

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, AMENDING SECTION 25-330, CODE OF ORDINANCES, TO ALLOW SIX-FOOT FENCES IN SIDE YARDS, SUBJECT TO APPLICATION OF THE 25-FOOT CLEAR SITE TRIANGLE; AND PROVIDING AN EFFECTIVE DATE. (FENCE HEIGHT ON CORNER LOTS)

BE IT ENACTED BY THE PEOPLE OF THE CITY OF LEESBURG, FLORIDA, that:

Section 1.

Chapter 25 - Section 25-330. Garden walls, fences, and hedges.

The Code of Ordinances of the City of Leesburg, Florida, Chapter 25 – Section 25-330, is hereby amended as follows:

- (3) *Side yard of corner lot in a standard residential district.* All garden walls, fences, or hedges located in the side-yard abutting the secondary street of a corner lot must not exceed (4) feet in height.
- a. Side yard of corner lot in Planned Residential Zoning Districts. Garden walls, fences or hedges located outside of the clear site visibility triangle, as described in Sec. 25-280(4), must not exceed six (6) feet in height.

Section 2.

This ordinance shall become effective upon its passage and adoption, according to law.

PASSED AND ADOPTED at the regular meeting of the City Commission of the City of Leesburg, Florida, held on the 28th day of February 2022.

THE CITY OF LEESBURG, FLORIDA



Mayor

ATTEST:



City Clerk

EXHIBIT A

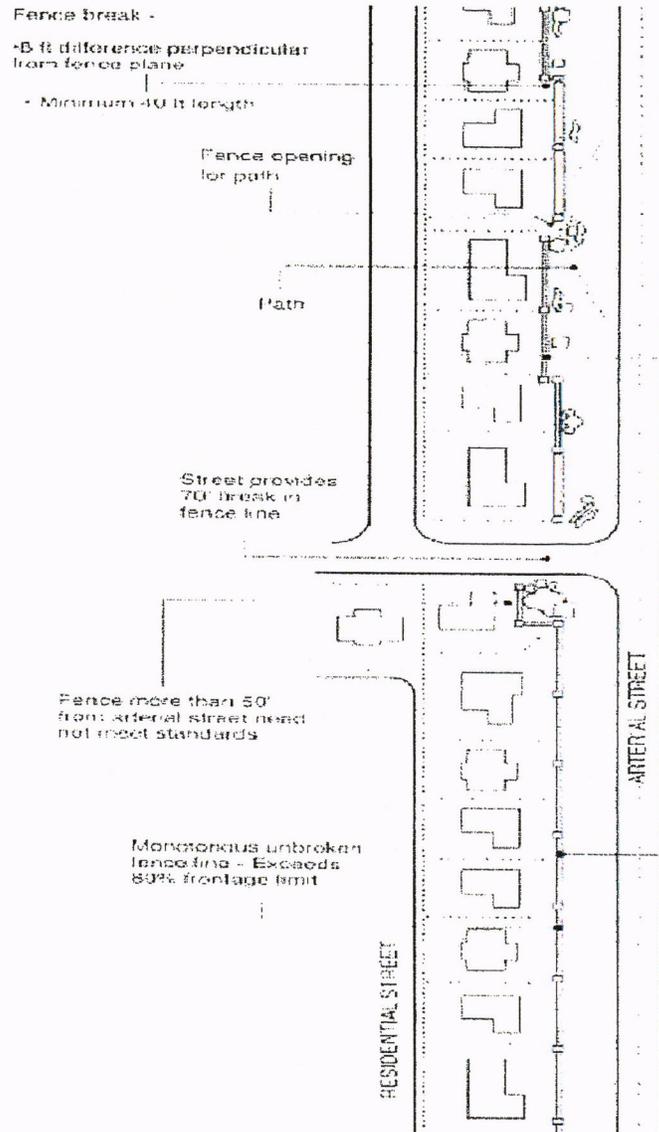
Sec. 25-330. Garden walls, fences, and hedges.

All garden walls, fences or hedges located or constructed within the required yard area shall conform to the following regulations, except where special requirements are set forth for specific screening purposes elsewhere in this article.

- (1) *Front yard in a residential district.* All garden walls, fences or hedges located within the required front yard shall not exceed four (4) feet in height.
- (2) *Side and rear yards in a residential district.* All garden walls, fences or hedges located within the required side or rear yards shall not exceed six (6) feet in height.
- (3) *Side yard of corner lot in a standard residential district.* All garden walls, fences, or hedges located in the side-yard abutting the secondary street of a corner lot must not exceed (4) feet in height.

a. Side yard of corner lot in Planned Residential Zoning Districts. Garden walls, fences or hedges located outside of the clear site visibility triangle, as described in Sec. 25-280(4), must not exceed six (6) feet in height.

- (4) *Rear yard abutting water in a residential district.* All garden walls, fences, or hedges located in the required rear yard abutting a body of water shall not exceed four (4) feet in height.
- (5) *Commercial and industrial districts.* All garden walls, fences, or hedges located in a commercial or industrial district shall not exceed eight (8) feet in height and must be constructed to allow an unobstructed view of the front yard of the property from adjacent property or a public street.
- (6) *Perimeter fences and walls along collector or arterial street.* All perimeter fences and walls located adjacent to these streets shall meet the following requirements:
 - a. No more than sixty (60) percent of the street frontage may be occupied by the fence or wall; and
 - b. The required forty (40) percent openings in the fence or wall frontage may occur to provide exposure for intersecting streets, pedestrian entryways, parks or open space, or any non-walled or non-fenced land use (e.g., a church or school). Fences or walls that have a surface area that is twenty-five (25) percent or less opaque, hedges and screens composed of living plant material, or any land use with a wall or fence lower than forty-two (42) inches may count toward the forty (40) percent requirement. Treatments should emphasize the incorporation of berms and landscape materials.
 - c. A break in the length of the wall or fence shall be required every forty (40) feet in length (measured parallel to the street), at least eight (8) feet wide (measured perpendicular to the street), and is landscaped with at least one (1) tree and one (1) row of shrubs for each forty (40) feet in length. Landscaping shall incorporate species with seasonal color and plant variety and shall be in addition to any other landscaping required in this Code.



- (7) *Transition yard screening requirements.* Where a residential district abuts a nonresidential district, there shall be provided, by the nonresidential development, an opaque screen adequate to conceal such developments from the adjacent residential property. Such screen must be the maximum height, which is allowed elsewhere in this chapter. No such screen shall be required in the front yard of the nonresidential development.
- (8) *Use of barbed wire.* No fence shall be maintained or constructed, in whole or in part, of barbed wire, unless it is in an M-1 or M-2 (industrial) district, or an approved A (agricultural) district use, unless it is specifically allowed in a conditional use permit or a planned district within another zoning classification, based on the necessity of barbed wire for the particular use permitted by the conditional use, or unless it is in conjunction with either (1) a use by a public body, or (2) bona fide commercial agricultural pursuits lawfully being carried on in the particular zoning district involved.
- (9) *General regulations.* The following regulations shall apply to fences in all zoning districts or as specified.



Homeowners and occupants are responsible for ensuring the proper maintenance of fence structures. This includes the repair/replacement of all posts, gates, and other structural elements, and ensuring your fence is properly painted.

(Ord. No. 11-89, § 1, 9-26-11)