

<b>City/County</b>	<b>Fence Permit Required</b>
<b>Fernandina Beach</b>	<b>Yes</b>
<b>Jacksonville Beach</b>	<b>Yes</b>
<b>City of St. Augustine</b>	<b>Yes</b>
<b>Town of Welaka</b>	<b>Yes</b>
<b>Crescent City</b>	<b>Yes</b>
<b>Town of Orange Park</b>	<b>Yes</b>
<b>Flagler County</b>	<b>Yes</b>
<b>City of Flagler Beach</b>	<b>Yes</b>
<b>City of Bunnell</b>	<b>Yes</b>
<b>City of Live Oak</b>	<b>Yes</b>
<b>City of Daytona Beach</b>	<b>Yes</b>
<b>City of Ormond Beach</b>	<b>Yes</b>
<b>City of South Daytona</b>	<b>Yes</b>
<b>Clay County</b>	<b>No</b>
<b>Nassau County</b>	<b>No</b>
<b>Volusia County</b>	<b>No</b>
<b>Duval County</b>	<b>Only in Historic District</b>
<b>Bradford County</b>	<b>No</b>
<b>City of Starke</b>	<b>No</b>
<b>City of Palatka</b>	<b>No</b>

## FAQS

### **Can I store my vehicles at my residence?**

Yes, provided all vehicles are street legal, meaning currently tagged and in good repair. ([Municipal Code Section 42-173](#))

### **How often do I have to cut my lot or yard?**

The height of all grass and similar vegetation can't exceed 12 inches (whether it is an occupied lot or a vacant lot). All properties must be kept clean of weeds, vegetation, debris, junk and rubbish that may be unsightly. ([Municipal Code Section 42-116](#))

### **Can I park my recreational vehicle (RV), boat, trailer, etc. at my residence?**

Only in the side or rear yard, or in a completely enclosed building or carport attached to a principal structure. The vehicles must be unoccupied. ([LDC Section 7.01.05](#) and [Municipal Section 58-9](#))

### **How long can I keep my trash and recycle tote out by the street?**

You may put your tote out by the street no earlier than 6:00pm the day before pick-up and you must bring it back off the street on the day of pick-up by 8:00pm. The tote can't be left out by the street and/or in the right-of-way indefinitely. ([Municipal Code Section 66-44](#))

### **Can I put up temporary signage?**

Temporary signs as defined by the City's Land Development Code Section 5.04.00 do not require a permit. For more information about what qualifies as a temporary sign please check the [Land Development Code Chapter-5](#).

### **Can I leave my personal items overnight on the beach?**

All personal items left unattended on the beaches located in City Limits from 8:00 pm until 6:00 am daily are deemed discarded and will be disposed of by the City. Please see the [Municipal Code Section 90-52](#) of the City's Code of Ordinances for more information.

### **Do I need a permit to install a fence in my yard?**

A fence permit is required for the installation of any new fences or when replacing existing fences on your property. For questions about fence height, setbacks, or materials please check with the City Planning staff by calling 904-310-3480. [LDC Section 5.01.10](#) provides information about fencing. Properties within the Historic District are also required to receive a staff level certificate of approval.

### **Do I need a permit to remove a tree?**

The City's Land Development Code protects all native, healthy, trees which are 4" or larger in Diameter at Breast Height (DBH). A permit is required for all protected trees. For more information please check [LDC Chapter 4](#).

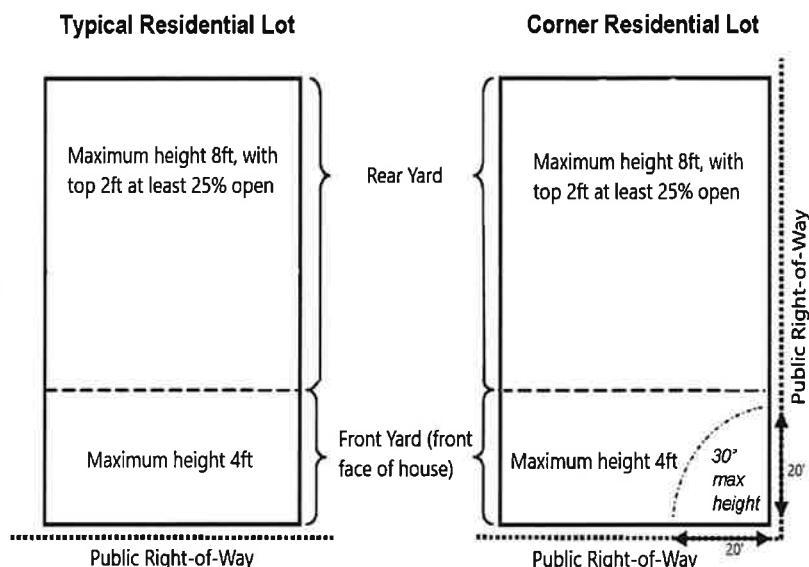
[City Code](#) requires permits for installing OR replacement fences on private property. The diagrams and guidelines below help explain the requirements. Your permit application should provide adequate information about your proposed fence for the plans reviewer to determine whether it meets the requirements.

