



Date Completed: _____

Permit #: _____

APPLICATION FOR: FENCE PERMIT

- A permit must be issued and paid for prior to any work commencing. **You must call for inspections of all work.**
- All fences must comply with Ordinance No. 1511

Date Stamp:

Received by: _____

THESE SECTIONS TO BE COMPLETED BY APPLICANT

Property Type: COMMERCIAL RESIDENTIAL

Applicant is the property: owner (*on deed*) tenant/contractor* (*If non-owner, have owner sign a letter of authorization form*)

Name: _____ Email: _____

Address: _____ City: _____ State: _____ Zip: _____

Home Phone: _____ Cell Phone: _____

Please check this box if you are doing the installation work as the property owner.

If work is being done by yourself as the property owner, please indicate where the fence materials will be purchased from:

If you are hiring a Contractor or Company (or have been hired by the owner) to install the fence:

Name: _____ Email: _____

Address: _____ City: _____ State: _____ Zip: _____

Work Phone: _____ Cell Phone: _____

Property/Job Location

Address: _____ City: Live Oak State: FL Zip: 32064

Parcel ID #: _____

- 1) Will this fence be located on a corner lot? Yes No
- 2) This fence - is new replaces an existing fence * (*If existing – show those portions on the site-plan.*)
- 3) Are any fences going to be removed and not replaced? Yes* No
* (*If yes – show those portions on the site-plan.*)
- 4) Will the new fence tie into an existing fence? Yes* No
* *If yes, is the fence on your property or a neighbor's property?* _____
* *If neighbor's, please have them write a letter authorizing you to tie into their fence.*
- 5) Is any portion of the proposed fence along a property line? Yes No
- 6) Do you have a survey of the property? Yes* No
* *If yes, please provide a copy, or bring the survey in for a copy to be made.*
- 7) If no, are you certain where your property lines are? Yes No - *If you are not sure, the City is not able to locate property lines for you, and to be certain, we recommend you have a survey done.*
- 8) Are there any trees intended for removal to make way for the fence? Yes* No
* *If yes, are they on your property or the City right of way?* _____
* *If yes, are any of them Live Oak Species trees with a 30 inch or more trunk?* Yes No

If a Live Oak tree, it may be protected and would require a vote by the City Council to be removed.

DESCRIBE DETAILS ABOUT THE PROPOSED FENCE

COST – How much will the fence cost you (materials and labor): \$ _____

PURPOSE - Please indicate the **purpose for the fence**. (Check all that apply)

- Establish property line along street frontage Establish property line with neighboring property
- Interior property areas Solid buffer or privacy fence Screening around dumpster
- Outdoor storage area (list what is proposed to be stored) _____
- Protective Measure Fencing (**For the purpose of protection of an area or building on the property, or to deter the crossing of the fence onto or off of the property**)
- Other: _____

HEIGHT – (*Certain heights may require signed and sealed engineering*)

What will be the **height of the fence** from ground level to the top? _____ Feet

Will the height **vary** for different portions of the fence? Yes* No

(*) If yes, please show the different heights on your attached site plan.

TYPE - Type of fence material: (*Certain types may require signed and sealed engineering*)

- Wood – Privacy Wood - Shadow-Box Wood - 2 or 3 Rail Style Chain Link
- Vinyl/PVC/Fiberglass Wrought Iron Metal Tubing Woven or welded metal field fence
- Stone/Masonry/CMU Block Wall Any portion to contained barb-wire? Any portion to be electrified?
- Other: _____

POSTS

What type of posts will be used to support the fence: _____

How deep in the ground will the posts go: _____

How many feet apart will the posts be: _____

What type of support will the posts have (compacted soil, compacted rock, cement)? _____

Are there any gates proposed for the fence? Yes No

If yes, is any gate intended for a vehicle to drive through? Yes* No **(If yes, see below)*

- **If a gate is proposed to allow vehicle access from the street to the property through the gate – either the gate will need to line up with an existing improved (cement or asphalt) driveway, or you will need to also file a separate permit application for a new driveway approach to be installed from the street to your property line. There are code standards for all driveways – number, location and size/width. An evaluation will need to be done to determine if what is proposed can be approved.**

NOTE: If any part of your proposed fence cannot be approved, we will contact you to explain why your application was denied and/or to explain how the application can be changed in order to be approved.

