



DRAINAGE EASEMENT CONSTRUCTION PERMIT REQUIREMENTS AND APPLICATION INSTRUCTIONS

The Fishers Stormwater Management Resolution does not allow construction within a drainage easement per the following code from Article 3, Section 3.04:

3.04 DRAINAGE EASEMENT REQUIREMENTS

There shall be no trees or shrubs planted, nor any structures or fences erected, in any drainage easement, unless otherwise accepted by the Director of Public Works by a drainage easement permit.

Given this code, a permit is required by the Director of Public Works for any construction or planting within a drainage easement to review the project for compliance with drainage flow and storm sewer protection and maintenance access related concerns.

Construction of permanent structures such as **pools, sunrooms, non-mobile building accessory structures, or home additions** will **not** be permitted within the easement. However, fences, small movable sheds, non-attached decks, patios, pool patios and minor landscaping/trees may be allowed within a portion of the drainage easement based on a case-by-case permit review subject to the following review criteria:

Permit Requirements:

1. Extent of easement encroachment
 - a. Minimum of 10 feet of easement width must be provided for storm sewer maintenance access and drainage flow behind easement construction.
 - b. If the drainage easement is shared by two properties behind or beside one another, at least 5 feet of easement or drainage swale width must be provided on each property.
 - c. The 10 feet easement access width minimum is intended for fences, small sheds, and minor landscaping that may be more easily removed if more width is required. Decks, patios, pool patios, etc. that are inherently more difficult to remove, may have a larger easement restriction requirement based on the case review and the overall easement width.
 - d. Decks cannot be attached to the home if they are permitted to encroach within the easement.
 - e. Decks, patios, etc. with proposed permanent roof structures cannot be attached to the home or have any supportive member of the roof structure within the drainage easement.
2. If storm pipe or drains exist within the easement, the 10 feet gap requirement should be divided equally with a 5 feet gap on both sides of the pipe/structure.
3. Existing condition of the swale/easement
 - a. If existing encroachments prevent adequate maintenance access, the permitted encroachment may be more strictly limited to maintain the 10 feet easement width required for flow or maintenance.
4. Encroachments shall be allowed on the home side of the drainage easement so maintenance access and drainage flow is allowed behind the encroachment.
5. Willows or other water loving species of trees are strictly prohibited within any portion of the drainage easement if storm sewers exist nearby due to their aggressive nature and ability to damage and obstruct storm sewers.
6. Fences or other improvements shall not cross-cut the swale perpendicular to the swale flow line (regardless of open or closed panel fence types, removability of panels, or gate options)



7. Swale grading or other tile installations to improve drainage within the easement must restore grade to the original flow line grade or to a steeper, improved flow line grade.
8. Easement encroachment permit requests involving City Zoning or Community Development Department related permits would also be subject to completion of a separate zoning or development permit. These permits may require a Zoning Board of Appeals approval process with notice and public hearing. Currently, the following types of permits in drainage easements also require a Planning/Zoning or Community Development permit:
 - a. Decks
 - b. Pools and Spas
 - c. Small Storage Sheds
 - d. Accessory Permits

Please contact the Community Development Department at 317-595-3120 to apply for one of these permits directly through that department.

Permit Conditions:

1. All permitted encroachments come with inherent risk to the property owner as the City reserves the right to use the full easement width in the future if needed. Permitted improvements would then be required to be removed by the property owner at the owner's expense. Failure to remove encroachments as requested could result in City removal, fines, or other enforcement measures. Encroachments under enforcement action that are required to be removed by the City would not be repaired or replaced by the City.
2. Soils excavated during the easement construction shall be removed from the site or reworked into the existing site in areas outside of the drainage swale. Soils shall not be used to increase the slope of the side yard causing water to cascade on neighboring properties in a manner different than the original subdivision plan design.
3. Any drainage issues created on neighboring property owners due to the permitted easement construction will be the responsibility of the permitted property owner to mitigate.
4. Property owners are responsible for obtaining permits from other utilities having rights and restrictions within a drainage and/or utility easement such as but not limited to sanitary sewers, electric, gas, cable, telephone, pipeline, water supply, etc.

Required permit application submittal documents:

1. Detailed written description of all proposed project elements within the easement
2. Plan view scaled map of the project showing the following:
 - a. Location and dimensions of proposed construction feature(s) in relation to the drainage easement(s)
 - b. Location of existing home and other improvements
 - c. Location and dimensions of the drainage easement(s)
 - d. Location of any existing features within the drainage easement
 - e. Locations of storm drains, storm pipes, private tiles, or other drainage structures
 - f. Location of the flow lines of any drainage flow channels or swales on site
3. Profile or Cross-Section View Plan indicating depth of excavation, existing and proposed grades, etc. may be required if requested.