### Residential Zoning Districts-Height and Opacity Limits

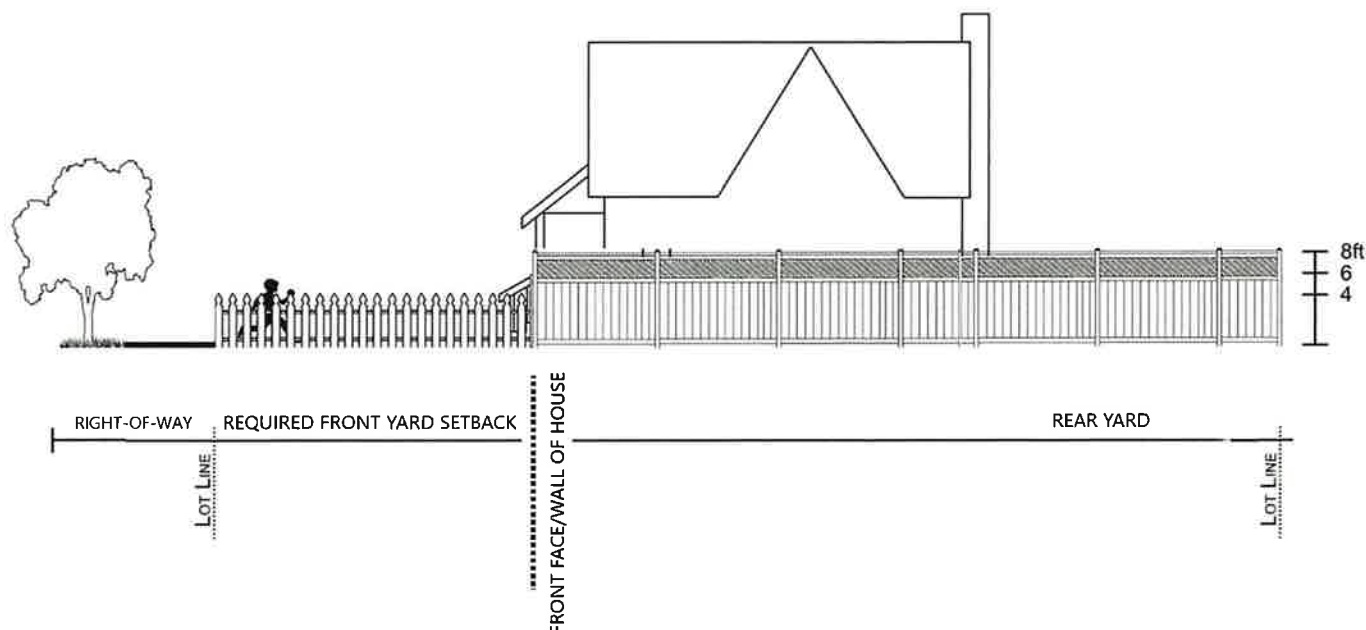
**Front Yard/Front Face of House:** Any fence within this area may be upto 4 feet in height. Required front yard setbacks vary by district.  
**EXCEPTION:** For corner lots, a fence may be no higher than 30 inches within the first 20 feet on either side of the corner intersection.

**Rear Yard:** Any fence within this area may be upto 8 feet in height, but any portion above 6 feet must remain 25% open.

**EXCEPTION:** A fence in the rear yard of any oceanfront lot in an RS-1 zoning district shall not exceed three and one-half (3-1/2) feet in height.



### Side-View of a Typical Residential Lot



### Other Important Information:

- Home Owner's Association or Architectural Review Board approval may be required
- Fences cannot obstruct access to utility meters
- Separate approval from the Public Works Department may be required for fencing erected outside of private property boundary lines or within specific easements

# Building Permit Information

The Planning and Building Department helps ensure safety, code compliance, and historic preservation through enforcement of city and state regulations. Permits are required for most construction projects, including renovations, additions, pools, and fences.

**All applications must be submitted online through the Permit Portal.**

## When is a Permit Required?

- Permits are **required for**: renovations, additions, new construction, pools, fences, windows/doors, docks, driveways/patios, demolitions, accessory structures, etc.
- A permit **may not be required for**: interior painting, minor repairs, interior decorating
- **Special cases**:
  - Structures over 50 years old may require Historic Architectural Review Board (HARB) approval
  - Significant tree removal may require Planning & Zoning Board approval

## Required Documents for Types of Building Permits

Permit applications must be submitted through the Permit Portal with the required documents. Please note the Electronic Submission Standards (PDF) for file submission. (Google Chrome is required.)

A complete list of documents required for building permits can be found here (PDF).

A complete list of documents required for building permits can be found here (PDF)

## **Additional documents that may be needed:**

- [Owner Builder Affidavit \(PDF\)](#)
- [Product Approval Sheet \(PDF\)](#)
- [Notice of Commencement Form \(PDF\)](#)
- [Sub-Contractor Sign-Off Form \(PDF\)](#)



**For questions, email**  
**[buildingpermits@citystaug.com](mailto:buildingpermits@citystaug.com)**

**For inspections, contact [buildinginspection@citystaug.com](mailto:buildinginspection@citystaug.com)**

**NOTICE OF CUSTODIAN OF PUBLIC RECORDS:** The City of St. Augustine has designated the City Clerk, Darlene Galambos, its Custodian of Public Records pursuant to Chapter 119, Florida Statutes. Anyone wishing to inspect or copy public records consistent with Florida law should contact the Custodian of Public Records at:

City of St. Augustine  
Custodian of Public Records  
Darlene Galambos, City Clerk

If you have a civil rights or Americans with Disabilities Act (ADA) complaint regarding your ability to participate in a City program or activity please contact the City Clerk at:

City of St. Augustine  
Darlene Galambos, City Clerk  
75 King Street, PO Box 210  
St. Augustine, FL 32085  
Phone: [904-825-1007](tel:904-825-1007)  
[Email the City Clerk](#)

**ORDINANCE 2009-01  
FENCE CONTROL  
TOWN OF WELAKA**

**AN ORDINANCE ESTABLISHING RULES AND REGULATIONS FOR FENCE,  
WALL AND HEDGES WITHIN THE TOWN OF WELAKA, FLORIDA.**

**WHEREAS**, the Town Council of the Town of Welaka recognizes the public safety of the citizens of Welaka and that the need exists to establish minimum standards for raising of fences, walls and hedges upon private property lines and abutting municipally owned properties; and

**WHEREAS**, the Town Council of the Town of Welaka recognizes the right of the public to own and maintain fences, walls and hedges; and

**WHEREAS**, the Town Council of the Town of Welaka has determined that minimum standards must be set for the establishment of said fences, walls and hedges.

**THEREFORE, BE IT ORDAINED** by the Town Council of the Town of Welaka, Florida as follows:

Section 1.

**Location of Fences, Walls and Hedges**

- a. Must be located entirely on the applicant's property.
- b. May not be installed in a drainage or utility easement.
- c. Must have three (3) copies of site plans in which shows the location of all structures. (House plus all accessory structures), property lines, dimensions and include a current survey of said property.
- d. Application must contain proposed fence location within the site plan.
- e. With respect to all fences abutting municipally owned property, the finished side of such fences shall face outward toward the abutting municipal property with all posts and supports being placed upon and facing the private property upon which they are constructed.

Section 2.

**Street, Corner Visibility**

No fence, wall, hedge, screen planting or other obstructions of vision extending in excess of two (2) feet, but less than three (3) feet, above the established street center line grade shall be erected or maintained on any part of a corner lot that is included between the lines of intersecting streets and a line intersecting them at points thirty (30) feet distant from the intersection of the street. Note: In no case shall any fence, wall, hedge or screen planting be located so as to cause a hazard to the movement of vehicles or pedestrian as determined by the Police Department.

Section 3.

**Front Yard Limitations**

Each yard on your property that faces a street is a front yard in, which is defined as the area between the street and the front setback line. A front yard fence cannot be more than 48" (4 Ft.) in height.

Section 4.

