

### Orem City Code [22-14-19 \(F\)](#)

The City Council may modify or waive a fence requirement as described below. However, it is the intent of this ordinance to grant modifications or waivers only in unusual or exceptional circumstances.

1. **Modification.** In all commercial, manufacturing, or professional office zones - except the C3 zone - the City Council may modify the height of the fence, and/or approve a fence constructed of material other than those described in [subsection \(E\)](#), if there are the following findings:
  - The proposed fence provides an adequate buffer for the adjoining residential zone.
  - The appearance of the fence will not detract from uses in the residential zone.
  - The proposed fence will shield the residential use from noise, storage, traffic, or any other characteristic of commercial or professional office uses that are incompatible with residential uses.
2. **Waiver.** In all commercial, manufacturing, or professional office zones - except the C3 zone - the City Council may waive a fence required by [subsection \(E\)](#), if it is determined that the fence is not necessary to provide a buffer between the residential zone and the commercial zone because:
  - The fence would not create a significantly greater buffer between the residential and commercial zone than already exists due to natural topography or manmade barriers;
  - The property in the adjoining residential zone is being used for a non-residential use; or
  - The owner of the adjoining residential property declares in writing that he/she does not desire a fence between the owner's residential property and the adjoining commercial property.

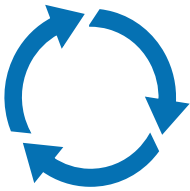
# Development Packet

## Fence Modification / Waiver



### **Step 1: Apply**

- Gather letters from all neighbors that share a border with the fence you are proposing to modify. They must grant permission for the change in that letter.
- Show that you are meeting all the requirements of Orem City Code [22-14-19\(F\)](#).
- Complete the application, checklist, and questionnaires..
- Submit all required documents and pay all application fees by Monday at 12pm.
  - NOTE: Application fees only cover three (3) technical reviews. A resubmittal fee will be due with your fourth submission.



### **Step 2: DRC**

- Staff will review the submitted plans.
- Review sessions are held from Tuesday to Tuesday each week.
- If there are redlines, they will be sent via email on the Tuesday when the review is completed.
- Fix and resubmit by Monday at 12pm.
  - This will repeat until plans are forwarded for approval by the Development Review Committee (DRC).

### **Step 3: City Council**

- Your project will go before the City Council. They will vote to approve or deny your request.
- City Council meetings typically are held every second and fourth Tuesday.
- Staff is required to notify the public two weeks in advance of each meeting. Your project must be approved by the DRC by that deadline.



### **Step 4: Construction of Fence**

- You may begin construction on the fence only after the City Council approves your fence modification / waiver.

## How to Apply:

1. **Complete the Checklist.** The checklist must be completely filled out to apply. If you need help determining which sections apply to your project please contact Development Services at 801-229-7058. Applications with incomplete checklists will not be accepted.
2. **Complete the Questionnaires.** Fill out Section 1 of the Pretreatment and Stormwater Questionnaires, if a portion does not apply to your project, please explain why. If you know the final use of the site, fill out Section 2. If a storm drainage plan is required, fill out the Storm Water Questionnaire.
3. **Complete the Application.**
4. **Submit Documents.** Email all documents, plans, and application to [chvargas@orem.gov](mailto:chvargas@orem.gov) and [mkwagstaff@orem.gov](mailto:mkwagstaff@orem.gov).
5. **Pay Application Fees.** Fees marked with "TBD" need to be calculated by a planner. Fees can be paid in person by coming into our office or over the phone by calling Development Services at 801-229-7058. If you pay with a card, a surcharge of 2.5% will be applied.

# Development Checklist

## *Fence Modification / Waiver*

**Disclaimer:** This information is an abridged version of the Site Plan Ordinance found in the Orem City Code [22-14-19](#). This information is for the benefit of the developer / applicant to help you follow the required review and approval process for your project. This checklist does not release the developer / applicant from the responsibility of reading and following all provisions listed in the latest edition of the Orem City Code.

**This checklist must be completely filled out to apply.** Each item must be checked off. If you feel an item is not applicable to your project please explain why in writing.

**Submit with Application:**

- Photos of the area for the proposed fence modification / waiver.
- Letters from each property owner that borders the fence line.
- Drawings or images of the proposed fence.
- Specify the materials and height of the fence.
- A site plan or map that shows the area where the proposed fence modification / waiver is proposed.
  - If applicable, show that the modified / waived fence will still shield residential properties from outdoor storage, noise, traffic, etc.



# Development Application

## Fence Modification / Waiver

Applicant Information:		
Name:	Phone:	
Address:	City:	
Email:	State:	Zip:

Contact Person (Owner / Engineer):	
Name:	Name:
Email:	Email:
Phone:	Phone:

Project Information:	
Project Name:	
Project Address:	
What zone is your project in?	

Fees:		
All Projects:	Fence Modification / Waiver Fee	\$570
	Neighborhood Notice Fee	TBD
If submitting for 4th review:	Resubmittal Fee	\$623
Total:		

Signature:

Office Use Only:	
Application Date:	
Date Paid:	
Project ID Number:	
Received By:	

**NOTE:**  
 Please include anyone who needs updates about the approval status of the project as a contact person.  
 All items must be submitted and all fees paid by **MONDAY** at 12pm of the week you wish to have the project reviewed.

# Development Application

## *Fence Modification / Waiver*

Please briefly describe your project. What are you proposing to do?

Why are you asking for a fence modification / waiver?