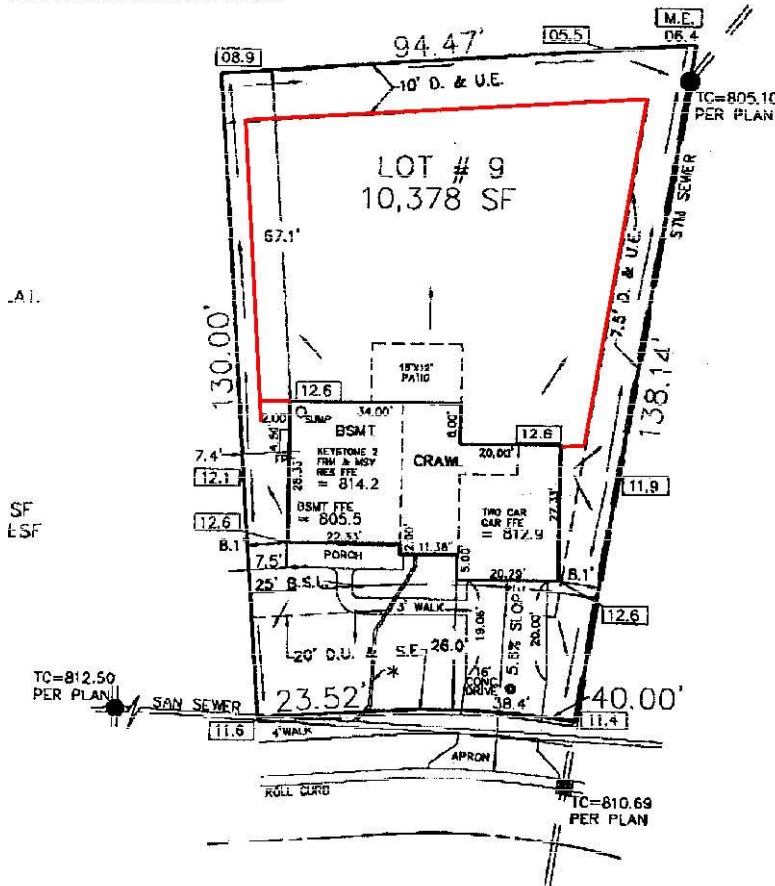


Permit General Information and Guidance:

The flow line of a swale/channel is the centerline of the channel of water that is observed flowing on a property during a heavy rain. Drainage easements behind or beside homes are established as platted areas for drainage swales/channels to exist to convey stormwater runoff from properties in subdivisions. As such, any construction, alteration, grading, storage, excavation, etc. within these swales and/or platted drainage easements are subject to the need for a permit.

In addition, drainage easements are also platted to mark and protect locations of public storm sewers that carry stormwater through and out of the subdivision. Drainage easements with storm sewers most often occur along the side yards of homes and run parallel to a home, but storm pipe can also be located within the rear yard easement as well parallel to but underneath the surface swale. See the attached example plot plan for a potential approved fence construction location.

NOTES: IN EVENT OF FUTURE EXCAVATION PROCESS, ANY GROUNDWATER CORP. SHOULD BE NOTIFIED IMMEDIATELY. RAISED 2" ABOVE THE GROUNDWATER LEVEL. UES SHOULD BE INCORPORATED TO ALLEVIATE



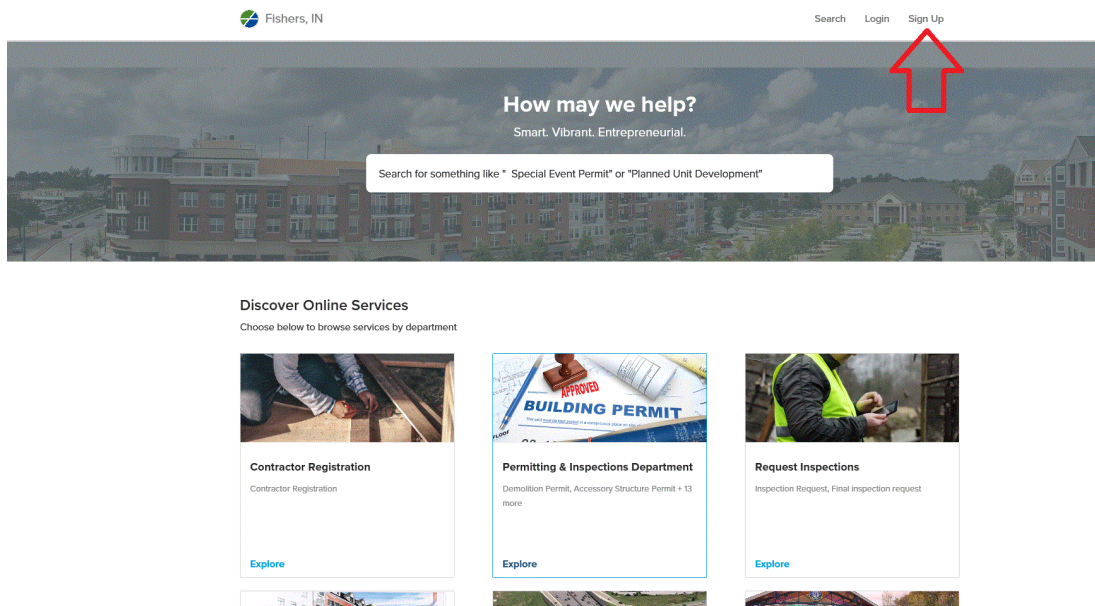
Legend
 — Fence



Applying for a Drainage Easement Permit

Viewpoint Cloud Sign Up and Application Steps

1. Go to Fishers' online permitting site, ViewPoint Cloud: <https://fishersin.viewpointcloud.com/>
2. Click Sign Up in the upper right



