

PART II - CODE OF ORDINANCES
CHAPTER 58 - ZONING
ARTICLE II. - ZONING DISTRICTS

DIVISION 4. R1-15A RESIDENCE DISTRICT

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Sec. 58-111. District purpose.

The R1-15A district is a single-family residence district.

(Comp. Dev. Code 1990, § 7-4-2.1(A); Code 1994, § 102-111; Ord. No. 99-8638, § 1, 9-15-1999)

Sec. 58-112. Uses permitted.

In the R1-15A district, no building or structure, or part thereof, shall be erected, altered or used, or land or water used, in whole or in part, for other than the following:

- (1) Single-family residences.
- (2) Accessory structures which are incidental to and customarily associated with the uses permitted in this district.

(Comp. Dev. Code 1990, § 7-4-2.1(B); Code 1994, § 102-112; Ord. No. 99-8638, § 1, 9-15-1999)

Sec. 58-113. Conditional uses.

Conditional uses within the R1-15A district are:

- (1) Guest units in conformance with section 56-91.
- (2) Recreational facilities as listed in section 56-94.

(Comp. Dev. Code 1990, § 7-4-2.1(C); Code 1994, § 102-113; Ord. No. 99-8638, § 1, 9-15-1999; Ord. No. 01-9152, § 1, 4-18-2001)

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Sec. 58-114. Minimum lot area.

- (a) Minimum lot area in the R1-15A district is 1 platted lot identified in the following plats: Lantern Lake Section Port Royal at Plat Book 1, page 100; Cutlass Cove Section Port Royal at Plat Book 1, page 101, less and except Block A of the plat and the Cutlass Anchorage; Replat of Part of Cutlass Cove Section Port Royal at Plat Book 2, page 106; Addition to Lantern Lake Section Port Royal at Plat Book 3, page 19; Galleon Drive and Spyglass Island Sections of Port Royal at Plat Book 3, pages 32-34; King's Town Drive to Admiralty Parade Section Port Royal at Plat Book 3, pages 74-78; and Half Moon Lake Addition to Port Royal at Plat Book 12, page 33.
- (b) Notwithstanding anything set forth in the referenced plats, the city recognizes that portions of lots may be combined to form 1 single-family lot provided the sum of the portions combined is equal to or greater than 1 platted lot. For example, ½ of Lot X and ½ of Lot Y will constitute 1 platted lot in the R1-15A residence district.

(Comp. Dev. Code 1990, § 7-4-2.1(D); Code 1994, § 102-114; Ord. No. 99-8638, § 1, 9-15-1999)

Sec. 58-115. Minimum lot width.

Minimum lot width in the R1-15A district is 100 feet.

(Comp. Dev. Code 1990, § 7-4-2.1(E); Code 1994, § 102-115; Ord. No. 99-8638, § 1, 9-15-1999)

Sec. 58-116. Minimum yards.

Minimum yards in the R1-15A district are as follows:

- (1) *Front yard*: 40 feet.

