

TAB 6



# City of Palmetto Agenda Item

**Meeting Date**

**3/1/10**

**Presenter:** Allen R. Tusing, Director

**Department:** Public Works

**Title:**

**Baker's Paint & Body Shop  
903 and 907 3<sup>rd</sup> Avenue West  
Special Fence Permit SFP-2010-01**

An application has been filed by Mr. William Baker for a Special Fence Permit (SFP-2010-01) at 903 & 907 3rd Ave. W, to install a six (6) feet high vinyl, wood, wrought iron or chain link fence. The applicant proposes to replace an existing dilapidated fence on the properties.

Per Article VII. Fences Section 7-185(a) of the Zoning Code states "No fence shall be built, erected or maintained at a height greater than four-foot (4') at locations that would be closer to the road or street right-of-way than the building setback line as provided in the zoning ordinance of the city, except as provided in section (d)."

Section 7-185 (d) states, "Notwithstanding the provisions contained in subsection (a) above, if the applicant desires to erect within such setback area a fence greater than four-foot (4') in height, the fence permit applicant may apply to the City Commission for a special fence permit to erect a fence not in excess of six-foot (6') in height."

**Budgeted Amount:** \$0.00 **Budget Page No(s):** **Available Amount:** \$0.00 **Expenditure Amount:** \$0.00

**Additional Budgetary Information:**

**Funding Source(s):** **Sufficient Funds Available:** ☐ Yes ☐ No **Budget Amendment Required:** ☐ Yes ☒ No **Source:**

**City Attorney Reviewed:** ☐ Yes ☐ No ☒ N/A **Advisory Board Recommendation:** ☐ For ☐ Against ☒ N/A **Consistent With:** ☐ Yes ☐ No ☐ N/A

**Potential Motion/Direction Requested:** Authorize the special fence permit for Baker's Paint and Body .

**Staff Contact:** Allen R. Tusing, Director

**Attachments:** 1.) Permit Application  
2.) Staff Report  
3) Photos

Staff Report  
Special Fence Permit (SFP-2010-01)  
**Baker Paint and Body Shop**  
**903 & 907 3<sup>rd</sup> Avenue West**

**BACKGROUND:**

An application has been filed by Mr. William Baker for a Special Fence Permit (SFP-2010-01) at 903 & 907 3<sup>rd</sup> Ave. W, to install a six (6) feet high vinyl, wood, wrought iron or chain link fence. The applicant proposes to replace an existing dilapidated fence on the properties.

**CODE REQUIREMENTS:**

Article VII. Fences Section 7-185(a) of the Zoning Code states "No fence shall be built, erected or maintained at a height greater than four-foot (4') at locations that would be closer to the road or street right-of-way than the building setback line as provided in the zoning ordinance of the city, except as provided in section (d)."

Section 7-185 (d) states, "Notwithstanding the provisions contained in subsection (a) above, if the applicant desires to erect within such setback area a fence greater than four-foot (4') in height, the fence permit applicant may apply to the City Commission for a special fence permit to erect a fence not in excess of six-foot (6') in height."

**SPECIAL FENCE PERMIT CONSIDERATIONS**

1. *Compatibility: The proposed fence shall be compatible with existing surrounding land uses and general character of the area.*

The new fence will replace an existing wood fence at 907 3<sup>RD</sup> Ave. W, and a chain link fence at 903 3<sup>rd</sup> Ave W., and is compatible with the surrounding residential uses.

2. *Orderly development: The proposed fence shall be consistent with efficient and orderly development and growth patterns and shall not interfere with the provision of public facilities and services.*

The proposed six-foot (6') high fence is consistent with the orderly development and growth patterns of this area.

3. *Traffic: The proposed fence shall not create any hazardous vehicle or pedestrian traffic conditions and shall be compatible with and promote the intent of the City to eliminate obstructions to motorists' views within the visibility triangle.*

The proposed location of the six-foot (6') high fence would not be an obstruction for vehicles or pedestrian traffic and does not impact the sight visibility triangle in accordance with Section 5.4(b) of the Zoning Code.

4. *Screening and buffering: The proposed fence may provide such screening and buffering as necessary to minimize adverse impacts on surrounding land uses.*

There are no adverse impacts to the surrounding land uses.

