

**Town of Sewall's Point Building Department**

One South Sewall's Point Road

Sewall's Point, Florida 34996

Ph: 772-287-2455

FENCE**PERMIT APPLICATION****(does not include child barrier)**

Permit #: _____

CONSTRUCTION UNDER THIS PERMIT SHALL BE DONE IN ACCORDANCE WITH FBC 2023 8TH EDITION

Site Address: _____

Legal Description: _____

Parcel ID: _____

Owner's Information

Name: _____

Email: _____

Phone: _____

Address: _____

Contractor's Information

Name: _____

Email: _____

Phone: _____

Address: _____

State License no. _____

Architect's/Engineer's Information:

Name: _____

Email: _____

Phone: _____

Address: _____

State License no. _____

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 Town of Sewall's Point Code of Ordinances 82-276.

_____ (initial) I have received a copy of the Town of Sewall's Point Code of Ordinances 82-276. Furthermore, I understand that all violations of the Town of Sewall's Point Code of Ordinances 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: _____ Name of fence material: ☐ Chain link ☐ Wood ☐ Vinyl/PVC ☐ Wrought iron ☐ Other: _____

***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

NOTICE: In addition to the requirements of this permit, there may be additional restrictions applicable to this property that may be found in the public records of this county, and there may be additional permits required from other governmental entities such as water management districts, state agencies, or federal agencies.



Building Department CHECKLIST FOR FENCE PERMITS

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

- For office use only - Permit number
- Site address
- Legal description
- Parcel ID
- Owner's information
- Contractor's information
- Architect/Engineer's information
- Commercial/residential
- Applicant's name and initials next to Town Code of Ordinance
- Fence is being installed as a pool barrier
- Fence is being installed on a corner lot
- Fence height
- Name of fence material
- Valuation
- Notarized Contractor/Homeowner builder signature

PLANS AND DOCUMENTS – Provide 1 copy:

- Property survey 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 for work valued at \$5000 or more. (NOC must be submitted to permitting prior to scheduling the first inspection.)
- ****If applying for the permit as a homeowner builder, a copy of the recorded warranty deed or property card showing homeowners name from the property appraiser's website must be submitted, along with HOB Affidavit. Homeowner must personally appear at the Building Department to have their signature notarized.**

This checklist is intended for Building Department use only. Additional documents may be requested at any time during the permitting process. Any exceptions must be approved by a Supervisor.

Sec. 82-276. Fences, height, type, and construction standards.

Definitions:

