



**LAND DEVELOPMENT REGULATION ADVISORY BOARD (LDRAB)**  
**LANDSCAPE SUB-COMMITTEE MINUTES**

JANUARY 29, 2014 AGENDA  
2300 NORTH JOG ROAD, CONFERENCE ROOM VC-2E-12 – 2ND FLOOR  
1:00 PM – 2:30 PM

**A. CALL TO ORDER**

1:05PM

**1. Introduction of Members, Staff and Interested Parties**

**Subcommittee Members:** None Present

**Industry/public:** Robert Saporito, Michelle Duchene, Dan Siemsen, Leo Urban, Gladys Digirolamo

**County Staff:** Jon Powers, Barbara Pinkston, Maryann Kwok, Rodney Swonger, George Galle, Ramsey Bulkeley, Ken Jackson, Cal Bengston, Laurie Albrecht

**2. Additions, Substitutions and Deletions to Agenda:**

There were no additions, substitutions or deletions to the agenda.

**3. Motion to Adopt Agenda**

Agenda could not be adopted without subcommittee members present

**B. REVIEW SUMMARY FROM 11-13-2013 SUBCOMMITTEE MEETING (EXHIBIT A)**

THERE WERE NO COMMENTS ON THE SUMMARY

**C. PRESENTATION ON BAMBOO**

**1. Different types and characteristics (Running vs. Clumping)**

Robert Saporito from Tropical Bamboo Nursery explained that there are two dominate types of bamboo in Florida, one much more than the other. Those two types of bamboo are running and clumping (tropical) bamboo. Running bamboo are well suited to temperate climates and the less common in Florida compared to clumping bamboo. Running bamboo however is known to be substantially more invasive than clumping bamboo giving the right growing conditions. Clumping or Tropical bamboo is much more common in Florida and is the type of bamboo in-place at the resident's home who is the subject of this meeting.

**2. Discussion of the current issues**

A discussion was begun on the history of this case and past disputes between the resident in question and his neighbor. The current issue is that the neighbor in question has clumping bamboo as high as 35 feet growing over his neighbor's fence.

3. Pros and cons of amending the ULDC to address the issues:

Barbara explained that changes to the code have not been recommended in the past by LDRAB because of the potential of negatively impacting other types of vegetation.

Rodney introduced the topic of setbacks and spacing requirements in the code as a possible means of preventing bamboo from crossing over property lines. A consensus was met that this was a viable option to prevent dense screening but that the bamboo would still need to be maintained to prevent overgrowth from crossing property lines. However there are no setback requirements for the installation of any plant material.

As part of this discussion it was determined that it is the responsibility of the owner to trim vegetation on their property and keep it within their property line, but a neighbor also has the right to trim the vegetation back once it crosses onto their property. Should the vegetation be damaged due to actions of the neighbor any resulting dispute would be considered a civil matter.

Amending the code to prevent overgrowth of bamboo could have several negative consequences including:

- Amending the code in this way would cause inspectors to be required to measure inches of plant overgrowth over property lines.
- If a precedent is set on bamboo in this way it could become a "slippery slope" where other species of vegetation would soon follow.
- Ambiguity in the definition of a hedge could cause conflicts when the vegetation in question is a palm or other plant material with alternate growth regulations.

4. Recommendation on how to proceed:

A consensus was met that with this type of bamboo the issue was a maintenance issue and civil issue of who is responsible for maintenance rather than a code issue. A letter will be drafted to the owner of the bamboo and their neighbor summarizing the discussion that took place in this meeting and the findings, as both interested parties were unable to attend.

**D. DISCUSSION OF MEETING DATES FOR 2014**

THE NEXT MEETING IS SCHEDULED FOR FEBRUARY 19TH, 2014, 10:00-11:30AM

**E. DISCUSSION OF TOPICS FOR 2014**

1. LAND DEVELOPMENT ENFORCING SIDEWALK WIDTH INCREASES TO MEET ADA STANDARDS

**F. ADJOURN**

The meeting adjourned at 2:10 p.m.

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