



DRAINAGE EASEMENT CONSTRUCTION POLICY

The Fishers Stormwater Management Ordinance 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 Town Engineer.

Given this code, a variance is required by the Stormwater Engineer for any construction or planting within a drainage easement. However, realizing that the intent of this portion of the code is to prevent damming of the flow of water, to provide for positive drainage within a subdivision, and to protect public storm sewers, Fishers has established the following policy:

Construction of permanent structures such as **sheds, decks, pools, or building accessory structures or additions** will **not** typically be allowed within any part of the drainage easement. These types of structures are very difficult to remove if drainage problems arise or storm sewers need to be maintained within the easement. Under rare circumstances, a variance for construction of these in the easement may be requested from the Stormwater Engineer.

Fences, flat patios, and very minimal landscaping may be constructed or planted near the “high side” of the drainage easement closest to the home as long as a minimum of 10 feet of flow line of the drainage swale or channel is maintained open and as long as the swale is not cross-cut or straddled by the fence. If the property shares a drainage swale with the property behind it, a minimum of 5 feet of swale/easement must be preserved on each property. If encroachments already exist on neighboring properties, properties with proposed encroachments must adjust to accommodate the full 10 feet easement gap. The flow line of the swale/channel is the centerline of the channel of water that is observed flowing during a heavy rain. The drainage easement behind or beside your house was established as a route for stormwater to channel its way off from your property and your neighbors’ properties, and this area must be preserved as such. Fences or landscaping that are erected within or very near to this flow channel that could impede flow will be considered in violation of the ordinance and could be subject to removal. All soil generated from post-hole digging should be hauled offsite and removed from the drainage easement. The largest single cause of drainage problems and complaints is due to construction and subsequent blockage of drainage flow within the drainage easement. However, property owners should be aware that if construction of a fence according to this policy causes a drainage issue for a neighboring property, removal of the fence may still be required.

In addition, drainage easements are also set up to mark and protect locations of public storm sewers that carry the water 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. If storm pipe exists within an easement, fences and minimal landscaping within the easement must remain 5 feet from the pipe location and leave a total of 10 feet of easement access for storm sewer maintenance between any existing or proposed encroachments. Large, water loving trees such as but not limited to Willow Trees will not be allowed within any portion of the drainage easement if storm pipe exists, since these trees are very aggressive and damage and clog the pipes. Property owners should be aware that Fishers has the right to request that you remove this fence and/or landscaping at your own cost if the storm pipe needs to be repaired or maintained at any time. If you choose not to remove the fence/landscaping once requested, Fishers will remove it for you and you will not be reimbursed for the damages or the cost of removal. Furthermore, Fishers will not re-install the fence/landscaping and is not responsible for drainage problems caused by work



done within the drainage easement or for maintenance of this drainage pathway that leads to the storm sewer. Basically, you do not want to do anything to disturb the original final grade of your swale or side yards as this may affect drainage flow. See the attached example plot plan for potential approved fence construction locations.

Variances to these policies or further questions should be directed to the stormwater hotline at 567-5056 or to the stormwater email at stormwater@fishers.in.us. Variance requests for sheds, decks, pools, or building additions should have the following information and be submitted as attachments to the email or mailed in hard copy form to the address at the bottom of this page:

- Complete written description of the type of construction and the variance type requested.
- Plot Plan View of the project showing easement locations, existing structures, etc. in relation to your proposed construction type. This plan should also include dimensions of your project and show how many feet you are requesting to encroach into the drainage easement.
- Profile Plan View of the project meaning what is the cross-section view or side view of the project indicating depth of the excavation, how high above grade the project is, etc.

