

ORDINANCE NO. #1067

AN ORDINANCE OF THE CITY OF MARIANNA, FLORIDA
AMENDING THE LAND DEVELOPMENT CODE OF THE
CITY OF MARIANNA CODE, DEALING WITH FENCES;
PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN
EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF MARIANNA,
FLORIDA THAT:

SECTION 1. Authority. The authority for enactment of this ordinance is Article 1, Section 1.06 and 1.07 of the Charter of the City of Marianna.

SECTION 2. Amendment. The Land Development Code, Section 4-2.2(5) of the Code of Ordinances for the City of Marianna, is hereby amended to read as follows:

**NOTE: STRIKE THROUGH INDICATES LANGUAGE DELETED AND
UNDERLINE INDICATES LANGUAGE CHANGES.**

Section 4-2.2. Accessory structures.

5. Fences.

- a. Fences or hedges may be located in all front, side and rear yard setback areas. No fences or hedges shall exceed four feet in height when placed in the front yard. Each fence located in the side and rear yard setbacks shall not exceed eight feet in height, and for side yards shall not extend beyond the front of the principal structure.
- b. ~~Fences shall be setback a minimum of three feet from the property line.~~ e. In areas where the property faces two roadways or is located in any other area construed to be a corner lot, no fence shall be located in the sight distance vision triangle.
- dc. Any fence located adjacent to a public right-of-way or private road shall be placed with the finished side facing that right-of-way.
- ed. A fence required for safety and protection of hazard by another public agency may not be subject to height limitations above. Approval to exceed minimum height standards may be given by the Planning and Zoning Board upon receipt of satisfactory evidence of the need to exceed height standards.
- fe. No fence or hedge shall be constructed or installed in such a manner as to interfere with drainage on the site, unless such structure is intended for purposes of stormwater management. Gates or removable fences may be required to allow access to utility easements.

- gf. No fence, wall or similar structure shall be located in or upon any body of water or submerged lands, or located in such a manner as to restrict public access to or along any riparian property line.
- hg. Farms located within the Rural Transition zoning category shall be exempt for the requirements identified above.

Section 3. Severability. Each separate provision of this ordinance is deemed independent of all other provisions herein so that if any portion or provision of this ordinance is declared invalid, all other provisions there of shall remain valid and enforceable.

Section 4. Effective Date. This Ordinance shall become effective upon its adoption by the City Commission as provided by law.

PRESENTED AND READ BY TITLE TO THE CITY COMMISSION OF THE CITY OF MARIANNA, FLORIDA ON THE ____ DAY OF FEBRUARY, 2018.

PASSED AND ADOPTED BY THE CITY COMMISSION OF MARIANNA, FLORIDA ON THIS THE _____ DAY OF MARCH, 2018.

Marianna City Commissioners

By: _____
KENNETH HAMILTON, Mayor/Commissioner

ATTEST:

KIMBERLY J. APPLEWHITE, City Clerk