

**MINUTES**  
**CHARLOTTE COUNTY BOARD OF ZONING APPEALS**  
**Wednesday, October 12, 2011 – 9 a.m. – Room 119**  
**Charlotte County Administration Center**  
**18500 Murdock Circle**  
**Port Charlotte, FL 33948-1094**

(These minutes are not official until they have been approved by the Charlotte County Board of Zoning Appeals)

**Members Present**

Tom Thornberry, *Chairman* (Absent)  
Michael Brown, *Vice-Chairman*  
Bill Truex, *Secretary*  
Katherine Ariens  
Blair McVety

**Staff Present**

Derek Rooney, *Assistant County Attorney*  
Buddy Braselton, *Interim Zoning Official*  
Ken Quillen, *AICP, Planner III*  
Diane Clim, *Recorder*

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**I. Call to Order**

*Vice-Chairman Brown* called the October 12, 2011 meeting of the Board of Zoning Appeals to order at 9:00 a.m.

**II. Pledge of Allegiance**

*Vice-Chairman Brown* led the members and the audience in reciting the Pledge of Allegiance.

**III. Roll Call**

Roll call was taken; a quorum was present.

**IV. Swearing In of Those Giving Testimony**

*Diane Clim* swore in all persons who wished to provide testimony.

**V. Approval of Minutes**

***ACTION: A motion was presented by Mr. Truex and seconded by Ms. Ariens to approve the minutes of the September 14, 2011 meeting of the Board of Zoning Appeals, motion passed with a unanimous vote.***

**VI. Disclosure Statements**

Ex-parte forms indicating site visits concerning the petitions being presented before the October 12, 2011 Board of Zoning Appeals meeting were submitted.

**VII. Introduction of Staff/Comments**

*Vice-Chairman Brown* introduced staff. *Buddy Braselton, Interim Zoning Official, Attorney Derek Rooney, and Vice-Chairman Brown* made introductory remarks regarding the types of requests that the Board of Zoning Appeals would be reviewing and the standards which must be met, the notification process and how the Board of Zoning Appeals makes its decision.

**VIII. New Business**

***The following petitions were advertised on September 27, 2011: SE-11-14; and SE-11-15***

**Petition SE-11-14 was continued by the applicant/agent**

**Petition #SE-11-14**

Geri Waksler, agent for Florida Tracks and Trails, Inc., is requesting a special exception to allow a private recreational facility, in an Agriculture General (AG) zoning district. The property address is 39450 and 39550 Bermont Road, Punta Gorda, Florida, and is described as all of Section 27, together with the southeast Quarter of Section 34 and the East half of the West half of Section 34, all located in Township 40 South, Range 25.

**Petition #SE-11-15**

Colin Gartland is requesting a special exception to allow a 'Home Occupation', consisting of computer design and internet sales of clothing, in a Residential Single-family-3.5 (RSF-3.5) zoning district. The property address is 73 Hannah Street, Port Charlotte, Florida, and is described as Lot 19 of Block 1545 of Port Charlotte Sub-section 15, subdivision, located in Section 01, Township 40 South, Range 22 East.

Ken Quillen presented general information and staff findings for the petition.

**Applicant Presentation**

**Colin Gartland, applicant**, said he has been sworn in. He said he will not have any traffic coming to the house. He works on the computer/internet and has the product produced overseas. He agrees with the staff report.

***Vice-Chairman Brown opened the meeting to Public Hearing.***

**Public Input**

No one spoke for or against the petition.

***There being no further requests to speak for or against the petition, Mr. Truex moved to close the public hearing, seconded by Ms. Ariens. The public hearing was closed with a unanimous vote.***

Ken Quillen presented the analysis, conclusion and recommended conditions for the petition.

**Board Member Comments and Questions**

None

***ACTION: A motion was presented by Bill Truex and seconded by Katherine Ariens that Petition SE-11-15 be APPROVED based on the Community Development Staff Report dated October 4, 2011, the evidence and testimony presented at the hearing and finding that the applicant HAS MET the required criteria for the granting of the special exception with 3 conditions.***

**Motion was approved with a unanimous vote with the following conditions:**

1. This special exception shall allow a home occupation, consisting of computer design and internet sales of clothing, as an accessory use to the existing single-family residence.
2. This special exception, allowing a home occupation, shall be conducted according to all of the standards and conditions of Section 3-9-79 of the Zoning Ordinance.
3. Any major modifications, or change in the type of home occupation conducted, shall require a modification to the special exception. Minor changes or additions such as accessory uses or structures may be approved by the Zoning Official.

IX. Public Comments - None

X. Staff Comments - None

XI. Member Comments - None

XII. Next Meeting

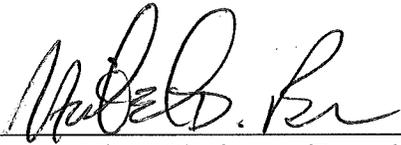
The next meeting of the Board of Zoning Appeals is scheduled for **Wednesday, November 9, 2011, at 9:00 a.m., in Room 119.**

There being no further business, the meeting **ADJOURNED** at 9:20 a.m.

Respectfully submitted,

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Diane Clim, Recorder

/dlc

  
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Michael Brown, Vice-Chairman/Board of Zoning Appeals

Approval Date: 11-9-2011