



City of Key West Building Department

1300 White St.

Key West, FL 33040

Ph: 305-809-3956:

www.cityofkeywest-fl.gov

FENCE PERMIT APPLICATION

*For office use only *Permit Number.: _____ * is property in the Historic District (HARC) Yes or No

CONSTRUCTION UNDER THIS PERMIT SHALL BE DONE IN ACCORDANCE WITH FBC 2020 7TH EDITION

Site Address: _____

Legal Description (Section/Block/Lot): _____ Parcel ID: _____

Owner's Information

Name: _____ Email: _____ Phone: _____

Address: _____

Contractor's Information

Name: _____ Email: _____ Phone: _____

Address: _____ State License number _____

Architect's/Engineer's Information:

Name: _____ Email: _____ Phone: _____

Address: _____ State License number _____

PROJECT INFORMATION

Commercial Residential

I, _____, intending to be legally bound, certify that the work authorized by the issuance of this permit will be installed in accordance with the City of Key West Code of Ordinances 122-1183, 122-1104, 110-367.

_____ (initial) I have reviewed the City of Key West Code of Ordinances 122-1183, 122-1104, 110-367. I understand that all violations of will be the responsibility of the applicant.

Fence is installed as a pool barrier: Yes No (If yes, a Pool Alarm/Barrier Affidavit must be attached to the permit application) Fence is being installed on a corner lot: Yes No Fence

height/length _____ / _____ Name of fence material: Chain link Wood Vinyl/ PVC Wrought iron Other: _____ gates Yes No

number of gates _____ Where on property (front, rear, side) replacement _____ or repair _____

*See checklist for additional requirements.

Total Valuation \$ _____

APPLICATION MUST BE SIGNED AND NOTARIZED BY THE CONTRACTOR AND OWNER

Contractor Signature _____ Date _____
Print Name _____
Notary Public, State of Florida _____
STATE OF FLORIDA, County of _____
[NOTARIAL SEAL]
The foregoing instrument was acknowledged before me by means of physical presence or online notarization this _____ day of _____, 20____, by _____ who is personally known to me or has produced _____ as identification.

Owner or Owner's Authorized Representative Signature _____ Date Print _____
Name _____
Notary Public, State of Florida _____
STATE OF FLORIDA, County of _____
[NOTARIAL SEAL]
The foregoing instrument was acknowledged before me by means of physical presence or online notarization this _____ day of _____, 20____, by _____ who is personally known to me or has produced _____ as identification.

FOR OFFICE USE ONLY

PERMIT FEE \$ _____ Payment method: _____ Last 4 Digits of Credit Card or Check no.: _____ Receipt no.: _____

Application date: _____ Rec'd by: _____



CHECKLIST FOR FENCE PERMITS

PERMIT APPLICATION – The following information must be completed on the permit application:

- Site address
- Legal description
- Parcel ID (RE #)
- Owner's information
- Contractor's information (if applicable)
- Architect/Engineer's information (if applicable)
- Commercial/Residential
- Fence is being installed as a pool barrier
- Fence is being installed on a corner lot
- Fence height and length
- Type of Fence
- Valuation
- Notarized Contractor/Owner-Builder Disclosure Statement

PLANS AND DOCUMENTS

- Property survey with highlighted area showing the location of the fence.
- [Pool Safety Barrier Affidavit](#), if the fence will be used as a pool safety barrier.
- Recorded [Notice of Commencement \(NOC\)](#) for work valued \$2500.00 or more. (NOC must be submitted to permitting prior to scheduling the first inspection.)
- Photographs required if the property is located in the Historic District (HARC)
- DETAILED, SPECIFIC PROJECT DESCRIPTION... (The applicant further hereby acknowledges that the scope of work as described shall be the scope of work that is permitted by the City. Should further action be taken by the City for exceeding the scope of the description of work as described herein versus the scope of work shown on the plans or other documents submitted with the application, the DESCRIPTION of work shall be controlling.)

A copy of the [Owner's Residence Exemption Disclosure Statement](#) is required if applying for the permit as an owner-builder. Provided is a link to the form.

