



## **Residential Permit Guidelines**

### **Fence**

***\*According to LDR Section 3.9.2 Page 228, All fences require permits.***

***\*If a structural fence (concrete block wall), engineered plans are required.***

**CGC, CBC, CRC or Specialty Fence Erection may apply for permit.**

- Fence/Enclosure application.
- Two (2) site plans showing the following: (may be obtained at the City Clerk's office).
  - Location of fence (all dimensions) and gate(s).
  - Location of canal or water way (**if property abuts either**).
  - Location of Side Street, (**if property is on corner lot**).
  - Location of all existing structures.
- NOC required if value is \$2500 or greater.
- Owner Builder Affidavit (if homeowner).

NOTE: Legal descriptions can be obtained by logging onto the Lee County Property Appraiser's website at <http://www.leepa.org>.

### **Description:**

- Specify type/material, height and location of fence to be installed, and if fence is for a pool or not.

### **Route to: OFFICE USE ONLY**

CSR to approve over the counter only if the following apply:

- Fence is **6 ft. or less**.
- Property is **not on water**.
- Fence is **not associated with a pool**.
  
- **All others including Concrete/Masonry style fences need to be reviewed**

**\*Exception to chain link fences:** chain link fences can be approved over the counter if they are on water not exceeding 6 ft. in height and not intended to enclose a pool. Chain link fences cannot have slats.

### **Plans Reviewer to approve all others:**

Building                      Zoning  
Species (if Owl or Gopher Tortoise; Eagle only if concrete wall)

### **Processing: OFFICE USE ONLY**

- Type: Fence CSR **or** Fence (if Plans Review is required)
- Subtype: Residential



### Inspections:

- Notice of Commencement (NOC) 10
- BLD Retaining Wall Footer (051) 20 \*only if concrete wall
- BLD Retaining Wall Cap (056) 30 \*only if concrete wall
- Fence (052) 40

### Fees:

- Fence \$107.00
  - Surcharge YES/NO\*Yes for standalone permit / No for fence associated with a pool.
  
- Concrete Fence \$328.00 \*for concrete wall
  - Surcharge YES/NO\*Yes for standalone permit / No for fence associated with a pool.

### Expiration:

- Two (2) months

### Setbacks:

- Any fencing within 20 ft. of the rear property line on waterfront sites must be of 75% open mesh\* above a height of 3 ft.. (**Ord. 62-10**)
- If property abuts an alley, fence may abut the alley. (**Ord. 62-10**)
- No fence shall enclose any utility meter. (**Ord. 62-10**)
- Fence may not extend beyond the front of the primary structure.
- Fence must not enclose any front portion of home.
- 2/7/08 Per Building Official, customers cannot attach their fence to their neighbor's fence. They are required to remain on their own property even if there is only 1/8" between fences. Each must have their own post.
- Fence may be constructed on rear and side of property lines. A fence within utility easements (**6ft**) is the owner's responsibility during any utility construction. Only the following materials are allowed for fences constructed in the utility easements:
  - Wood (decay resistant or pressure treated only)
  - Aluminum
  - Chain-link without slats
  - Plastic or vinyl
  - Concrete walls **CANNOT** be place in the utility easement.
- Also see [Residential Fence Regulations](#)

### Examples of Types of Acceptable Fences (Up to 6 ft.):

- A fence or wall shall be constructed of one or more of the following materials
  - Wood (decay resistant jor pressure treated only)
  - Concrete block with stucco (CBS)
  - Concrete with or without stucco
  - Stone or brick, including cast (simulated) stone or brick
  - Wrought iron



239-574-0546

- Aluminum
- Chain-link without slats
- Plastic or vinyl
- Chain Link
  - Line posts set a maximum 10 ft. apart and set 24 inches deep.
  - Concrete must extend at least 4 inches around post full depth of footing.
  - No slats allowed.
- PVC / Wood Privacy Fence (finished side must face out)
  - **If fence or wall is constructed in such a way that only one (1) side of the fence is “finished”, then the “finished” side of the fence shall face outward toward the street or adjoining property (facing away from the property on which it is erected). (Ord. 62-10)**
- Concrete fences will require engineering details (signed and sealed code compliant drawings).
- Minimum post construction:
  - 4" X 4" (pressure treated wood set not more than 8 ft. apart).
  - Post footings must be set in concrete a minimum of 24 inches deep.
  - Concrete must extend at least 4 inches around post to full depth of footing.
- Swimming Pool Barrier Fence Minimum post construction:
  - Must comply with FBC (Florida Building Code) (additional requirements Section 424.2.17.

### **Miscellaneous Fence Requirements**

- Fence **CANNOT** be constructed on unimproved property (**Ord. 28-14**)
- Property pins must be exposed.
- Permit board and approved/reviewed drawings (site plan) must be on site.
- Fence must not exceed 6' – 0" in height.
- No part of the fence or the concrete can encroach onto other properties.
- The finished side must be facing the outside.
- All surrounding lots must be cleaned of all debris and dirt mounds leveled.

