

**Annotated Agenda
Board of Zoning Appeals**

**Tuesday, April 22, 2008 – 4:00 PM
City Council Chambers**

I. Call to Order/Announcements

- A. Roll Call
- B. Last Scheduled Meeting – February 26, 2008
- C. Next Scheduled Meeting – May 27, 2008

II. Approval of Minutes

- A. Meeting of February 26, 2008 **APPROVED**

III. Old Business

- A. Results of City Council Action on March 19, 2008:
 - 1. **V-01-08 – 235 Di Vinci Drive** Request to grant a variance to the City Code of Ordinances, Section 26-3.13.(e), Page 26-26, of the City Code to allow gravel and rock within six feet of the seawall in the Special Residential Overlay (SRO) district instead of sod, as required; and Section 26-8.13. (a), page 26-86, to allow gravel within drainage facilities of the required yards instead of sod as required; Section 12.3.(c), Page 26-128 to allow gravel within utility easements, instead of groundcover, as required; Section 12.3.(i), Page 26-129, to allow gravel instead of required sod in swales or other areas subject to erosion; and Section 26-12.4.(k), Page 26-132, to allow gravel instead of the required ground cover, shrubbery or mulch in the required yard area; and Section 26-8.14.(h), Page 26-88 to allow a paver walkway closer than 3 feet to the side yard property line, for an existing single-family residence located at Block 42, Lot 7, Punta Gorda Isles, Section 6, known as 235 Di Vinci Drive. ***Withdrawn by Applicant***

IV. New Business

A. Public Hearing

- 1. **AP-01-08** – Appeal of Administrative Decision of the Zoning Official per the City Code of Ordinances, Chapter 26-16.2., regarding replacement of individual non-conforming signs on an existing non-conforming sign structure located at Block 35, Lots 2, 3, 4, 5, and 6, PUG a/k/a 205-225 Wood Street. **RECOMMENDED DENIAL (6 to 1)**
- 2. **V-03-08** – REQUEST FOR VARIANCES BY PUNTA GORDA LODGING, LLC, TO THE LAND DEVELOPMENT REGULATIONS THAT WERE IN EFFECT AT THE EXECUTION OF THE DEVELOPER'S AGREEMENT BETWEEN THE CITY MARKETPLACE, LLC AND THE CITY OF PUNTA GORDA, DATED AUGUST 13, 2003, AND THAT GOVERN THE PROPERTY KNOWN AS THE CITY MARKETPLACE PROPERTY GENERALLY ADDRESSED AS 115 TAMIAMI TRAIL, PURSUANT TO SECTION 26-11(B), PAGE 26-184 CITY CODE OF ORDINANCES, REVISION 31. REQUEST FOR A VARIANCE TO SECTION 26-7(I)6.7., PAGE 26-34, TO ALLOW CONSTRUCTION OF A NEW BUILDING TO BE 58 FEET IN HEIGHT TO THE TOP OF THE STRUCTURAL ROOF, INSTEAD OF 50 FEET AS PERMITTED IN THE CENTRAL BUSINESS DISTRICT (CBD); AND SECTION 26-10(5)(5.4.)(B)3.B., PAGE 26-161 TO

ALLOW THREE DRIVEWAYS ENTER A SINGLE STREET FROM A SINGLE PROPERTY INSTEAD OF TWO DRIVEWAYS AS PERMITTED AND TO ALLOW THE MINIMUM DISTANCE BETWEEN THE DRIVEWAYS ON A SINGLE STREET TO BE 36 FEET, INSTEAD OF 50 FEET AS REQUIRED; AND SECTION 26-10(5)(5.4)(B)3.K., PAGE 26-162, TO ALLOW THE MINIMUM DISTANCE FROM THE INTERSECTING RIGHT-OF-WAY LINES TO THE INTERIOR DRIVE BE 38.8 FEET, INSTEAD OF 40 FEET AS REQUIRED; AND SECTION 26-10(5)(5.4)(B)12A.VI., PAGE 26-164, TO ALLOW A DRIVEWAY TO ABUT AN INTERNAL PROPERTY LINE INSTEAD OF BEING FIVE FEET AWAY FROM THE PROPERTY LINE AS REQUIRED BY CITY CODE REVISION 31. **RECOMMENDED APPROVAL (6 TO 1)**

V. Other Business

VI. Member Comments

VII. Citizen Comments

VIII. Adjournment

The following format for a motion is recommended for use by a Committee Member: "Based on the evidence and testimony presented at the Public Hearing of Item #_____, I move that we recommend to the City Council (approval / disapproval) of the request."

In accordance with the Americans with Disabilities Act and Florida Statute 286.26, special accommodations may be made by contacting the Office of the City Clerk at (941) 575-3369.

Distribution List: Committee Members; City Councilmembers; City Clerk; City Manager; City Attorney; Peggy King; David Hilston; Teri Tubbs; Lisa Hannon; Joan LeBeau; Cherry Cash Prewitt; Randy Cole; Jennifer Molnar; PGICA; PGBCA; Press (3)