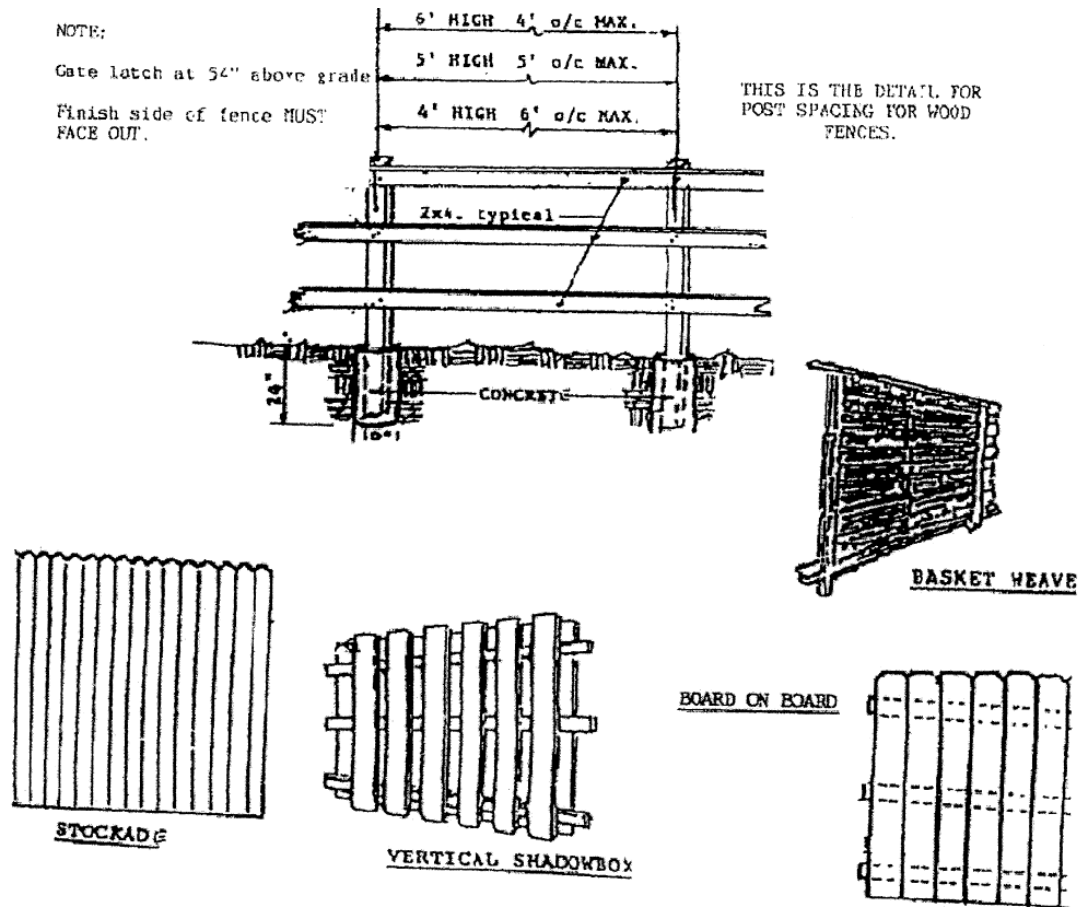
Fence means any freestanding lightweight structure, usually constructed of posts and wire, wood, plastic or aluminum and designed to restrict or prevent movement across a boundary.

Hedge means a lineal barrier or boundary of plants grown and maintained in such a way that their limbs intertwine and designed to restrict or prevent movement across a boundary.

Wall means a freestanding barrier made from solid brick, stone, concrete or concrete block and designed to restrict or prevent movement across a boundary.

(1) Fences and walls. The following height, type and construction standards shall apply to fences and walls:

- a. All fences and walls constructed street-ward of the front building setback lines shall be designed so that no more than five feet of its height is a complete solid barrier and not more than seven feet in height overall measured on both sides of the fence, wall or other enclosure from the finished grade of the lot.
- b. Fences, walls and other enclosures adjacent to business zoned property may be ten feet in height.
- c. Where a property line borders on a bay, river, strait or canal the following shall apply: Fence, hedge or other enclosure heights shall be not more than three feet above the finished grade of the lot or bulkhead, to the nearest setback line; with the exception of fences that are required in order to comply with the Florida Building Code and or for insurance purposes when in conjunction with a newly constructed or existing swimming pool/spa.
- d. Fences for swimming pools/spas shall be of a type that does not create an obstruction to any view above three feet in height.
- e. All fences street-ward of the front building setback line or along any side or rear lot line adjacent to the public right-of-way shall be designed and constructed to comply with ASCE 7-02 and withstand wind speeds of 140 m.p.h., three second gust. Unless designed by rational analysis, wood fences not exceeding six feet in height may be constructed to meet the following minimum requirements:
 1. Vertical post of pressure-treated 4" × 4" spaced as indicated below. Post shall be embedded a minimum of 24 inches into a concrete footing 12 inches in diameter. Horizontal framing shall consist of a minimum of three horizontal rails of pressure-treated 2" × 4" boards for six-foot and five-foot high fences and two horizontal rails of pressure-treated 2" × 4" boards for four-foot high fencing. Rails shall be fastened with two 16D nails or two three-inch deck screws at each post. Three-quarter-inch thick boards (pickets) a maximum of eight-inch width shall be fastened to each rail with two 6D nails or two two-inch deck screws. All lumber shall be a minimum of #2 grade or better. All fasteners shall be corrosion resistant.