**Side and Rear Yard Limitations**

A property with a residence cannot have a fence or wall more than six (6) feet in height measured vertically between the ground and the top of the fence, or wall at each point along the length of the fence or wall. Hedges must be kept at 48" (4 Ft.) in height and kept in good condition.

Section 5.

**Prohibited Materials**

**Fences that are electrical, barbed or charged are prohibited.**

Section 6.

**Swimming Pools**

All pools must be fenced in with a gate and a lock. The Fence must be a minimum of 48" (4 Ft.) in height.

Section 7.

**Industrial or Commercial Fences**

Same requirements as for non-industrial or non-commercial except: Fence must be of chain link type and set to the rear of the building. Fence height can be six (6) feet plus one foot of barbed wire. No other type of wire can be used on top of fence.

Section 8.

**Permits**

**PERMIT FEE: \$50.00**

A permit is required to install a fence or wall. A permit is not required to plant hedges or other vegetation as long as the work/result complies with the regulations for a fence or wall. When repairs are made to an old fence it will be required to update, at that time, to the current requirements for a fence or wall and will require a permit.



Section 9.

**Penalties and Enforcement**

This ordinance may be enforced by any means permitted by State Law or Town of Welaka ordinance including, but not limited to, the provisions of Part 1, Chapter 162 of the Florida Statutes and may also be prosecuted as a civil infraction by citation pursuant to the provision of Part 2, Chapter 162 of the Florida Statutes. The Code Enforcement Officer is hereby designated to enforce the provisions of this ordinance and the manner authorized by Part 2, Chapter 162 of the Florida Statutes and the Town of Welaka Ordinance 97-11 as amended from time to time. This ordinance may also be prosecuted in the same manner and in accordance with Section 125.69 of the Florida Statutes.

Section 10.

**Effective Date**

This ordinance shall take effect immediately upon approval of the Town Council of the Town of Welaka on second reading.

**PASSED** on First Reading this 14<sup>th</sup> day of April, 2009.

**PASSED AND ENACTED** by the Town Council of the Town of Welaka, State of Florida, this 12<sup>th</sup> day of May, 2004.

ATTEST:

SIGNED:

\_\_\_\_\_  
Judy Jones, Town Clerk

\_\_\_\_\_  
Gordon Sands, Mayor

**APPROVAL AS TO FORM:**

\_\_\_\_\_  
Town Attorney

\_\_\_\_\_  
Gilbert McGauley, Council President

**FENCE PERMIT APPLICATION**  
**Residential**

THE FOLLOWING ITEMS MUST BE PROVIDED TO THIS OFFICE AT THE TIME OF APPLICATION FOR PERMIT.

1. Completed application form
2. Site Plan – show location of fencing.
3. Elevation drawing, picture or written description of the fence type
4. Proposed height – Max allowed height in front yard is 4ft; max allowed height in side and rear yards is 6 ft (see Illustration of height requirements in this packet)

**CITY OF CRESCENT CITY**  
**ZONING PERMIT APPLICATION**

OWNER OF REAL PROPERTY: \_\_\_\_\_

TELEPHONE NUMBER OF PROPERTY OWNER: \_\_\_\_\_

LOCATION OF PROPERTY & 911 ADDRESSES: \_\_\_\_\_

NAME/ADDRESS OF CONTRACTOR: \_\_\_\_\_

TELEPHONE NUMBER OF CONTRACTOR/CONTACT PERSON: \_\_\_\_\_

DESCRIPTION OF FENCE STYLE (include proposed height): \_\_\_\_\_

TYPE OF MATERIAL USED (i.e. wood, chain link, vinyl, wrought iron): \_\_\_\_\_

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SIGNATURE OF APPLICANT (OWNER)

**CITY TO COMPLETE**

Permit No.: \_\_\_\_\_

SPECIAL CONDITIONS/COMMENTS: \_\_\_\_\_

\_\_\_\_\_  
DATE

\_\_\_\_\_  
CITY MANAGER

### 3.5.8. *Fence requirements.*

1. *Types of fences.* Fences shall be either wood, chain-link, vinyl, concrete masonry wall design, brick, wrought or ornamental iron or decorative wire. Barbed wire fences may be constructed in industrial and conservation zoning districts with the approval of the zoning official. Barbed wire fences may be used on fences in excess of six feet in height around retention ponds, commercial pools, lift stations, substations and any local, state and federal land uses where applicable, with the approval of the zoning official.

#### 2. *Height of fences.*

a. *Residential.* Fences in all residential zoning districts shall be limited to six feet in height in the rear and side yard and four feet in the front yard.

b. *Non-Residential.* Fences constructed in commercial, public facility, recreational industrial and conservation zoning districts shall be limited to eight feet in height with the exceptions listed under the commercial district section. Except that fences for standard athletic uses located in commercial, recreational or public facility zoning districts, such as baseball backstops and tennis court enclosures, may exceed eight feet in height provided they are in keeping with generally accepted practices of the particular athletic use.

c. *Measurement.* The height of fences shall be measured from the average grade within 5 feet of the adjoining property line, regardless of fence location; unless otherwise approved by a variance from the Planning and Zoning Commission.

