

Article 6

Application of Regulations

Section 6.1. Use or Occupancy

No building, structure, land, or water shall hereafter be used or occupied, and no building, structure, or part thereof shall hereafter be erected, constructed, reconstructed, located, moved or structurally altered except in conformity with the regulations of this Ordinance or amendments thereof for the district in which it is located or as otherwise specified in this Article. The regulations herein set out within each district shall be minimum or maximum limitations, as the case may be, and shall apply uniformly to each class or kind of structure, use, or land or water.

Section 6.2. Height and Density

No building or structure shall hereafter be erected or altered so as to exceed the height limits, or the density regulations of this Ordinance in any manner contrary to the provisions of this Ordinance.

Section 6.3. Lot Size

No lot or combination of lots held in single ownership nor yard existing at the effective date of these regulations shall thereafter be reduced in size, dimension, or area below the minimum requirement set out herein, except by reason of a portion being acquired for public use in any manner, including dedication, condemnation, purchase and the like. Lots or yards created after the effective date of this Ordinance shall meet at least the minimum requirements established herein. No permit shall be issued for any lot having an area less than 5,000 square feet or a width less than 50 feet, unless otherwise provided for in these regulations.

Section 6.4. Yard Limitations

No part of a required yard or other required open space, or required off-street parking or off-street loading space, provided in connection with any building, structure or use, shall be included as meeting the requirements for any other building, structure or use, except where specific provision is made in the provisions of this Ordinance:

Section 6.5. Forms of Ownership

These regulations shall be construed and applied with reference to the nature of the use of such property and without regard to the form of ownership.

Section 6.6. Deed Restrictions

No public agency shall be responsible for enforcing any deed restrictions or restrictive covenants.

Section 6.7. Erection of More than One Principal Structure

In any district, more than one structure is permitted, provided on a non-residential lot that each structure is a permitted or permissible principal use on the lot and provided that yard, area and other requirements of these regulations shall be met for each structure as though it were on an individual and separate lot. This individual-lot requirement shall not apply in the Traditional Punta Gorda (TPG) zoning district.

Section 6.8. Building Separation

Interior side yard setbacks for multiple structures on a single property must be one-half the building height but not less than ten feet. This interior side yard setback requirement shall not apply in the Traditional Punta Gorda (TPG) zoning district.

Section 6.9. Permit Requirements

- (a) **Survey Required.** All new construction, including, but not limited to, additions, swimming pools, sheds, lanai extensions, concrete slabs [regardless of size], garages or other accessory structures shall require submittal of two original signed and sealed boundary surveys, that are less than one year old that show the location and setbacks of all existing improvements and/or structure(s) on the building site or lot as part of the building permit application. Said survey shall be prepared by a qualified surveyor, licensed in the State of Florida. If the lot or building site is vacant, the survey shall so state.
- (b) **Foundation Location Survey Required.** No building or structure shall be constructed beyond the stemwall stage or foundation stage until such time as the foundation location has been inspected and approved by the Zoning Official or his/her designee. Any construction done prior to receiving approval as to location and setback from the Zoning Official is at the contractor's risk.
- (c) **General Site Plan or Plot Plan.** All permit applications shall include two (2) copies of a "to scale" plot plan, as determined by the Zoning Official, indicating setbacks to property lines at the closest points on all proposed construction or reconstruction.
 - (1). For all new construction such as, but not limited to, building additions, swimming pools, sheds, lanai extensions, concrete slabs, sidewalks, driveway additions and the like, the total impervious area calculation must be included on the plot plan.

- (2). Impervious area includes all areas of the property that are covered with an impervious surface, or partially impervious surface, such as, but not limited to, the house footprint, concrete or paver or other partially impervious surface driveways, walkways, equipment pads, swimming pool and deck, stairs, etc.
- (d) **Additional Data.** The Zoning Official may require details, computations, dimensioned diagrams and other data necessary to describe the construction or installation and the basis of calculations. All drawings, specifications and accompanying data required by the Zoning Official shall be prepared by an architect or engineer and shall be affixed with their official seal, unless specifically exempted by the Zoning Official.

Section 6.10. Inspections

- (a) A Certificate of Occupancy shall not be issued for any property until a final inspection has been completed by the Zoning Official or his/her designee and the site is found in compliance with Chapter 26 of the Punta Gorda Code, also known as the Land Development Regulations, the approved building permit, site plan, landscape plan, photometric plan, and architectural elevations as applicable.
- (b) The Zoning Official or designee may examine or cause to be examined any building site for which an application has been received to enlarge, alter, repair, move, demolish, install or change the occupancy of any existing construction and for all new construction.
- (c) The Zoning Official or designee shall inspect all buildings, structures and appurtenances upon completion of the work for which a permit has been issued to verify compliance with the City's Land Development Regulations. A written record of every such examination and inspection, and all violations of the Punta Gorda Code shall be kept.
- (d) The initial zoning inspection shall be included as part of the original permit fee.
 - (1). If the site is found to be out of compliance with the City's Land Development Regulations, the approved building permit or site plan, the owner agent shall be notified of the deficiency and the necessary action required to bring the site into compliance.
 - (2). Once the deficiency has been corrected, a re-inspection may be requested by the owner/agent.
 - (3). A re-inspection will be required in the event that any work, including the requested repairs or corrections, is incomplete at the time the inspection or re-inspection is made, when any prior inspection has been turned down due to faulty construction, and for just cause as determined by the Zoning Official.
 - (4). The fee for each re-inspection shall be \$50 per site visit.