

Instructions for Property Owner

Agreement for Fence/Structure

1. Each case is considered individually. Just because a neighbor was approved (or has a fence/Structure), does not mean the next person will be approved.
2. Fill out and SIGN the Application/Agreement form, and submit it to the Public Works Department. (There is no fee associated with this application.)
3. Make sure the area is marked for inspection purposes when submitting the Application/Agreement with paint, flags, or stakes. We WILL NOT come out to inspect if the area is NOT marked.
4. Submit a drawing with measurements of where you are requesting the proposed fence/structure, and attach it to the Application/Agreement.
5. Appropriate inspector(s) will be sent to the check markings. If the property lines are not easily identified, you may be asked to have the property surveyed so we can determine exactly where the easements are located. (It is not the responsibility of the Town of Smyrna to locate property lines.)
6. After the inspector(s) checks the site, we will call and advise you of any changes or adjustments that may be necessary, and if your application was approved or denied.
7. After ALL departments involved have signed the paperwork; you will be mailed a fully executed copy of the agreement.
8. If you have a Homeowner's Association, they may want to see this paperwork prior to any construction.

******Call 811 for locates before you dig, drill, or blast******



AGREEMENT FOR FENCE / STRUCTURE

Information in reference to the structure:

Type of Structure: Fence _____ Storage Building _____ Pool _____ Other _____

Fence Material: Chain Link _____ Wooden _____ Other _____

Storage Building: Permanent _____ Portable _____

Pool: In Ground _____ Above Ground _____

Other (Please Explain): _____

Applicant Information:

Name of Owner: _____

Property Address: _____ Phone#: _____

E-Mail Address: _____

Owner's Address (if different): _____

Name of Subdivision: _____ Section: _____

Lot #: _____ or Parcel #: _____

Easement Information:

Location of Easement: _____

Type of Easement: PUD _____ Drainage _____ Other _____

The Owner hereby requests permission to place a fence/structure within the property boundary limits of the aforementioned site. The Owner is responsible for identifying the property boundary limits and ensuring all portions of fence/structure are within the property boundary limits. In the event the Town provides permission to the Owner to construct a fence/structure within an easement, the Owner acknowledges that any permission does not waive or modify the Town's rights as the easement holder. Owner understands and agrees that the Town or its authorized contractor shall have no liability to Owner for any damage to the fence/structure to enable work done by Town. Owner shall be solely responsible for the removal of the fence/structure to enable work to be done by Town. Owner shall be solely responsible for any costs incurred in repairing or replacing the fence/structure. Owner understands that the Town of Smyrna reserves the right to limit or to totally withdraw this permission to place a fence/structure within a dedicated easement if such fence/structure is impairing drainage, or interfering with the Town's use of the easement, or for any other reason. If this permission is withdrawn, Owner will be responsible for finding an alternative location for the fence/structure required under the Town of Smyrna's Zoning Ordinance. Owner shall inform any successor Owner of the terms and conditions of this Agreement.

Additional Terms / Comments:

Owner's Signature: _____ **Date:** _____

Office Use Only:

The Town of Smyrna hereby grants _____ permission to place a fence / structure at this location subject to these terms and conditions. **All fences must meet Sections 3.080 "Obstruction" and 3.180 "Fences" of the Town's Ordinances. All structures must also meet minimum building setback requirements.**

BUILDING PERMIT REQUIRED BY CODES DEPARTMENT: YES ___ NO ___

Public Works Department

Utilities Department

Codes Department

By: _____

By: _____

By: _____

Title: _____

Title: _____

Title: _____

Date: _____

Date: _____

Date: _____

For Public Utility and Drainage (PUD) easement, this Agreement must be signed by both, the Director of Public Works (or designee) and the Director of Utilities (or designee). For Drainage easement, this Agreement must be signed by the Director of Public Works (or designee).