

**SIESTA ISLES FENCE GUIDELINES**  
**REVISED APRIL 12, 2007**

Siesta Isles has a restrictive Covenant governing hedges and fences. Over the years, many fences have been erected without approvals which are in violation of the Covenants. Effective April 12, 2007, fences currently in place that do not violate the County Right of Way or Siesta Isles front setback requirement will be deemed grandfathered; however when said fence needs replacement, the new fence will be required to conform to the Covenants. The Covenant is as follows:

***C-12 HEDGES AND FENCES:*** *No fence, hedge or other enclosure of any kind shall be constructed, grown or maintained, which is located between the street and the front setback lines of any lot. No wall or fence is to be constructed over 4 feet in height nor closer to the front lot line than 30 feet. Any such fence that is established must either be by vegetation or be an open mesh and no solid walls shall be permitted under any circumstances. Any Hedge must be planted 2 feet inside the side or back lot line of lot. No Australian Pines shall be planted or allowed to grow on any lot. The Association may, on written request, grant such departures from the above as it deems appropriate.*

A line by line explanation of the covenant follows:

***No fence, hedge or other enclosure of any kind shall be constructed, grown or maintained, which is located between the street and the front setback lines of any lot.***

The front lot line in Siesta Isles does not begin at the curb. There is an area in front of each lot that is owned by the County and can be as much as 15 feet from the curb in some areas (“**County Right of Way**”). Please refer to your lot survey to determine the dimensions of this area. The Covenants state that there can be no hedge, fence or wall in this specific area.

***No wall or fence is to be constructed over 4 feet in height nor closer to the front lot line than 30 feet.***

All walls and fences are to be no higher than 4 feet in height. In addition, there is a 30 foot front setback requirement for the residential structure in the Isles. Any fence, wall or hedge is not to encroach into the 30 foot front setback. It is the opinion of the Board that the original intent of the developers was to create an open look in the Isles.

***Any such fence that is established must either be by vegetation or be an open mesh and no solid walls shall be permitted under any circumstances.***

An open mesh fence is a woven design that is open such as a chain link fence or possibly a lattice fence. No other types of fences are permitted by this sentence and no solid walls are permitted.

***Any Hedge must be planted 2 feet inside the side or back lot line of lot. No Australian Pines shall be planted or allowed to grow on any lot.***

These two sentences need no further explanation.

***The Association may, on written request, grant such departures from the above as it deems appropriate.***

This sentence provides the Board the authority to grant departures from the Covenant upon a written request.

### **GUIDELINES FOR FENCE VARIANCE**

The only fence that does not require Board approval is a mesh fence no more than 4 feet in height that does not encroach into the 30 foot front setback. The following will document the Board's guidelines for consideration of a lot owner's written request for a variance of a fence that is not in compliance with the Covenant:

1. For all lots on the canals, the only fence permitted parallel to the seawall (the rear setback line) will be the open mesh fence no more than 4 feet in height. The reason for this is to preserve everyone's view of the canals.
2. For all lots on the canal, only 4 feet high open mesh fences will be permitted on both the right and left hand side of the lot. A fence of non-mesh design, no more than six feet in height, will be considered for privacy for the length of the residential structure, but then the fence must return to the 4 foot high, open mesh design, for the length of the lot. The reason for this is to preserve everyone's view of the canals.
3. For lots which are along or back up to Midnight Pass, an 8 foot fence parallel to Midnight Pass will be considered. Also, an 8 foot fence will be considered for those lots contiguous with the sewer plant.
4. For those lots not on the canal, a 6 foot high fence will be considered for those areas that are contiguous to areas outside of Siesta Isles. For those lots not on the canal, a six foot high fence will be considered for areas contiguous to other Siesta Isles Lots. The individual seeking to install the 6 foot fence should also obtain letters of support from each neighbor along the proposed fence line.
5. To maintain conformity, the Board will consider what is known as the "good neighbor" fence design also known as the shadow box design. This design provides some air flow and provides an appealing design on both sides of the fence.

6. For all lots, any fence in the front may only be 4 feet in height.
7. All fence variances have to be approved by the Board at a regular monthly meeting, usually held on the second Thursday of the month.
8. Requests for a variance must be in writing, accompanied by a copy of the lot survey showing the location of the fence and a picture or drawing of the fence design and composition. Requests must be received two weeks prior to a board meeting to be considered.
9. Please remember that Sarasota County requires a permit to install a fence.
- 10.** Fences are required to be maintained in good condition and appearance for the life of the fence.