NOTE: If your property is in the FEMA flood zone, certain types of fences may not be allowed unless they are placed in a manner which will not affect floodwater flows.

NOTE: If you are proposing a wood or vinyl fence, etc. where one side is different than the other – for **Residential**, code requires the finished side of the fence to face out towards your neighbor or street, and the unfinished side facing into your yard.

NOTE: All **Commercial & Industrial** fences require the fence to be “Double-Faced” - finished the same on **both sides** in order to hide all structural members of the fence (*for certain fence types*).

SUBMITTAL REQUIREMENTS

Please include with this application:

- **Site Plan is Required** – A survey or an aerial map image of the property, with the proposed location of fence and other details drawn in (if no survey is available, please see Planning Staff for a property map printout).
- Show on the site plan the length in feet of each leg of fencing that is proposed.
- Show on the site plan where the fence will change in height (if applicable).
- Show on the site plan all locations of gates and the sizes of each gate.
- Please also submit a photo, brochure or elevation drawing of the type of fence you are proposing.
- Please also show on your drawing the post depth, and what type of material will go around the posts and in what quantity and dimension.

CITY STAFF WILL ADD COMMENTS TO YOUR SITE PLAN AND RETURN A COPY TO YOU WITH THE PERMIT. YOU MUST FOLLOW ALL COMMENTS SHOWN ON THE SITE PLAN

Applicant Acknowledgement

- *If you are a contractor pulling a permit, you are responsible to communicate to the owner of the property any relevant information as listed on this application or in the attached fence ordinance and approved site plan.*
- *The owner of the property is ultimately responsible for improvements to their property meeting code.*
- *Any fence erected which is found to not meet code requirements shall be required to be removed or altered to meet code. By obtaining a permit, you are certifying you have read and understand the attached fence code.*
- *If a fence has the potential to, or is found to, block visibility of street ROW intersections and/or driveway/street intersections, by code, the height of the fence will need to be reduced to provide for line-of-sight triangles.*
- *The property owner is responsible to ensure the proposed fence is wholly located on their property. Issuance of a permit does not constitute the City of Live Oak being responsible, if in any fashion the fence is found in the future to encroach on the right of way or adjacent private property. In that event, any required future removal or relocation will be at the owner’s expense.*
- *I (we) do hereby certify that to the best of my (our) knowledge and belief, that all of the above statements and information, and the statements contained in any papers or plans submitted herewith, are true and correct. I (we) authorize the Building Official, Fire Chief, Public Works Director or City Development Manager or his/her designee to enter and inspect the site and premises which is the subject of this application.*
- *I (we) also understand that it is the owner’s responsibility to ensure that structures are properly located and used within allowances on the property to meet various code requirements, setbacks and without encroachments. Once approved, permits issued and inspections done, if found to be a violation in the future, subsequent Code Enforcement actions may occur to bring about compliance.*
- ***I (we) also understand and agree that no digging will take place until 811 has been called and locates done and marked for all utilities which may be present in the areas proposed for a fence.***

By utilizing these allowances, any person owning or operating such structure or use agrees to indemnify, defend, save and hold harmless the City, its officers, agents and employees from any and all claims, liability, lawsuits, damages and causes of action which may rise out of such activity, use or structure.

