

**ANNOTATED AGENDA
BOARD OF ZONING APPEALS
TUESDAY, JANUARY 26, 2010 – 4:00 P.M.
CITY COUNCIL CHAMBERS**

I. Call to Order/Announcements

- A. Roll Call
- B. Next Scheduled Meeting - February 23, 2010
- C. 2010 Meeting Dates **CHANGED DECEMBER 28, 2010 MEETING TO
TUESDAY, DECEMBER 21, 2010, 4:00 P.M.**

II. Approval of Minutes

- A. Meeting of November 24, 2009
APPROVED

III. Public Hearings

- A. **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 to 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 to 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.

Continued from November 24, 2009

- (1) RECOMMENDED APPROVAL OF EXISTING, NON-CONFORMING SETBACKS (UNANIMOUS VOTE)**
- (2) RECOMMENDED DENIAL OF REQUEST TO CONSTRUCT A SCREEN ENCLOSURE (MOTION FAILED, 3 to 3)**

- B. **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)(12).

LEGAL: Block 76, Lot 8 & 9, City of Punta Gorda of the Public Records of Charlotte County, Florida. **A/K/A** 503 McGregor Street, Punta Gorda, Florida.

RECOMMENDED APPROVAL (5 to 1)

- C. **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.

RECOMMENDED DENIAL (5 TO 1)

- D. **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).

**APPELLANT DID NOT APPEAR; STAFF TO RESEARCH
PROCEDURE w/ CITY ATTORNEY**

- IV. **New Business**
- V. **Unfinished Business**
- VI. **Staff Comments**
- VII. **Committee/Board Comments**
- VIII. **Citizen Comments**
- IX. **Adjournment**