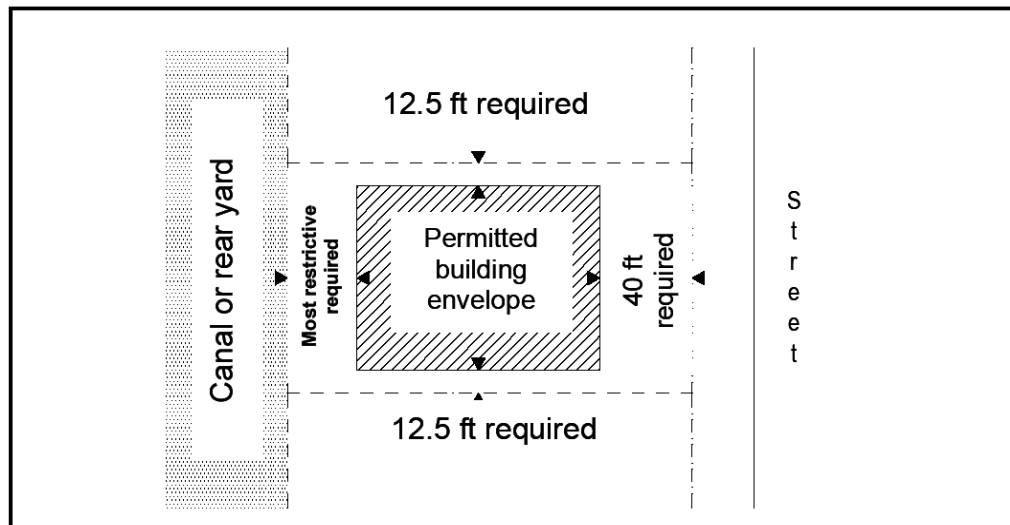


Figure 1. Illustration of Required Setbacks

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- (2) *Side yard*: 12½ feet. This side yard applies to the first 12½ feet of vertical height measured from the greater of:
- The FEMA first habitable floor height requirement;
 - 18 inches above the state department of environmental protection requirement for the first habitable floor structural support;
 - 18 inches above the elevation of the average crown of the adjacent roads; or
 - The average natural grade (natural contours of a land area generally unaltered by human intervention).

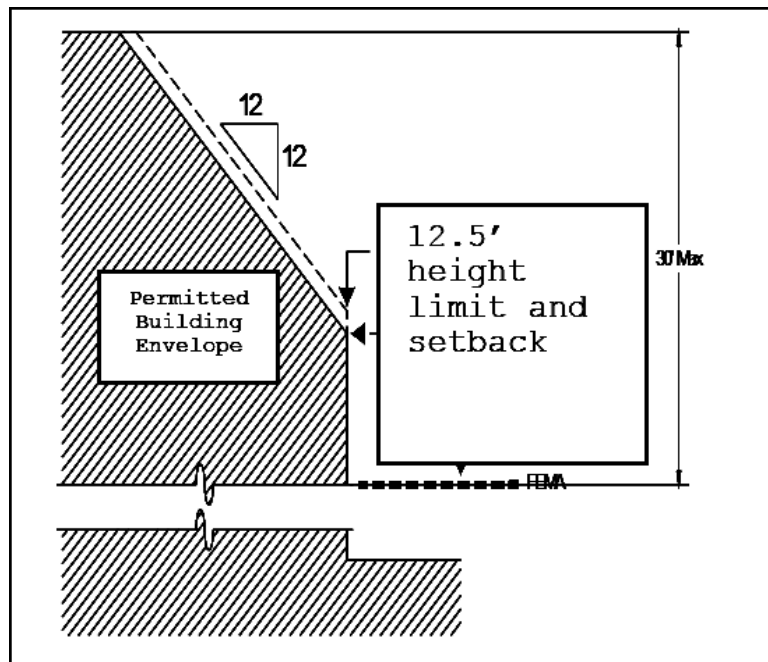


Figure 2. Illustrations of Side Yard Setbacks

Additional height must remain within a 12:12 slope beyond the initial setback.

- (3) *Rear yard*: 30 feet. The setback for a non-gulf facing waterfront rear yard shall be the most restrictive of the following:
- 30 feet from the mean high-water line; or
 - The platted waterfront building line.
- (4) *Mechanical equipment*. Mechanical equipment screening and elevation, including air conditioning, pool equipment, generators or other noise generating machinery.
- Permanent screening shall be required around all mechanical equipment. The equipment shall be fully screened as viewed from the street, neighboring properties and adjacent waterways.
 - Mechanical equipment may be placed on a second story roof only if it is recessed and completely concealed by the roof structure.
 - When mechanical equipment is located on the side of the residence it shall be located with its base no more than six inches above the greater of either the minimum FEMA first habitable floor elevation or the State Department of Environmental Protection requirement for first habitable floor.

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(5) *Encroachments.* No encroachments other than those listed in subsection (5) of this section shall be permitted. Cornices, overhangs, awnings, eaves, gutters, trellises, pergolas, arched arbors, and other elements as listed in section 56-54 shall not be permitted to encroach into any side or rear yard setback, or extend beyond any platted building line, in the R1-15A zoning district. Structures less than 36 inches in height, as measured from the crown of the road shall not be considered as encroachments, except that under no circumstances shall air conditioning, pool mechanical equipment or generators encroach into any required setback area. Crown of the road is defined as the height measurement of the road adjacent to the property. If the road slopes the length of the property the average of the highest and lowest crown elevations shall be used as the base point.

