

**CITY OF PUNTA GORDA, FLORIDA  
BOARD OF ZONING APPEALS MEETING MINUTES  
NOVEMBER 23, 2021, 4:00 P.M.**

**MEMBERS PRESENT:** Lepore, Chair  
Coine, Merolla, Mueller, Nadelson, Valdes

**MEMBERS ABSENT:** Hoagland

**OTHERS PRESENT:** Lisa Hannon, Zoning Official; Kenneth Krause; Susan Krause;  
Lloyd Cranford

**CALL TO ORDER**

Mr. Lepore called the meeting to order at 4:00 p.m., followed by the Pledge of Allegiance. Messrs. Coine and Valdes introduced themselves as new members to the Board.

**Election of Chair**

***Exhibit:***  
*Cover Page*

Recording Secretary Pues opened the floor for nomination of Chair.  
Mr. Nadelson **NOMINATED** Mr. Lepore for Chair.  
As there were no other nominations, Mr. Lepore was appointed Chair by acclamation.

Recording Secretary Pues swore in all participants of the quasi-judicial public hearings.

**PUBLIC COMMENTS**

1) **APPROVAL OF MINUTES**

1.a **May 25, 2021 Minutes**  
***Exhibits:***  
*Cover Page*  
*05-25-2021 Minutes*

Mr. Nadelson **MOVED** approval of May 25, 2021, minutes, **SECONDED** by Mr. Merolla. **MOTION UNANIMOUSLY CARRIED.**

2) **LEGISLATIVE PUBLIC HEARINGS**

No items.

3) **QUASI-JUDICIAL PUBLIC HEARINGS**

3.a **V-02-2021 - A request by Kenneth E. and Susan R. Krause, property owners, pursuant to Chapter 26, Section 16.10, Punta Gorda Code, to construct a new swimming pool, deck and screen enclosure with 15 feet rear yard setbacks at the**

closes points instead of 20 feet as is required per Chapter 26, Section 3.13(d), Punta Gorda Code, at an existing single-family structure constructed in 1974.

Legal: Punta Gorda Isles, Section 7, Block 66, Lot 4

A/K/A: 410 Bal Harbor Boulevard, Punta Gorda, FL 33950

Charlotte County Parcel Id: 412212305003

**Exhibits:**

*Cover Page*

*Proof of publication*

*Legal Ad 11-5-21*

*V-02-2021 - Staff Report*

*V-02-2021 - Application*

*V-02-2021 - Survey & site plan*

*V-02-2021 - 410 Bal Harbor Boulevard presentation*

*DRC Excerpt - V-02-2021*

Ms. Lisa Hannon, Zoning Official, entered the staff report into the record by reference, providing a detailed review of the variance request. She stated the request was to permit construction of an Americans with Disabilities Act (ADA) accessible pool deck and screen enclosure, summarizing staff's findings and conclusions. She indicated medical documentation was received from the applicant for reasonable accommodations in accordance with ADA regulations. She stated a building permit was required as well as a hold harmless agreement for any work completed on the seawall or seawall cap, noting an inspection report verified the seawall was recently replaced and in good condition. She concluded the Urban Design Division recommended approval of the request with the stated conditions and based on the approval criteria and reasonable accommodations relating to the Fair Housing Act and ADA regulations.

Mr. Coine received clarification on the width of the subject property and proposed pool.

Mr. Nadelson questioned the ADA requirements.

Ms. Hannon responded the request was subject to reasonable accommodations by the Fair Housing Act; additionally, the medical provider stated that reasonable accommodations fell under the ADA regulations for medical reasons.

Mr. Kenneth Krause, applicant, stated the goal was for the pool to be installed and be minimally invasive to the property line, verifying the intent of the request.

Mr. Lepore called three times for public comment.

Mr. Merolla **MOVED** to close the public hearing, **SECONDED** by Mr. Nadelson. **MOTION UNANIMOUSLY CARRIED.**

Ms. Mueller **MOVED** to approve V-02-2021 with staff's conditions, **SECONDED** by Mr. Valdes. **MOTION UNANIMOUSLY CARRIED.**

- 3.b V-03-2021 - A request by Anthony Favara, authorized agent, for Debra and Lloyd Cranford, property owners, pursuant to Chapter 26, Section 16.10, Punta Gorda Code, to allow for the replacement of an existing non-conforming six (6) foot tall chain link fence, with a six (6) foot tall tan vinyl security fence with a twenty-four (24) foot wide gate, instead of a four (4) foot tall fence, as required by Chapter 26, Section 8.5(b)(3), Punta Gorda Code, for the property located in a Special Purpose (SP) zoning district and constructed in 2011.

Legal: Punta Gorda, Block 119, Lots 10 and 11

A/K/A: 1385 Elizabeth Street, Punta Gorda, FL 33950

Charlotte County Parcel Id: 412307256008

**Exhibits:**

*Cover Page*

*Proof of Publication*

*Legal Ad 11-5-21*

*V-03-2021 - Staff Report*

*V-03-2021 - Application*

*V-03-2021 - Fence Specifications*

*V-03-2021 - 1385 Elizabeth Street presentation*

*DRC Excerpt - V-03-2021*

Ms. Hannon entered the staff report into the record by reference, providing a detailed review of the variance request. She indicated the property had an existing nonconforming, six-foot chain-link fence which was required to be installed in a conforming manner when replaced, summarizing staff's findings and conclusions. She stated staff acknowledged the new fence was more aesthetically pleasing and would enhance the property; however, staff recommended denial of the request as same did not meet the literal criteria of hardship outlined in the Punta Gorda Code. She concluded a landscape plan was required prior to installation along with a building permit if the request was approved.

Members received clarification on the zoning classification of the subject property and details of the request.

Mr. Lloyd Cranford, applicant, provided photographs of the surrounding area of the subject property along with examples of the proposed fence. He explained the intent was to upgrade the property, which was in a low traffic area, verifying he worked on antique cars and planned to store them at the location.

Ms. Hannon stated an email was received from Mr. Anthony Favara, authorized agent, confirming the property owner had no issues with installing landscaping along the fence. She then verified complaints had not been received regarding line of sight issues at the subject area.

Mr. Cranford indicated neighboring property owners spoke in favor of the request. He then stated the property line had changed and was approximately ten feet from the fence line.

Mr. Lepore called three times for public comment.

Ms. Mueller **MOVED** to approve V-03-2021 with staff's conditions, **SECONDED** by Mr. Valdes.

Ms. Mueller **MOVED** to close the public hearing, **SECONDED** by Mr. Merolla. **MOTION UNANIMOUSLY CARRIED.**

Mr. Lepore called for a vote on the motion for approval of V-03-2021.

Mr. Nadelson recused himself from voting on the matter due to a potential conflict of interest with the use of the structure, explaining he was in the process of building commercial storage for antique cars.

City Clerk Karen Smith verified same did not qualify as a conflict of interest unless a member faced personal financial gain or loss in making a decision.

**MOTION UNANIMOUSLY CARRIED.**

4) REGULAR AGENDA

No items.

## STAFF COMMENTS

[2022 Meeting dates](#)

***Exhibits:***

[Cover Page](#)

[2022 Meeting Dates](#)

Ms. Hannon pointed out the 2022 meeting dates were included in the agenda material. She then stated V-01-2021 had been denied by City Council.

## MEMBER COMMENTS

## ADJOURNMENT

The meeting was adjourned at 4:55 p.m.

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Chair

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Recording Secretary