

## City of Mount Rainier

3409 Rhode Island Avenue Mount Rainier, MD 20712

Phone: (301)832-8764 Fax: (301) 985-6595

www.mountrainiermd.org

**Fee:\$50**

# APPLICATION FOR FENCE PERMIT

### PROPERTY INFORMATION

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Property Address \_\_\_\_\_

### PROJECT INFORMATION

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Fence:  Existing  New

Fence Type:  Wood  Metal  Chain Link  Other \_\_\_\_\_

Repair

Estimated cost by Contractor \_\_\_\_\_

### IDENTIFICATION

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Property Homeowner is permit applicant

Property/Homeowner Name \_\_\_\_\_ Company \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_

Contractor is permit applicant

Contractor Name \_\_\_\_\_ Company \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_

MHIC No. \_\_\_\_\_

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**APPLICATION CHECKLIST**

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**ALL** of the following are required with the submission of your application:

Drawing attached

Please attach house location with property lines, the location of the house on the property, on the street. If the property is a corner lot show location of the fence and height of the fence. If the fence will be built on top of an existing wall or retaining wall, this must be shown. Finished side of fence must face street or abutting property.

Fences that are 4ft and below do not require permits from Prince George’s County, only from City.

Mount Rainier Fence Permit Application

Reviewed the Fence Code - Chapter 12

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**PERMIT APPLICANT SIGNATURE**

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I hereby certify that the information on this application is true and correct. I have reviewed all deed restrictions that may apply to this construction and am aware of my responsibility thereunder. I certify that the proposed work is authorized by the owner of record and I have been authorized to make this application as the property owner(s) authorized agent. Further I agree to conform to all applicable laws and ordinances of the City of Mount Rainier.

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Printed Name

Signature

Date

**PLEASE ALLOW ONE WEEK FOR PROCESSING ALL PERMIT REQUESTS**

Section 12-101. - Permit required for all fences.

A. It shall be unlawful for any person to erect any fence on or around any property within the corporate limits of the City of Mount Rainier without a permit first had and obtained from the Mayor and City Council of Mount Rainier or their designee.

B. This section shall apply to any fence constructed, reconstructed or replaced in its entirety on or after March 18, 1997. A fence shall not be reconstructed or replaced in its entirety, unless it complies with Section 12-102, even though a variance had been previously granted. In order for a fence for which a variance had been previously granted to be replaced or reconstructed in its entirety, either it must comply with Section 12-102 or a new variance must be sought from the Mayor and City Council pursuant to Section 12-103.

C. For any fence constructed after March 1, 2006, the finished side of the fence shall face the public street, alley, or abutting property. For purposes of this section, the "finished side" of a fence is the smooth side or the side not containing structural supports. If structural elements are an integral part of the fence design, then such elements must be centered on the line of the fence and designed as part of the finished surface.

D. All fences must be maintained in good, sound condition. Fences must be free of damage, breaks, and missing structural members.

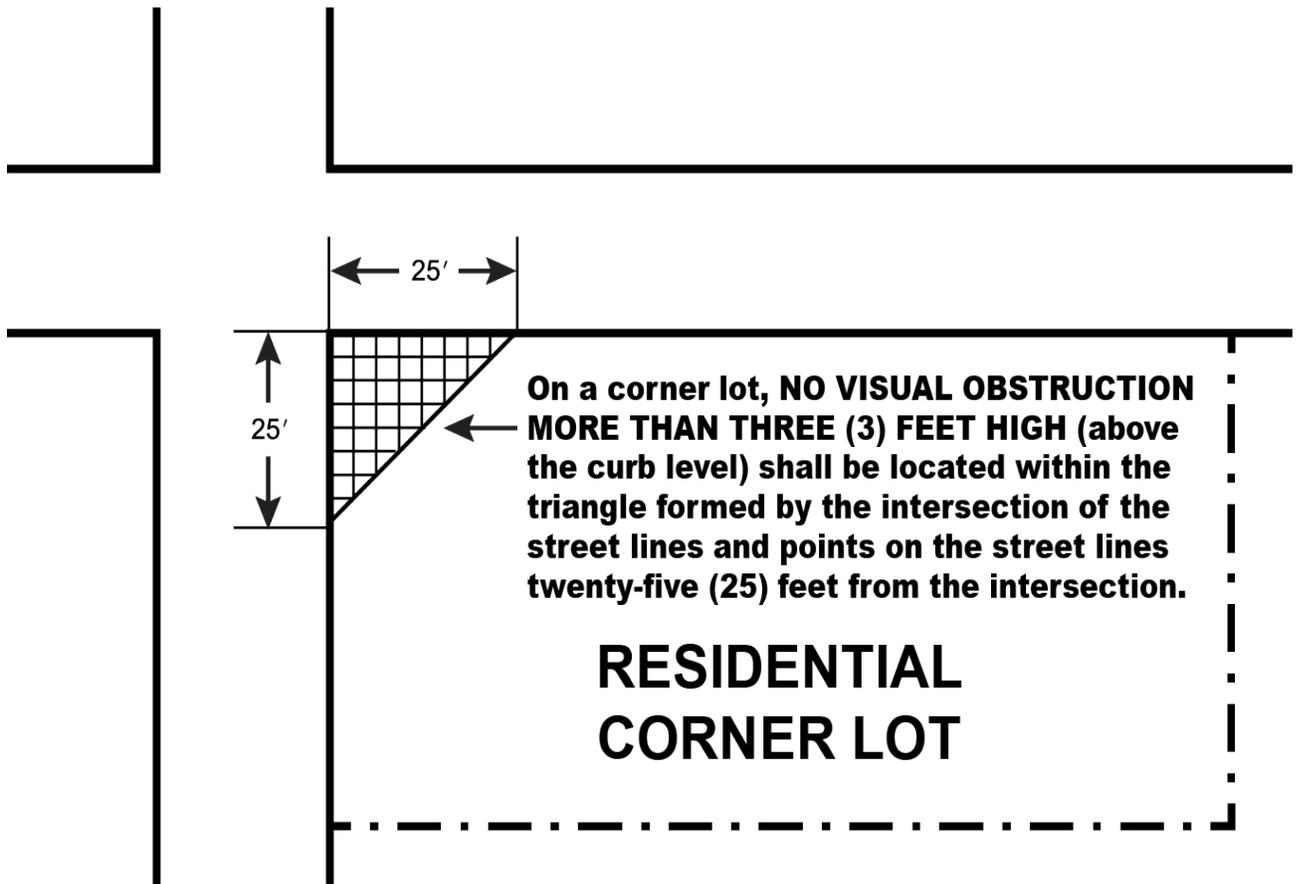
E. The maximum fence height specified in Section 12-102 shall not apply to property located in the Mixed-Use-Town-Center or Urban Light Industrial zones.

