

MINUTES OF THE HOWEY IN THE HILLS PLANNING AND ZONING BOARD
HELD JANUARY 25, 2018

Chairman Llewellyn called the meeting to order at 6:03 p.m.

Present: Chairman Llewellyn, Member Ricci, Member St. Clair and Member Wells.

Absent: Member Lehning, Unexcused.

Also Present: Town Planner Harowski and Utility Billing/Administrative Assistant Stephenson.

CONSENT AGENDA

Minutes of the December 14, 2017 Planning and Zoning Board Meeting.

Member Wells, seconded by Member St. Clair moved to approve the minutes as presented. Motion passed unanimously.

NEW BUSINESS

Consideration and Approval to appoint a Vice Chairman.

Member Wells asked if it was a requirement. **Chairman Llewellyn** said that the Town Attorney recommended it.

Member Wells nominated Member St. Clair since she did so well the last time she had to run a meeting.

Member Wells, seconded by, Member Ricci moved to appoint Member St. Clair as the Vice Chairman. Motion passed unanimously.

Discussion: Section 5.01.07 of the Land Development Code. (Fences and Walls)

Town Planner Harowski read Section 5.01.07 of the Land Development Code.

5.01.07 Fences and Walls

- A. The maximum height of fences, hedges and walls shall be as follows, except where otherwise provided in this LDC:
1. Fences in front yards shall be a maximum of 4 feet tall and shall not be opaque. Picket fencing is acceptable.
 2. Fences in side yards shall be a maximum of 6 feet tall.
 3. Fences in rear yards shall be a maximum of 6 feet tall.
 4. Fences and walls required for security purposes in Industrial or Public zoning districts shall be a maximum of 8 feet tall.
 5. Fencing or walls used for decorative, privacy, or security purposes around residential or mixed use subdivisions shall be a maximum of 6 feet tall.

6. Hedges located along front property lines shall not exceed four (4) feet in height and shall be maintained so as not to obstruct the view of vehicular traffic at driveways and intersections.
- B. Decorative fences and walls shall be designed with offsets, banding, columns or posts with lintels or caps, landscape pockets, and other elements to avoid an expansive monolithic or monotonous appearance. Such elements shall be included every 30 feet or less.
- C. Fences in residential areas shall be made of decorative wood or PVC/vinyl fences, except as noted in (H) below.
- D. To help ensure proper placement of fences along property lines, property lines shall be established by a survey prepared by a surveyor licensed in Florida.
- E. Fences shall be erected with the finished side facing out. Posts shall be placed along the inside of the fence.
- F. With the exception of the Agricultural and Rural Estates zoning districts, electrified fences are prohibited.
- G. Chain link fencing is allowed in Agricultural, Rural Estates, Industrial, Institutional, Recreation 1, and Public zoning districts. Chain link fencing may also be used along the rear lot lines on residential lots where the rear lot line abuts a wetland, lake, or conservation area.
- H. The use of barbed wire, razor wire, or the like for fencing is permitted only in the Agricultural, Industrial and Public zoning districts.
- I. Permitted barbed wire or razor wire shall be six (6) feet or more above the ground level. The barbed or razor wire shall be turned, pointed, or directed inward toward the property enclosed by the fence.
- J. Columns for walls may be a maximum of 8 feet in height, or as approved through the architectural review process...
- K. Walls shall be designed with either a stucco or brick finish.

Town Planner Harowski said that the issue arose due to a chain-link fence being put up with no permit.

Member St. Clair asked if it was a new fence or already existing. **Town Planner Harowski** replied new.

Town Planner Harowski said that the Board could either make a recommendation to allow the fence or have Code Enforcement take action.

Member Wells asked if someone suggested it be recommended. **Town Planner Harowski** replied that a chain-link fence came before the Board at an earlier meeting but that the fence was to repair an existing chain-link fence.

Town Planner Harowski said that in section 5.01.07 B the Board may want to look at shadow box or picket fencing.

Member Ricci said that the code allows any type of fence except for chain-link.