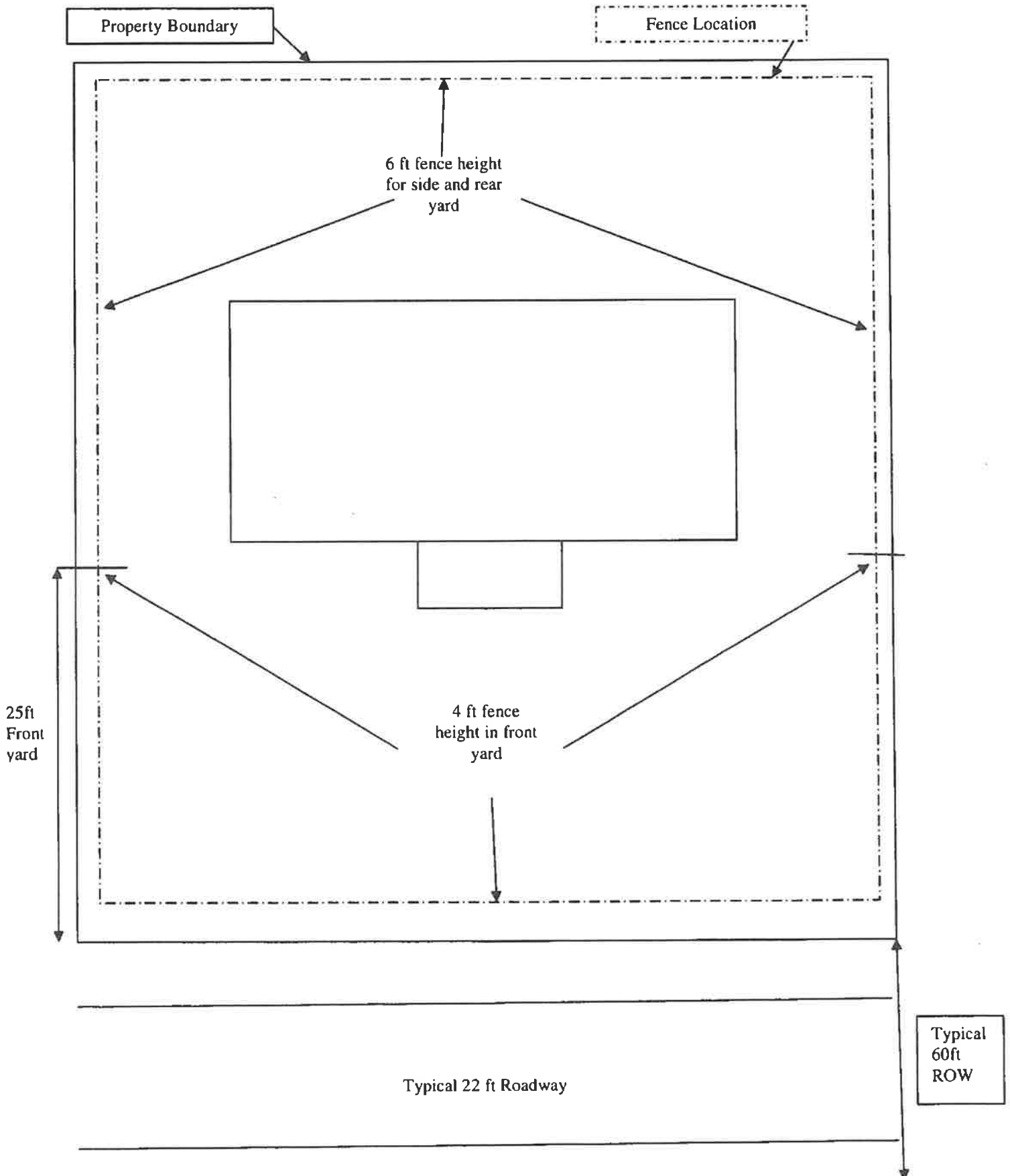
3. *Property lines.* Fences may be constructed along the property line of the lot. Damage to city-owned utilities, such as water, electric and sewer, during fence installation shall be repaired immediately at the expense of the property owner. Furthermore, the city may enter the easement area without prior notice to make any repairs and maintenance it deems necessary and shall not be responsible for any damage to the fence in the easement area.

If a permanent removal of a section of any fence constructed on an easement is requested by the city, the fence must be removed from the property by the owner within the time specified by the city. No fence shall be constructed which obstructs motorist visibility.

\* \* \*

**Walls or fences authorized by this section must be constructed so that the exposed framing of each section of wall or fence faces the interior yard. Walls or fences must also be constructed so that the finished and most aesthetically pleasing side of the wall faces outward.**

# Illustration of Basic Fence height and location requirements



[Home](#) > [Departments](#) > [Economic & Community Development](#) > Economic & Community Development Forms & Applications

## Economic & Community Development Forms & Applications

### Application Submission

Completed applications can either be submitted [here](#), a pdf copy emailed to [ECD@townop.com](mailto:ECD@townop.com) , or in person at Town Hall.

### Building Forms & Applications

+ Building Permit Application

+ Electrical Permit

— Fence Permit Application

#### [Fence Permit Application](#)

Please submit a copy of your property survey indicating where the fence is to be placed with your fence permit application.

### Zoning Forms & Applications

+ Variance Applications

+ Rezoning Applications

+ Site Plan Review

+ Small Scale FLUM Amendment

+ Conditional Use Application

[Mechanical Permit Application](#)[Floodplain Permit Application](#)[Plumbing Permit Application](#)[Notice of Appeal](#)[Portable Storage Container](#)[Sign Permit Application](#)[Click the link for Design Review Board applications.](#)

## Design Review Board

## Homeowner completing the work?

[Are you the homeowner completing the work yourself?](#)

## Tree Removal Applications

[Residential Tree Removal](#)[Commercial Tree Removal](#)[Short Term Vacation Rental Forms](#)

## Short Term Vacation Rental

[This folder contains the Fireworks, Mobile Food Vendor, and Vacant Property Registration applications.](#)

## Miscellaneous Forms



## Town of Orange Park

# FENCE PERMIT APPLICATION

JOB ADDRESS: \_\_\_\_\_ Permit #: \_\_\_\_\_

For Final Inspection Request: Call (904) 264-2635

### PROJECT TYPE:

☐ Residential ☐ Commercial ☐ Pool (Minimum 4' in Height)

### PROPOSED IMPROVEMENT TYPE

PARCEL ID NUMBER: \_\_\_\_\_

☐ New ☐ Replace Existing Fence

### TYPE OF FENCE:

☐ Wood ☐ Vinyl ☐ Chain Link ☐ Block (Requires Construction Plans) ☐ Other \_\_\_\_\_

### SIZE:

Fence Height: Front Yard: \_\_\_\_\_ Required Front Yard\* \_\_\_\_\_ Side Yard: \_\_\_\_\_ Rear Yard: \_\_\_\_\_

Number of Lineal feet: \_\_\_\_\_ Distance Between Support Posts/Piers: \_\_\_\_\_

Size of Support Posts or Piers: \_\_\_\_\_ Gate: \_\_\_\_\_ Line: \_\_\_\_\_

Number of Pedestrian Gates: \_\_\_\_\_ Self-closing: \_\_\_\_\_ Self-latching: \_\_\_\_\_

Number of Vehicle Gates: \_\_\_\_\_ Self-closing: \_\_\_\_\_ Self-latching: \_\_\_\_\_

Estimated Construction Cost: \_\_\_\_\_

*\*For Residential only, maximum height is 4 feet. Required setback depends on zoning (RS-1=60', RS-2=30', RG-1=20')*

**ATTACH A COPY OF THE PROPERTY SURVEY AND/OR DRAWING SHOWING LOCATION OF FENCE, INCLUDING PROPERTY LINES, STRUCTURES AND GATES.**

### Applicant

Name: \_\_\_\_\_ Property Owner: Yes \_\_\_\_\_ No \_\_\_\_\_ \*\*

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Email: \_\_\_\_\_ Phone: \_\_\_\_\_

