

May 12, 2021

## Building Amendment Workshop

### Attendance:

Mayor Nelson  
Mrs. Bryan  
Mr. Fulmer  
Mr. Hodgson  
Mrs. Bruener  
Mr. Tomlinson

### Also:

Sean Swartz  
Stephen Hans  
Bernard Pita  
Starr Paton

The roll was called. Mayor Nelson, Mrs. Bryan, Mr. Fulmer, Mr. Hodgson, Mrs. Bruener and Mr. Tomlinson were in attendance.

Mayor Nelson asked Stephen Hans to discuss items he had outlined that needed more clarification in the Village Code of ordinances.

Stephen Hans stated that as the Village Chief Building Official he has run into several items that have been presented by architects in plans or presented for permitting that could potentially be an issue for neighbors and the village.

Stephen discussed the need to clarify location of the finished side of fences. Currently the village ordinances do not state that a finished side of the fence needs to face outward unless the fence is against an obstacle such as an existing fence or wall. Stephen provided a copy of Pompano Beach's ordinance which addresses this issue for an example.

Next issue discussed was the setback line on waterfront properties. Currently the setback language in the ordinances regarding rear setbacks on waterfront properties read as "water line or lake line". Stephen asked that we consider changing this to "rear property line" as the water line can fluctuate with tidal influences.

Stephen discussed the addition of specific language that address a "sight triangle" on waterfront properties. In the past most residents have complied with the suggestion of following the guidelines to create a sight triangle so that adjoining properties line of sight to the water is not blocked by structures or walls, fences, hedges. This language is not written in the code. Stephen provided a copy of the Pompano Beach ordinance as an example. He also discussed the issue of grade level of adjacent properties as part of this issue. As more

properties are developed and grades are elevated to accommodate floodplain requirements this can create an issue for neighboring residents. The measurement should be from the existing elevation of any adjacent property.

Another item for discussion is the need for a requirement that lots be sodded after demolition of existing residences if construction does not commence in a timely manner. The Village code does not address this specifically. Stephen suggested that this be added if construction will not begin for more than 30 days after demolition or if the lot will remain undeveloped for any length of time. This can be made a condition of the demolition permit with requirement for grading, sodding and maintaining the lot and for removal of the construction fencing once demolition is completed.

Stephen stated that the current Village code does not have a specific requirement for the percentage of "green space" or pervious surface requirements. Building officials have been using a 30% ratio as the requirement in the village for years but this could be challenged by an owner or architect without the specific language in the code. He has been requiring lot coverage sheets on all projects but the increased use of "pervious" materials such as artificial turf and pervious pavers are allowing more hardscape surface and less "green space" surface. The council also discussed the allowed usage of artificial turf – currently only allowed for driveways and back yards. More residents are asking for usage of turf in the front yards as well. Stephen gave some examples of ordinances in Surfside and Ocean Ridge that address artificial turf uses, conditions and installation requirements.

The Village code currently states the maximum height to the roof line on structures is 35 feet. This does not take into consideration parapets, roof ridges, screens, etc. Stephen stated currently this has allowed several new homes to exceed 35 feet in overall height of the structures.

Mayor Nelson and the council asked Mr. Swartz to draft amendments to the existing ordinances and bring this back for council consideration at the June meeting.

Adjourn.