Member Wells said that since the property is between two roads maybe reduce the fencing in the rear yard to four foot (4ft) and allow a wrought iron fence.

Member St. Clair asked if the residence was grandfathered in. **Town Planner Harowski** replied no.

Member Wells said that if the cost to repair the chain-link fence is more than fifty percent (50%) they would have to tear it down and build it back up to code seems harsh.

Member St. Clair asked if the fence was vinyl coated. **Member Ricci** replied side and rear yard.

Member St. Clair then asked if Code Enforcement would make the owners rip out the fence. **Town Planner Harowski** replied yes or they could apply for a variance.

Member Wells asked what the procedure was if a permit wasn't pulled. **Town Planner Harowski** replied that the owner has a chance to apply for a permit and pay double permit fees if accepted.

Chairman Llewellyn said that they planted bushes along the side and rear fence line.

Town Planner Harowski said that you could add the verbage to the code stating that only vinyl coated chain-link would be acceptable.

Member St Clair said that if they make an exception for one person they would have to do it for anyone from here forward.

Town Planner Harowski read Section C and H.

Town Planner Harowski asked what if a resident wanted to do an aluminum wrought iron fence instead of PVC or wood.

Member Wells said that he would rather see wrought iron fencing or even an aluminum look alike then wood fencing.

Member Ricci and Wells said that you can't accommodate someone who didn't even apply for a fence permit to begin with.

Town Planner Harowski asked if the Board Members agreed that the chain link section in the current code was appropriate for the Town. **All members agreed.** He then asked if the Board Members wanted to add the other verbage about the aluminum wrought iron look alike fencing. **All Members agreed.**

Chairman Llewellyn said to leave the chain-link fence on Lakeshore up to Code Enforcement.

Member Wells asked who permits the fencing. **Town Planner Harowski** replied Ron the Building Official.

Town Planner Harowski said that he would add the language from what was discussed and other ideas as far as decorative metal fencing.

Discussion: Section 5.01.03 of the Land Development Code. (Sheds)

Town Planner Harowski said that the Town Council was in agreement except for section D which states Storage sheds that exceed 144 square feet shall be painted a neutral color matching the base color of the dwelling. Where the principal structure is constructed of a natural material such as brick or stone, sheds exceeding 144 square feet shall be painted a neutral color matching primary structure or complementary to the color of the principal structure. Sheds which are site built shall use the same materials and colors as the principal structure whenever possible. Sheds over 144 square feet shall comply with the setback requirements for accessory structures as set forth in Section 5.01.03F.

Member St. Clair said that their other concern was having a maximum height regarding sheds and whether to paint or shingle the roofs to match the primary structure.

Member Ricci asked if a house has tile roof does the shed have to have a tile roof. **Town Planner Harowski** replied yes according to Mayor Sears.

Member Wells said that he could see matching shingles if you were building a structure but not a shed.

Member St. Clair said that's why people don't live in Home Owners Associations (HOA).

Member Ricci said that it seems as though adding all the restraints is to deter residents from getting a shed.

Town Planner Harowski said that it pushes people to buy smaller sheds.

Member Wells said that if the shed is there to paint it a complimentary color to the primary structure.

Member St. Clair asked if the house had to be painted a neutral color or complimentary to the primary structure.

Member Ricci said he thinks the sheds should be painted an earth tone.

Member Wells asked if a resident has to get a permit to paint their house. **Chairman Llewellyn** replied no. **Member Wells** then asked why we would require them to paint their shed a certain color.

Town Planner Harowski said that if someone is building from scratch they should match the finishes.

Member Wells said only to 144 sqft? **Town Planner Harowski** replied that it would be any size shed.

Member Ricci said that all store bought sheds come in a neutral color.

Chairman Llewellyn said what about having to place shingles on the roof of the shed. **Town Planner Harowski** said that he thought the Board agreed not to do shingles.

Member Wells said that the roof of the shed could be painted to match the primary residence.

Town Planner Harowski said that he would add in all the appropriate language to the code.

The meeting adjourned at 6:50 p.m.

Chairman Llewellyn

ATTEST:

Dairian Burke
Town Clerk