Signature: \_\_\_\_\_

**\*\*Letter of Authorization for Contractor is required if any person other than the property owner makes the application and acts on behalf of the owner.**

### Official Use Only

Date: \_\_\_\_\_ Approved: \_\_\_\_\_ Disapproved: \_\_\_\_\_ Reviewers Initials: \_\_\_\_\_ Fee: \_\_\_\_\_

Comments: \_\_\_\_\_







Reviewed by: \_\_\_\_\_ Date: \_\_\_\_\_

Town of Orange Park  
2042 Park Avenue – Orange Park, FL 32073  
(904) 264-2635  
[www.townoforangepark.com](http://www.townoforangepark.com)

Rev. 2/1/2022



# Fence Permit Requirements FOR OWNER/BUILDER

-  Permit Application
-  Disclosure Statement Affidavit
-  Flagler County Tree Protection Form
-  Notice of Commencement if over \$5000.00 (Recorded)
-  Copy of Warranty Deed *(if different from the Property Appraisers website)*
-  Survey or site plan (indicating the location, type and height of fence)

\*\*\* THIS LIST IS INTENDED ONLY AS A GUIDE LINE FOR APPLICATION SUBMITTAL AND MAY OR MAY NOT BE ALL INCLUSIVE\*\*\*

It is the applicant's responsibility to produce Notice of Commencement as specified in Florida Statute Chapter 713.13. prior to the scheduling of inspections. All inspections must be complete to close out the permit when the project is complete. Failure to close out permits may result in additional fees and/or suspension of rights to obtain additional permits.





## CITY OF FLAGLER BEACH BUILDING DEPARTMENT

### FENCE PERMIT CHECKLIST

**Contractors must be current with Flagler County Building Services for permitting.**

- ☐ **Permit Application**
- ☐ **Proof of Property Ownership** (Copy of recorded warranty deed or print out from the Property Appraiser's office)
- ☐ **Disclosure Statement** (owner is acting as his/her own contractor) FS 489.103
- ☐ **Notice of Commencement** (required when value of labor and materials is over \$5,000.00) must be recorded and certified Flagler County Clerk of Court FS sec 713.135
- ☐ **1 Survey/Site Plan** (indicating the location, type and height of fence)

**Applicant must obtain a final inspection. Failure to close out permits may result in additional fees and/or suspension of permitting rights.**



## City of Bunnell Building Department

### Fence Permit Checklist

Contractors must be current with Business Tax Receipt (BTR) for permitting

- ☐ **Permit Application**
- ☐ **Permit Authorization Form** (Not needed if work is valued over \$2,500 or if owner is acting as the contractor)
- ☐ **Proof of Property Ownership** (Copy of recorded warranty deed or print out from the Property Appraiser's Office)
- ☐ **Disclosure Statement** (If Owner is acting as his/her own contractor) **FS 489.103**
- ☐ **Notice of Commencement** (Required when value of labor and materials is over \$2,500.00) Recorded and certified by the Flagler County Clerk of Court **FS sec 713.135**
- ☐ **2 Survey/Site plans** (Indicating the location, type, and height of fence)
- ☐ **H.O.A. Approval** (Needed for properties that reside in Grand Reserve or other HOA associated properties)

**APPLICANT MUST OBTAIN ALL REQUIRED  
INSPECTIONS INCLUDING THE FINAL INSPECTION**



CROSSROADS of FLAGLER COUNTY  
POST OFFICE BOX 756, BUNNELL, FL. 32110-0756 rev 3-07

Date: \_\_\_\_\_

**APPLICATION FOR A FENCE PERMIT**

Permit Number: \_\_\_\_\_

(386) 437-7516

COMMUNITY DEVELOPMENT DEPARTMENT

FAX (386) 437-8253

1. OWNER NAME : \_\_\_\_\_ PHONE: \_\_\_\_\_
2. MAILING ADDRESS : \_\_\_\_\_
3. PROPERTY LOCATION : \_\_\_\_\_
4. PARCEL ID # (THIS IS FOUND ON YOUR TAX RECEIPT OR DEED) \_\_\_\_\_
5. LEGAL DESCRIPTION OF PROPERTY: SECTION \_\_\_\_\_ BLOCK \_\_\_\_\_ LOT \_\_\_\_\_ SUBDIVISION \_\_\_\_\_
6. INSTALLATION CONTRACTOR : \_\_\_\_\_ CITY OCC LICENSE # : \_\_\_\_\_
7. CONTRACTOR ADDRESS: \_\_\_\_\_ PHONE: \_\_\_\_\_
8. TYPE OF FENCE : \_\_\_\_\_ HEIGHT : \_\_\_\_\_
9. TOTAL ESTIMATED COST OF FENCE: \_\_\_\_\_ (IF ESTIMATED COST IS **\$2500 OR MORE** A RECORDED NOC MUST BE SUBMITTED)
10. APPLICANT SIGNATURE : \_\_\_\_\_ DATE: \_\_\_\_\_

**\*PLEASE SUBMIT 2 COPIES OF SITEPLAN INDICATING PROPOSED AND EXISTING FENCE LOCATIONS AND HEIGHT OF FENCE WITH PERMIT APPLICATION FOR APPROVAL\***

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**FOR STAFF USE ONLY**

1. REVIEW for compliance with Section 34-183 of the land development code :
  2. Initials \_\_\_\_\_ Date : \_\_\_\_\_
- Meets land development code yes \_\_\_\_\_ no \_\_\_\_\_

2. FEE FOR PERMIT: \_\_\_\_\_ OTHER FEES: \_\_\_\_\_

3. TOTAL FEES DUE : \_\_\_\_\_

## **ORDINANCE NO. 1255**

AN ORDINANCE ADDING ARTICLE V. "FENCE REGULATIONS" TO CHAPTER 14 OF THE CITY OF LIVE OAK CODE OF ORDINANCES PERTAINING TO: APPLICABILITY, DEFINITIONS, PERMIT REQUIREMENTS, GENERAL REGULATIONS, REGULATIONS ACCORDING TO ZONING DISTRICT, MAINTENANCE, NONCONFORMING FENCES, ENFORCEMENT AND PENALTIES; AND PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LIVE OAK, FLORIDA:

**Section 1.** That Article V is added to Chapter 14 of the Code of Ordinances, City of Live Oak, Florida to read as follows:

### **Sec. 14-121 Applicability.**

1. This Ordinance shall apply to all lands within the corporate city limits, as amended, of the City of Live Oak, Florida.
2. It shall be unlawful for any person to: erect, construct, enlarge, alter, repair, replace, remove, maintain, demolish, or permit the ongoing utilization of any fence regulated by this Ordinance, in a manner which is in violation of any part of this Ordinance, unless otherwise provided for herein.

