

## CHAPTER 1000. MISCELLANEOUS STRUCTURE REGULATIONS

### SECTION 1003. GATES, FENCES, AND WALLS

#### 1003.1. General Requirements

- A. No gate, fence, or wall shall be installed on any public or private right-of-way used as a street, road, highway, or easement for ingress and/or egress. However, as part of a development entrance feature, a gate, fence, or wall may be installed on a private right-of-way exclusively owned.
- B. Each gate, fence, or wall erected shall be of uniform construction and appearance, and shall be erected and maintained in good repair so as to not pose a hazard or eyesore.
- C. No gate, fence, or wall shall be erected so as to interfere with the clear-sight triangle as defined in this Code or the *Florida Department of Transportation (FDOT) Manual of Uniform Minimum Standards*, most recent edition (Greenbook), whichever is applicable. (See Figure 1003A, Pasco County Clear Sight Triangle with FDOT Clear Sight Limits.)
- D. In the event fifty (50) percent, or more, of a nonconforming gate, fence, or wall is damaged, destroyed, or removed, whether by natural causes or otherwise, then the nonconforming structure shall be removed and any replacement gate, fence, or wall shall be erected in compliance with the requirements of this section.
- E. The height of all gates, fences, or walls located at a common property line shall be measured and averaged at regular intervals on both sides of the property line. Where not located on a common property line, the measurements shall be taken at regular intervals on the exterior of the gate, fence, or wall. The final height shall be determined by averaging the dimensions obtained from the measured interval averages. The measured interval distances shall typically be eight (8) feet. Berms, when used in conjunction with fences or walls, shall be included in height determinations. Support poles, columns, and decorative lights may exceed the height limitations by not more than one (1) foot. Gates may exceed the height limitations by not more than two (2) feet.
- F. Fences, gates, and walls shall be constructed in such a manner so as not to interfere with drainage and utilities. If it is necessary for the County to perform maintenance in an easement where a fence is located, the owner will be required to remove the fence within thirty (30) days of the mailing of the written notice by the County, and if it is not removed, the County may remove the fence without replacement.
- G. Where applicable, all gates, fences, and walls shall meet the requirements as set forth in this Code, Section 905.2.

1003.2. **Exemptions**

- A. Gates, fences, and walls which are owned or erected by utility companies or owned, erected, or required by governmental agencies.
- B. Gates, fences, and walls on property being used primarily for agricultural purposes.

1003.3. **Residential Requirements**

Gates, fences, and walls shall be subject to the following requirements in residential districts or residential developments:

- A. Gates, fences, or walls shall not exceed four (4) feet in height in the front yard or in front of the dwelling unit, except as part of a continuous buffer wall for a subdivision or phase thereof.
- B. On lots with double frontage, gates, fences, or walls shall not exceed four (4) feet in height in that front yard that is parallel to the principal building line of the residence where the front door is located, or in front of the dwelling unit. Any person may seek a written determination from the County Administrator or designee identifying the "front door" and/or "principal building line of the primary residential structure" for a residential property. In the other front yard, a six (6) foot fence may be permitted, provided it meets the required front setback for the district in which it is located.
- C. In side or rear yards, gates, fences, or walls, shall not exceed six (6) feet in height.
- D. The finished side of the gate, fence, or wall shall face the adjoining lot right-of-way.
- E. Gates, fences, and walls that are electrified or constructed of corrugated metal, sheet aluminum, barbed wire, or similar materials are prohibited.

1003.4. **Nonresidential Requirements**

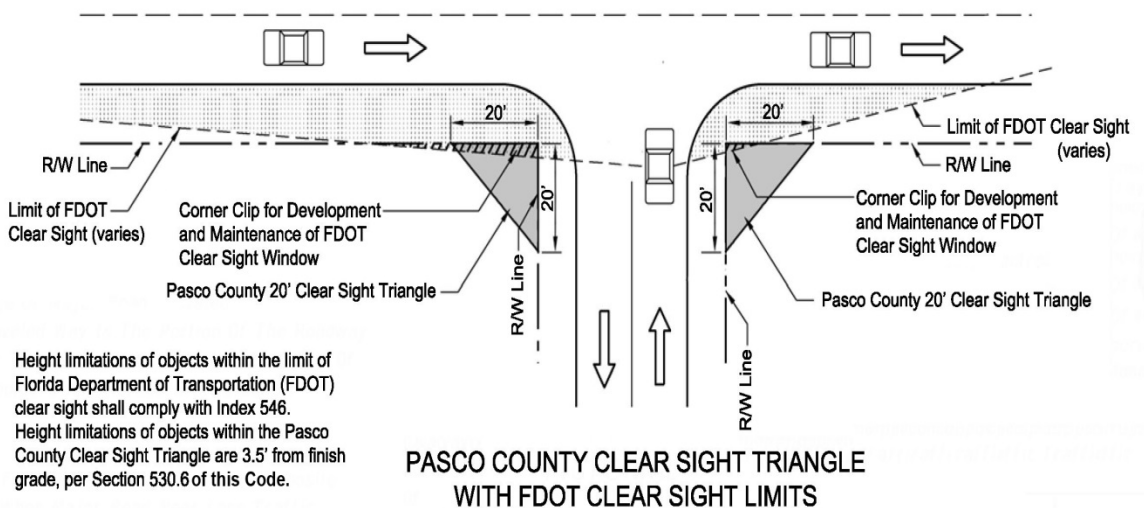
Gates, fences, and walls shall be subject to the following requirements in nonresidential districts or nonresidential developments:

