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INTEROFFICE MEMORANDUM

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**TO:** PLANNING AND ZONING MEMBERS  
**FROM:** JEFF BOWMAN, DEVELOPMENT SERVICES DIRECTOR  
**SUBJECT:** PROPOSED AMENDMENTS TO THE UNIFIED LAND DEVELOPMENT CODE  
(CEMENT/CONCRETE WALLS AND FENCES)  
JANUARY 19, 2011 P&Z MEETING  
**DATE:** JANUARY 7, 2011

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Staff has scheduled a Regular meeting for January 19, 2011. Staff has prepared an item for your regular meeting to review and provide recommendations.

**Brief Synopsis of Agenda Item**

**Regular Agenda, Item # 1.** Amendments to Chapter 30 Section 313(4), Cement/Concrete Walls and Fences.

This item was discussed at the December 7<sup>th</sup> Commission meeting with direction to send it to Planning and Zoning Board for recommendations. The Commission provided the following direction:

1. Expand on the types of finishing's required for cement or concrete walls.
2. Expand more on decorative features that would increase attractiveness of cement or concrete walls.

Staff has prepared revisions (attached) for your review and recommendation. These include:

1. Maintaining the 25% opening requirement (for air circulation) within the single family and duplex zoning districts for concrete walls, were it will not be required in all other districts.
2. Design standards for concrete/cement walls.
3. Allowing architectural features and lighting.
4. An exception to the finished side of fences being on the outside of the property when there is an obstacle on the adjoining property.

Please contact me (954-776-3611) if you have any questions or, if you prefer I would be happy to meet with you individually to answer any questions you may have. Thank you.

Sec. 30-313. - General provisions.

(4) *Height ~~[design, and location]~~ of fences, walls, hedges.*

a. *Height.* The maximum height of any fence or wall shall be six (6) feet, except where the fence or wall abuts property with business zoning, in which case the maximum height is eight (8) feet. The height of fences, walls, hedges or plantings of whatever composition shall be measured from the natural contour of the ground on adjoining lots.

b. *Construction.* All fences and walls shall comply with the Florida Building Code.

cb. *Cement or concrete walls:*

~~1. Cement or concrete walls are permitted in all zoning districts, and must comply with the standards outlined in subsection 2. below. on are prohibited except when the design and construction provides for not less than 25 percent of the area of said wall to be constructed with decorative brick and provide openings to permit air circulation. All concrete and cement walls shall be stuccoed, finished, and painted.~~

~~2. Except when a new wall directly abuts an existing wall or fence preventing access, walls shall be finished on both sides with materials satisfying industry standards, such as painted stucco, prefinished block, or other prefinished materials, shall be compatible with proposed or existing buildings, and shall meet the following design guidelines.~~

~~i. Cement or concrete walls in the RS-4, RS-5 and RD-10 zoning districts which exceed four (4) feet in height must provide a minimum of twenty-five (25) percent openings to allow air circulation.~~

~~ii. Walls shall be designed with changes in material, color, texture, or profile to avoid the massive, linear aspect and monotony of otherwise plain walls. Walls over two (2) feet in height shall not form a continuous straight line without an offset, change of direction, or significant vertical feature every ten (10) feet to break up the length of the wall.~~

~~iii. Walls shall include finishing features such as, but not limited to, changes in texture or color, variety of materials, capstones, decorative painting or bands of tile.~~

~~c. No fences or walls shall be constructed within 25 feet of the front property line or within 30 feet clear site triangle at the corner of the property on residential lots.~~

~~d. The height of fences, walls, hedges or plantings of whatever composition shall be measured from the natural contour of the ground on adjoining lots.~~

~~d. *Fence/wall top features.* The top of a fence or wall may contain architectural features and light fixtures. However, such features shall not extend more than eighteen (18) inches above the maximum height of the fence or wall, and the combined width of the features shall not exceed twenty percent (20%) of the total linear length of the fence or wall.~~

- e. Gates. A fence or wall may have a pedestrian entrance with a gate. Such an entranceway, including any archway, may be no greater than eight (8) feet in height, and no more than eight (8) feet in width. Gates must swing or slide in a manner which does not obstruct public rights of way.
- f. Maintenance. All fences and walls shall be maintained in good repair and in a secure manner. All defective structural and decorative elements shall be repaired or replaced in a workmanlike manner, to match as closely as possible the original materials and construction of the fence or wall. All surfaces shall have all graffiti and loose material removed. Any damaged portion of a fence or wall shall be repaired or replaced in a manner consistent with these standards. Any patching or resurfacing shall match the existing materials and shall be impervious to the elements, when possible.
- ge. Hedges. A hedge is defined as any grouping of plants or bushes placed so close together so as to obscure visibility. All hedges shall be planted and maintained by property owners within the property lines and shall not encroach into the adjacent properties or right-of-way (ROW). The height of a hedge shall be maintained not to exceed 12 feet in all zoning districts.
- hf. Visibility Limitations. No fences or walls shall be constructed within 25 feet of the front property line. No walls, fences, hedges or plantings shall be planted or maintained to a height exceeding 30 inches above the crown of the roadway within sight visibility triangles: within 25 feet of the intersection of the front and side street property lines, within ten feet of any driveway, within ten feet from the intersection point of the edge of a driveway and alley or street, and within 15 feet from the intersection point of the extended property lines at an alley and a street.
- ig. Chain link fences. Chain link fences shall be completely hidden from view when viewed from any portion of the right-of-way in RS-5, RD-10 and RM-25 zoned property. Chain link fences are prohibited in any business zoning district.
- ~~h. Chain link fences are prohibited in any business zoning district.~~
- ji. Placement of finished side. Fences finished on only one side shall be placed to have the finished side facing out. In the event that a wood fence is constructed against a significant obstacle on the adjoining property preventing access, such as another fence or wall, that section of fence against the obstacle may be constructed with the finished side facing inward.
- kj. Prohibited fence types. Barbed wire, electrified or razor wire fences, and fences or walls topped with barbed, electric or razor wire are prohibited, and shall not be erected or maintained on any property.
- jk. Zero lot line lots. Privacy fences and/or walls separating porches, patios, and pools along zero lot lines may be built to height not to exceed eight (8) feet subject to building setbacks requirements of the residential zoning district where fence/walls are erected.