### **Sec. 14-122 Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

1. Barrier: Shall mean a fence, wall or other structure built to bar passage.
2. Commercially Utilized: Shall mean that commercial activity on the parcel is taking place by evidence of the issuance of a current City Occupational Tax License, except in the case where the activity is considered a Home Business or Home Occupation.
3. Corner: Shall mean the space between intersecting streets, the intersection of a street and an alley, the intersection of a driveway and an alley or the intersection of a street and a driveway.
4. Curb Break or Curb Cut: Shall mean a driveway or other opening for vehicles entering from or to a public street.
5. Fence: Shall mean an enclosing barrier that prohibits through passage.
6. Fence face: Shall mean the finished side having no structural posts or supports.
7. Fence, protective measures: Shall mean all fencing greater than 4 feet in height, proposed to be installed at a non-residential location, erected for the purpose of the protection of an area or building on the property, and its contents, or to prevent or deter the crossing of the fence onto or off of said property. Opaque fencing, erected on a property boundary with an abutting parcel, which contains no security, barbed or razor wires, which is to serve the purpose of a buffer as

required in the Land Development Regulations, shall not be construed to be a protective measures fence.

8. Intersection: Shall mean a point where streets, roads, highways, alleys and driveways meet or cross.
9. Member: Shall mean a structural component part of a fence.
10. Visibility range: Shall mean distance required to afford proper vision for pedestrian and vehicular traffic at intersections and/or corners.
11. Yard: Shall mean a required open space unoccupied and unobstructed from the ground upward provided, however, that fences, walls, poles, posts, and other customary yard accessories, ornaments, and furniture may be permitted in any yard, subject to requirements herein.
12. Yard, front: A front yard extends between side lot lines across the front of a lot adjoining a public street. Through lots, unless the prevailing front yard pattern on adjoining lots indicates otherwise, have front yards on all frontages. Corner lots and reverse frontage lots have two front yards of the required depth.
13. Yard, rear: A rear yard extends across the rear of the lot between inner side yard lines. Through and corner lots have no rear yards but only front and side yards.
14. Yard, side: A side yard extends from the rear line of the required front yard to the rear lot line or, in the absence of a clearly defined rear lot line, to the point on the lot farthest from the intersection of the lot line involved with a public street. Side yards of through lots extend from the required rear lines of front yards. Corner lot yards remaining after front yards have been established on both frontages are considered side yards.
15. Zoning atlas map or districts: Shall mean the district lines as shown on the Official Zoning Map of the City of Live Oak, as amended.

#### **Section 14-123 Permit Requirements.**

1. It shall be unlawful for any person to erect, construct, enlarge, alter, or replace any fence regulated by this article without first obtaining a separate permit for each fence from the City Building Official. A fence permit shall not be required if it is determined by the Building Official that only minor repair or painting is necessary.
2. Permits shall be applied for on forms provided by the City.
3. Proposed fences shall be subject to the prior review and approval of a minor site plan and building plan.
4. The fee for permits issued regarding fences shall be \$30.00 for any residentially zoned or utilized property and \$50.00 for any non-residentially zoned or utilized property.
5. Permits for any fences over 6 feet in height shall also require the submittal of sealed engineered plans for construction and wind loads.
6. Required plans shall be drawn to scale and shall include the following:

- a. Building locations and area to be fenced.
  - b. Legal description of land to be fenced.
  - c. Height of fence and type of materials to be used.
  - d. Intersections of streets, roads, highways, alleys and driveways.
  - e. Zoning.
  - f. Corner "visibility range," when required, shall be shown.
7. In cases where a fence is to be erected within 10 feet of a property line, or of an adjacent public right-of-way, and said property line cannot be substantiated by the property owner by method of existing property boundary markers, rods, monuments, or other acceptable measures, at the discretion of the Building Official, a certified survey of the property shall be a requirement as part of the necessary documents in order to secure a permit.
  8. The Building Official may require the applicant to provide the manufacture's standards to establish the intended use of a proposed fencing material.
  9. Prior to the submission of an application for a fence permit, the property owner shall indicate with flags, string, paint or other acceptable method, the proposed location of the fence on the property.
  10. An application for a fence permit shall be evidence and certification that the applicant has or will notify all required utility owners who may have under-ground or above-ground wires, pipes or other improvements, giving required notice for location and marking, prior to any construction commencing.
  11. The issuance or granting of a permit under this article, or approval of plans shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this article or any other code or ordinance of the city.
  12. Every permit issued by the Building Official under the provisions of this article shall expire by limitation and become null and void if the authorized work is not commenced within 60 days from the date of permitting, or if the authorized work is not completed within 90 days from permit issuance, or is abandoned for a period of 90 days from permit issuance. Before the work can be recommenced, a new permit shall be first obtained.

#### **Section 14-124 General Regulations.**

1. No fence, fence component, or guy wire, shall be constructed upon, or extend over, property that the City or has control over, owns as an easement over or under, or which is designated as any public, utility or transportation right-of-way.
2. In all zoning districts where additional criteria regarding buffers, outside storage of material, equipment, goods and supplies, or other applicable requirements exist, all fencing shall further comply with the general Land Development Regulations.
3. That side of any fence considered to be its face shall always be directed towards and seen from abutting or adjacent properties or all public rights-of-way.
4. No person shall construct a fence out of used, damaged or unsafe materials.

# Typical Residential Permit Documentation Requirements

Note: Many thanks go to Volusia County for allowing the use of this form, with alterations to more closely match requirements of the City of Daytona Beach. This is only a general list of required documents. Also check submittal forms for specific job types.