(6) *Side yard exception is as follows:*

Gable roofs. Gable roof ends not more than 20 feet in height may encroach into the 12:12 slope beyond the initial side yard setback, provided that:

- a. They shall be set back more than ten feet from both the front and rear yard setback lines;

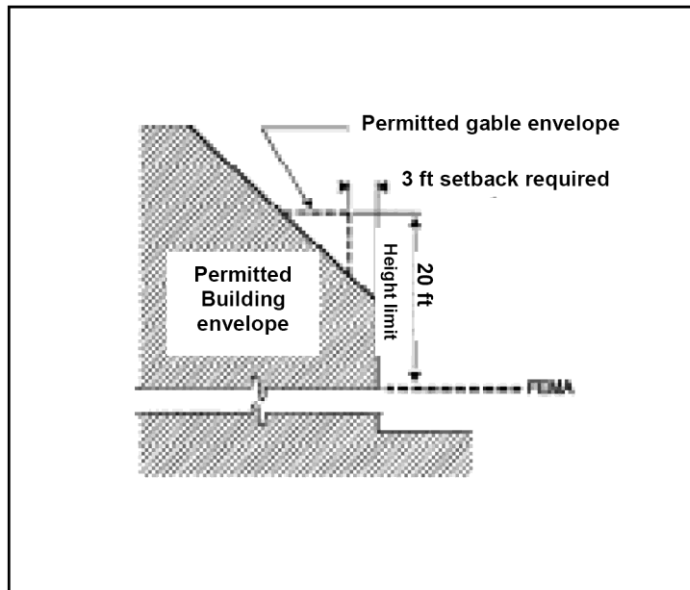


Figure 3. Illustration of Permitted Gable Encroachment

- b. The wall plane of the gable shall be set back a minimum of three feet from the wall plane below the gable;
 - c. No individual gable roof end shall exceed 20 feet in width; and
 - d. The maximum cumulative width of all gable wall encroachments along each individual side yard setback line shall not exceed 40 feet.
- (7) *Reduction of front yard setback.* On lots which front on more than one street, one of the front yards may be reduced to 35 feet. The property owner may choose which setback to reduce, subject to the approval of the city manager.

(Comp. Dev. Code 1990, § 7-4-2.1(F); Code 1994, § 102-116; Ord. No. 94-7249, § 1, 8-17-1994; Ord. No. 95-7594, § 24, 12-20-1995; Ord. No. 99-8638, § 1, 9-15-1999; Ord. No. 00-9037, § 1, 12-20-2000; Ord. No. 01-9069, § 1, 1-17-2001; Ord. No. 02-9910, § 1, 12-18-2002; Ord. No. 06-11496, § 1, 12-20-2006; Ord. No. 08-12048, §§ 1—3, 5-7-2008; Ord. No. 11-12910, § 2, 6-1-2010; [Ord. No. 13-13240, § 1, 2-6-2013](#))

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Sec. 58-117. Minimum floor area.

In the R1-15A district, the ground floor of the main dwelling shall not contain less than the following floor area:

- (1) 1-story buildings: 1,750 square feet.
- (2) 2-story buildings: 1,600 square feet.

This floor area does not include garages, covered walkways or open porches.

(Comp. Dev. Code 1990, § 7-4-2.1(G); Code 1994, § 102-117; Ord. No. 99-8638, § 1, 9-15-1999)

Sec. 58-118. Maximum height.

Maximum height in the R1-15A district is 30 feet, measured from the greater of:

- (1) The FEMA first habitable floor height requirement;
- (2) 18 inches above the state department of environmental protection requirement for the first habitable floor structural support;
- (3) 18 inches above the elevation of the average crown of the adjacent roads; or
- (4) The average natural grade (natural contours of a land area generally unaltered by human intervention).

Architectural embellishments may extend five feet above the maximum height requirement.

(Comp. Dev. Code 1990, § 7-4-2.1(H); Code 1994, § 102-118; Ord. No. 99-8638, § 1, 9-15-1999; Ord. No. 06-11496, § 2, 12-20-2006; Ord. No. 08-12048, 4, 5-7-2008)

Sec. 58-119. Minimum off-street parking.

Minimum off-street parking in the R1-15A district is two spaces per residence, located within the permitted building area.

