

## **Sec. 27-290.1. Fence and wall regulations.**

- (a) *Visibility triangle.* All fences and walls shall conform to the requirements of section 27-283.5.
- (b) *Conflict with buffer requirements.* Where a fence or wall is required to comply with section 27-284, and which fence may be in conflict with this section, the more restrictive regulation shall apply.
- (c) *Materials.* Fences and walls shall be constructed of chain link, wood, masonry or decorative wrought iron, galvalume corrugated metal panels with a decorative perimeter framing and structural bracing or a PVC (poly vinyl chloride) product manufactured and designed as a fence, except as varied below or as may be further regulated by Historic District design standards or Overlay District regulations.
  - (1) *Security fencing.*
    - a. *Broken glass.* The use of broken glass or other similar materials is prohibited in all districts.
    - b. *Electric fences.* Electric fences or walls may be permitted as accessory to an agricultural use or may be used for security purposes in any industrial district, provided that the following standards are met:
      - 1. Only low-voltage electrical fencing shall be used with a maximum of twelve (12) volts, primary voltage;
      - 2. The electrical fence shall be no higher than ten (10) feet tall;
      - 3. The electrical fence shall be completely surrounded by a non-electrical fence or wall with a height not to exceed six (6) feet;
      - 4. The surrounding non-electrical fence or wall shall be separated from the electrical fence by at least six (6) inches at the closest point between the electrical fence and the non-electrical surrounding fence or wall;
      - 5. The electrical fence is identified as such with signage, no larger than one (1) square foot in area, at least every sixty (60) feet;
      - 6. Any property protected by an electrically charged fence shall provide, outside the perimeter of the fence, an emergency shut-off switch for fire and police department access. Fire department access shall be of a type, location, and marking specified and approved by the fire marshal. Police department access shall be of a type, location, and marking specified and approved by the police chief; and
      - 7. The zoning lot on which the electric fence is proposed for use shall not be adjacent to a residential use. If a residential use is adjacent to the site, the property owner or his agent may petition the variance review board or the Architectural Review Commission (in historic districts, generally, or landmark sites) or the Barrio Latino Commission (in the Ybor City Historic District) for consideration of the electric fence use as provided below.
    - c. *Barbed wire.* Barbed wire may be used for security purposes in any industrial district or if necessary to an agricultural use, provided that the barbed wire is limited to three (3) strands which are located a minimum elevation of six (6) feet above the ground.
    - d. *Razor wire.* The use of razor wire is prohibited unless approved through the variance process described below.
  - (2) *Variations.* The variance review board (VRB), the Architectural Review Commission (in historic districts, generally, or landmark sites) (ARC) or the Barrio Latino Commission (in the Ybor City Historic District) (BLC) may grant a variance to allow electric fencing, barbed wire, or razor wire for commercial and industrial zoned parcels. As part of demonstrating compliance with the variance criteria utilized by the VRB, ARC, or BLC, as applicable, the applicant must demonstrate a practical difficulty or unnecessary

hardship, which for the purposes of this code section only, can be satisfied by showing a significant security need.

- a. In applying the variance criteria, the VRB, ARC, or BLC shall balance the applicant's need for the variance with the visual impact to the surrounding community. The purpose of the provision is to ensure that any use of electric fencing, barbed wire, or razor wire should be used only as the extreme last resort of property protection.
  - b. *Standards.* When approved, the barbed wire and/or razor wire shall be located at a minimum elevation of six (6) feet above the ground. Electric fencing shall be setback a minimum six (6) feet from any property line adjacent to a residential use or residentially zoned property and must meet the first six (6) criteria stated in (c)1.b. above. When the subject parcel is adjacent to a residential use all barbed wire and razor wire shall be removed from the subject property prior to or in conjunction with the installation of an electrically charged fence, unless otherwise approved as a condition of approval by the appropriate board. The variance review board or the Architectural Review Commission (in historic districts, generally, or landmark sites) or the Barrio Latino Commission (in the Ybor City Historic District) may require the fence to be setback from property lines and screened. Buffering and screening requirements shall be consistent with section 27-284. If screening is required, the property must be posted with warning signs (Danger—High Perimeter Security) every one hundred (100) lineal feet along the fence line.
- (3) *Exposed framing.* Walls or fences made from any permitted building material must be constructed so that the exposed framing of each section of fence faces the interior yard. However, prior to the installation of the fence, the zoning administrator may allow the exposed framing of the fence to face adjacent side and rear yards where the owner or contractor can clearly demonstrate one (1) of the following conditions:
- a. There is an existing fence and/or hedge located on the property adjacent to the parcel for which the new fence is required and the existing fence or hedge is of a construction and location such that it is physically impractical and infeasible to install a wood fence with the exposed framing facing the interior yard.
  - b. All adjacent affected property owners have declared in writing that they have no objection to the exposed framing.
- (d) *Method of measurement.* Where a fence or wall is located at a common property line with varying elevation, including berms or permanent planters, the height shall be measured and averaged at regular intervals on both sides of the property line. The final height shall be determined by averaging the dimensions obtained from the measure interval averages. The measured interval distances shall typically be eight (8) feet.
- (e) *Front yards.*
- (1) Within the single-family residential zoning districts, and YC-2 and YC-4 subdistricts, fences and walls may be located within required front yards provided that the height does not exceed three (3) feet for fences built of opaque materials, or four (4) feet for fences built of transparent materials which do not obstruct light, air and visibility.
  - (2) For all residential uses in any zoning district, fences and walls may be located within required front yards provided that the height does not exceed three (3) feet for fences or walls made of opaque materials, or four (4) feet for fences built of transparent materials, which do not obstruct, light, air and visibility.
- (f) *Maximum height.* The maximum height for fences and walls are as follows:

	Height
Single- and multiple-family district <u>when adjacent to a residential use</u>	6 feet
Single- and multiple-family district <u>when adjacent to or separate by an alley to a non-residential use</u>	<u>8 feet</u>

YC-2, <del>and</del> YC-4 and YC-8 when adjacent to a residential use	6 feet
<u>YC-2, YC-4 and YC-8 when adjacent to a residential use</u>	<u>8 feet</u>
All other: office, commercial, industrial districts, M-AP 1—4, YC-1, YC-3, YC-5, YC-6, CD-1, and CD-2	8 feet
<del>TOD, PD, PD-A, CD-3</del> <u>YC-9</u> and <u>SH-PD</u>	As per zoning site plan
For CBD-1 and CBD-2 zoning districts refer to section 27-186(h) Fence regulations.	

Decorative architectural features on fences/walls shall not be included in the height of a fence except that they shall not extend more than one (1) foot above the maximum height and shall have a minimum of eight-foot spacing between them.