2. WARNING: Pre-manufactured sections may not comply with this code. Product approval may be required.
- f. Chain link fences are not permitted street ward of the front building setback line.
- g. Hog wire, chicken wire or barbed wire fences in all zoning districts are not permitted.
- h. Fences, walls or other enclosures constructed on side and rear lot lines of non-waterfront properties shall not exceed seven feet in height, except fences, walls and other enclosures adjacent to business zoned property may be ten feet in height.
- i. Fences or walls located in utility and drainage easements on single-family residential zoned property shall require a written waiver issued by the appropriate authority having jurisdiction over the easement.
- j. Fences with one finished side shall be constructed with the finished side facing out and the support posts and structural members facing inward.
- k. All fences shall be constructed to withstand tropical storm-force winds or greater.
- l. Support posts for all fences shall be set in concrete footers.
- m. Any fence over seven feet in height shall be designed and constructed to comply with the American Society of Civil Engineers (ASCE) 7-02 or the most current version and withstand wind speeds of 140 m.p.h., three second gust.

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- (2) *Hedges.* Hedges located street-ward of the front building line shall not exceed ten feet in height, hedges located along a side lot line behind the front building line or along a rear lot line may exceed the ten-foot height limitation (and the three-foot limitation for lots bordering bays, rivers, straits or canals), so long as the owners of property adjacent to any such hedge do not file an objection with the town building official. Hedges shall not be composed of exotic or invasive species as defined by the Florida Department of Environmental Protection (FDEP). Nonconforming hedges of exotic or invasive species in place at the time of the codification of this section shall be allowed to remain, however any replacement, additions or modification made to any existing hedge for any reason, shall be of a plant not listed by FDEP as an exotic or invasive species.
 - (3) *Corner lots.* On a corner lot, no fence, hedge or other enclosure shall be permitted within 40 feet of the intersection of the adjacent right-of-way lines of the two streets, unless such fence, hedge or other enclosure does not exceed three feet in height and is set back no less than ten feet from the edge of the paved surface of the street. In areas on corner lots facing roads where fences, hedges, or other enclosures are allowed higher than three feet, fence, hedge or other enclosure is limited to four feet from the property line abutting a road right-of-way back to the front building line.
 - (4) *Ornamental entrance gates and gate posts.* Ornamental entrance gates and gate posts shall not exceed eight feet in height overall and shall be designed to comply with ASCE 7-02 or the most current version and withstand wind speeds of 140 m.p.h., three second gust.
 - (5) *All fences, walls and hedges shall be maintained in a suitable manner.* Fences and walls shall be kept clean and free from stains, mold or mildew and in a sound structural condition. Hedges shall be kept trimmed and free any exotic, dead or diseased plants. Hedges shall be maintained by the owner so that they do not extend onto or over any adjacent public or private property or any road right-of-way.

(Ord. No. 95, § VI.C, 11-17-1976; Ord. No. 111, pt. 1, § 4, 9-13-1978; Ord. No. 140, 8-10-1983; Ord. No. 232, 10-12-1994; Ord. No. 246, § 1, 6-16-1998; Ord. No. 290, Exh. A, 1-15-2002; Ord. No. 295, 1-21-2003; Ord. No. 305, 11-16-2004; Ord. No. 337, § 2, 5-22-2007; Ord. No. 356, § 2, 6-22-2010)

AFFIDAVIT FOR POOL BARRIER

R4501.17.1 Outdoor swimming pools. Outdoor swimming pools shall be provided with a barrier complying with R4501.17.1.1 through R4501.17.1.14.

R4501.17.1.1 The top of the barrier shall be at least 48 inches (1219 mm) above grade measured on the side of the barrier which faces away from the swimming pool. The maximum vertical clearance between grade and the bottom of the barrier shall be 2 inches (51 mm) measured on the side of the barrier which faces away from the swimming pool. Where the top of the pool structure is above grade the barrier may be at ground level or mounted on top of the pool structure. Where the barrier is mounted on top of the pool structure, the maximum vertical clearance between the top of the pool structure and the bottom of the barrier shall be 4 inches (102 mm).

R4501.17.1.2 The barrier may not have any gaps, openings, indentations, protrusions, or structural components **that could allow a young child to crawl under, squeeze through, or climb over the barrier as herein described below.***** One end of a removable child barrier shall not be removable without the aid of tools. Openings in any barrier shall not allow passage of a 4-inch-diameter (102 mm) sphere.