3. Click the blue “Sign up using Secure Portal” button
4. Create an account using an email and by creating a password



Log in with your ViewPoint ID



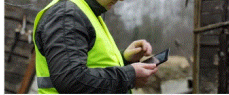



Log In

Sign Up

Sign Up >

5. On the ViewPoint Cloud home screen, click on Engineering Department

Choose below to browse services by department

 <p>Contractor Registration Contractor Registration</p> <p>Explore</p>	 <p>Permitting & Inspections Department Demolition Permit, Accessory Structure Permit + 13 more</p> <p>Explore</p>	 <p>Request Inspections Inspection Request, Final inspection request</p> <p>Explore</p>
 <p>Planning & Zoning Department Sign-Permanent Permit, Sign-Temporary Permit + 22 more</p> <p>Explore</p>	 <p>Engineering Department Right of Way Activity Permit, Sanitary Sewer Repair/Replace Permit + 2 more</p> <p>Explore</p>	 <p>Special Events & Banners in the Right of Way Special Event Permit, Banner in Right of Way Application</p> <p>Explore</p>



6. Click the blue “Select” button for the Drainage Easement Permit

2. Contact the City of Fishers or consult the City's web site at <http://www.fishers.in.us/engineering> for questions regarding construction standards and details.
3. Open cutting of **96th St, 116th St, 126th St and Allisonville Rd** shall require Board of Public Works and Safety approval. No partial panels of concrete to be removed. All other streets will be reviewed on a case by case basis.
4. A clear and detailed plan must accompany this submittal. Plan must show the Right-of-Way, edge of pavement, location of construction activity, adjacent driveways, easements, excavations, detailed measurements of proposed tap pits, pushes and excavations or any other significant feature in the area of activity.
5. Once notified of final permit fees, payments can be made through viewpoint cloud by credit card, or in person at City hall, by **CC, Cash, Check, or Money order**. Checks or money orders should be made payable to "City of Fishers". Credit Cards will be accepted in person at City Hall, surcharges may apply.
6. If Lane Restrictions are required, detailed **Maintenance of Traffic Plan** must accompany the Application request for any work impacting traffic or travel lanes. Also proper MUTCD protocol must be followed.

[Looking for nearest address or other land related question?](#)

[Click here to view city map!](#)

Apply Online

Right of Way Activity Permit This form is used for all driveway, open cut and excavation work.	Select
Sanitary Sewer Repair/Replace Permit This form should not be used for new sewer laterals.	Select
Drainage Easement Permit	Select
Storm Sewer Tap Permit	Select



7. Click the blue Apply Online button

8. Confirm your contact information by completing the fields, click Next

9. Search for your address and click “Choose Location”, click Next

10. Complete the Project information and be as descriptive as possible, click Next

11. A site plan will be required for approval. Upload by clicking the blue “Upload” button on the Attachments page. Site plan requirements are listed on the page. A plot plan with the project drawn in, as closely to scale as possible, will usually be sufficient.

- a. Also upload any other documents you think may be useful



12. Confirm all the information you entered is correct, then click "Confirm and Submit" at the bottom of the page
13. The next page will be the page for your submission. Here, you can upload plan revisions and send me messages pertaining to the permit (email will still be easier, however). Additionally, the progress of the permit can be tracked on the left side of the page. When a step is completed, it will turn green.

Drainage Easement Permit
24872

[Your Submission](#)
[Attachments](#)

- Stormwater Approval**
- Notary Approval
- Memorandum
- Memo Received
- Drainage Easement Permit

Permit Status

Your submission

Submitted Mar 22, 2019 at 1:07pm

Contact Information

Tyler Folk

Email address

[REDACTED]

Phone Number

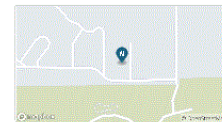
317-450-7515

Mailing Address

10210 Eller Road , Fishers, IN 46038

Location

10210 ELLER RD
FISHERS, IN 46038



Project Information

Property Owner's Name *

Tyler Folk

Scope of Work *

Fence installation in back (north) yard. Fence will be wrought iron style.

Width of Encroached Drainage

Easement *

20

How many feet will you encroach into Drainage Easement *

15

Revised April 16, 2019