Permit Type (Residential)	Plans/Documents/Forms/Affidavits, etc. needed for PLAN or Permit Tech sign off
<b>Above Ground Pool</b>	2 sets of pool specifications; safety feature must be addressed on application or with plans; 1 survey with the surveyor's seal; 2 site plans showing location of proposed structure.
<b>Addition (Aluminum)</b>	2 sets of construction plans with the architect's / engineer's seal or 2 sets of current master plan engineering with Aluminum Framing Plan and copy of engineer's authorization letter; 1 survey with the surveyor's seal; 2 site plans showing location of proposed structure.
<b>Addition (Frame/Masonry)</b>	2 sets of construction plans with the architect's / engineer's seal; 2 truss packets with the engineer's seal; 1 survey with the surveyor's seal; 2 site plans showing location of proposed structure; energy forms.
<b>Alteration</b>	2 sets of construction plans with the architect's / engineer's seal if change is structural or affects the building envelope ... (Ex: convert garage to living area) or 2 copies scope of work list; 2 truss packets with the engineer's seal if applicable; 1 survey with the surveyor's seal and 2 site plans if changing footprint of building; floor plan showing location of work; energy forms if change to habitable area.
<b>Alteration (Aluminum)</b>	2 sets of construction plans with the architect's / engineer's seal or 2 sets of current master plan engineering with Aluminum Framing Plan and copy of engineer's authorization letter if change is structural or affects the building envelope; 1 survey with the surveyor's seal and 2 site plans if changing footprint of building; floor plan showing location of work; energy forms if heating or cooling project area.
<b>Aluminum Structure with mobile home</b>	2 sets of construction plans with the architect's / engineer's seal or 2 sets of current master plan engineering with Aluminum Framing Plan (including 4th wall construction) and copy of engineer's authorization letter; 1 survey with the surveyor's seal & 2 site plans or if inside a mobile home park, 2 site plans only.
<b>Antenna</b>	2 sets of construction plans with the architect's / engineer's seal that will address wind load; 1 survey with the surveyor's seal; 2 site plans if attached to a guy.
<b>Building Moving</b>	House Moving application (no owner builders) & Single Family Residential application for foundation (2 sets foundation plans with architect's / engineer's seal), but pick only 1 work type (Building Moving) with house mover as main contractor & owner can do the foundation portion (just list owner as a sub). Pull Pre-House Moving paperwork & put with this permit; 1 survey with the surveyor's seal; 2 site plans showing location of proposed structure; 2 copies of floor plan showing any improvements (**additional plans or scope of work list if alterations or repairs); proof of water (most current utility bill); energy forms.
<b>Burglar Alarm/Security Systems (low voltage)</b>	low voltage alarms that can be plugged into an existing outlet, do not need a permit. If a circuit needs to be run, pick "Electrical" instead of burglar alarm.*
<b>Carport (Aluminum)</b>	2 sets of construction plans with the architect's / engineer's seal or 2 sets of current master plan engineering with Aluminum Framing Plan and copy of engineer's authorization letter; 1 survey with the surveyor's seal; 2 site plans showing location of proposed structure.
<b>Carport (Frame/Masonry)</b>	2 sets of construction plans with the architect's / engineer's seal; 2 truss packets with the engineer's seal if applicable; 1 survey with the surveyor's seal; 2 site plans showing location of proposed structure.
<b>Deck</b>	2 sets construction plans (plans may be required to be sealed by an architect or engineer if deck is elevated more than 4' or of an unusual design); 1 survey with the surveyor's seal; 2 site plans showing location of proposed deck.
<b>Demolition (Entire Structure)</b>	Square footage of building must be indicated; current use of building. Complete the demolition permit package; 1 survey with the surveyor's seal; 2 site plans showing location of current building(s).
<b>Demolition (Partial)</b>	Not related to future use: square footage of building must be indicated; current use of building; floor plan indicating area to be demolished. *** Demolition for purpose of addition or renovation must be submitted as part of the overall project.
<b>Dock and/or Boathouse</b>	2 copies of DEP permits & ACOE if applicable; 2 sets of construction plans (plans will need architect's / engineer's seal); 2 surveys (1 with the surveyor's seal).
<b>Driveway</b>	1 survey with the surveyors seal; 2 site plans which show where the driveway is to be located. Driveways can be concrete, asphalt, or pavers. The apron shall be 3,000 P.S.I. concrete and 6" thick. Minimum 5' setback from side property line. Minimum width 12' & maximum width 20'. Additional requirements apply for circular/2 cuts.



<b>Drywall – Replacing, Covering</b>	2 sets of construction plans showing layout and location of all work. If on wall of exterior, provide insulation details. May require more detail including draftstopping, fireblocking, etc. If layout is changing, see ALTERATION.
<b>Duplex (same parcel...1 permit... no owner contractor since both would not be for personal use)</b>	2 sets of construction plans with the architect's / engineer's seal; 2 truss packets with the engineer's seal; 1 survey with the surveyor's seal; 2 site plans showing location of proposed structure; all site plans should show shape & dimension of lot with street location & name, footprint of duplex, location of well & septic with required distances indicated and driveway dimensions at property line and flare (DOT permit if connecting to a state road); proof of water; energy forms (1 set for each side of the duplex).
<b>Electrical</b>	Permit required for all new wiring. Permits not generally required for replacing existing switches, receptacles, light fixtures, etc.
<b>Electrical for Generator/Transfer Switch</b>	specifications on the transfer switch must be on the job site
<b>Fence (Non-Structural)</b>	1 survey with the surveyor's seal; 2 site plans showing location of proposed fence.
<b>Fence (Structural, requiring footers)</b>	2 sets construction plans (if being used as a retaining wall, see that category for plan requirements); 1 survey with the surveyor's seal; 2 site plans showing location of proposed fence.
<b>Fireplace/Chimney</b>	2 sets of construction plans with the architect's / engineer's seal; 2 site plans showing location of proposed structure.
<b>Garage</b>	2 sets of construction plans with the architect's / engineer's seal; 2 truss packets with the engineer's seal; 1 survey with the surveyor's seal; 2 site plans showing location of proposed structure.
<b>Gas Connections</b>	1 fixture only: Permit required, but no riser diagram needed. Multiple fixtures: 2 riser diagrams that include type of gas, pressure, piping material, pipe sizes, run lengths & BTU ratings of utilization equipment.
<b>Generator</b>	Specifications on generator & transfer switch must be on the jobsite for inspection; (if electric only for future generator, see the instructions for "electrical for generator/transfer switch" instead); 2 site plans showing location of proposed structure.
<b>Generator with transfer switch</b>	Specifications on generator & transfer switch must be on the jobsite for inspection; (if electric only for future generator, see the instructions for "electrical for generator/transfer switch" instead); 2 site plans showing location of proposed structure; name electric subcontractor; ** if generator is existing and this is a change out, only an electrical permit is required.
<b>Glass Room / Vinyl Room</b>	2 sets of construction plans with the architect's / engineer's seal or 2 sets of current master plan engineered pages with copy of engineer's authorization letter; 1 survey with the surveyor's seal; 2 site plans showing location of proposed structure; Provide electrical permit application for Glass Rooms; do not need energy forms if non-conditioned (aluminum construction)...Vinyl Rooms: if removable panels need to be used it must be noted on the submission.
<b>HVAC (replacement)</b>	Replacing Existing Unit.
<b>HVAC (Rooftop Equipment)</b>	2 sets of Engineered Connection details; details on stands.
<b>Hot Tub</b>	Portable hot tub/spa that is delivered and plugged into an existing outlet does not require a permit. If portable hot tub/spa is hard wired, it requires just an electrical permit, without any specifications. These hot tubs/spas generally come with a cover to secure the hot tub/spa when not in use. In-ground unit (a package unit hot tub/spa). This requires plans similar to fiberglass pool. See "Swimming Pool"
<b>Liquid Propane Gas Installation (above ground and inground)</b>	Tank installation and related gas connections. If tank existing, use "gas connection" work type instead. For generator being issued to another contractor, generator specifications are not required with this submittal. 2 copies of riser diagram for multiple connections; 2 site plans showing size of tank, location of tank and location of generator if applicable.
<b>Mechanical (also HVAC)</b>	Permit required for replacing or installing HVAC system. Permit generally not required for minor maintenance such as minor part replacements, minor repairs, etc.
<b>Mobile Home</b>	Manufacturer's installation manual (for new units only); 1 copy manufacturer's blocking diagram; HUD Approved Manufactured Home Installation Worksheet; 1 survey with the surveyor's seal; 2 site plans or if inside a mobile home park, 2 site plans only; energy forms.
<b>Mobile Home Replacement</b>	Manufacturer's installation manual (for new units only); 1 copy manufacturer's blocking diagram; HUD Approved Manufactured Home Installation Worksheet; 1 survey with the surveyor's seal; 2 site plans or if inside a mobile home park, 2 site plans only; energy forms; proof of existing water & sewer; documentation to waive impacts.
<b>Mobile Home Roofover</b>	2 sets of construction plans with the architect's / engineer's seal or 2 sets of current master plan engineering with roof layout plan and copy of engineer's authorization letter.
<b>Other</b>	***Requirements will vary ... check for similarities with other work types.***