- A. Gates, fences, or walls shall not exceed eight (8) feet in height in any yard.
- B. The finished side of the gate, fence, or wall shall face the adjoining lot right-of-way.
- C. When used for security purposes, barbed wire may be used when attached to gates, fences, or walls. Such barbed wire shall be a minimum of six (6) feet aboveground as measured from the ground and shall not be included in calculating the height of the gate, fence, or wall.

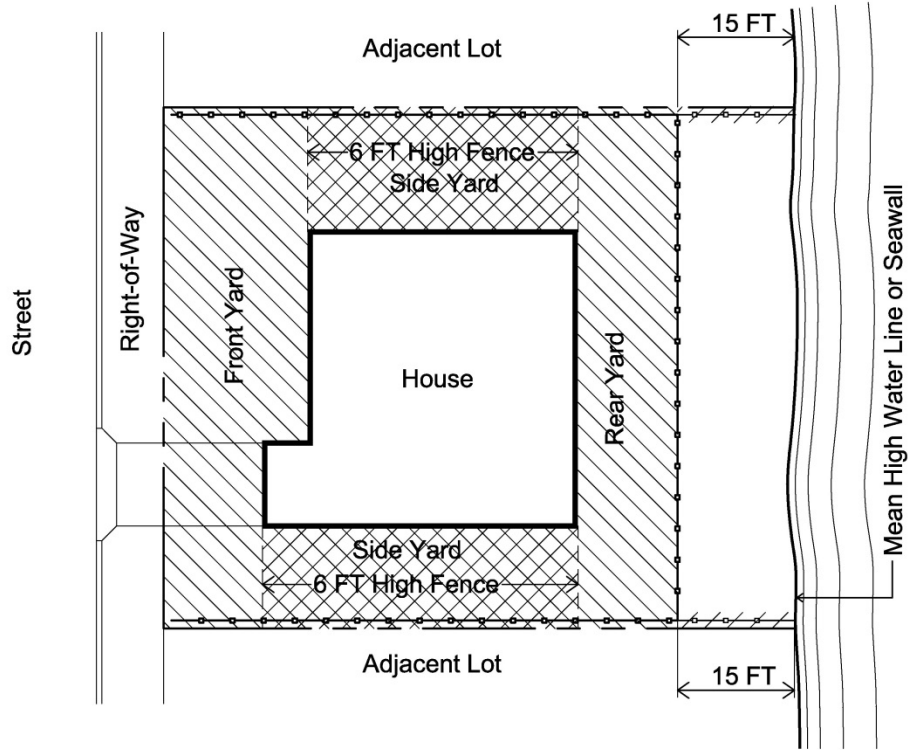
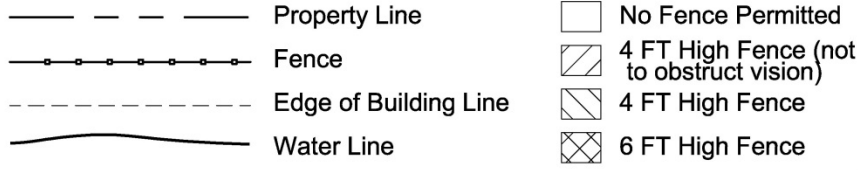
1003.5. **Additional Requirements for Waterfront Properties**

- A. Fences may be constructed along the rear property line but not within fifteen (15) feet of the mean high-water line. Fences may be constructed along side property lines provided they do not exceed four (4) feet in height and shall be constructed so as to not obstruct vision within fifteen (15) feet of the rear property line or within fifteen (15) feet of the mean high-water line. Fences in the side yard may be a maximum of six (6) feet in height, so long as they do not extend in front of or to the rear of the dwelling structure. (See Figure 1003B, Permitted Location of Fences in Side and Rear Yards on Waterfront Properties.)
- B. See Section 1001, Docks and Seawalls, for additional waterfront property development standards.

**FIGURE 1003A**



**FIGURE 2003B**



WATERFRONT LOT