

DRAFT MINUTES

FENCES & HEDGES AD HOC COMMITTEE MEETING
Oakwood Recreation Center
June 11, 2008, 7-9pm

1. 7:10 pm – Jed Pauker, Chair, Called Meeting to Order

2. Attendance -

Committee –

Tim Guille
Nick Perlmutter
Ruthie Seroussi
Robin Rudisil
Jed Pauker
Joe Clark
Eileen Pollack Erickson
Marsia Jackson, Dept of Public Works
Arturo Pina, City Council Bill Rosendahl
Charlotte Manning

Tara Nicole Wyer - Stakeholder

3. Approval of Minutes – Approved

4. Old Business

a. Appoint secretary to record minutes – Ruthie Seroussi

5. Announcements –

- a. Eileen Pollack Erickson – ballet classes and performances on Main St
- b. Recycling Bins and Press Conference on 6/12 at 2:30 on Windward & Boardwalk
- c. Tara Nicole Wyer
612 San Juan Avenue – cited last year for over height fence
Appealed for variance right away
Had hearing last week with ZA; someone from Bill's office was there & said would rather people uphold law; not going to make folks take down
Told by Bill Rosendahl to reach out to neighborhood council
Wants VNC's support
Bought house 5 years ago with fiancé, he's not there anymore
Wants it as protection
Neighborhood has changed dramatically
Has dogs and is a single woman
Works in film business

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Before fence, found people in trash, going through mail
Now has an alarm system and two dogs
Nice fence – put thought into it – lots of landscaping on her property
Neighbors
Fence is six feet
648 and 650 granted a variance for security fences
Huge financial hardship to take it down

Jed presented background on law

Ruthie Seroussi gave her card and explained LUPC and VNC process

She said she had tried to get in touch with Challis to no avail; Ruthie said would follow up and make sure she gets on agenda in next few weeks

Joe Clark suggested that she should speak with folks who have applied for variances to decide how to present her case – Charlotte Manning and Tim Guille gave her cards

6. Discussion re VNC website and putting link to survey on website to download survey and complete; or actually complete on line; Charlotte Manning mentioned surveymonkey.com or some site like that where you can create your own online survey to be completed. Perhaps we can provide a link to this from VNC website.

7. Old Business – SM ICO Review

Tim Guille providing recap on SM F&H Ruling and Ordinance

Met with Terry Odey from SM City Planning

Reviewed Ordinance

To simply, current SM FH Ordinance

No unregistered fence shall exceed 3 ½ feet currently

In 2005-2007, allowed people with over-the-height (o/h) fences, can register your fence with city, and can grandfather it at that height at time of registered fences

Allow pergolas (gate) that can be 8ft tall and 8ft wide

Creates a revenue for the city with the registration process; he thinks it's one time \$100

Law on books for years, it was 3 ½ feet; sporadic enforcements, so to appease folks, allowed for grandfathering and registration; if there was a complaint in this period, City would come out and reevaluate; but still no penalties came up. Overseen by committee and on a case by case basis by keeping law on books, a certain number of people who come in and build and remodel, some people will comply, and other ones who don't comply, will enforce on case-by-case basis, and then others will just flout
Joe Clark asked about folks not grandfathered – Tim stated that Terry told him that rule is 42" high with exception of pergola, if someone complains about you, go to same process as before, and assess penalties or bring into compliance

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Terry Odey anticipates may need to grandfather folks in again, etc., and start process over

Jed asked if they discussed citations in question

Joe Clark asked if there was a rush by non-complying owners to erect tall fences

Tim says there was a two year grandfather period, would expect that would happen

Terry was one of the people in his neighborhood that led the charge to have fences come down; now may be softer

Want to have a certain number of compliant fences; wants to maintain a varying landscape

Nick asked if there were any provisions for set-backs

Tim said no – could not interfere with pedestrian right-of-way

Said Terry pointed out that it really needs to be governed on a geographic basis – may be safety issues in one and not in another

Marsia Jackson asked about notifying new property owners about the law; Jed mentioned this is a proposal for us

Terry also stated someone can put up an ugly chain link fence preserve the right of view – anything above the 42 inches is ok in SM, so long as it preserves the viewline

Joe Clark asked if you can do that in Venice – cannot; VCZSP specifies 3 ½ feet except in certain areas, where you can go up to 6 ft, say, like in North Venice, but in those areas, does not require area above 3 ½ feet must be open (as it does in SM)

Things to follow up with City on:

Need to confirm whether this fee runs with the land or with the landowner and what the amount is

Is this a long-term or short-term solution

8. Old Business – Survey

Eileen Pollack Erickson gave history of how survey came into being

Jed hopes surveymonkey.com and Bill's office helping us to get word out and making sure we have one stakeholder – one survey

Robin Rudasil asked what the goal of the survey was

Eileen and Jed said to get a consensus from community recommendations

Robin Rudasil asked if we'll get enough of a response to make this statistically irrelevant

Joe Clark said (1) need to stress the importance of responding to survey, and if don't you could have outcome you don't like; (2) let folks know how community will be used

