

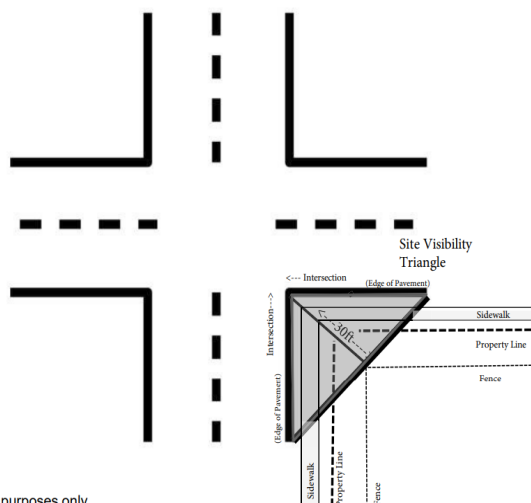
Sec. 110-806. Fences, walls and hedges.

- (a) *Purpose and intent.* Fences, walls, and hedges are a recognized method to establish property boundaries, provide a level of privacy and security, and contain domesticated animals. However, fences, especially along roads, can alter the streetscape where vistas associated with the open space and natural characteristics of the city are diminished. In addition, fencing along roads can harmfully impact pedestrian and motorist safety by impeding sightlines and visibility. The requirements of this Section are intended to ensure that the benefits of fencing, walls, and hedges remain an option while protecting the scenic characteristics of the City and maintaining a level of safety for the traveling public.
- (b) *Fence permit.*
- (1) A fence permit is required prior to building or installing any fence or wall within the City of Deltona.
 - (2) Fence permits shall require a survey, signed, and certified by the surveyor, shall depict the current state of the property, and the permit shall run with the land.
 - (3) Fence replacements for the same location and height previously permitted, do not require a new fence permit.
 - (4) Fences taller than six feet in height shall require structurally engineered drawings per the Florida Building Code, as amended from time to time.
- (c) *Walls.*
- (1) Walls erected in accordance with this Section shall be for the purposes of privacy and retaining walls and shall meet the requirements of the Florida Building Code, as amended from time to time.
 - (2) Walls as allowed by this section shall otherwise meet accessory structure setbacks as established per Section 110-307(e).
 - (3) Walls shall be subject to review by the Public Works Department for impacts to onsite drainage and easement conflicts. Any adverse impacts to easements, and subject property and/or adjacent property drainage shall be prohibited.
 - (4) Walls are prohibited on vacant lots.
- (d) *Materials.*
- (1) Fences or walls may be constructed of wood, chain link, aluminum, wrought iron, vinyl, masonry, or concrete. It shall be the homeowner's responsibility to maintain fences, walls, and hedges on their property.
 - (2) Agricultural fencing along the perimeter of a property, such as razor wire, barbed wire, chicken wire, and electric fences are prohibited in residential zoning districts or for development; with the exception that electric fences to contain horses are permitted in the RE-5 and RE-1 zoning districts, where lots are 2 acres or larger and horses are present on the lots.

- (e) *Height and setback requirements.* The measurement of fence and hedge height shall be taken from the existing grade of any adjoining property at the lot line or proposed location of the fence. Refer to section 70-30 (definitions) for graphic illustration of yard areas.
- (1) *Front yard.* Fences and hedges no higher than five feet may be erected, placed, or maintained within any front yard. A minimum six-foot visibility triangle shall be maintained from the intersection of a sidewalk and a driveway.
 - (2) *Rear yard.* Any fence or hedge installed along the rear property line shall not exceed eight feet in height.
 - (3) *Side yard.* Any fence or hedge installed along a side lot line between properties shall not exceed six feet in height.
 - (4) *Side street yard.* Any fence or hedge installed along a side street yard shall not exceed five feet in height if located within the side street yard setback. Fences taller than five feet in height but no greater than eight feet in height within the side street yard shall be installed as allowed below, in order to facilitate greater use and privacy of the yard:
 - a. The nearest exterior wall of the dwelling;
 - b. The side street setback line; or
 - c. The side street accessory structure setback line for the R1-AAA, AA, A, and R1 per section 110-307(e).
 - (5) *Corner lot sight visibility triangle.* Any fence or hedge installed within the front yard and side street yard shall be reviewed for compliance with the following sight visibility triangle requirements. Fences shall not be permitted less than 30 feet from the edge of pavement of the intersection to ensure sight visibility is provided for safe vehicular movement and pedestrian crossing.

Corner Lot Site Visibility

Figure 1



*Not to scale, for illustrative purposes only

- (f) Fences shall be constructed with the finished side facing outward from the property. Fence posts and support beams shall be on the side of the fence facing away from the neighboring property.
- (g) *Fences, walls, and hedges on waterfront lots.* Fences, walls, and hedges shall not exceed six feet in height in the rear yard, as measured from above natural grade. Waterfront lots shall have a survey two years or less to ensure highwater marks and FEMA information is accurate.
- (h) *Fences and hedges on vacant lots.* On vacant lots, the permitted fencing is the same as that for developed lots in the same zoning district. On vacant corner lots, fences, and hedges shall be located only within the minimum allowable setback area. If a dwelling is added later, the fence or hedge may need to be relocated with possible height adjustments to meet code requirements.
- (i) The above regulations also apply to residential uses within non-residential zoning districts.
- (j) This Section shall not be applied to any commercial, industrial, resource protection (RP), public (P) use classifications, or any publicly used property.

FENCING REQUIREMENTS

