

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.

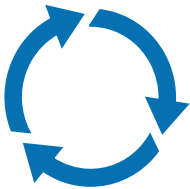
Development Packet

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 and asleon@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:	NOTE:
Application Date:	<p>Please include anyone who needs updates about the approval status of the project as a contact person.</p> <p>All items must be submitted and all fees paid by MONDAY at 12pm of the week you wish to have the project reviewed.</p>
Date Paid:	
Project ID Number:	
Received By:	



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?