(Comp. Dev. Code 1990, § 7-4-2.1(I); Code 1994, § 102-119; Ord. No. 99-8638, § 1, 9-15-1999)

Sec. 58-120. Maximum building area.

- (a) Within the R1-15A district, building area is calculated as the area within the outermost perimeter of the roof structure, including covered porches, entryways and screen enclosures, both solid and screen roofed, except as noted in subsection (c) of this section.

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(b) Maximum building area is as follows:

Lot Size Increment or Portion (increment in square feet)	Maximum Building Area (percentage of lot area)
First 5,000	48
Next 5,000	35
Next 10,000	24
Next 30,000	20
Next 50,000	15
Thereafter	2

(c) Exceptions are as follows:

(1) *Roof overhangs.* The first 18 inches of roof overhang shall not be counted against maximum building area. Roof overhangs are subject to side yard setback requirements in their entirety.

(2) *Screen enclosures.* Screen pool enclosures, lanais and other similar structures, which may be roofed but are open on at least one side, and which are no higher than 15 feet above the minimum flood elevation, shall be included in building area calculations at 50 percent of their actual square footage. Such structures which are taller than 15 feet for any portion of their roof height shall be counted 100 percent against maximum building area for their entire floor area.

(Comp. Dev. Code 1990, § 7-4-2.1(J); Code 1994, § 102-120; Ord. No. 99-8638, § 1, 9-15-1999)

Sec. 58-121. Pier location and dimensions.

Within the R1-15A district, piers are permitted accessory structures at all developed, waterfront residential properties, subject to the following restrictions and standards:

- (1) Piers cannot be covered.
- (2) Pier and walkway elevation cannot exceed the elevation of the natural grade of the upland property adjacent to the pier, and no pile, pile cap, nor boat lift structure can be elevated more than plus 10.5 feet MHWL.
- (3) The side yard setback for all piers, including floating piers, pilings, vessels moored to piers, boat lifts, and vessels supported on boat lifts, constructed after September 15, 1999, the effective date of Ordinance No. 99-8638, is 20 feet from the side property lines and riparian lines, extended into the waterway. The setback shall be measured at a right angle to the extended property line.

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- (4) Piers and lift systems may not extend more than 22 feet waterward of the toe of the riprap revetment (the largest original stones at the bottom of the existing riprap), with the following exceptions:
- Piers on Naples Bay and Gordon Pass may extend beyond 22 feet in order to reach a maximum depth of five feet, mean low water, which is the maximum depth for maintenance dredging, as defined in F.A.C. 62-312.050(1)(e). The most waterward edge of the pier, pilings or lift cannot extend beyond this point. Depth shall be determined by an independent third party licensed surveyor using NAVD 88 and measurements shall be taken no more than every five feet starting at the toe of the riprap.
 - For every one foot beyond the 22-foot limit that the pier extends, the side yard setback shall increase by two feet for the entire length of the pier and pilings, including anything attached to them.
 - If the increased setback results in a pier that is centered along the rear property line and the length of the pier is still inadequate to provide a depth of five feet MLW, the pier can be extended the additional distance needed to provide a depth of five feet MLW. A pier is considered to be centered when the combined mass of pier and vessel moored to it are positioned opposite the midpoint of the rear property line.
 - A dock that is centered must be a shore normal pier and lift system. No parallel piers or lifts are permitted beyond 22 feet waterward of the toe of the riprap revetment.
 - The maximum shore-parallel width of the pier and lifts shall not exceed 25 percent of the shore-parallel length of the waterfront property line.

