

**PLANNING COMMISSION
MEETING
SEPTEMBER 24, 2018**

MEMBERS PRESENT: Charles Thomas, Chairman
Joseph Comeaux, Bradford Gamblin,
Harvey Goldberg, Susan Hill, Donna Peterman
Roger Peterson

OTHERS PRESENT: Lisa Hannon, Zoning Official
Gary Skillicorn, Glenn Tuttle, David Boland,
Bob Fritz, Thomas Chance, Ron Farley,
Arlene Epting, Don Campos, David Schall

CALL TO ORDER/ANNOUNCEMENTS

- A. Roll Call
- B. Next Scheduled Meeting
- 1. October 22, 2018

CITIZENS COMMENTS ON AGENDA ITEMS ONLY

- Mr. Gary Skillicorn stated he had numerous questions and concerns regarding ZA-09-18, contending the three minutes allotted for public comment was not sufficient.
- Mr. Glenn Tuttle spoke at length on amateur radio antennae, requesting certain aspects of the proposed ordinance be amended.
- Mr. David Boland advocated against the proposed ordinance.

APPROVAL OF MINUTES

- A. August 27, 2018
- Mr. Goldberg MOVED, Ms. Hill SECONDED approval of the August 27, 2018 minutes.
MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARINGS

- Recording Secretary Welch swore in all participants.
- A. ZA-09-18 – An Ordinance of the City of Punta Gorda, Florida, Chapter 26, Article 8, Section 8.3, Punta Gorda Code, relating to exclusions from height limits; deleting provisions relating to a waiver from height limitations; adding a new Subsection 8.3(b), Punta Gorda Code, relating to height limits for amateur radio antenna support structures and associated antenna; providing for permits for amateur radio antenna support structures; providing for conflict and severability; and providing an effective date.
- Ms. Lisa Hannon, Zoning Official, reviewed the history of discussions surrounding amateur radio antenna height issues, concluding staff recommended approval of the proposed ordinance, as delineated in the agenda material, with an amendment to Section

8.3(b)(2)b to allow for amateur radio support structure setbacks of at least 7.5 feet from the side property line and 20 feet from the rear property line.

- Mr. Gamblin questioned if the proposed setbacks would require antennae to be attached to houses.
- Ms. Hannon replied many properties had cut-out areas between the house and pool deck where equipment could be located.
- Mr. Gamblin inquired if the proposed setbacks would be problematic for amateur radio operators.
- Ms. Hannon expressed uncertainty regarding same.
- Mr. Thomas requested clarification of permitted setbacks.
- Ms. Hannon replied 7.5 feet was standard for any structure; however, air conditioner, trash container and pool equipment pads could encroach up to 4 feet provided there were no active drainage easements.
- Discussion ensued with regard to setbacks.
- Mr. Comeaux confirmed the proposed ordinance had resulted from a complaint several years ago.
- Ms. Hill clarified the original complaint concerned the antenna's height, questioning the maximum height allowed.
- Ms. Hannon replied 42 feet.
- Mr. Peterson asked if there were existing antennae above the permitted height.
- Ms. Hannon expressed uncertainty regarding same.
- Ms. Peterman confirmed the proposed regulations would not be retroactive.
- Ms. Hill asked if certain antennae must exceed the permitted height to operate.
- Mr. Gamblin noted some audience members nodded affirmatively.
- Mr. Bob Fritz spoke against the proposed setbacks, suggesting permits be required only for antennae exceeding the permitted height.
- Mr. Thomas Chance advocated against the proposed ordinance as same would require him to cease a project which would improve communication between local hospitals, the Emergency Operations Center and Charlotte County.
- Mr. Ron Farley stated he did not support the proposed ordinance, commenting favorably on a four-foot setback.
- Ms. Arlene Epting asked why an ordinance had been drafted because of one complaint, opining the City would incur liability as a result.
- Mr. Boland explained he required a 60-foot antenna to assist in emergency communications as part of the Military Auxiliary Radio System.

- Mr. Don Campos spoke against the proposed ordinance, suggesting antennae less than a certain height be excluded from the ordinance.
- Mr. Tuttle voiced opposition to the proposed ordinance, noting amateur radio operators assisted many governmental agencies.
- Mr. David Schall advocated against the proposed ordinance, asserting amateur radio operations were essential to emergency communications and were governed by the FCC.
- Mr. Thomas called three times for anyone to speak on ZA-09-18.
- Mr. Goldberg MOVED, Ms. Peterman SECONDED to close the public hearing. MOTION CARRIED UNANIMOUSLY.
- Discussion ensued with regard to the lack of need for revised regulations.
- Mr. Goldberg inquired when ZA-09-18 would be presented to City Council.
- Ms. Hannon replied October 17, 2018.
- Mr. Thomas noted physical and financial considerations must be taken into account.
- Ms. Peterman opined the proposed ordinance would penalize amateur radio operators.
- Ms. Peterman MOVED, Ms. Hill SECONDED to find ZA-09-18 was not consistent with the Comprehensive Plan and to recommend denial of the request based upon the evidence and testimony presented. MOTION CARRIED UNANIMOUSLY.

CITIZEN'S COMMENTS

- Mr. Tuttle questioned how an exception to the current height limitation could be obtained.
- Ms. Hannon responded new antennae were required to meet the 42-foot height limitation, explaining the need for a waiver process could be presented to City Council.
- Mr. Farley thanked members and offered his radio club's assistance in drafting ordinance.
- Mr. Schall reported he counted two antenna towers in Burnt Store Isles and no more than ten in Punta Gorda Isles, explaining amateur radio towers were not constructed close together due to interference.
- Mr. Goldberg advised citizens could contact their respective Councilmembers and attend the City Council meeting on October 17, 2018.

ADJOURNMENT

- Meeting Adjourned: 3:06 p.m.

Charles Thomas, Chairman

Sara Welch, Recording Secretary