



**CITY OF ANNA MARIA
BUILDING DEPARTMENT**

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WALLS and FENCES

Zoning Permit Package

- 1. BUILDING/ZONING PERMIT APPLICATION** - The application (same as Building Permit) must be filled out completely and signed by the owner of the property or submission of the **CONTRACTOR/AGENT AUTHORIZATION FORM** with the owner authorizing the contractor or agent to sign for and obtain the Building Permit.
- 2. PLOT PLAN.** The applicant shall submit a sketch or plot plan which shows the location of all property lines, easements, rights-of-way and utility lines, all structures, and existing fences and walls. The plot plan shall also **show the location of all proposed fences**. When doubt exists as to the exact location of property lines, the building official shall require a survey by a licensed surveyor.
- 3. HEIGHT and TYPE.** Submit a brochure or supply a sketch showing the height and type of fence or wall proposed. Fences located within the front setback shall not exceed a height of four feet above the existing ground grade. Fences located within the side and rear setbacks shall not exceed a height of six feet above the existing ground grade

City of Anna Maria Code of Ordinances

Section 114-423 Walls and fences.

(a) **Permit required.** No person shall erect, move, add to or structurally alter any fence in the city without first obtaining a permit for such purposes issued by the building official. Fence permits will be issued only to the owner of the property, or to a licensed or bonded contractor acting as his agent. A permit fee shall be charged in accordance with city ordinance.

(b) **Plot plan.** The applicant shall submit a sketch or plot plan which shows the location of all property lines, easements, rights-of-way and utility lines, all structures, and existing fences and walls. The plot plan shall also show the location of all proposed fences. When doubt exists as to the exact location of property lines, the building official shall require a survey by a licensed surveyor.

(c) **General regulations.**

(1) **Location in right-of-way.** No fence shall be permitted to be erected or maintained on any street right-of-way or easement, except a governmentally installed fence intended for safety or traffic control.

(2) **Prohibited Fences.** It shall be unlawful for any person to erect or maintain any fence made of or consisting of the following materials in the city:

- a. barbed, razor or bare wire.
- b. Galvanized chain link, except in PSP and PRA zoning districts.
- c. Masonry, stone, brick, block or concrete

(3) **Electric fences.** It shall be unlawful for any person to erect or maintain an electric fence or electric screen fence within the city.

(4) **Maximum height in residential property.** Except as otherwise provided in this section, fences located within the front or waterfront setbacks shall not exceed a height of four feet above the existing ground grade. Fences located within the side and rear setbacks shall not exceed a height of six feet above the existing ground grade. (For setbacks refer to section 114-222.)

(5) **Maximum height in commercial, conservation, recreation/open space and public/semipublic districts.** Fences located within a side and rear setbacks shall not exceed a height of six feet above the existing ground grade, except that such fence, if located within the front or waterfront setbacks shall not exceed the height of four feet above the existing ground grade.

(6) **Location outside property line.** No fence or poles supporting a fence shall be erected outside the property line.

(7) **Attachment to neighboring fences.** No fence shall be attached to a neighboring fence, but a fence may abut a neighboring fence if such fence is on the property line.

(8) **Interference with off-street parking or public services.** No fence shall be erected or maintained which blocks required off-street parking or interferes with city or public utility service.

(9) **Temporary fences.** Temporary fences are permitted after review and approval of all required applications by the building official. Temporary fences for safety or traffic control may be installed in public right-of-way pursuant to a right-of-way use permit. All provisions and regulations governing the erection, maintenance, height, location and relocation of fences shall govern temporary fences. A temporary fence permit shall not exceed the expiration date as stated on the permit application and the permit. For cause, one or more extensions of time may be granted by the building official. The building official is authorized to extend the use of a temporary fence for three months after review of a resubmittal of an application for a temporary fence. A temporary fence shall not be permitted for a period of time longer than two years.

(10) **Fences between residential and commercial property.** Where residential property is adjacent to commercial property, the building official shall grant to the owner of such residential property permission to erect and maintain a fence not to exceed a height of six feet above the existing ground grade. This fence shall be located only within the required rear or side yard area.

(11) **Swimming pool enclosures.** Swimming pools, if located within the building area and if not within a screened cage, shall be enclosed on all open sides by a fence of a minimum of four feet above the existing ground grade and a maximum of six feet above the existing ground grade. Pools located within the required yard area shall be enclosed on all open sides by a fence of a height of four feet above the existing ground grade. All pool fences must have gates with safety locks.

(12) **Tennis court enclosures.** Tennis courts shall be enclosed on all open sides by a vinyl covered open chain link fence, ten feet above the existing ground grade.

(13) **Fences located within a side or rear setback and adjacent to a public beach access, neighborhood park, or community park Gulf Drive or Pine Avenue shall not exceed a height of four feet above the existing ground grade.**

(d) **Nonconforming fences.**

(1) Intent. It is the intent of this subsection to encourage the eventual elimination, as expeditiously as is reasonable, of existing fences that are not in conformity with the provisions of this chapter.

(2) Continuance. A nonconforming fence may be continued, provided that it has not been determined detrimental to the public health, safety and welfare. It shall then be maintained in good condition, but it shall not be:

- a. Enlarged or changed to any other nonconforming structure.
- b. Structurally altered so as to prolong the life of the fence.
- c. Re-erected if removed.
- d. Re-erected after damage or destruction if the estimated expense of re-erection exceeds 50 percent of the appraised replacement cost.

(3) Determination by building official. It shall be the duty of the building official to determine whether or not a nonconforming fence is in the interest of public health, safety and welfare.