MINUTES
CHARLOTTE COUNTY BOARD OF ZONING APPEALS
Wednesday, June 12, 2013 – 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
Katherine Ariens, Chair
Steve Vieira, Secretary
Blair McVety, Vice-Chair
Joe Tiseo
Larry Fix

Staff Present
Ty Harris, *Assistant County Attorney*
Shaun Cullinan, *Zoning Official*
Joshua Moye, *Assistant County Attorney*
Ken Quillen, *AICP, Planner III*
Diane Clim, *Recorder*

I. *Call to Order*
Chair Ariens called the June 12, 2013 meeting of the Board of Zoning Appeals to order at 9:00 a.m.

II. *Pledge of Allegiance*
Chair Ariens 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. Vieira and seconded by Mr. Tiseo to approve the minutes of the May 8, 2013 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 June 12, 2013 Board of Zoning Appeals meeting were submitted.

VII. *Introduction of Staff/Comments*
Chair Ariens introduced staff. *Shaun Cullinan, Zoning Official,* read the Zoning rules, *Attorney Ty Harris, and Chair Ariens* 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.

The following petitions were advertised on May 28, 2013: SE-13-005, VAR-13-003, and SE-13-006 (Petitions VAR-13-003 and SE-13-006 were pulled or continued)

VIII. *Old Business*

Mr. Quillen said at last month's meeting, he read the staff report and we had public input. We are continuing that meeting to today. **Mr. Quillen** said he just passed out a copy of a new site plan showing landscape plans. This would be Exhibit H-1 & H-2.

SE-13-005

Judy Hunter, agent for Charlotte County Utilities, is requesting a special exception to allow a sanitary sewer lift station in the Residential Single-Family 3.5 (RSF-3.5) zoning district. The property address is 193 Purus Street, Deep Creek, and is described as Lot 8, of Block 602, of Punta Gorda Isles, Sub-section 20, located in Section 05, Township 40 South, Range 23 East.

Applicant Presentation

Ruda Vardys, Staff Engineer for Charlotte Co. Utilities, (CCU) said she was sworn in. **Ms. Vardy's** said CCU met with the Deep Creek Section 20 property owners association on numerous occasions to resolve the concerns raised at the previous board meeting. This plan before you today is a result of those meetings. She discussed the placement of the lift station and the buffering around it.

Chair Ariens opened the meeting to Public Hearing.

Public Input

Ben Pappa, 168 Seasons Dr., said he has been sworn in. **Mr. Pappa** said he is a Director for the P.O.A. of Section 20. After meeting with CCU, they did come up with this plan. One of the changes is the curve for the driveway. They want to buffer the lift station and in discussions, realized the CCU vehicle/service truck, would not be able to make such a sharp turn/curve for the original request.

Lorelei Rodrigue, 190 Purus St. said she was sworn in. She said she wanted to thank CCU because they have done a wonderful job. She was concerned if the County says they ran out of money for the landscaping, what would happen then?

Jim Went, 179 Purus St. said he was sworn in. He said he would like to thank this Board because of the great results they now have. His other concern is the odor that is usually associated with these lift stations.

Ron Rodrigue, 190 Purus St. said they have an option of venting out into the air or out the outflow. He asked if staff could explain this.

Paul Penumudi, CCU Engineer, said he was sworn in. He explained the process of the lift station and the ventilation.

There being no further requests to speak for or against the petition, Mr. Tiseo moved to close the public hearing, seconded by Mr. McVety. 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

ACTION: A motion was presented by Joe Tiseo and seconded by Blair McVety that Petition SE-13-005 be APPROVED based on the Community Development Staff Report dated May 1, 2013, 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 the following four conditions.

Motion was approved by a unanimous vote with the following four conditions:

1. This special exception is for an essential service, consisting of a sanitary sewer lift station, and extends only to the land included in the Site Plan and legal description submitted with this application.
2. The site plan presented by the applicant as part of the petition is for illustrative purposes only. All permitting procedures and codes, including landscaping, are applicable to the construction and operation of the proposed sanitary sewer lift station.
3. A landscape buffer shall be installed for this lift station according to landscape plan identified as exhibit "H" submitted at the June 12, 2013, BZA meeting and continuously maintained as long as the lift station is located on this site. This landscape plan is also further identified as having the date of May 31, 2013, and a plot date of June 7, 2013.
4. Any major changes or additions to this special exception shall require a modification of 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* –
Mr. Quillen said there are two petitions for July.

XI. *Member Comments* –
Mr. Tiseo said he would be absent from the July BZA meeting.

XII. *Next Meeting*
The next meeting of the Board of Zoning Appeals is scheduled for ***Wednesday, July 10, 2013, at 9:00 a.m., in Room 119.***

There being no further business, the meeting ***ADJOURNED*** at 10:03 a.m.

Respectfully submitted,
Diane Clim, Recorder
/dlc

Katherine Ariens

Katherine Ariens, Chair/Board of Zoning Appeals

Approval Date: 7-10-2013