

Neighborly Nuisances–Part Three, Annoying Uses

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A nice neighbor is a nice thing to have, but a bad neighbor is a nightmare. Perhaps they use their yard to advertise their points of view. Maybe they drain their property onto your property. In this part three of the series, we discuss some of those types of problems.

If the neighbors' yard is higher than yours, you may expect water to flow from the neighbors' property on to yours. Often, such drainage causes flooding or erosion. Make sure to take action promptly once you conclude that there is a continuing problem. If you are slow to act, you may be left without a remedy because Florida has statutes of limitations, which cut off claims that too old. You may demand that your neighbors install a drainage system that abates the flooding nuisance. The offending neighbors should pay both the cost to abate and the cost to repair the damages to your property.

If you have lived in Lighthouse Point for some time, you probably know that yard signs are strictly controlled. The city does not allow temporary yard signs that signify that the property has been sold or rented. Only plain signs, not in the right of way, are permitted to indicate a house is for sale or rent, and the size and durability of those signs are specifically controlled. If a neighbor is offering a vehicle, trailer, or boat for sale, their single sign cannot be larger than one foot by one foot, and the resident at that property must own the property being offered for sale. These provisions in the city code effectively prohibit your neighbor from conducting a business next door.

These days we often have the problem of abandoned homes. While we discussed the unkempt yard in our previous article, we comment now on the cesspool, which had been a swimming pool. Both state law and city code prohibit sanitary nuisances; this includes anything which may threaten or impair the health of individuals or which may cause disease. Allowing a swimming pool to become stagnant falls into those prohibitions and ones against providing a habitat for the breeding of mosquitoes. Abandoned boats and non-functioning vehicles are also deemed to be public nuisances. You do not have to look at them rusting in the yard next door.

Our final comments are addressed to the neighbors who are conducting a perpetual party—not your type of party. It is not just the noise annoyances, but our laws also prohibit places where illegal activities, drugs, or gambling occur. Even the coming and going of cars during the night or day, if it happens often enough can be considered a nuisance. Loud guests and slamming doors can be annoying over time. A video camera, a logbook, and calls of complaints to the police are often necessary.

You, who have good neighbors, embrace them; they are nice to have.