

May 26, 2021  
Immediately following the  
6:30 pm P & Z Meeting (or as soon  
thereafter as possible)



Town Hall Commission Chambers  
247 Edwards Lane  
Palm Beach Shores, FL 33404

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**PLANNING AND ZONING BOARD sitting as  
LOCAL PLANNING AGENCY (LPA)  
MEETING AGENDA**

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Jerald Cohn, Chairman  
Tim Blash, Vice Chairman

Kevin Banks, Member  
Jason Prince, Member  
Steven Smith, Member  
Tony Lembo, Alternate  
Tom Martin, Alternate

Mitty Barnard, Attorney  
Josh Nichols, Zoning Official  
Rob Rennebaum, Engineer  
Evyonne Browning, Town Clerk

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**PLEASE NOTE:  
PUBLIC PARTICIPATION MAY OCCUR REMOTELY**

Meeting number: 132 247 7026

Password: 0526

<https://townofpalmbeachshores.my.webex.com/townofpalmbeachshores.my/j.php?MTID=mbc572bfba0c5d7d11caa4f6d6e7289cf>

**Join by phone:** +1-408-418-9388 United States Access code: 132 247 7026

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1. **CALL TO ORDER**

a. Roll call

2. **APPROVAL OF MEETING AGENDA** (Additions, substitutions, deletions)

3. **MISCELLANEOUS BUSINESS**

a. Ordinance O-1-21: Amending Appendix A. Zoning. Section IX. Walls, fences, and hedges at Pf.9.2 Limitations. to revise the height limitations for gates and gate posts.  
*(Presented by Town Attorney)*

5. **PUBLIC COMMENT**

6. **ADJOURNMENT**

PLEASE TAKE NOTICE AND BE ADVISED, that if any interested person desires to appeal any decision made by the Planning & Zoning Board with respect to any matter considered at this meeting or hearing, such interested person will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. The meeting/hearing will be continued from day to day, time to time, place to place, as may be found necessary during the aforesaid meeting.  
IN ACCORDANCE WITH THE PROVISIONS OF THE AMERICANS WITH DISABILITIES ACT (ADA), THIS DOCUMENT CAN BE MADE AVAILABLE IN AN ALTERNATE FORMAT (LARGE PRINT) UPON REQUEST AND SPECIAL ACCOMODATIONS CAN BE PROVIDED UPON REQUEST WITH THREE (3) DAYS ADVANCE NOTICE. **FOR HEARING ASSISTANCE:** If any person wishes to use a hearing device, please contact the Town Clerk.

ORDINANCE NO. O-1-21

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, AMENDING APPENDIX A. ZONING. SECTION IX. WALLS, FENCES AND HEDGES. AT PF. 9.2. LIMITATIONS. TO REVISE THE HEIGHT LIMITATIONS FOR GATES AND GATE POSTS; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF APPENDIX A. ZONING. SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**WHEREAS**, the Town of Palm Beach Shores currently regulates the height of gates and gate posts in relation to the height of the walls or fences to which they are attached; and

**WHEREAS**, the Town Commission desires to revise the height limitations for gates and gate posts to provide maximum heights for each in all zoning districts; and

**WHEREAS**, the Town Commission finds that these regulations are in the best interests of the citizens of the Town of Palm Beach Shores, and will serve to promote the public health, safety, and welfare.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF PALM BEACH SHORES, FLORIDA, THAT:**

**Section 1.** Appendix A. Zoning. of the Code of Ordinances of the Town of Palm Beach Shores is hereby amended at Section IX. Walls, Fences and Hedges. to amend Pf. 9.2. Limitations. to revise the height limitations for gates and gate posts; providing that Pf. 9.2. shall hereafter read as follows:

**Pf. 9.2. - Limitations.**

- (a) – (d) Remain as previously adopted
- (e) Gates and gateposts. Gates may be a maximum height of six (6) feet, as measured from grade, in all zoning districts. ~~exceed the maximum height of the fence, wall or hedge to which they are attached by no more than one (1) foot.~~ Gateposts with or without decorative/lighting fixtures may be a maximum height of six (6) feet, as

~~measured from grade, in all zoning districts, exceed the maximum height of the fence, wall or hedge to which they are attached by no more than two (2) feet.~~

- (f) Prohibited materials. Barbed wire, razor wire or any other type of fencing material with sharp edges by whatever name it may be called is strictly prohibited within the Town of Palm Beach Shores.
- (g) Street corners. Concrete ornamental masonry, and balustrades and standards located on street corners throughout the Town shall not be removed by adjacent lot owners. Only ground cover may be planted in front of any balustrade. Shrubbery immediately behind a balustrade shall be limited to the height of the balustrade.

**Section 2.** Each and every other article, section, and subsection of Appendix A. Zoning Ordinance. of the Code of Ordinances of the Town of Palm Beach Shores shall remain in full force and effect as previously enacted.

**Section 3.** All ordinances or parts of ordinances in conflict with this ordinance are repealed.

**Section 4.** If any section or provision of this ordinance, any paragraph, sentence or word is declared invalid by a court of competent jurisdiction, the decision shall not affect the validity of the remainder of this ordinance.

**Section 5.** Specific authority is hereby given to codify this ordinance into the Code of Ordinances of the Town of Palm Beach Shores, Florida.

**Section 6.** This ordinance will take effect immediately upon adoption.

FIRST READING this \_\_\_\_ day of \_\_\_\_\_, 2021.

SECOND AND FINAL READING this \_\_\_\_ day of \_\_\_\_\_, 2021.

**TOWN OF PALM BEACH SHORES**

\_\_\_\_\_  
Alan Fiers, Mayor

ATTEST:

\_\_\_\_\_  
Evyonne Browning, Town Clerk

(Seal)

Approved as to form and legal sufficiency.

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Keith Davis, Town Attorney