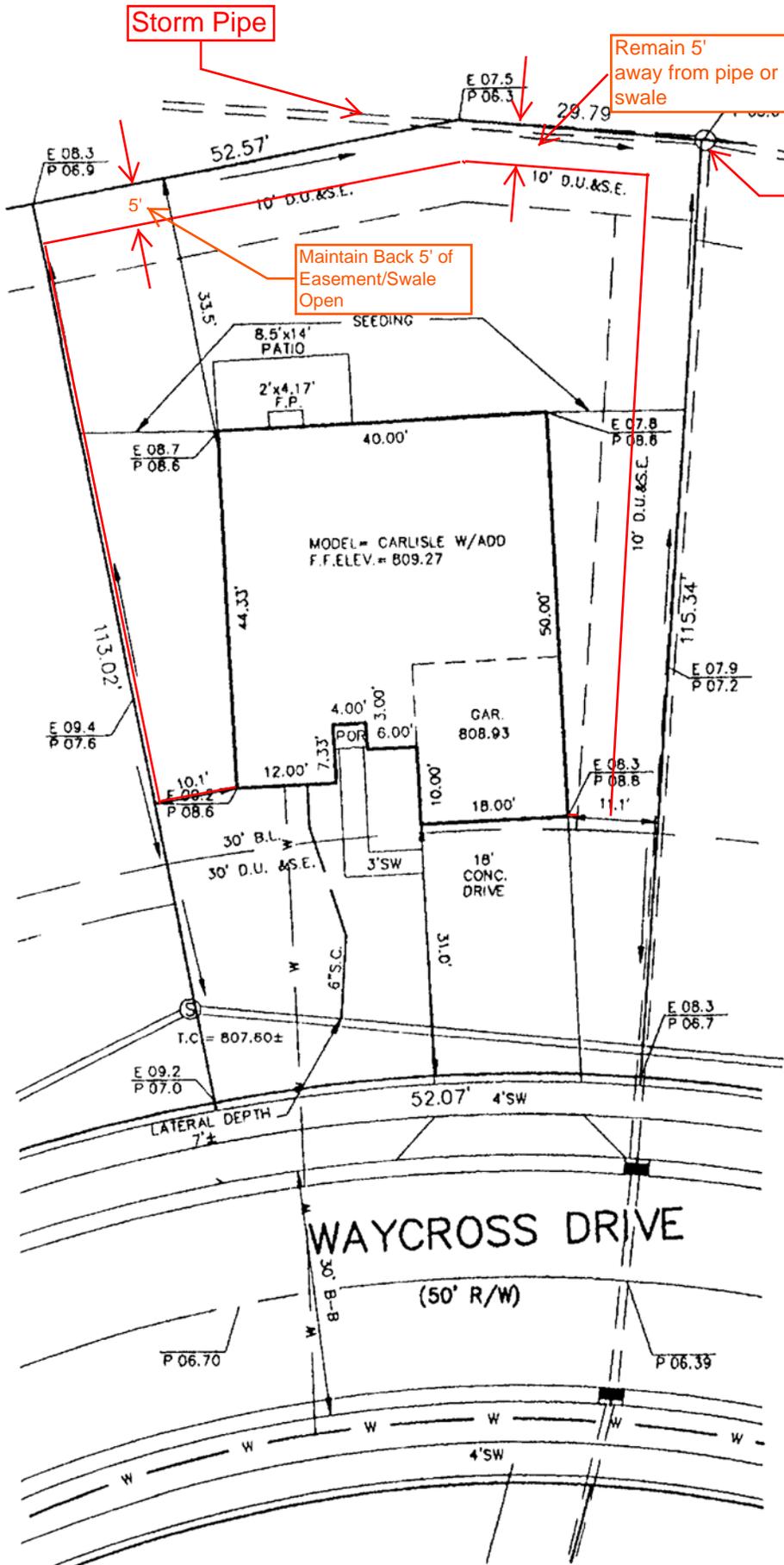
Revised March 7, 2018



Legend

— Example Fence Location

13847 WAYCROSS DRIVE



1" = 20'
LOT SIZE: 7,715 Sq.Ft.

LEGEND:
E 99.99 EXISTING GRADE (BEFORE CONST.)
P 99.99 PROPOSED GRADE (AFTER CONST.)

- SANITARY SEWER
- STORM SEWER
- W — WATER MAIN
- W — 3/4" WATER CONNECTION

ALL UNDERGROUND SEWERS AND UTILITIES SHOWN ARE PLOTTED BY SCALE FROM DESIGN PLANS FURNISHED BY ENGINEER. THE ACTUAL FIELD LOCATION MAY VARY.

- SOD: 316 ± Sq. Yd.
- SEEDING: 2,446 ± Sq. Ft.
- CONC. DRIVEWAY: 704 ± Sq. Ft.
- PRIVATE WALK: 68 ± Sq. Ft.
- PUBLIC WALK: 298 ± Sq. Ft.
- SANITARY LATERAL: 30 ± Lin. Ft.
- WATER LATERAL: 80 ± Lin. Ft.

Note: The City needs 10' of maintenance access between fences and other improvements. The 5' gap above assumes that you share a swale/easement with neighbors behind you. If there is not a shared swale/easement, you will need to keep a 10' gap between storm drains, pipes, and/or the swale flow line.