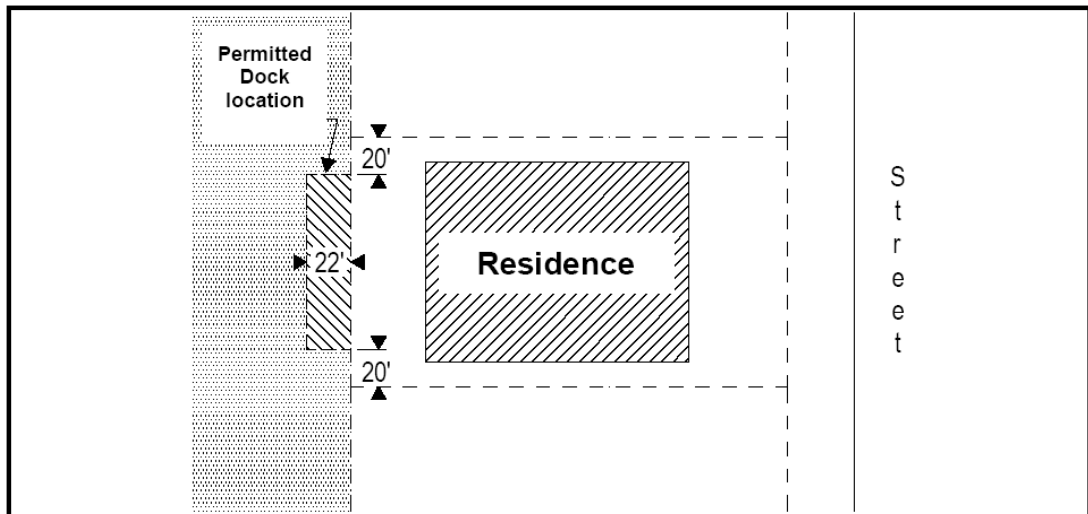


Figure 4. Permitted Dock Location

- Piers may extend beyond 22 feet only if the permit applicant demonstrates to the city manager, by depth survey and bottom habitat characteristics, that such an extension is necessary to preserve productive intertidal and subtidal habitat. The distance extended off-shore shall be governed by the width of the habitat to be preserved, thus limited maintenance dredging may also be needed to achieve adequate depth waterward of the pier. For every one foot beyond the 22-foot limit that the pier extends, the side yard setback shall increase by two feet for the entire length of the pier and pilings including anything permanently attached to them.
- Off-shore mooring piles, limited to two, with widths or diameters no greater than 14 inches, located a maximum of 20 feet waterward of a pier, are permitted at all properties fronting Naples Bay and Gordon Pass, and at certain other locations, as indicated on the Port Royal Association, Inc., Map, labeled "Exhibit F, Area Map Showing Specific

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Properties which are Permitted to Have Mooring Pilings 30 Feet From Shoreline," incorporated herein, and on file at the city offices. Off-shore mooring anchors may be installed so long as the mooring pennants are submerged and do not create a hazard to navigation.

- d. For lots 1 and 2 in Old Harbour Cove and lots 25, 26, 27, 28 and 29 in Cutlass Cove which are in dead-end coves where extended property lines converge, the following rules apply:
 1. Piers shall be positioned as close to the toe of the riprap as possible.
 2. Lifts may be positioned on the ends of the piers, or along the off-shore side.
 3. Outboard walkways accessible from the pier are prohibited.
 4. The side setback shall be 12.5 feet from the side property lines extended into the waterway for all portions of the pier, pilings, boatlift and vessel.
- (5) Pile and beam supported boat lifts shall be subject to the same regulations as fixed and floating piers. Lift systems are allowed only on the inshore sides of piers, or in a shore-normal alignment. Side yard setback restrictions shall apply to any vessel stored on a lift. If the city manager considers it environmentally necessary to install a lift system on the off-shore side of a pier, in excess of the 22-foot limit, the lift system shall be freestanding, without additional pier or catwalk structures attached to it, and for every one foot beyond the 22-foot limit that the lift extends, the side yard setback shall increase by two feet. An offshore lift installation must comply with subsection (11) of this section.
- (6) Pier dimensions shall not exceed the following:
 - a. *Shore-normal or perpendicular walkway providing access to shore-parallel pier*: Six feet in width.
 - b. *Shore-normal pier*: Eight feet in width.
 - c. *Shore-parallel pier*: Eight feet in width and 100 feet in length.
 - d. *Catwalk providing access to side of vessel, boat lift, or mooring pile*: Four feet in width.
- (7) A maximum of two docks per lot, as defined in section 44-8, are permitted.
- (8) No piers or other over-water structures of any kind shall be permitted on Lantern Lake or Half Moon Lake.
- (9) All proposed piers and docks shall be reviewed by the city manager to ensure compliance with environmental regulations and habitat preservation.
- (10) Any proposed expansion of or addition (including boat lifts) to an existing nonconforming pier or dock shall require that all portions of the existing dock be brought into conformance with the requirements of this article. Total replacement of a dock requires conformity with current code. Replacement of decking material or replacement of piles within the existing footprint shall be exempt from the requirements of this article.
- (11) No combination of pier or dock, moored vessel, or boat lift shall exceed 25 percent of the width of the waterway adjacent to the subject property. If no vessel beam is specified in the permit application a beam of 13 feet shall be assumed. In consideration of the fact that some waterways have irregular, nonparallel shorelines, the aforementioned 25 percent may have to be reduced in order to ensure that a minimum centerline channel width of 50 percent of the waterway width is maintained for the length of the subject property. Navigation in both marked and unmarked channels shall not be hindered.
- (12) Applications to modify or construct piers or docks and boat lifts shall be accompanied by a scaled, plan-view drawing superimposed on a scaled survey showing the subject shoreline and the neighboring shorelines and piers. The elevations of the proposed walkways, piers, and piles and the distance to the opposite shoreline shall also be provided. Applications requesting encroachments under subsection (4)b. of this section shall include the necessary depth profiles presented on a cross-section drawing, and the required environmental information.

