

**CITY OF POLK CITY  
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PLANNING COMMISSION**

**WORK SESSION**

May 19, 2009

Polk City Government Center

6:00 P.M.

**MINUTES**

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Present: Vice Chairman Charles Wilson, Member Michael Ho-Shing (arrived at 6:20 p.m.), Member Joe LaCascia and Member Robert Nuss. Absent: Chairwoman Fred.

Vice Chairman called the work session to order at 6:00 p.m., and turned the meeting over to Gene Kniffin, the City Planner.

**Review of Land Development Regulations**

Gene asked if the Commission wanted to ask specific questions, or go through Article by Article; the Land Development Regulations will be reviewed Article by Article.

**Article 1, General Provisions**

Gene advised Article 1 is pretty general, and asked if there were any questions. The City has a contract with Central Florida Regional Planning Council (CFRPC) and Gene is planning on them assisting with this. The Planning Commission will review several Articles and then ask CRPC to look at the changes presented by the Planning Commission and then meet in a workshop to discuss. When several Articles have been discussed and any changes presented, he would like the Planning Commission and City Council to hold a joint workshop to review them together. He advised when changes are made, it may affect several different Sections of the Land Development Regulations, and CFRPC would be able to make those changes at one time as they are discussed.

**Section 1.06.00, Penalties for Violation** – Gene gave some background on the amount of the penalties; Member LaCascia feels that the penalty of \$500 for each day that a violation exists, as spelled out, is sufficient.

**Section 1.09.00, Green Swamp Impact Assessment Statement** – Discussion took place about the “box”; everything within the City is not in the box, and not everything in the box is in the City; if incorporated land, it is exempt from review. Mr. Wilson feels this is an erroneous statement. Gene advised we have a book for inside the box and a book for outside the box. Discussion took place about what would be under review by the Green Swamp Body. Vice Chairman Wilson and Member LaCascia asked about the first sentence in the last paragraph; they would like to see this Section better clarified (dealing with land currently within the city limits and land that is outside the city limits and what is or is not subject to review). Also, include a reference of where to look elsewhere.

## **Article 2, Regulations for Specific District**

### **Section 2.01.00 – General Provisions**

### **Section 2.02.00 General Regulations for All Zoning Districts**

**1. Section 2.02.01-- Regulations for Historic Sites** – Member LaCascia asked about Historical Sites; Gene advised the City does not currently have any that would meet the criteria.

**2. Section 2.02.02 -- Moving of Buildings** – Confusing as it follows directly after Regulations for Historic Sites; this pertains to all Zoning Districts and there was nothing to change.

**3. Section 2.02.03 -- Requirements for Lots Divided by a Right-of Way** – Gene gave an explanation of what this Section means (example: if you have a 10,000 square foot lot and it is split 4,000 to one side and 6,000 on the other, it would be considered as one lot; however, if it was divided 5,000 square foot on one side and 5,000 square foot on the other, it would be considered two lots). Member Ho-Shing asked about size criteria; Gene advised he would be whatever Zoning District it is in. Discussion took place pertaining to whether or not property would be grandfathered in if zoning changed. There were no changes suggested for this Section.

**4. 2.02.04, Interpretation of Zoning District Boundaries** -- Member Ho-Shing advised he had asked for information from the Visioning Workshop that was held; he was challenged as he did not have “the meat” of what was produced at the workshop. He was hoping to have some type of overlay. City Clerk Jackson advised the Planning Commission received what was discussed at the Visioning Workshop. Member LaCascia advised that would not have helped with what is being discussed at this moment; however, at some point during you would use it. Gene advised the Council is not going to have a statement that would get into specifics on how the vision is to be met through developments; it would be broad-based criteria that would be developed and refined down. Member LaCascia said when put into reality, refer to rules in the Code. There were no changes suggested for this Section.

**5. Section 2.02.05, Lot Setbacks** – Gene gave a brief overview of lot setbacks and used examples of front yard setback of 20’ and side setbacks as 5’. There was considerable discussion concerning setbacks, future concepts with zero setbacks, etc., environmental impacts, high density developments, Planned Unit Developments, etc.

**a. Section 2.02.05.01, Corner Lot Setbacks** – Gene gave a brief overview; there were no changes suggested.

**b. Section 2.02.05.02, Through Lot Setbacks** – There were no changes suggested.

**c. Section 2.02.05.03, Residential Districts Minimum Width Requirements** -- There were no changes suggested.

**Section 2.02.06, Alteration of Lot Size** – There were no changes suggested.

**Section 2.02.07, Limitations on Animals** -- Vice Chairman Wilson feels you should have as many as you can afford. Discussion centered around the number of dogs, cows, etc. that can be allowed, and using common sense. Member LaCascia feels if a number is imposed, there should be an avenue whereby someone can make application and ask for a variance, or special permit – a special condition permit. During discussion of having farm animals under AG-1 or AG-2, Member Ho-Shing asked if the thinking was to do away with the AG; Gene advised no. More discussion took place about having so many animals per acre in AG-1 or AG-2; -- if allow pasturing horses on one acre, regulate the number of horses. Vice Chairman Wilson asked who the Polk City Development Director was, and Gene advised he is. Member LaCascia suggested that it be specified on the number of animals per acre (horses, cows, goats and swine.) as long as a person has an avenue to come back and ask for special permission to have more. Vice Chairman Wilson suggested two per acre for grazing. Member LaCascia suggested this be for horses, cattle, sheep, goats and swine be limited to two per acres, and after further discussion about swine, he suggested swine be allowed by a special permit – as long as people have a voice.

**Section 2.02.08, Greenbelt Tax Exempt Districts Allowed in AG-1** -- Some discussion took place, and clarification of the section. There were no changes suggested.

**Section 2.02.09, Fence Height Limitations** – Lengthy discussion took place about fences – the “Visibility Triangle”, the height of a fence in residential, which is six feet, solid walls, hedges, transparent fences, permitting, putting fences on property lines, and also putting up solid walls around gated communities, needing some type of guidelines. It was decided to discuss this Section at another time.

**Section 2.02.10, Building Height Limitations** – Gene advised height is contingent upon zoning; there were no suggested changes to this.

**Section 2.02.11, Residential Yard Sales (Garage Sales)** – Member Ho-Shing feels we should leave this Section alone; everyone agreed.

**Section 2.02.12, Mobile Home Skirting** – No changes were suggested to this Section.

**Section 2.02.13, Residential Development on Small Lots** – Vice Chairman Wilson made reference back to Section 2.02.05.03. There were no changes suggested to this Section.

Gene advised we would start with Section 2.03.00, General Regulations for Commercial/Industrial Zoning Districts, at the next meeting. The meeting was adjourned at 8:05 p.m.

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Patricia R. Jackson, City Clerk

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Vice Chairman Charles Wilson