_____	_____	_____
Printed Name	Signature	Date
_____	_____	_____
Printed Name	Signature	Date

RETURN APPLICATION TO:

Office/Mail:

City Hall Annex - 416 Howard Street E - Live Oak, FL 32064

Email:

loannex@cityofliveoak.org

Phone:

386.362.2009 ofc. - 386.330.6507 fax

TO BE COMPLETED BY CITY STAFF

Property Zoning: _____

Flood Zone: _____

Approvals and Permit Issuance:

Zoning Dept. _____

Building Official: _____

Details:

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, including but not limited to conducting fence related work without prior application, review, written approval and building permit issuance through and by the Live Oak Planning and Live Oak Building Departments.

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. The Land Development Regulation Administrator shall be responsible for the application and interpretation of these words, terms and phrases, and subsequent sections, except instances where the Florida Building Code is applicable.

1. Barrier: Shall mean a fence, wall or other structure built to bar passage.
2. Commercially / Industrially Utilized: Shall mean that non-residential/ commercial activity on the parcel is taking place by evidence of the issuance of a current Certificate of Use along with a Business Tax Receipt, 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 or exiting the subject property from or to a public street, regardless whether there is an actual curb along the edge of the street pavement or not.
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 showing or visible. Certain decorative and solid vinyl type fences may be designed with supports being installed between adjacent panels in a complementary manner, which would then be defined as double-faced as both sides are identical.
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, yard 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. Maintenance and Repair (Minor): Shall mean painting, staining, and replacement hardware (brackets, nails, or screws). Repair or replacement of existing face-boards and structural members such as horizontal supports and vertical posts, shall be termed a replacement, requiring a permit and full compliance.
10. Member: Shall mean a structural component part of a fence.
11. Visibility Range: Shall mean distance required to afford proper vision for pedestrian and vehicular traffic at intersections and/or corners.
12. 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 and as applicable in the City’s Land Development Regulations. The term “yard” can also be construed to mean property line.
13. Yard, Front: A front yard extends from property corner to corner, along the portion of a parcel of land which fronts and abuts a public street right-of-way. 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. Additionally, when proposed in other areas not considered along a property line, the Front Yard for Residential uses is the open space area from Side Yard to Side Yard, along a line equal to the front wall of the existing house as built to the street frontage right-of-way line.
14. 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.
15. Yard, Side: A side yard extends from the property corners considered part of the Front Yard, to the property corners considered part of a Rear Yard 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 to and from front yards. Corner lot yards remaining after front yards have been established on both frontages are considered side yards.
16. 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 Department. A fence permit shall not be required if it is determined by the Building Official that only minor repair (as defined herein) or painting is necessary.
2. Permits shall be applied for on forms provided by the City. If the applicant is not the owner, he/she will need to submit a notarized letter of authorization by the owner of record, along with the application forms.

3. Proposed fences shall be subject to the prior review and approval of a minor site plan and building plan, by both the City’s Planning Department as well as the Building Department.
4. The fee for permits issued regarding fences shall be a minimum of \$30.00 for any residentially zoned or utilized property and a minimum of \$50.00 for any non-residentially zoned or utilized property, when total job valuation is \$1,000 or less. For total job valuation which exceeds \$1,000, the fee shall be the minimum, plus \$5.00 for each additional thousand(s) of valuation, or fraction thereof.
5. Permits for any fences over 6 feet in height shall also require the submittal of sealed engineered plans for construction and wind loads, at the discretion of the Certified Building Official.
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 survey 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, ie: Florida Product Approval Codes.
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. This includes, but is not limited to, creating a ticket and obtaining final locates and flags/markings/verification through the Sunshine 811 Service.
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, with required fees paid.

13. The owner or owner’s agent must file a Notice of Commencement when the job value meets or exceeds that stated under 713 Florida Statutes, as amended.
14. If the applicant intends to connect a new fence on his/her property to an existing fence on a shared property boundary – he/she must submit a notarized letter of authorization by the property owner whose fence is proposed to be connected to.

Section 14-124 General Regulations.