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(Code 1994, § 102-121; Ord. No. 94-7248, § 1, 8-17-1994; Ord. No. 97-8104, § 1, 10-15-1997; Ord. No. 99-8638, § 1, 9-15-1999; Ord. No. 00-8902, §§ 1, 2, 8-16-2000; Ord. No. 01-9068, § 3, 1-17-2001; Ord. No. 03-9947, § 1, 2-5-2003; [Ord. No. 13-13240, § 1, 2-6-2013](#))

Sec. 58-122. Seawalls, boat slips and revetments.

- (a) Within the R1-15A district, seawalls and recessed boat slips are not permitted, subject to the following exceptions:
- (1) For Lots 1 through 12, Galleon Drive Section and Lots 23, and 46 through 53, Lantern Lake Section a seawall that extends no higher than or beyond the seawalls of neighboring properties on the Jamaica Channel is permitted.
 - (2) For Lots 1 through 12, Galleon Drive Section: A recessed boat slip that extends no more than 60 feet from the platted lot line is permitted. A boat slip may be covered or roofed, in accordance with section 56-53; however, the width or diameter of the vertical supports for the roof shall be no greater than 14 inches. There shall be no architectural embellishments, such as arches, gingerbread, or fretwork, between the supports or beneath the horizontal roof support beams. The horizontal support beams shall be no deeper than 24 inches. Boat shelter roofs may be peaked or flat. Sun decks or viewing platforms are prohibited. The vertical distance between the grade of the rear yard and the boat shelter roof horizontal support beams shall not exceed 20 feet. Boat slips cannot encroach into the 20 foot side yard setback. Repairs are allowed in accordance with the foregoing.
- (b) Land or fill shall not be extended into any bay, cove, canal or channel beyond the original toe stones or existing seawall. The existing contour of the shoreline shall not be altered by excavation or construction; however, deteriorated riprap can be restored. On vacant or redeveloping lots the restoration shall be at a slope not to exceed one foot vertically for every two feet horizontally (1:2). On developed lots the restoration can be at the existing slope. Any proposed placement of fill beyond the existing toe of the riprap is considered a dredge and fill activity and it requires permits from the city council, the state department of environmental protection, and the U.S. Army Corps of Engineers. The required recommended design for riprap repair is shown in Figure 5. Riprap repair permits must be accompanied by a scaled survey showing the existing toe stones and platted lot line, top of riprap and mean high water line. An as-built scaled survey must be submitted prior to final building inspection.