R4501.17.1.3 Solid barriers which do not have openings shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.

R4501.17.1.4 Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is less than 45 inches (1143 mm), the horizontal members shall be located on the swimming pool side of the fence. Spacing between vertical members shall not exceed 13/4 inches (44 mm) in width. Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 13/4 inches (44 mm) in width.

R4501.17.1.5 Where the barrier is composed of horizontal and vertical members and the distance between the tops of the horizontal members is 45 inches (1143 mm) or more, spacing between vertical members shall not exceed 4 inches (102 mm). Where there are decorative cutouts within vertical members, spacing within the cutouts shall not exceed 1 3/4 inches (44 mm) in width.

R4501.17.1.6 Maximum mesh size for chain link fences shall be a 2 1/4 inch square (57 mm) unless the fence is provided with slats fastened at the top or bottom which reduce the openings to no more than 1 3/4 inches (44 mm).

R4501.17.1.7 Where the barrier is composed of diagonal members, the maximum opening formed by the diagonal members shall be no more than 1 3/4 inches (44 mm).

R4501.17.1.8 Access gates, when provided, shall be self-closing and shall comply with the requirements of Sections R4501.17.1.1 through R4501.17.1.7 and shall be equipped with a self-latching locking device located on the pool side of the gate. Where the device release is located no less than 54 inches (1372 mm) from the bottom of the gate, the device release mechanism may be located on either side of the gate and so placed that it cannot be reached by a young child over the top or through any opening or gap from the outside. Gates that provide access to the swimming pool must open outward away from the pool. **The gates and barrier shall have no opening greater than 1/2 inch (12.7 mm) within 18 inches (457 mm) of the release mechanism.**

*****PLEASE NOTE: ALL POOL BARRIERS MUST BE ABLE TO PREVENT PASSAGE OF A 4" PLASTIC SPHERE WHEN APPLIED AT A REASONABLE HAND PRESSURE**
PLEASE INITIAL HERE AND SUBMIT WITH PERMIT WHEN FENCE IS USED AS A POOL BARRIER, AND YOU HAVE READ AND UNDERSTOOD THE BARRIER REQUIREMENTS

EASEMENT AGREEMENT

Date: _____

Gentlemen:

I propose to apply for a Town of Sewall's Point permit to erect a _____

In the (utility/drainage) easement on my property located at _____

LEGAL DESCRIPTION: LOT____, BLOCK____, SUBDIVISION_____

(Give a brief description of dimensions and location from property lines)

In the event you have no objection to this project, please complete this form and return to me at:

Address: _____

City: _____ State: _____ Zip: _____

I understand your company will not be responsible in any way for repair or replacement of any portion of This _____ and that any removal or replacement of such, necessary for your use of this easement will be done at my expense.

I acknowledge that I will be responsible for any damage caused to your facilities in this (utility/drainage) easement by the construction or maintenance of this structure.

Signed: _____ Phone: _____

THE FOLLOWING IS TO BE COMPLETED BY UTILITY COMPANY***

We agree to the proposed construction under the circumstances described above.

Company: _____

By: _____

Title: _____

Company records indicate that a potential conflict ☐ DOES ☐ DOES NOT exist.

The conflict consists of: _____

UTILITY CONTACT LIST

MARTIN COUNTY UTILITIES: JIM CHRIST 772-320-3034 - FAX: 221-1447 EMAIL: JCHRIST@MARTIN.FL.US

FLORIDA POWER AND LIGHT: ROB MORRIS 772-223-4215 - FAX: 772-223-4221 EMAIL: ROB.MORRIS@FPL.COM

COMCAST: ANTHONY (TONY) SPRINGSTEEL 772-692-6010 ANTHONY_SPRINGSTEEL@CABLE.COMCAST.COM OR
WADE_HAGERTY@CABLE.COMCAST.COM

AT&T: JAMES VIRGA 772-692-2774 FAX: 772-692-9937 EMAIL: JV3965@ATT.COM *SKETCH OR SURVEY SHOWING FENCE
REQUIRED