all or a portion of any existing fence. The permit application shall be accompanied by a site plan indicating the location, lineal dimensions of the existing or proposed fence, fence height, and a photograph or drawing of the proposed improvements. The application shall be signed by the owner. Inspection of the work will be performed by the city and the owner or the owner's agent shall advise the Building Inspector not less than two working days before commencement of work, after initial work begins and after work is completed. [Ord. 1595]
- (10) For stockade and similar type fences, the finished side of the fence shall face outward and all structural or supporting members of the fence must be constructed to be within or toward the area to be enclosed.
- (11) No barbed wire, razor wire or similar material, nor any electrical elements or other hazardous materials shall be maintained as a fence or part of a fence or wall. Invisible fences designed to contain dogs or other domestic animals may be installed underground in any part of a yard when such fences are not a hazard to humans.
- (12) In the Residential Zoning Districts, fences located within any required side or rear yard may exceed six feet as follows:
 - (a) Fences located within any required side or rear yard that abuts any nonresidentially-zoned land (lands in the G or H districts) within the City of Ladue may be erected to a maximum height of eight feet, as measured from the topmost point thereof to the ground adjacent to the fence, provided that such fences are constructed of stone, brick, concrete block with stucco finish, wrought iron, wood or similar materials except that plywood fences are not allowed.

- (b) Fences located within any required side or rear yard that abuts any land in another municipality that is not zoned single-family may be erected to a maximum height of eight feet, as measured from the topmost point thereof to the ground adjacent to the fence, provided that such fences are constructed of stone, brick, concrete block with stucco finish, wrought iron, wood or similar materials except that plywood fences are not allowed.

- (13) Fences erected prior to the effective date of this ordinance which do not conform to the provisions of this ordinance shall be considered legal nonconforming structures. An existing fence may be maintained, repaired or structurally altered, however, no such repair or structural alteration shall create an additional nonconformity or increase the degree of nonconformity. In the event a fence is damaged or destroyed to the extent that the cost of restoration shall exceed 75% of the cost of a new fence, no repairs or reconstruction shall be made unless such restoration or construction shall thereafter conform to the regulations in this ordinance.

{sections (10) - (14) amended by Ord. 1784}

- (14) For all fences to be repaired, and for all new or replacement fences, the trustees of the appropriate subdivision shall be notified in writing of the proposed work, and proof of said notification presented to the Building Commissioner at the time the permit application is submitted to the City. Proof of notification shall consist either of a receipt of delivery by the U.S. Postal Service signed by the recipient or proof of attempted delivery by the U.S. Postal Service. A five-day waiting period will be in effect from the date of receipt by the Building Commissioner of the proof of notification and issuance of the fence permit. [Ord. 1908]

D. Nonconforming Uses

The lawful use of land existing on November 21, 1938, although such use does not conform to the provisions hereof, may be continued; but if such nonconforming use is discontinued, any use thereafter of the land shall conform with the provisions of the ordinance. [Ord. 1595]

The lawful use of a building existing on November 21, 1938, may be continued, although such use does not conform to the provisions hereof. Such use may be extended throughout the building provided no structural alterations, except those required by law or ordinance, are made therein. If no structural alterations are made, a nonconforming use of a building may be changed to another nonconforming use within the same or more restrictive zoning classification as the existing use, but such change cannot be made to a use for which a Special Use Permit would otherwise be required. If such nonconforming use is discontinued, any use thereafter of the building shall conform with the provisions of this ordinance. [Ord. 1595]

The foregoing provisions shall also apply to nonconforming uses in districts hereafter changed.

Nothing in this ordinance shall be taken to prevent the restoration of a building destroyed to the extent of not more than 75 percent of its reasonable value by fire, explosion or other casualty or act of God or the public enemy, nor the continued occupancy or use of such building or part thereof which existed at the time of such partial destruction.

No land or building or portion thereof used in whole or in part for a nonconforming use which remain idle or unused for a continuous period of one year, whether or not the equipment or fixtures are removed, shall again be used except in conformity with the regulations of the district in which it is located.