

**PUNTA GORDA ISLES
CANAL ADVISORY COMMITTEE
MEETING
AUGUST 20, 2018**

MEMBERS PRESENT: David McBride, Chairman
Jake Dye, Fred Hannon,
Robert Knabe, Colleen Wright

MEMBERS ABSENT: Fredric Cort, Paul Raffa

OTHERS PRESENT: Cathy Miller, Canal Maintenance Supervisor
Bob Nikula, Project Manager
Mark Gering, City Engineer
Lisa Hannon, Zoning Official
Mike Parr, Tamsin Hayes

CALL TO ORDER/ANNOUNCEMENTS

- A. Roll Call
- B. Next Scheduled Meeting (need to reschedule September 2018 Meeting)
 - Mr. McBride announced the September 17, 2018 meeting required rescheduling due to a conflict with a City Council meeting.
 - Consensus was to reschedule the meeting to September 18, 2018.

APPROVAL OF MINUTES

- A. Meeting of June 18, 2018
 - Mr. Dye MOVED, Mr. Knabe SECONDED approval of the June 18, 2018 minutes. MOTION CARRIED UNANIMOUSLY.

CITIZENS COMMENTS ON AGENDA ITEMS ONLY

- There were none.

REPORTS

- A. Patrol Update – June & July 2018
 - Mr. McBride reviewed the June and July 2018 Marine Volunteers in Policing (VIPs) Report, as delineated in the agenda material, announcing 379 and 421 nautical miles were patrolled in June and July 2018, respectively. He reported activity included issuance of a verbal warning regarding power boating, several directed patrols at Medici Court, the rescue of a distressed swimmer and recovery of a swamped kayak during the Freedom Swim. He announced VIPs were now dispatched daily.
- B. Punta Gorda Police Department – Marine Patrol Update – Officer Joe Trufan
 - Mr. Joe Trufan, Police Officer, reported he was now the full-time Marine Officer, emphasizing the VIP program would not be reduced to part-time. He announced he

would resume full-time patrols once the field trainees completed training; however, he remained available for call-out.

C. Finance Reports – June & July 2018

- Ms. Cathy Miller, Canal Maintenance Supervisor, offered to answer questions regarding the June and July 2018 finance reports, as delineated in the agenda material.
- Mr. McBride inquired as to overspending in Contractual Services.
- Ms. Miller responded same was used to fund the sox, explaining the Finance Department would transfer funds from another account.

D. Budget Utilization Report – June & July 2018

- Ms. Miller reviewed the June and July 2018 Budget Utilization Reports (BURs), as delineated in the agenda material, asking if the new format was acceptable.
- Mr. McBride remarked favorably on same.
- Mr. Dye voiced approval of the Production Levels report, as delineated in the agenda material.
- Ms. Miller pointed out dates had been added to more clearly demonstrate contractors' progress, explaining availability of sod in the summer often delayed completion of projects.
- Mr. McBride inquired as to the estimated completion by the contract due dates.
- Mr. Mark Gering, City Engineer, reviewed the formula by which due dates were determined, stating production rates had increased and might continue to do so. He expressed some concern regarding Duncan Seawall, noting same indicated more equipment would be brought in. He drew members' attention to a bar chart, as delineated in the agenda material, which demonstrated significant increases in production levels, announcing Shoreline Foundation was recently approved for use of a landside crew as well.
- Mr. Dye inquired if heavy rains had caused any problems.
- Mr. Gering responded some properties had developed depressions; however, no sites had experienced serious erosion.

E. Production Levels

F. Seawall Replacement Status Reports – June & July 2018

- Ms. Miller drew attention to the Seawall Replacement Status Reports, as delineated in the agenda material, confirming there were no questions.

G. Permits Authorized by City Staff – June & July 2018

- Ms. Miller announced 25 and 32 permits had been issued in June and July 2018, respectively.

PUBLIC HEARINGS

- Recording Secretary Welch swore in all participants.
- A. CCSP-05-18 – A petition for Special Permit under the provisions of Section 6-6(j) of the Punta Gorda Code to install a portion of a boat lift, three (3) boat lift pilings and a portion of a two (2) foot wide aluminum walkway outside the 45 degree angle, which is prohibited by Section 6-6(c)4 Punta Gorda Code at Lot 12, Block 214, Section 14, aka as 3804 Turtle Dove Boulevard, Punta Gorda, Florida 33950.
Owner/Petitioner: Linda Brown
Charlotte County Parcel ID: 412224407001
- Mr. Bob Nikula, Project Manager, displayed an aerial view of the subject property and proposed construction drawings, as delineated in the agenda material, stating the applicant was seeking approval to allow a portion of a boat lift, three boat lift pilings and a portion of a two foot wide aluminum walkway outside the forty-five degree angle. He displayed two photographs which depicted the canal in the area of the proposed boat lift, concluding staff recommended approval.
- Ms. Wright questioned if the proposed dock and boat lift would interfere with construction at the adjacent properties.
- Mr. Nikula replied it would not, adding he was unaware of any opposition to the request.
- Mr. McBride remarked one of the docks at the lot immediately adjacent to the subject property on Turtle Dove Boulevard appeared to be outside the forty-five degree angle, requesting staff determine if a Special Permit had been issued for same.
- Mr. Mike Parr, representative, clarified the neighboring dock was within the forty-five degree angle. He then asserted the proposed design had become standard.
- Mr. McBride called three times for anyone to speak on CCSP-05-18.
- Mr. Dye MOVED, Mr. Knabe SECONDED to close the public hearing. MOTION CARRIED UNANIMOUSLY.
- Mr. Hannon MOVED, Mr. Dye SECONDED to approve CCSP-05-18. MOTION CARRIED UNANIMOUSLY.

