

16-4-9.2 Required Permits and Inspections

- A) All walls and fences that require a permit shall be subject to inspection for compliance with approved plans and this Ordinance.
- B) The following shall not be constructed without a building permit.
 - 1) All fencing 3 feet in height and greater.
 - 2) All walls greater than 4 feet in height.
 - 3) Retaining walls exceeding 4 feet in height, whether terraced or not, shall be designed and constructed to support lateral loads and shall be accompanied by design calculations and plans sealed by a professional engineer registered in the State of Kansas. Said plans shall be reviewed prior to the issuance of a building permit.
 - 4) All persons applying for permits for swimming pools, hot tubs, spas, or similar recreational bathing structures requiring fence shall work with the Building Inspections Division for issuance of the building permits for the pool structure and the fence at the same time.

(Ord. 2004, 07-07-03)

16-4-9.3 General Requirements

- A) Fences and walls (with the exception of retaining walls, and lots within the RP-A5 zoning district) 3 feet or greater in height shall not be permitted in front of the building or line of the building as it extends to the side property line, and shall not be permitted beyond the build line of a street-side side yard of a corner lot, unless an approved perimeter fence/wall for the subdivision has been constructed along the frontage of the street-side yard of the corner lot. In such cases the fence may extend up to, or connect (with permission from the subdivision) to the subdivision perimeter fence/wall. Fences shall be permitted to extend beyond the platted build line of an interior side or rear lot if not specifically prohibited on the plat.
- B) Unless otherwise provided herein, fence height, for compliance with this Ordinance, shall be measured from the finished grade of the adjoining ground to the top of the fence.
 - 1) When used in conjunction with a retaining wall, the fence height shall be a maximum of 4 feet in height, measured from the finished grade on the high side of the wall.
 - 2) When attached to a deck the fence shall be a maximum of 4 ft. in height as measured from the floor of the deck to the top of the fence.
- C) Post height, for compliance with this Ordinance, shall not exceed 8" above the height of the fence pickets.
- D) In cases of interior rear setbacks, fences and walls shall be permitted to be located on the rear property line. In the case of through lots, fences and walls shall not extend beyond the applicable zoning district's setback from the street frontage, unless an approved perimeter fence/wall for the subdivision has been constructed along the frontage of the rear yard. In such cases the fence may extend up to, or connect (with permission from the subdivision) to the subdivision perimeter fence/wall.

- E) Wood fences shall be constructed with posts, rails, and other structural members located on the "inside" of the fence (finished side facing out). A second fence made of PVC coated chain link is permitted when a split-rail wood fence is already installed, and such second fence is needed to provide extra security due to gaps and/or spacing of the components of the split-rail wood fence. The PVC coated chain link fence shall be installed on the side of the split-rail wood fence facing the subject property and shall be limited in color to black, hunter green and dark brown.
- F) Fences and walls shall not restrict natural surface drainage nor be constructed to divert or channel water flow with increased velocity.
- G) Fences and walls constructed within City owned and/or public utility easements may be removed to allow access for installation or maintenance of utilities and/or drainage. The property owner shall be responsible for the reconstruction and replacement of any fences and/or walls removed.
- H) When the back property line of a residentially zoned lot shares a common boundary with that of another municipality, the least restrictive fence or wall height regulations of the two municipalities shall govern only for that property line which shares the municipal boundary. All other fences on the property within Leawood are limited to that allowed by this Ordinance.
- I) Allowed fencing materials shall be limited to cedar, redwood, CCA treated wood, wrought iron, aluminum designed to have the appearance of wrought iron, chain link, PVC coated chain link or vinyl to have the appearance of wood. Fences located in front of the front line of the building as it extends to the side property lines within the RP-A5 zoning district shall be limited to wooden split-rail, wrought iron, or aluminum designed to have the appearance of wrought iron.

(Ord. 2414, 09-29-09)

(Ord. 3038, 04-19-21)

16-4-9.4 Height and Location Requirements

Fences and walls must meet the following requirements for height and location:

TYPE OF FENCE OR WALL	LOCATION	HEIGHT / LENGTH
Fences/walls within the RP-A5 zoning district	May be located along the property line of the interior front, rear and side yards, and no closer than 2' from a property line adjacent to a public right-of-way; however, clear site triangles shall be maintained on corner lots.	Maximum Height: 6 feet
Fences/walls under 3' in height	May be located anywhere within required setbacks.	Maximum Height: Less than 3 feet. Maximum Length: 24 feet.
Fences/walls	With the exception of lots within the RP-A5 zoning district,	Maximum Height: