

**Annotated Agenda  
Board of Zoning Appeals  
Tuesday, March 23, 2010 – 4:00 PM  
City Council Chambers**

**I. Call to Order/Announcements**

- A. Roll Call
- B. Next Scheduled Meeting –April 27, 2010
- C. Amended Meeting Dates **FINAL 2010 MEETING CHANGED TO  
DECEMBER 21, 2010**
- D. Election of Officers **CHAIRMAN – LYNNE MATTHEWS  
VICE CHAIRMAN – HENRY BAUMAN**

**II. Approval of Minutes**

- A. Meeting of January 26, 2010 **APPROVED**

**III. Public Hearings**

- A. **V-03-10** – Request a variance to the Land Development Regulations as per Chapter 26, Article 16, Section 16.10, of the City Code of Ordinances to allow AT & T Mobility, LLC to construct a new replacement Unipole wireless communication facility that is 150 in height instead of 110 feet in height as permitted by Chapter 26, Article 4, Section 4.34.(b) of the City Code of Ordinances and to allow a chain link fence topped with a barbed wire barrier to enclose the ancillary structures associated with the wireless communication facility instead of a 6 foot high opaque screen of landscaping and wood fence or wall as required in Chapter 26, Article 4, Section 4.34.(f).  
**LEGAL:** A portion of Lots 5 and 6, Block 1, Plan of Punta Gorda Center according to the map of plat thereof as recorded in Plat Book 1, Page 20 of the Public Records of Charlotte County, Florida. [Long legal description on file with the City of Punta Gorda Urban Design Division, 126 Harvey Street, Punta Gorda, FL 33950 (941) 575-3372.  
**A/K/A 1623 or 1625 AQUI ESTA DRIVE, Punta Gorda Florida**

**RECOMMENDED APPROVAL**

**IV. New Business**

**V. Unfinished Business**

- A. Results of City Council Action on February 17, 2010
  - 1. **V-04-09** – Request for a variance to the Land Development Regulations per Section 16-16.10, of the City Code to allow an existing swimming pool and deck to have a rear yard setback of 6.2 feet instead of 20 feet as required per City Code Section 26-3.13.(d); and to allow the wooden steps that extend to the seawall cap instead of having a maximum 5 foot encroachment into the required yard as allowed per City Code Section 26-8.14.(f); and to allow the existing swimming pool deck have a side yard setback of 4.73 feet at the closest point on the south side of the property instead of 7.5 feet as required by City Code Section 26-3.4(g)(3); and a variance to allow an existing 24.82 foot street yard setback on the existing single family residence instead of 25 feet as required by City Code Section 26-3.4(g)(2).

*AND*

A request to allow a new screen enclosure be constructed over the existing swimming pool deck with an existing non-conforming rear yard setback of 6.2 feet instead of 20 feet as required by City Code Section 26-3.13.(d); and to allow the new screen enclosure have a non-conforming side yard setback of 4.73 feet at the closest point, instead of 7.5 feet as required by City Code Section 26-3.4(g)(3).

**LEGAL:** Block 72, Lot 8, Punta Gorda Isles Section 7 of the Public Records of Charlotte County, Florida. **A/K/A 841 Pamela Drive, Punta Gorda Florida**

**Approved**

2. **V-01-10** – Request for a variance to the Land Development Regulations per Chapter 26, Article 16, Section 16.10, of the City Code to allow a newly constructed attached garage to have a side yard setback of 3.8 feet at the closest point instead of 5 feet as required by City Code Chapter 26, Article 3, Section 3.7(g)(3); and to allow a newly constructed driveway to have a side yard setback of .9 feet at the closest point instead of 5 feet as required by City Code Chapter 26, Article 10, Section 10.3(h)(1) **LEGAL:** Block 76, Lot 8 & 9, City of Punta Gorda of the Public Records of Charlotte County, Florida. **A/K/A** 503 McGregor St, Punta Gorda Florida **Approved**
  
3. **V-02-10** – Request for a variance to the Land Development Regulations per Chapter 26, Article 16, Section 16.10, Punta Gorda Code, to allow an existing ground sign to remain in place for the multi-tenant commercial building located at 212 W. Virginia Avenue instead of removing said ground sign, which would otherwise be required by Chapter 26, Article 11, Section 11.4(e)(7)(c), Punta Gorda Code upon the installation of three (3) new façade signs as proposed by the Applicant. (A prior variance was granted to allow the existing ground sign to be 30 square feet in area instead of 16 square feet in area as permitted; and to allow the ground sign to be 9’8” in height instead of a maximum of 5 feet in height as permitted by City Code.)  
**Continued to March 17, 2010**
  
4. **AV-02-09** Request for an Administrative Variance, per City Code Chapter 26, Section 16.10(l), on an existing single family structure located at Block 235, Lot 111, Punta Gorda Isles Section 15-Replat, a/k/a 3310 Tripoli Blvd, Punta Gorda, Florida, to allow an existing side yard setback of 5.7 feet instead of 7.5 feet as required by City Code Chapter 26, Article 3, Section 3.4(g)(3); and to allow an existing driveway with a side yard setback of 3.3 feet from the South side property line instead of 6 feet as required by City Code Chapter 26, Article 10, Section 10.3(h)(12). **Approved**

**VI. Staff Comments**

**VII. Committee/Board Comments**

**VIII. Citizen Comments**

**IX. Adjournment**

The following format for a motion is recommended for use by a Committee Member: “Based on the evidence and testimony presented at the Public Hearing of Item #\_\_\_\_\_, I move that we recommend to the City Council (approval / disapproval) of the request.”

**Note:** If a person decides to appeal any decision made by the Board of Zoning Appeals, such person will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act and Florida Statute 286.26, special accommodations may be made by contacting the Office of the City Clerk at (941) 575-3369.

**Distribution List:** Committee Members; City Councilmembers; City Clerk; City Manager; City Attorney; Macalle Finkle; David Hilston; Teri Tubbs; Lisa Hannon; Joan LeBeau; Cherry Cash Prewitt; Randy Cole; Jennifer Molnar; PGICA; PGBCA; Press (3)

