

**Agenda
Board of Zoning Appeals**

**Tuesday, June 24, 2008 – 4:00 PM
City Council Chambers**

I. Call to Order/Announcements

- A. Roll Call
- B. Next Scheduled Meeting – July 22, 2008
- C. Last Scheduled Meeting –April 22, 2008

II. Approval of Minutes

- A. Meeting of April 22, 2008 **APPROVED**

III. Old Business

- A. Results of City Council Action on May 21, 2008:
 - 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.

**Withdrawn by Applicant
WITHDRAWN**

- 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.

Approved 4-1 with the following conditions: City Council retains architectural review of final design; developer to apply for permits within 9 months of variance approval or renegotiation of developer's agreement and commence construction within 12 months; use restricted to hotel; height limitations of decorative elements to comply with current Code regulations.

IV. New Business

A. Public Hearing

1. **V-04-08 – 101 Donna Court** - Request for a variance to the Land Development Regulations per Section 26-16.10., Page 26-196, of the City Code for new construction to allow a 15 foot rear yard water side setback for a pool and pool enclosure instead of 20 feet as required by City Code section 26-3.13.(d) on page 26-26, for a new home and pool.

DENIED

2. **V-05-08** – Request for a variance to the Land Development Regulations by Eileen Cavanaugh, Agent for Plaza Camille, per Section 26-16.10., Page 26-196, of the City Code to allow non-conforming signs be re-established on an existing non-conforming sign structure that is 19 feet in height and 106 square feet in area, instead of 5 feet in height and 16 square feet in area, as is required in the City Center Zoning District per Section 26-11.4.(e)(7)(a) on page 26-126.

CONDITIONALLY APPROVED

V. Other Business

- A. City of Punta Gorda Comprehensive Plan 2025

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)