### **ADDITIONAL REQUIREMENTS FOR FENCES FOR POOLS:**

- 1. Must be a minimum of 48" high.**
- 2. Must have a 54" gate that is self closing/latching.**
- 3. Gate must swing out.**
- 4. All sides of fence must belong to the property. Neighbor's fences cannot be used.**



**Calculations for meeting the 75% open mesh requirement for fences within the last 20ft and over 3ft in height on waterfront lots.**

(1 panel calculation)

\* **Open mesh** is the total of the combined components of the posts, rails and pickets making up the area of the Fence sections.

1. Post height in inches X Post width in inches X 1  
144
2. Rail length in inches X Rail width in inches X number of rails (from 1 panel)  
144
3. Picket height in inches X Picket width in inches X number of pickets (from 1 panel)  
144

Add totals together. This gives the square footage the fence is using of closed space. Calculate the square footage of the fence panel.

Ex. A 4 foot high X 6 foot long panel = 24 square feet

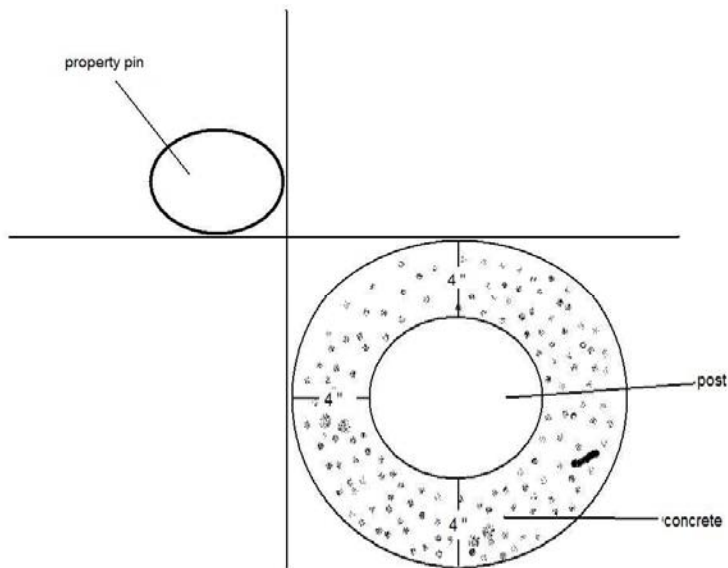
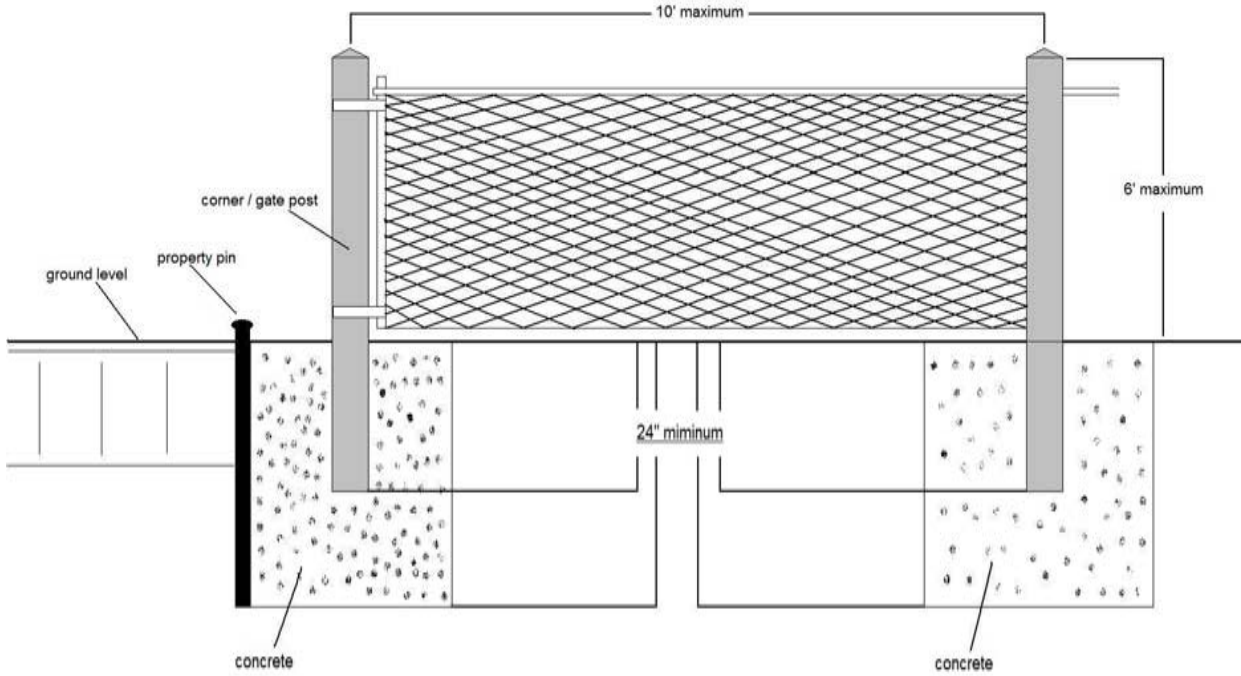
Calculate the amount allowed of closed fence area, which would be 25%

$$4' \times 6' \times .25 = 6'$$

This is the amount of closed space allowed on this fence panel.

The total of the post, rails, and pickets calculations should be **EQUAL TO OR LESS** than this amount.

## Diagram Samples



***\*This handout is to be used as a guideline and is subject to change without notice.***