1. No fence, fence component, or guy wire, shall be constructed upon, or extend over, property that the City owns or has control over, owns as an easement over or under, or which is designated as any public, utility or transportation right-of-way, or upon property not owned by the applicant.
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, unless in the case when fences are required to be double-faced. Double-facing to hide all structural members is required for all non-residential fences, when any fence face is visible from a driveway, parking area, or adjacent right-of-way.
4. No person shall construct a fence out of used, damaged or unsafe materials.
5. At the discretion of the Building Official, all fences shall have a minimum of one pedestrian gate for emergency ingress and egress. Additionally, in accordance with the Land Development Regulations, a curb-break and driveway approach shall be required for all vehicle gates or vehicle access through a gate or opening when access is utilized other than through an existing improved driveway on the subject property.
6. All fences shall be constructed to be no higher than the height restrictions for the associated location where it is proposed to be located. Height measurements shall be from normal grade of the land, exclusive of any retaining walls or berming which may have taken place. If fill material has been removed, the new grade shall be the lowest point along the area which has been excavated.
7. No physical damage of any kind shall occur to abutting or adjacent property during construction.
8. Provisions shall be made for gas, water or other utility meters or sources to be readily accessible for examination, reading, replacement or necessary maintenance as required by: the Code of Federal Regulations, the National Fuel Gas Code, or any necessary action by City staff or contracted designees.
9. Any property, neighborhood or association deed restrictions which are in effect, which are more restrictive than this Ordinance, shall be followed by any person seeking to erect a fence on property covered by those applicable restrictions or regulations however, the City shall not be liable to enforce such.

10. Any existing or future fence which may be located across an easement or other publically controlled area, if said area requires maintenance or construction by the controlling private or public entity, said fence and any related components shall be removed and subsequently replaced at the expense of the individual or agency, who erected, owns or controls the fence.
11. All applicants for, and/or recipients of, a fence permit, property owners or occupants thereof, whose property a fence permit is issued for, adjacent, abutting or other property owners, home owners associations and similar entities, or agents thereof, shall indemnify and hold the City harmless from any and all liability or damages which may occur or result from any construction of or on a fence, or related components, within the Corporate City Limits.
12. Any instance where the intent, scope or applicability of the Land Development Regulations is to be determined shall be evaluated and decided by, and at the discretion of, the Land Development Regulation Administrator for the City.
13. All fences, or instances where a fence may be a requirement, such as around a pool structure, shall adhere and conform to all applicable State of Florida Building Codes in effect at the time of construction. Instances where codes require a fence, and no satisfactory fence was erected, shall be enforced as a violation as provided for in all applicable regulations, codes, ordinances or statutes.
14. Protective measures fencing: The permit for such a fence shall only be granted after demonstration of the need of such a fence and through approval by the City Land Development Regulation Administrator. He or she shall consider the current zoning, future land use, current and proposed utilization of the property, the location and height of the proposed fence and the adjacent land uses and character of the area.

Approval shall only be granted if such a fence at the proposed location would not be inconsistent with the intent of the City Comprehensive Plan, Land Development Regulations and general character of the area.

Whenever said protective measures fence proposes to include or employs barbed wire, said fence shall only be permitted in a side or rear yard area, except for commercially and industrially zoned locations in which overall existing or proposed parcel occupancy is determined by the Land Development Regulation Administrator to necessitate security fencing of the entire parcel, including front yard areas. Said barbed wire shall be located along the uppermost edge of such fence.

The minimum height for such fence below the barbed wire extension shall be 6 feet, provided that if security barbed wire is to be installed at an angle, it shall not extend over or beyond any portion of the public walkways or public streets. Barbed wire when approved must be installed to raised fixed arms or poles, and run in a straight fashion above the associated fence to which it is attached. When approved, the maximum height allowances herein for fencing shall be increased by up to 18 inches, to provide for such barbed wire.