QUASI-JUDICIAL PUBLIC HEARINGS

- A. V-02-18 – Request by Warren R. Ross, Esq., agent for James E. Campbell and Gail M. Campbell, property owners, pursuant to Chapter 26, Section 16.10, Punta Gorda Code, to allow a rear yard setback of 7.9 feet at its closest point and 9.7 feet at its furthest point instead of 20 feet as is required per Chapter 26, Section 3.13(d), Punta Gorda Code, to construct a new screen enclosure on an existing non-conforming pool deck at a single-family residence located in a General Single-family zoning district.

- Ms. Lisa Hannon, Zoning Official, entered the staff report into the record by reference, announcing the applicant wished to install a new screened enclosure around an existing nonconforming pool deck which encroached into the required setback. She reviewed the request's alignment with the approval criteria denoted in City Code, noting the applicant had submitted two letters of support from the adjacent property owners, and Mr. Randy Cole, Chief Building Official, preferred a screen enclosure rather than a fence due to safety concerns. She concluded staff recommended denial of V-02-18 as it did not meet the literal criteria of hardship as required by City Code.
- Ms. Tamsin Hayes, representative, announced the enclosure would not intrude any further into the setback than the pool, suggesting her clients faced hardship in that same could not be relocated to be in compliance; therefore, the cage must be within the setback. She asserted a screen enclosure was medically necessary as Mr. Campbell had an allergy to hornets as well as diabetes, which made him more susceptible to mosquito-borne illnesses.
- Mr. McBride inquired as to any implications approval of V-02-18 would have for the pool.
- Ms. Hannon replied V-02-18 would not automatically allow subsequent reconstruction of a pool and screened enclosure which encroached on the required setback, explaining one variance did not set a precedent for later variances.
- Mr. McBride questioned the basis of staff's recommendation.
- Ms. Hannon replied the request did not meet the literal definition of hardship.
- Mr. McBride opined hardship was subjective. He then called three times for anyone to speak on V-02-18.
- Mr. Dye MOVED, Mr. Knabe SECONDED to close the public hearing. MOTION CARRIED UNANIMOUSLY.
- Mr. Dye suggested the applicants' situation outweighed issues related to City Code, asserting a screened enclosure was a standard feature which would be consistent with neighboring properties.
- Ms. Wright pointed out the pool had been in place without a screened enclosure for years despite the concerns mentioned this date.
- Mr. Dye MOVED, Mr. Hannon SECONDED to recommend approval of V-02-18.
- VOTING AYE: Dye, McBride.
- VOTING NAY: Hannon, Knabe, Wright.
- MOTION FAILED.

NEW BUSINESS

- A. Ocean Habitat Reef Box
- Ms. Miller announced staff had received several inquiries regarding reef boxes, which were typically installed underneath a dock, noting City Code did not specifically address same. She explained this information was being provided for the Committee's consideration as part of the Chapter 6 re-write, adding technical information was included in the Committee's agenda material.
 - Mr. McBride asked if the Code allowed reef boxes at this time.
 - Ms. Miller replied affirmatively, stating a building permit would be required.
 - Mr. McBride stated he was not in favor of structures which floated in the canals.
 - Mr. Hannon commented a reef box could possibly break free and obstruct the waterway.
 - Mr. McBride spoke in favor of establishing regulations for reef boxes; however, he expressed reservation regarding enforcement.
 - Ms. Miller stated she would share the Committee's concerns with staff.

UNFINISHED BUSINESS

- A. Hurricane Irma Seawall Failure Updates
- Ms. Miller stated work was progressing, noting production of just 2,731 panels remained; however, production was delayed due to storage issues.
 - Ms. Irene Ploskina, Community Outreach Coordinator, announced the letter regarding insurance liability, as previously discussed by the Committee, had been approved by City Attorney David Levin, noting 35 letters had been returned undelivered out of a total of 665 letters mailed to affected property owners. She then reported three of the four videos regarding seawall repair had been completed and posted to the City's website, with completion of the fourth video expected by the end of August 2018.

STAFF COMMENTS

- Ms. Miller announced proposals for the alternative seawall materials project, the Ponce de Leon Inlet widening project and the spoil site channel project would be sent to the Procurement Division the following week. She then noted crews were replacing wooden bumper boards under the West Marion Avenue bridge near Coldeway Drive, adding staff was investigating an alternative product to protect the bridge.
- Mr. McBride confirmed the alternative product was constructed of plastic.
- Ms. Miller reported the mangrove trimming contract was awarded to Ecosystems Technologies which had removed exotic species and performed trimming in the barge canal in July 2018. She announced trimming of mangroves in the perimeter canal would begin the first week in September 2018.
- Mr. McBride remarked Ponce de Leon Inlet required attention.

- Mr. Dye questioned why the barge canal was maintained.
- Ms. Miller replied same was a permit requirement. She then pointed out a regular mirror had been installed at Ponce de Leon Inlet due to incidents of boats crashing into the previously installed round mirror.
- Mr. McBride pointed out the new mirror was smaller and therefore less likely to be hit.
- Ms. Miller explained the addition of a second set of channel markers had lowered the mirror's position, requesting members notify staff if they observed damage to the mirror.
- Mr. McBride questioned if the mirror was necessary, suggesting same did not enhance visibility of the waterway.
- Ms. Miller suggested its removal might be possible following widening of Ponce de Leon inlet.
- Mr. Gering announced receipt of the Army Corps of Engineers permit for the Bird Section cut-through, announcing City Council would review same as well as the associated land purchase at their August 22, 2018 meeting

ADJOURNMENT

- Meeting Adjourned: 2:36 p.m.

David McBride, Chairman

Sara Welch, Recording Secretary