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Eileen Erickson said if we get 60 responses, this isn't really going to help
Joe Clark said that if we get 800, then we know it reflects community

Tim likes the idea of the survey; thinks people will respond if they are anonymous; someone could get hold of the survey, make a ton of copies and weight the responses

Marsia Jackson – Qualifying Envelope – sort of like when you vote
You get one envelope per household; they can't replicate the envelope;

Robin Rudasil said do we care about the numbers that return vs the ideas we get back; she pointed out how expensive it is; call to serve on committee put out to city of Venice

Tim Guille & Eileen Pollack Erickson – said anticipate dishonesty

Jed said decision we have to evaluate once we get survey back to determine consensus

Tim said one other thing – strongly feels that if it is a large survey, very few people going to respond. Even if it is kind of long, will target people who have time and mental energy to go through it; concerned about the expense

Ruthie Seroussi – community outreach – everyone in Venice gets input; expense may be justified; want to see what community says before the VNC or Bill take action; walk fine line between making it concise and shorter, but making it worthwhile to actually do the survey

Jed – don't have luxury of time to do full blown campaign

Joe Clark – something really simple – are you for or against on first page – and then a few pages

Robin Rudasil – if we want input, get opinions first, and facts later; want to know what neighborhood coming from, and then get right to the questions

Eileen Pollack Erickson – let's go through each question and discuss order later
Started with the preface. Joe Clark said important in introduction. Way the situation is now – non-enforcement is not an option. **WARNING – FILL THIS OUT OR BE STUCK WITH HIGH FENCES IN YOUR NEIGHBORHOOD OR HAVING TO TAKE THEM DOWN**; Jed asked if we could go right to the questions

36,000 residents; 22,000 households in Venice. Has to go to all residents.

(1) Revise neighborhood sections – color code neighborhood sections – get rid of question

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- (2) How long have you lived in Venice
Some folks think it is relevant and quite a few others think it is irrelevant; put it on a second page? I think it is important information to get. It should not be information used to weight the merit of what folks say; solely for informational purposes - **Could be important**
- (3) Front yard or back yard – Eileen doesn't understand it. Joe does. Joe thinks we get rid of it. Marsia suggested directing to website and completing additional survey online. People think this is a good suggestion. And, better than cluttering up envelope with longer survey.
- (4) Rank characteristics of neighborhood – Tim asked does it matter what people's motivation is for a high fence? Robin agreed. What's the point of the survey? To find out if people are for or against fences? Yes, but also to determine neighborhood characteristics. Aware of issues, can address them in a particular neighborhood. Charlotte suggested info helpful beyond this committee. If know folks feel unsafe in a neighborhood. Add how close you are to a busy commercial street.
Keep on first page, but put lower.
- (5) Is frontage barrier fence, wall, hedge/shrub – will it turn people off; can we make it more of an opinion question; can we have an area where people can give us personal comments on their situation. **Second page, table number five**
- (6) How high is your fence? Folks are nervous about complying with your fence. Take out
- (7) Perhaps we can group Numbers 5-8 into an optional section
- (8) **Decided to put 3, 5-8 in a separate section, where people describe personal characteristics (last question on second page, open ended, with examples)**
- (9) Opinion on F&H most important question – **should lead off as number one**

Repealed?
Ignored?
Modified?

Decided on Enforced?
 Changed?
 Explain _____

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After VNC makes recommendations, it goes to Rosendahl's office. He can choose to send it to Building and Safety or Planning and then it might go to one of many committees on council – planning or public safety, etc

(10) Grandfathered-in – **keep on first page**

(11) Do we keep this on second page?

Add fees

(12) On second page – separate remodel and new construction into two and put b & c as a & b; d – add 25% of fence could be higher, like a fence – need to clarify; set-back issue; openness – opaque glass above 3 ½ feet; or open spaces; What would be your idea for reasons for variances?

(13) Rephrase - do you think different neighborhoods should have different rules about frontage barriers

(14) “walk streets” – should we combine 13 & 14 (put on second page)

Are there any neighborhoods in Venice that should have different rules about frontage barrier heights, based on the input of the neighborhood

Or keep as no. 14, but word it as:

“Is it more important that the height be low on narrow streets or foot walkways where there are narrow passageways between properties? Yes No Narrow walk streets vs wide walk streets; narrow streets vs. wide streets Work on revising the language

Joe Clark mentioned that 12 ½ of walk street property belongs to the city and so whatever recommendations we come up with may not apply to the walk streets

Jed & Joe mentioned all of this conceivably has to go to the coastal zone

How do we address walk streets in the survey

Marsia asking whether she should comment on this on behalf of public works vs. on her opinions as well. Sometimes city will enforce the laws on the book and sometimes they won't. They usually will not take the laws off the books. They might suspend enforcement

Arturo Pina noted that the information obtained from the survey is data; factual information that the VNC and Councilman will rely on in deciding

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whether and how to act and/or what proposal to make; they will use the community feedback from the survey as justification for any recommendations made

Joe Clark asks Arturo & Marsia Jackson for feedback.

Marsia Jackson states active participation in process by us and other stakeholders.

Meeting Adjourned – 9:30pm