



**SURFSIDE BEACH PLANNING & ZONING COMMISSION
TOWN COUNCIL CHAMBERS
JULY 16, 2015 ♦ 6:00 P.M.**

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1. **CALL TO ORDER.** Chairman Pruitt called the Planning & Zoning Commission meeting to order at 6:00 p.m. Commission members present: Chairman Pruitt, Vice Chairman Abrams and members Crone, Elliott, Johnson, Lauer, and Lowery. A quorum was present. Others present: Town Clerk Herrmann and Planning Director Morris.

2. **PLEDGE OF ALLEGIANCE.** Chairman Pruitt led the Pledge of Allegiance.

3. **AGENDA APPROVAL.** Ms. Lowery moved to approve the agenda as presented. Ms. Elliott seconded. All voted in favor. **MOTION CARRIED.**

4. **MINUTES APPROVAL.** Mr. Lauer moved to approve the April 7, 2015 meeting minutes as submitted. Ms. Elliott seconded. All voted in favor. **MOTION CARRIED.**

5. **DIRECTOR'S REPORT.** Ms. Morris presented her report, a copy of which is on file in the planning office. Mr. Elliott asked how many vacant lots were in town. Ms. Morris said over 500 lots were vacant.

6. **PUBLIC HEARING**

Chairman Pruitt opened the public hearing at 6:04 p.m. and offered the public opportunities to speak on each specific item.

Article IV, Section 17-409 regarding fences and hedges. There were no public comments.

Article III, Section 17-396-41 Water Tower/Public Utilities. There were no public comments.

Article I, Section 17-008 Permitted Use versus Uses not Specifically Listed. There were no public comments.

Article II, Section 17-22 to Clarify Quorum as applies to Commission. There were no public comments.

Chairman Pruitt called again for public comments on either of these topics. There being none, he closed the public hearing at 6:05 p.m.

7. **DISCUSSION**

Article IV, Section 17-409 regarding fences and hedges.

Ms. Abrams referred to Section B, Residential Fencing, and said in B (1) the word "required" should be removed and in B (3) the measurement should be 4-feet for the sake of consistency. Her interpretation of the code is that she could have a solid 4-foot fence in her front yard. She did not like that idea. Ms. Morris said one purpose was to eliminate the solid wall look which would prohibit stormwater from passing through. Ms. Abrams was correct in that the code did not prohibit a solid wall. Mr. Abrams said she would like to see that portion amended to prohibit solid walls in the front yard. Ms. Elliott asked if fencing had always been allowed in the front yard. Ms. Morris said yes. A 4-foot fence would not obstruct vision. Ms. Elliott agreed with Ms. Abrams that solid front yard fences should be prohibited. Ms. Lowery said it would be difficult for water to pass through a solid fence. She did not like having a solid front fence. Mr. Pruitt asked if the commission concurred to change 48-inches to 4-feet and to prohibit solid fences in the front yards. **COMMISSION CONCURRED.**

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58 Ms. Crone asked who would be responsible for cutting overgrown vegetation blocking line of site
59 at an intersection. Ms. Morris said public works, if the vegetation is in the right-of-way; it would be
60 addressed by the code enforcement officer if it is a line-of-sight issue.
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62 Ms. Lowery asked if number A (8) "Solid walls (excluding retaining walls as required for
63 stormwater drainage) shall be prohibited," would address front yard walls. Mr. Lauer said he was having
64 difficulty differentiating between walls and fences. Ms. Morris said wall will be prohibited completely,
65 because of stormwater drainage. Ms. Abrams said solid fences should not be universally prohibited. Ms.
66 Morris said right, some owners want privacy fencing around the sides and rear of their property.
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68 Chairman Pruitt asked who determines the front yard; particularly on lots that front two streets.
69 Ms. Morris said the planning commission established that year ago. The front yard is determined by the
70 street address.
71

72 Ms. Abrams believed B (2) should be changed to prohibit solid fencing in front yards. Mr. Lauer
73 agreed, because of the CPTED. He believed it would safer to have a see-through fence. **COMMISSION**
74 **CONCURRED.**
75

76 Ms. Crone referred to A (10) and asked who determined whether a fence was dilapidated or in a
77 dangerous condition. Ms. Morris said she or the code enforcement official; the code included some
78 stipulations such as noticeably leaning, missing slats, broken support, or overgrowth of weeds or vines.
79

80 Chairman Pruitt said the commission seems to favor the wording for prohibiting privacy fencing in
81 the front yards. He, however, believed that people have a right to privacy and should be allowed to erect
82 a 10-foot fence that is solid brick, if they want. The police seeing into your yard is considered a safety
83 issue, but it also less private.
84

85 **Article III, Section 17-396-41 Water Tower/Public Utilities.**
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87 Ms. Abrams said section a. in the proposed ordinance states "The architectural scale, design, and
88 landscaping treatment of the substation shall be compatible with other development in the area and shall
89 be fully enclosed as may be necessary to provide compatibility." She asked what shall be fully enclosed,
90 the entire property, or the equipment. Ms. Morris said it should state "and the substation shall be fully
91 enclosed..." Ms. Abrams asked if "e. Fencing around structure shall be required" needed to refer to the
92 fence ordinance. Ms. Morris said yes, it should reference the commercial section of the fence ordinance.
93 Ms. Abrams said in c. "minimize" should be "minimizes."
94

95 Ms. Lowery asked if the new ordinance would affect the water tower at All Children's Park at 10th
96 Avenue South. Ms. Morris said no; the ordinance would apply to any new water towers or new
97 substations.
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99 **Article I, Section 17-008 Permitted Use versus Uses not Specifically Listed.**
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101 Ms. Morris said the interpretation section was written by the town attorney.
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103 There were no other matters of concern or information to be discussed by Planning Commission.
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105 Ms. Morris noted that the public hearing items would be presented for a vote at the meeting next
106 month.
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108 **10. PUBLIC COMMENTS - General.**
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110 There were no public comments.
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11. COMMISSION COMMENTS.

There were no commission comments.

12. ADJOURNMENT. Ms. Crone moved to adjourn at 6:25 p.m. Mr. Lauer seconded. All voted in favor. **MOTION CARRIED.**

Prepared and submitted by,

Debra E. Herrmann, CMC, Town Clerk

Approved: August 4, 2015.

Mikey Pruitt, Chairman

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APPROVED