



**Magnolia Valley Civic Association Inc.  
Covenant & Code Compliance Committee  
PO Box 1151  
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Mr. Mel Phillips, President  
Council of Neighborhood Associations, Inc.

The differences between a mandatory association and a non-mandatory association are many however the most prominent is the inability to enforce covenant and deed restrictions due to the continued decline in membership. We are forced to rely largely on Pasco County Ordinances to maintain a safe, prosperous, attractive, and comfortable community in which to live.

With this in mind it is the intent of the Magnolia Valley Civic Associations Covenant & Code Compliance Committee to work for a change in Pasco County Code 530.16 (Fences and Walls) to benefit all residents living within a R4 zoning district and particularly those living in the Magnolia Valley Subdivision. Before we approach the Board of County Commissioners we ask C.O.N.A to work towards this change on our behalf.

The purpose of these proposed changes are to prescribe standards for fences and walls for the conservation and protection of property, the assurance of safety and security, the enhancement of privacy and the improvement of visual environment including the provision of a neat appearance in keeping with the neighborhood character as it relates to R4 zoning districts only.

Fences currently do not require zoning permits or a building permit. The property owner is responsible for the location of the fence wholly on their property and for compliance with the provisions on County Code 530.16.

The increasing numbers of six (6) foot stockade fences constructed each year in R4 zoned subdivisions is having a negative effect on the visual environment and the neat appearance of our communities and most importantly the forced enclosure of abutting property owner's yards along with a forced visual impairment of surrounding scenery.

A high density residential neighborhood or subdivision like Magnolia Valley zoned R4 is one that has an average distance between home from fourteen (14) to nineteen (19) feet and rear yards from twenty (20) to forty (40) feet. With the addition of a six (6) foot fence to the rear or side of an abutting property does very little to enhance the appearance of that property nor does it stimulate the visual pleasure of the surrounding scenery for that property owner that had freely chosen not to install a fence on his or her property.

We believe Pasco County does recognize the essential need of the visual appearance of a fence and more importantly the visual pleasure of the surrounding scenery by the residents and will updating the regulation of construction and placement of fences in an R4 district with your help.

We would like to see the following changes or additions to County Code 530.16 as it relates to R4 zoning districts and specifically to subdivisions such as Magnolia Valley.

- Limit fence height to four (4) foot on lots of .23 acres or 10,454 square feet or smaller.
- Lower the percentage amount of a nonconforming fence that needs replacement to conform from seventy five (75) percent to fifty one (51) percent.

- Better define properly maintained to include visual appearance in regards to paint, mold, and mildew.
- Consider that prior to construction of a fence six (6) foot or less, all fences shall receive a permit and applications for a permit shall be accompanied by a fee as set by the board of county commissioners along with a current survey. This would allow for the county to inspect or approve the location of the fence in regards to property boundary issues and inspect or approve the height regulation. Language to insure the county is not liable for the legal location of the fence could be added.
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Because of the continued rapid growth of Pasco County's mandatory homeowners associations we feel the Pasco County Board of County Commissioners would not address this issue unless brought to their attention by you because mandatory associations have the financial ability to enforce their covenants and deed restrictions and need not rely on Pasco County Land Development Codes.