INSPECTIONS REQUIRED:

- Auger
- HARC inspection, if the property is located in the District.
- Final

NOTES FOR RESIDENTIAL:

- Fence permits must be submitted with the pool permit if the fence is going to be used as a pool safety barrier.
- Properties located on a corner lot shall require plan review.

City of Key West, FL Code of Ordinances

• Sec. 122-1183. - Walls and fences.

(a) *Definition.* For the purpose of the land development regulations, the term "fence" shall be used to describe a manmade structure erected for separation, security or privacy purposes through the means of intermittent posts supporting vertical or horizontal members made of wood, metal, chain link, or barbed wire. While the opacity may vary, the height and location are dictated by the regulations within this subpart B. A wall may be erected for the same purposes but shall include only those structures with continuous footers. The main structure of the wall may be constructed with brick, stone or concrete block. The latter may be used in combination with decorative veneers of brick, rock, stone, stucco or any other material meeting accepted aesthetic performance criteria. Any wall or fence erected within the city shall meet professionally accepted building standards and the regulations cited in this section.

(b) *Building permit; review.* Notwithstanding other sections of the land development regulations, fences, walls, hedges, landscaped berms, and minor structures such as lampposts (standards) or flagpoles (permanent type) may be permitted in any district subject to issuance of a building permit. Fences in the historic district shall also be subject to review by the historic architectural review commission as part of the permitting process.

(c) *Application procedure.* Application for approval of any fence should be made in the same manner as for authorization of a building permit with a full description of materials to be used and dimensions and placements clearly stated on the plans. The building official will inspect the area and judge the application on the basis of the guidelines for fences and other minor structures set forth in subsection (d) of this section.

(d) *Standards for fences and hedges.* Fences shall be erected on the lot of the applicant and shall not extend into a public right-of-way. The fence may abut but shall not be located on any property line. It shall be unlawful for any person to erect a fence within the city except in accordance with the following:

(1) In the city's residential area the following restrictions as to fence height and construction shall apply:

a. Solid or open fences not exceeding four feet in height constructed of wood, rock, concrete block, chain link or wrought iron may be permitted on the front, rear and side yard property lines of any parcel of land.

b. If there are located utility electrical transformer banks, water towers or other facilities owned or leased by a public utility in residential zones which require the fencing of such for safety precautions, the fence around such facilities shall be at least six feet in height, and barbed wire may be used on the top of such six-foot fence.

c. Fences up to six feet in height may be constructed on the front, rear and side yard property lines of any parcel of land, provided that the upper two feet of such six-foot fence has openings of at least 50 percent or more in the construction of the fence. Solid fences up to six feet in height may be constructed on rear and side yard property lines of any parcel of land provided such solid six-foot fence is not constructed on property lines intersecting at street corners and that the adjoining property owners file their written consent with the building department consenting to the construction of such six-foot solid fence.

d. Solid fences up to six feet in height may be constructed on the front property line of a residential property in the single family residential (SF) and medium density residential (MDR) zoning districts, provided:

(1) All adjoining property owners file their written consent; and

(2) First Floor Property owners whose properties face the proposed fence file their written consent; and

(3) The Chief Building Official determines that the proposed solid six-foot fence is in harmony with the surrounding properties and otherwise satisfies Florida's building code.

(4) Any interested party may appeal the Chief Building Official's decision in favor of or against a proposed six-foot solid front fence directly to the Board of Adjustment, as provided in [Section 90-430](#) and [90-431](#).

e. All fences in residential areas shall be located so as to avoid interference with traffic visibility pursuant to [Section 122-1406](#).

(2) In nonresidential areas of the city, wire-mesh or chain link fences may be constructed at any height on any property lines, and barbed wire may be used on such fences, provided the barbed wire portion of the fence does not extend outside and beyond the property line of such property, and such fence is at least six feet high.