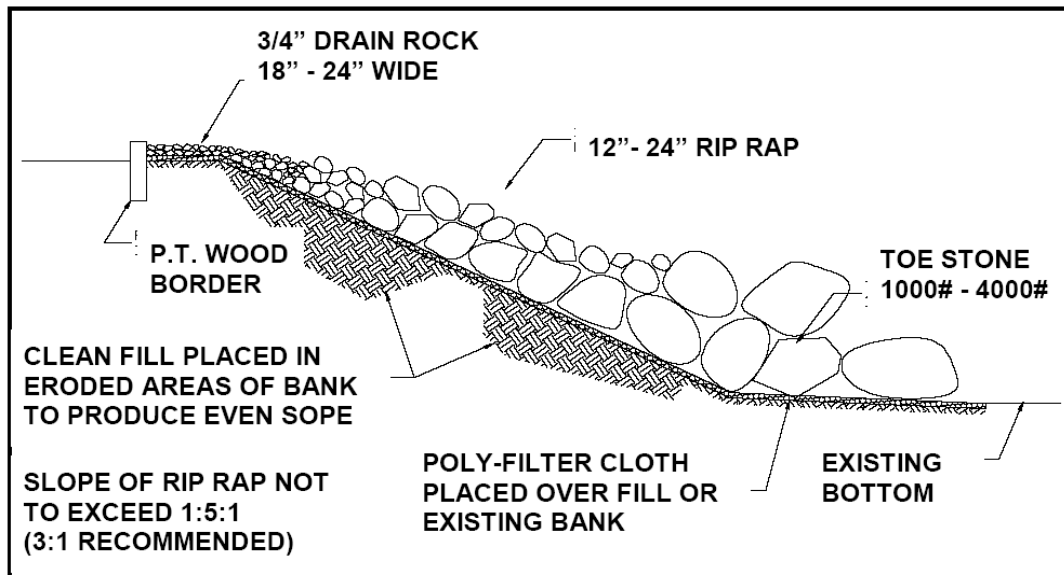


Figure 5. Recommended Design for Riprap Repair

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- (c) Seawall, retaining wall, and riprap construction and repair shall comply, at a minimum, with the technical specifications referenced in section 16-254. The use of alternative technologies, as described in section 16-254(c), is prohibited in the R1-15A zone.

(Code 1994, § 102-122; Ord. No. 99-8638, § 1, 9-15-1999; Ord. No. 03-9947, § 2, 2-5-2003; Ord. No. 06-11496, § 3, 12-20-2006; Ord. No. 08-12048, 5, 5-7-2008; [Ord. No. 13-13240, § 1, 2-6-2013](#))

Sec. 58-123. Architectural requirements.

Structures in the R1-15A zoning district shall be subject to the following requirements:

- (1) *Roof pitch.* The main or predominant portion of the roof of the main dwelling and accessory buildings shall have a pitch of not less than eight to 12. This shall not preclude a roof with two slopes so long as one has a pitch of not less than eight to 12, or a flat deck roof atop a slope of the required eight to 12 pitch.
- (2) *Utility connections.* All telephone, electric or other wires of all kinds must be underground from the poles of the transmission cable located within the platted utility easements to the building or use connection.

(Code 1994, § 102-123; Ord. No. 99-8638, § 1, 9-15-1999)

Sec. 58-124. Driveway entries, walls and fences.

- (a) *General standards.* Within the R1-15A district, driveway entry treatments, walls, and fences are permitted on all properties subject to the following restrictions and standards, with no provision for administrative or standard waivers as enumerated in section 56-37(e). Property owners are encouraged to screen walls and fences from street view and adjacent properties with landscaping.

- (1) *Definitions.* As used in this section:

Base point for height measurement. Outside the building envelope, the elevation at the crown of the road adjacent to the property is the base point for measurement of height. If the road slopes the length of the property, the average of the highest and lowest crown elevations shall be used as the base point. Inside the building envelope, finished grade at the entry treatment, wall or fence location is the base point for measurement.

Building envelope means the buildable area of a property as determined by the applicable setbacks.

Main driveway means access provided for vehicular ingress and egress. A property may have a maximum of two main driveways. Third driveways are considered subordinate to main driveways and are subject to different standards.

Maximum height means finished height, including wall, column or post footings, caps, lighting, finials, and all other architectural embellishments, except as otherwise provided.

- (2) *Maximum entry treatment height.* Height of main driveway gates, entry columns and posts shall be based upon the lot frontage distance and the distance which such entry treatment is set back from the adjacent paved travelway. A property may have a maximum of two main driveways, with a maximum of two main entry columns or posts per driveway.

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- a. *Properties east of Gordon Drive.* See table below for locations east of Gordon Drive.