Circular or spiral razor wire is not permitted except for publically owned parcels, such as jails and prisons.

Such areas within any yards may also be vinyl, PVC, or composite materials specifically manufactured as fencing.

15. Fence allowances proposed on Conservation and Public Zoning Districts, as well as on all publically held or controlled lands shall be determined at the discretion of the Land Development Regulation Administrator in comparing the current and proposed land use with the intent of the Comprehensive Plan and the adjacent land uses.

Section 14-125 Regulations according to zoning district.

1. **All zoning districts:**

- a. Visibility at intersections and curb breaks.

- (1) Visibility at street ROW intersections: No fence shall be erected on a corner lot in such a manner as to obstruct vision between a height of 2 ½ feet and 6 feet above the centerline grades of the intersecting streets in the area bounded by the street lines of such corner lots and a line joining points along said street lines 25 feet from the point of intersection of the public right-of-way line(s).
- (2) Visibility at curb breaks: No fence shall be erected where a curb break or driveway intersects a public street right-of-way in such a manner as to obstruct cross-visibility between a height of 2 ½ and 6 feet within the areas of property on both sides of the curb break or driveway formed by the intersection of each side of the curb break and public right-of-way lines with two sides of each triangle being 10 feet in length from the point of intersection and the third being a line connecting the end of the two other sides.

2. **Residentially** zoned or utilized parcels, unless otherwise provided for:

- a. Permitted materials are: wood, metal tubing, wrought iron, stone, masonry, and chain link. Vinyl, PVC or fiberglass composite materials may be utilized if the material is listed, designed and constructed for fencing materials. Woven or welded metal field-fence or other wire type fence shall be permissible within any side or rear yard area, so long as supported and attached appropriately to wood or metal posts spaced every 10 feet or less. Woven or welded metal fencing shall also be permitted in front yard areas, when areas between posts are framed in squares or rectangles on all sides by 1” x 6” or larger wood fence boards attached to wooden posts. Galvanized metal panels may be incorporated as part of a wood privacy fence, when determined by the Land Development Regulation Administrator to be consistent with the character of the area and intent of this code.
- b. Prohibited materials are: rope; string; wire products not otherwise permitted, including: chicken or poultry netting, barbed wire, razor ribbon; chain, netting, cut or broken glass, paper, metal panels, corrugated metal panels, galvanized sheet metal, plywood, fiberglass panels or plastic panels or any other materials, not listed as permitted, including any that are not designed and manufactured specifically as fencing materials.
- c. No fence shall be permitted to be electrified or otherwise modified in such a way as to cause harm to any living thing which may come into contact with it.

- d. Except in areas bounded by the intersection of street lines of right-of-way intersections, or by the intersection of a driveway curb-break and a street right-of-way, fences shall be limited in height to 6 feet along any side or rear yard areas, and 4 feet in all front yard areas. A corner property may propose a fence to side yard height along the secondary street frontage property line which the front door of the house does not face – this provision begins at the back property corner furthest from the street corner, to a point equal to the front wall corner of said house which contains the front entry door.

An internal residential property corner sharing a side yard and front yard may extend the side yard allowance along the front yard up to 6 linear feet from the corner, when the respective adjacent property is non-residentially used.

3. **Commercially** zoned or utilized parcels, unless otherwise provided for:

- a. Permitted materials are: wood, metal tubing or wrought iron, stone, masonry and chain link. Vinyl, PVC or fiberglass composite, and similar materials may be utilized if the material is listed, designed and constructed for fencing materials.

The Land Development Regulation Administrator may approve agricultural woven or welded metal type field fence, t-posts, electrified components, and/or attached straight run barb wire located on undeveloped commercial property to contain livestock in order to comply with agricultural exemption requirements for property tax purposes. Electrified fences are also subject to 14-125 5. d., herein.