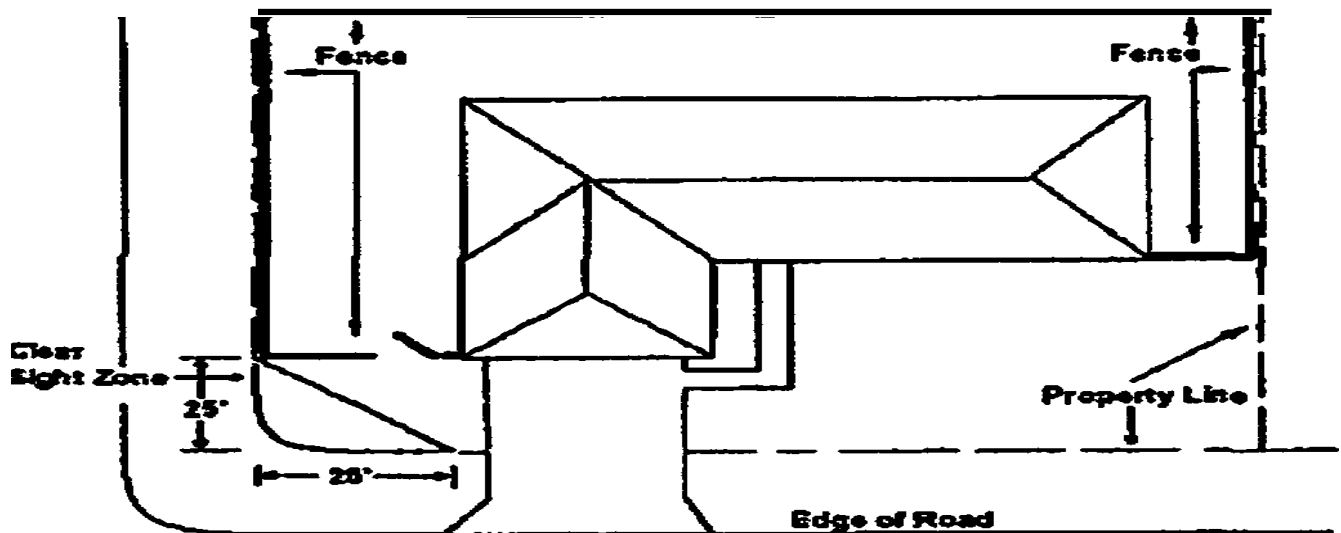
(3) Hedges and landscaped berms located within a front yard shall be maintained so as not to obstruct the view of vehicular traffic at intersections.

(Ord. No. 97-10, § 1(2-7.9), 7-3-1997; Ord. No. 19-12, § 1, 5-21-2019)

- **Sec. 122-1406. - Obstructions to visibility.**

(a) *Obstruction to traffic and traffic visibility.* There shall be no structure or planting which materially obstructs traffic and traffic visibility.

(b) *Corner lots.* In any district where a corner or front yard setback is required, no structure, fence, planting or sign shall be located so as to interfere with traffic visibility across a corner between a height of 2½ and ten feet above the average grade within a triangle bounded by the curb lines adjacent to the corner lot lines and a straight line drawn between points on each such curb line **20** feet from the intersection of such curb lines or extension thereof.



Drawing example of corner lot fencing.

(c) *Public right-of-way.* There shall be no structure or planting on city or public right-of-way without prior approval of the planning board and city commission, and then only after due consideration is given to the type, height and size of such structure and planting.

(d) *Vision clearance.* Notwithstanding any part of the land development regulations or any permit granted, or variance granted by the city, no type of structure, vehicle, tree, planting, vegetation, sign or fence or any type of obstacle or any portion thereof shall be placed or retained in such a manner which would create a traffic hazard or would obstruct vision clearance at corners, curb cuts or railroad crossings in any zone.

(Ord. No. 97-10, § 1(2-7.13), 7-3-1997)

- **Sec. 110-367. - Fences and walls.**

The root systems of existing trees shall be taken into consideration when installing fences and walls. Post holes and trenches located close to trees shall be dug by hand and adjusted as necessary to avoid damage to major roots. Continuous footers for masonry walls shall be ended at the point larger roots are encountered and the roots bridged.

(Ord. No. 97-10, § 1(3-14.8(A)(2)), 7-3-1997)