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Observer

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GOING UP ...

Rules for lightning
rods reconsidered.
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Mark Bergin

Boris Miksic and Ines Tendler brought the issue of lightning rod height to town commissioners earlier this year over an installation atop their home in Country Club Shores.

Lightning rod height exception moves forward

The commission is set to take up the proposal again, with new caveats, in September.

MARK BERGIN
STAFF WRITER

The Longboat Key Town Commission will move forward with allowing rooftop lightning rods on homes to be exempt from the town's existing height regulations so long as they fulfill certain requirements.

Commissioners voted 7-0 on June 30 to ask staff to rewrite the measure to allow for a 1-foot exception to lightning rods higher than a home's maximum height of 30 feet. The rewrite will also allow larger properties to seek consideration of a special exception for lightning rods up to 6 feet.

Specifically, commissioners considered an application from Windmueller Technical Services Vice President John Barber to allow "lightning protection systems" to be included as an exception to height regulations.

"Currently, [there are] over 150 installations that are installed on Longboat Key," Barber said. "I wish to continue with that not as a salesperson but as a steward of the industry to allow homeowners the right to protect their property. This isn't just a life safety as personnel. It is about structural protection."

Barber's application is on behalf of landowner Boris Miksick's home at 640 Halyard Lane in Country Club Shores IV North, which stands at 29 feet, 9 inches before the addition of the rods.

"Height limitations, again, restricts or forbids this property owner from protecting his home," Barber said. "This is not the forum to debate the efficacy of any lightning protection technology versus another. This forum is not the place to determine the



Mark Bergin

A lightning rod is pictured on top of a home on Halyard Lane in the Country Club Shores IV North neighborhood.

performance of one system over the other."

The proposal seeks to amend the town's code, which does not allow lightning rods to exceed a home's maximum height.

"One of the things that may be considered is to ask legal staff, what is the liability the town has by not allowing this exception?" Barber said. "As it stands right now, you have hundreds if not thousands of existing homes that may be right at that 29-foot, 3-inch level. If you do not allow exceptions for lightning protection, you are — at that point — forbidding or restricting every home at that elevation from installing lightning protection systems."

"I get that concern," Mayor

Ken Schneier said. "I'm sure legal counsel will jump in and protect us as [Town Attorney Maggie Mooney] deems necessary."

Commissioner George Spoll pointed out that the code allows exemptions for TV antennas.

"I just wanted everybody to have that perspective," Spoll said. "This thing has been so selective and sloppily administered that we have an opportunity to clean this up in total."

Planning, Zoning and Building Director Allen Parsons mentioned how the state's building code does not require permits for lightning protection systems, though it's been the practice in the town.

"We're of the opinion, the building official is of the opinion