- b. Protective measure fences: when proposed and approved as provided for herein, shall be permitted only in CG, CI and CSC zoning districts.
- c. Prohibited materials, unless otherwise permitted, are: rope; string; wire products not otherwise permitted, including: chicken or poultry netting, woven metal field-fence, barbed wire, razor ribbon; chain, netting, cut or broken glass, paper, metal panels, corrugated metal panels, galvanized sheet metal, plywood, fiberglass panels or plastic panels or any other materials, not listed as permitted, including any that are not designed and manufactured specifically as fencing materials.
- d. No fence shall be permitted to be electrified or otherwise modified in such a way as to cause harm to any living thing which may come into contact with it.
- e. Except in areas bounded by the intersection of street lines of right-of-way intersections, or by the intersection of a driveway curb-break and a street right-of-way, fences shall be limited in height to 10 feet along any side or rear yard areas and 6 feet in all front yard areas.

4. **Industrially** zoned or utilized parcels, unless otherwise provided for:

- a. Permitted materials are: wood, metal tubing or wrought iron, stone, masonry and chain link. Vinyl, PVC or fiberglass composite, and similar materials may be utilized if the material is listed, designed and constructed for fencing materials.

The Land Development Regulation Administrator may approve agricultural woven or welded metal type field fence, t-posts, electrified components, and/or attached straight run barb wire located on undeveloped industrial property to contain livestock in order to comply with agricultural exemption requirements for property tax purposes. Electrified fences are also subject to 14-125 5. d. herein.

- b. Protective measure fences: when proposed and approved as provided for herein.
- c. Prohibited materials, unless otherwise permitted, are: rope; string; wire products not otherwise permitted, including: chicken or poultry netting, woven metal field-fence, barbed wire, razor ribbon; chain, netting, cut or broken glass, paper, metal panels, corrugated metal panels, galvanized sheet metal, plywood, fiberglass panels or plastic panels or any other materials, not listed as permitted, including any that are not designed and manufactured specifically as fencing materials.
- d. No fence shall be permitted to be electrified or otherwise modified in such a way as to cause harm to any living thing which may come into contact with it.
- e. Except in areas bounded by the intersection of street lines of right-of-way intersections, or by the intersection of a driveway curb-break and a street right-of-way, fences shall be limited in height to 12 feet along any side or rear yard areas and 8 feet in all front yard areas.

5. **Agriculturally** zoned parcels, unless otherwise provided for:

For the purposes of this section, any residentially zoned parcel, 2 or more acres in size, which is an existing nonconforming agriculturally utilized parcel, shall be allowed fencing as allowed in this sub-section.

- a. Permitted materials are: wood, metal tubing or wrought iron, stone, masonry and chain link, wire products including: chicken or poultry netting, woven metal field-fence, hog and horse wire; chain, netting, Vinyl, PVC or fiberglass composite, and similar materials may be utilized if the material is listed, designed and constructed for fencing materials.

Barbed wire may be utilized so long as it is located setback a minimum of 10 feet from: all shared property lines with residentially zoned property and from all public sidewalks or the street edge of pavement along public rights-of-way.

- b. Protective measure fences: when approved as provided for herein.
- c. Prohibited materials, unless otherwise permitted, are: wire products not otherwise permitted, including: razor ribbon; cut or broken glass, paper.
- d. An electrified fence may be utilized, so long as a commercially produced fence energizer is utilized and must be listed by a national testing agency such as UL or ETL. Said fence must be located setback a minimum of 10 feet from: all shared property lines with residentially zoned property and from all public sidewalks or the street edge of pavement along public rights-of-way, and 300 feet from any church, school, playground or park, or day care facility, otherwise, no fence shall be permitted to be otherwise modified in such

a way as to cause harm to any living thing which may come into contact with it. Warning signage must be attached to an electrified fence every 50 or less feet along any property line.

- e. Except in areas bounded by the intersection of street lines of right-of-way intersections, or by the intersection of a driveway curb-break and a street right-of-way, fences shall be limited in height to 12 feet along any side or rear yard areas and 8 feet in all front yard areas.