5. *Permit duration: The duration of time the proposed fence shall remain standing may be limited as necessary to minimize adverse impacts on surrounding land uses.*

No time limitation is recommended.

#### **STAFF RECOMMENDATIONS**

Staff recommends **APPROVAL** of the Special Fence Permit (SFP-2010-01).

#### **ACTION REQUIRED BY CITY COMMISSION:**

City Commission shall **APPROVE, APPROVE WITH CONDITIONS, OR DENY** the requested Special Fence Permit (SFP-2010-01).



# City of Palmetto Florida Petition for a Special Fence Permit

Application #SFP  
2010 01

The undersigned, owners of the following legally described property, hereby petition the City of Palmetto for a Special Fence Permit, pursuant to applicable ordinance:

## Owner Information

Prefix	First Name	Last Name		
	BAKER, William	BAKER		
Suffix	Title	Organizational Name		
	OWN	BAKERS PAINT - Body Shop		
Address				
903 - 3rd Ave. West				
City	State	County	Postal Code	
Palmetto	FLA	Manatee	34221	
Home Phone	Work Phone	Fax Number	E-mail Address	
941-725-1300	941-722-1692	941-729-4317	BANDT44000	

## Property Information

Location Description: Subdivision Name			
EAST Palmetto			
Section	Township	Range	Block
—	—	—	E

  

Property Address, if applicable:	
903 & 907 3RD AVE W	
Lot Number(s) (If not located in a platted subdivision, attach legal description).	
1, 2, 14, 15 & 16	
D.P.I.D. No(s).	
2789600000 & 2790600007	
Existing Use	

Date Property Purchased	If purchased less than one year ago, previous owner's name	
Current Land Use Classification (City/County)		
Site: 142 <sup>Deletar</sup> Open Storage 14, 15, 16 Auto Sales, Repair & Junkyard		
Current Zoning Classification (City/County)		
Site: CG & CG		
North: Packing Ground Vegis & meat		
North: CHD		
South: Auto Sales, Repair & Related		
South: CG		
East: SF Res & Clubs Lodges (Union Hall)		
East: CG & C-2		
West: Open Storage / Junkyard / 1 SF Res		
West: CG R-5		

Please check the box to indicate that attachments are included with application

Deed	Recent Tax Bill	Recent Survey	Owner Authorization	Title Certification
List of names and addresses of owners within 300 feet of property (radius) - add City of Palmetto to the mailing list.		The names and addresses can be obtained by providing the Property Appraiser's Office, 915 4 <sup>th</sup> Avenue West, Bradenton, FL 34205. Ph: 941-748-8208 and FAX 941-742-5664, with the Data Processing Number (Parcel ID) of your property.		
Conditional Use Petition Fee:		\$100		

Proposed land use	N/A
Zoning change?	N/A
Type of proposed fence	Wood, Vinyl, Brought Iron or Chain Link 6'

**Reason for special fence permit:**

Attach if Necessary
To Replace Delapidated Fence

**Fencing materials list:**

Attach if Necessary
Vinyl or wrought Iron or wood & Chain Link

**Attach copy of recent (within six months of application) survey showing proposed fence.**

**Compatibility with surrounding neighborhood:**

~~Yes~~ N/A

**Orderly development:**

~~Yes~~ N/A

**Traffic or traffic sight issues:**

N/A

**Screening from adverse impacts of surrounding land uses:**

Replacement of existing fence

**Permit duration:**

Life of Fence & Replacement

**Date if public hearing:**

**Approval date:**



Signature of Owner, officer or representative  
(If representative attach power of attorney;  
if officer, state position.)

*Feb 22 2010*

Date

**TO BE COMPLETED BY A NOTARY PUBLIC:**

**SWORN** to or affirmed and subscribed before me this \_\_\_\_ day of \_\_\_\_\_,  
20\_\_, by \_\_\_\_\_,  
(name and title of agent) of \_\_\_\_\_, a Florida  
corporation, on behalf of the corporation, who is personally known to me or has produced  
\_\_\_\_\_ as identification.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
NOTARY PUBLIC Signature



PARID: 2792600005  
BAKER INC

305 9TH ST W



Manatee County

	Id #			
	1	2789600000	407 3RD AVE W	BAKER INC Plastic/wood
	2	2790600007	903 "	"
not included	3	2792600005	305 9TH ST	"















