



Port Antigua Property Owners' Association
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A Deed Restricted Community

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PORT ANTIGUA PERMANENT FENCE POLICY

(Effective as of March 29, 2021)¹

This policy is intended to establish the criteria for review of permanent fence installation as set forth in Article VII, Section 1 of the Declaration of Covenants and Restrictions (the "Declaration").

1. For purposes of this policy, a "Fence" shall be any permanent and freestanding wall or barrier constructed of any material.
2. Notwithstanding the definition set forth above, the following shall NOT be considered a Fence for purposes of this policy and shall NOT be subject to review under this policy (although shall be reviewable under other policies).
 - A. A barrier made of landscaping materials shall not be considered a Fence. An example of landscaping materials includes trees, shrubs, piling stumps, ropes and rocks up to 30" high (see illustration 1).
 - B. A retaining wall constructed as part of new construction to allow the ground floor construction to be above the base flood elevation and prevent erosion and/or water runoff from a property.
 - C. Temporary construction fences.
3. Prior to the installation of any Fence, the property owner shall submit to PAPOA the plans and specifications related to the installation of the Fence for the ACC's review and approval. The plans and specifications shall include:
 - A. A site plan showing the property boundary lines, the residence on the property, the dock (if any) and the location of the proposed Fence.
 - B. Photos, samples and any other reasonable description requested by the ACC related to the design and material of the Fence.

If any changes are made to the plans and specifications initially provided to the ACC (whether during the permitting process or otherwise) the property owner shall submit the revised plans to the ACC for review and approval. The property owner must obtain the ACC's approval of the final permit plans.

¹ This policy was adopted by the Board of Directors of the Port Antigua Property Owner's Association ("PAPOA") on February 15, 2021 and again on March 15, 2021.

4. Prior to the installation of any Fence, the property owner shall obtain a permit from the Village of Islamorada and any other applicable agency and shall provide PAPOA with a copy of the permit and the approved plans associated therewith.

5. Design criteria and Limitations:

A. Material: All Fences within Port Antigua must only be constructed of either: (i) vinyl coated chain link, or (ii) aluminum/metal railing (see illustration 2). No other materials may be used for the construction of Fences, including but not limited to wood, masonry (including masonry columns between permitted materials), PVC, lattice, split rail or composite. No Fence of any material shall be solid all the way across the length of the Fence (see illustration 3).

Vinyl coated chain link Fences must be either green or black.

The color and style of the railing style Fences shall, at the time of installation, endeavor to resemble the railing installed (or to be installed) on the residence, however, the Architectural Control Committee ("ACC") shall have discretion in approving the design of a railing style Fence.

Chain link shall not be used to secure the carport or ground floor (underneath the second-floor structure). The ACC shall have discretion in approving the design of the Fence for this use.

B. Height: The height of any Fence (excluding carport or ground floor gates) shall not exceed four feet. The height shall be measured from the top portion of the Fence to the finished ground elevation. Fill shall not be used to artificially raise the height of a Fence. The maximum height of any Fence to secure/enclose a carport or ground floor of a residence shall be dependent on each residence as reasonably determined by the ACC.

C. Facing: All Fences shall be constructed with the finished surface facing the exterior of the property (i.e. facing the neighboring property).

D. Setbacks:

- Front: A Fence shall not protrude beyond the front drip-line/drip edge of the residence. If the residence does not have a drip-line/drip edge, the front setback shall be the vertical exterior surface of the residence on the front/street side of the home as reasonably determined by the ACC. If there are multiple structures on a property, the ACC will have the discretion to approve the Fence installation based upon the drip-line/drip edge closest to the proposed Fence.
- Rear: A Fence may be installed up to the rear property line or up to the end of the dock (water side). No Fence shall be installed so as to extend into or through any wetland or body of water.
- Side: All Fences (including any structural components and landscaping buffers when required below) shall be installed within the property line of the owner installing the Fence.

- Landscaping buffer required for chain link Fences: The installation of a chain link Fence along any portion of the property will also require the installation of a landscaping buffer. The buffer shall be placed to the exterior side of the Fence (closest to the property line) and the Fence will then be installed behind the buffer (on the interior side) (See illustration 4).

The buffer shall consist of shrubs at a rate of 8 shrubs per 25 linear feet of Fence. The shrubs, at the time of installation, shall be no less than the height of the Fence and shall be arranged so that they are evenly distributed along the entire length of the chain link Fence.

If a chain link door is installed along a Fence line, it shall be screened with a material/design in the reasonable discretion of the ACC so as to cover the chain link. Plastic slats weaved through the chain link shall not be used for screening chain link doors.

- Notwithstanding the foregoing, the front and rear setbacks for the Out Lots along the east side of Costa Bravo Drive shall be in the reasonable discretion of the ACC.
6. The owner of the property on which the Fence is installed shall be responsible for the maintenance of the Fence and any landscape buffer as required above.
 7. Installation of the approved Fence and any landscape buffer required above shall be completed no later than sixty (60) days after the commencement of installation of the Fence.
 8. Any Fences not conforming to the provisions of this policy upon the effective date set forth above shall be allowed to continue until such time as the Fence is replaced, at which time the new Fence shall comply with the provisions hereof.

ILLUSTRATION 1
Sample of Barriers Not considered a Fence



ILLUSTRATION 2
Sample Permitted Materials for Fences



ILLUSTRATION 2 (continued)
Sample Permitted Materials for Fences



ILLUSTRATION 3

Sample of Materials/Styles NOT Permitted for Fences



ILLUSTRATION 3 (continued)
Sample of Materials/Styles NOT Permitted for Fences



ILLUSTRATION 4