	Minimum distance from travelway		
Lot frontage	20'	25'	30'
	Maximum permitted entry gate, column and post height measured from crown of road		
Less than 80'	6'	6'	6'
80'—100'	6'	7'	8'
101'—150'	7'	8'	9'
151'—200'	8'	9'	10'
More than 200'	10'	11'	12'

- b. *Properties west of Gordon Drive.* See table below for locations west of Gordon Drive.

	Minimum distance from travelway		
Lot frontage	20'	25'	30'
	Maximum permitted entry gate, column and post height measured from crown of road		
200' or less	8'	9'	10'
More than 200'	10'	11'	12'

- c. *Gate height exceeding six feet.* For any gate exceeding six feet in height, the portions of the gate above six feet must be at least 70 percent open and transparent.
- d. *Clarification of column and post types.*
- At a main driveway, no more than two columns or posts shall be treated as main entry columns or posts, with such height limitations as described in the tables of subsections (a)(2)a and b above. Up to 32 inches is permitted on top of a main entry column or post to allow for finished installation of light fixtures. This shall not increase the maximum permitted height of the finished main entry column or post.

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2. At a main driveway, no more than two columns or posts shall be treated as secondary entry columns or posts. The maximum height for such columns or posts is the greater of: four feet six inches or 50 percent of the maximum permitted height for main entry columns or posts.
3. Any other column or post in the front yard outside the building envelope shall be treated as a secondary column or post, with a maximum height of four feet six inches, and minimum spacing of six feet.
- e. *Third driveways.* For third driveways, the maximum height of a gate and no more than two entry columns or posts is six feet.
- f. *Entry transition.* A transitional wall or fence area sloping downward from an entry column or post is permitted, provided that the length of such wall or fence area does not exceed 50 percent of the maximum permitted entry column or post height. Such transitional wall or fence area shall terminate at a maximum height of the greater of: four feet six inches or 50 percent of the maximum permitted entry column or post height in the case of main driveways, and shall terminate at a maximum height of four feet six inches in the case of third driveways.
- (3) *Maximum column and post width.* For any columns or posts, the maximum finished width, including caps, facings, footings, and embellishments, is two feet six inches, except that the maximum finished width for main entry columns or posts with a height greater than eight feet is two feet ten inches.
- (4) *Maximum wall and fence height.*
 - a. *Front yard outside the building envelope.* Walls and fences shall be limited to a maximum height of four feet. An additional 18 inches of metalwork that is at least 50 percent open and transparent is allowed on top of such wall or fence. Columns or posts other than entry columns or posts can be positioned along a wall or fence or can stand alone. Maximum height of these columns or posts shall be four feet six inches, and minimum spacing shall be six feet.
 - b. *Front yard inside the building envelope.* Walls and fences shall be limited to a maximum height of six feet except that columns or posts are permitted to be six feet six inches and minimum spacing shall be six feet.
 - c. *Side yard, rear yard, and adjacent building envelope.* Walls, fences, columns and posts are limited to a maximum height of five feet, in the side yards up to the rear waterfront building line. Outside the rear waterfront building line, height must comply with section 58-116(4). Pool fences may exceed these height requirements up to the minimum required to meet the Florida Pool Safety Act.
- (b) *Width of driveways and openings.*
 - (1) Where no gate is present, driveway width is not limited.
 - (2) On properties with one gated driveway, driveway width measured at the gate opening is limited to 20 feet.
 - (3) On properties with more than one gated driveway, driveway width measured at the gate opening is limited to 15 feet. No lighting, sculptures or other architectural appurtenances shall be allowed on the fence or wall that accommodates more than one gated driveway.
 - (4) A maximum of two fence or wall openings that do not accommodate a driveway are permitted. Each such opening is limited to ten feet in width, and minimum spacing between such openings is 30 feet.
- (c) *Prohibited materials.*
 - (1) Barbed wire fences are prohibited.
 - (2) Chainlink fences are prohibited in front yards except on a temporary basis as expressly permitted in section 16-291 (construction site management).
- (d) *Additional regulations.*
 - (1) Horticultural growth and support therefore, including arched arbors or trellises, are regulated by section 58-116(4).

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(2) Gate houses are regulated by section 56-38.

(Code 1994, § 102-124; Ord. No. 02-9910, § 3, 12-18-2002; Ord. No. 06-11496, § 4, 12-20-2006; Ord. No. 11-12910, § 3, 6-1-2010)