### **Do I need a permit for a fence?**

Fences are regulated by Section 2-50 (n) of the City's Land Development Code and require a permit. A survey showing the location of the proposed driveway is required.

All fencing must be installed with the finished side facing the adjacent lot. Fences used as pool barriers must meet the requirement of the Florida Building Code 4501.17.

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**City of South Daytona**  
**Community Development Department**

1672 S. Ridgewood Avenue • South Daytona, FL 32121 • 386/322-3022 • Fax 386/322-3018



**MEMORANDUM**

**To:** James L. Gillis Jr., City Manager  
**From:** S. Laureen Kornel, Community Development Director  
**Date:** August 11, 2020  
**Re:** Ordinance No. 2020-16 Allowing fences in front yards

**AGENDA ITEM**  
# E 14 DATE 8/11/20

**Introduction**

This is an administrative request to amend Article V, Section 5.6, Supplementary regulations, under Section E, Fences and walls, of the City's Land Development Code (LDC) to allow fences in front yards.

**Background**

The Land Development Code currently prohibits fences in front yards. As described in the attached Planning and Appeals Board staff report, this action proposes to amend the fence regulations to add building permit guidance, add a description of fence materials, allow fences in front yards; prohibit fences in conservation areas, and to clarify that fences may be allowed in drainage and utility easement.

**Analysis**

The Land Development Code criteria has been analyzed and provided in the attached Planning and Appeals Board attached to this Memorandum as Exhibit A. The proposed amendment is consistent with the Comprehensive Plan and meets the criteria of the Land Development Code. The PAB met to discuss this item on July 15, 2020, and unanimously (6-0) recommended approval to the City Council.

**Staff Recommendation**

Staff recommends amend the City's Land Development Code to allow fences in front yards. Attached to this memorandum as Exhibit B is Ordinance 2020-16 which achieves this purpose.

Attachments: Planning and Appeals Board Staff Report  
Ordinance 2020-16

E. Fences and walls. Fences and walls are intended to promote privacy, screening, separation, security, erosion control, or to serve other necessary and reasonable functions. All fences and walls shall be constructed in compliance with applicable building codes and according to the following dimensions and use regulations.

1. Purpose and intent: All fences must be substantially constructed of materials approved for the purpose. In all zoning areas, the administrative official may impose additional restrictions upon the height or location of fences or walls where they are deemed to constitute an impairment to traffic safety or are detrimental to normal visibility or air circulation from adjoining properties. Minor modification of a requirement may be allowed if the CDD and the CBO agree that the facts of a specific physical situation would make it unreasonable to strictly impose the requirement. Nothing in this section supersedes or eliminates screening walls or fences required by other sections of this Code.

2. Building permit required: It shall be unlawful for any person to erect, alter or locate a fence within the City without first having made application for and having been issued a permit. An application for a fence permit includes a site plan showing:

1. All structures on the site;
2. All easements, rights-of-way, and dedications;
3. Location of the fence in relationship to the property boundary lines and all building and structures on the lot;
4. Height and material of the fence;
5. Scaled drawing of a fence section, if the fence must comply with openness requirements; and
6. Any other information requested by the City Manager or designee which is necessary to make a compliance determination.

23. R1a, R1b, R1c, and R2 Residential Districts.

a. Definitions:

1. ~~"Decorative wall": A wall constructed of brick, concrete block, or other masonry materials which is designed, constructed, and finished with the intent and result of providing an attractive visual accent to the property upon which it is located.~~
2. ~~"Decorative fence": A fence constructed of wrought iron or other durable, long-lasting material, other than a common wooden fence, which is designed, constructed, and finished with the intent and result of providing an attractive visual accent to the property upon which it is located.~~
3. ~~"Frontage yard": A yard which abuts a street. Such yards generally consist of front and side corner yards.~~

ab. Front yards: For front yards which abut a street and generally consist of front and side corner yards, fences or walls of open construction shall be permitted up to 4' in height (maximum 50% opacity). For homes setback a minimum of 100', 6' fences and gates (maximum 50% opacity) shall be permitted. Acceptable materials shall include, but are not limited to natural or artificial stone, brick, masonry, wrought iron, stuccoed concrete block, vinyl and wood picket style. Unacceptable materials shall include, but are not limited to, the following: chain-link, and common wooden fences such as shadow-box, board, and post and rail.

No fence or wall may be installed closer than 25 feet from the right of way of the abutting street. Any such fence or wall shall not exceed a height of six feet, if it is located at or behind the plane of the street-facing wall of the principal building; however, if it is located streetward of such plane, it shall not exceed 4' in height.