F. Fences required as a condition for a non-conforming use by the Prince George's County Planning Board are not subject to the height regulations of Section 12-102 provided that the non-conforming use has been properly obtained with the full knowledge of the City. Any fence required as a condition for a non-conforming use by the Planning Board is required to have a City permit.

G. All fences shall be located so as to comply with the Prince George's County Zoning Code.

H. Repair or replacement of an existing fence does not require a permit, provided that the repaired fence or replacement fence is in compliance with the City Code, including, but not limited to, subsections B and C, above, the height of the fence does not exceed the height of the previous fence, and, in the case of a replacement, the replacement of the fence occurs within thirty (30) days of the removal of the old fence.

(Ord. 3-2006, 02/07/2007; Ord. No. 7-2017, 11/7/17)



- Fences within 25 feet of each side of the corner may not be taller than 3 feet per Prince George's County Zoning Code.

**Section 12-102. - Maximum height of fences and yard definitions.**

The following definitions shall apply in the interpretation and enforcement of Sections 12-101, 12-102, and 12-103. The following apply to all lots in a block:

**Front yard** shall be defined as the lot area from the street curb line to the street front building wall of the structure where the primary entrance to the structure is located but does not include the street front building wall.

**Side yard** shall be defined as the lot area from the front building wall of the structure to the rear building wall of the structure and include both of these building walls. A side yard does not adjoin a street but may adjoin an alley.

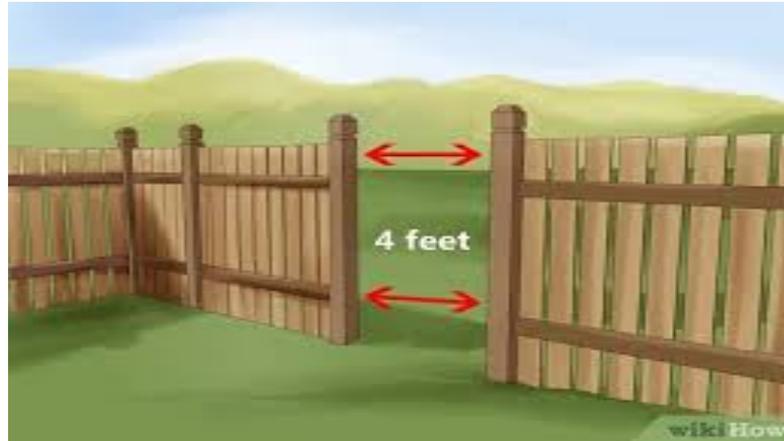
**Rear yard** shall be defined as the area from the rear building wall of the structure to the rear property line but does not include the rear building wall of the structure. A rear yard does not adjoin a street but may adjoin an alley.

The following definition applies to corner lots in a block:

**Street side yard** shall be defined as the lot area from the side street curb line to the side building wall of the structure but does not include the side building wall.

**Corner lot obstructions** shall be defined as a visual obstruction more than three (3) feet high (above the curb) located within the triangle formed by the intersection of the street lines and points on the street lines twenty-five (25) feet from the intersection (See the second figure following Section 12-103.)

Please note:



### **Section 12-102. - Maximum height of fences and yard definitions**

It shall be unlawful for the owner or the occupant of any premises in the City of Mount Rainier, except those located in zones excluded in Section 12-101, to erect any fence to exceed the height of four (4) feet in the front yard or street side yard and to exceed the height of six (6) feet in the side and rear yard. The height of the fence shall be measured from the existing finished grade at the adjacent public right-of-way. Any fence exceeding four (4) feet in height in the front yard or street side yard, three (3) feet in height in the triangle formed by the intersection of the street lines and points on the street lines twenty-five (25) feet from the intersection or six (6) feet in height in the side yard or rear yard requires a variance from the Mayor and City Council pursuant to Section 12-103.

### **Mount Rainier Code Chapter 12-101(C)**

#### **Are there any rules governing wooden fences?**

Any fence constructed after March 1, 2006, the finished side of the fence shall face the public street, alley, or abutting property. For the purpose of this section, the "finished side" of a fence is the smooth side or the side not containing structural supports. If structural elements are in integral part of the fence design, then such elements must be centered on the line of the fence and designed as part of the finished surface.