Section 14-126 Maintenance.

1. All fences, both existing and new, and all parts or sides thereof, shall be maintained in a safe and aesthetically pleasing condition, and shall not be allowed to become and remain in a condition of disrepair or danger, or constitute a nuisance, public or private. Graffiti and other ornamentations or signage shall be removed immediately upon notification. All devices or safeguards which are required by this article shall be maintained operable.
2. The owner or his designated agent shall be responsible for the maintenance of the fence, and to determine compliance of this section; the Building Official may cause any fence to be re-inspected.

Sec. 14-127 Nonconforming fences.

1. It is the intent of this section to allow the continuation of such nonconforming fences until they are discontinued, or in need of maintenance or repair, as provided herein. However, it is not the intent of this section to encourage the survival of nonconforming fences as such fences are declared to be incompatible with permitted fences within the city. Such fences shall be regulated by the following:
 - a. An existing fence which was legally erected and permitted, if required at the time, in the past, which would not be permitted by this Ordinance, except when required to do so by law, shall not be enlarged, extended, relocated, reconstructed, replaced or structurally altered, unless such fence is applied for, reviewed, approved, and permitted to be altered in a manner which would bring the entire structure into conformance with the current regulations. Damage to a fence as a result of a natural disaster or other unforeseen event, when damage exceeds the minor maintenance or repair threshold, shall be required to pull a permit and make or replace the fence to be fully conforming.

Sec. 14-128 Enforcement and Penalties.

1. Any person, firm or corporation erecting or maintaining any fence within the city who shall neglect or refuse to comply with the provisions of this ordinance, or who erects or maintains any fence which does not comply with the provisions set forth, shall be enforced and punishable as is provided for in all local, state and federal ordinances and statutes, including Florida Statute 162.06.

Secs. 14-129 - 14-154 Reserved.

LIVE OAK - Fence Regulations:

Only certain types of fence materials are allowed in the city. Please see the attached Ordinance for more information. (*) Commercial/Industrial fencing may have additional requirements for double-facing.

Please see Planning Staff at the City Hall Annex for additional information or to answer any questions.

Fences erected in violation of the code, even with a permit, will be required to be removed, rebuilt or replaced in order to meet the standards.

BOARD FENCE REQUIREMENTS

For Residential, the “Finished Side” **must face out to neighbors or street** – See example to right/below.

(All posts and supports must be hidden, and on the inside - facing your yard and house, etc. The “good” side faces your neighbors or the street, etc.)

If you want ‘finishing’ to face in – you must put the same boards **on both sides** – inside **and** outside. Finished Boards on the inside and lattice on the outside **does not meet** the ‘finishing’ requirement and will fail inspections.



“Supports” must face in towards your inside yard/house.



Commercial/Industrial – must be “double-faced”



As an **alternative** – decorative wood style fences which incorporate “framing” as part of the design – and which have the **same appearance** on **both sides** – may be erected – see examples to right and below. Exposed posts will need “dog-earring” or metal “post-tops” to finish them off at top.



“Shadow Box” style is also permitted – so long as vertical posts are not visible.

(*) For Commercial Buffer Fences, the boards must overlap (front to back), for a solid – opaque appearance which cannot be seen through.

(See example to right)



Vinyl Fences – must meet same ‘finished’ requirement, with posts on the ‘inside’, or must be ‘like-kind’ on both sides – with posts between panels. (*) No gaps between boards are permitted for Commercial Buffer Fences, but are OK for fences between residences.



Residential – Wire Fencing with no wood framing is allowed only within side or rear-yard areas

Residential - Wire Fencing in front-yard areas must be framed with 1" x 6" boards and wood posts.



This brochure is not all-inclusive and should be used as a supplemental guide. If you are not certain, please contact Planning Staff to discuss any fence project in detail.