

MINUTES
CHARLOTTE COUNTY BOARD OF ZONING APPEALS
Wednesday, August 8, 2012 – 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)
Katherine Ariens, *Secretary*
Bill Truex
Blair McVety (absent)
Steve Vieira

Staff Present

Derek Rooney, *Assistant County Attorney*
Shaun Cullinan, *Zoning Official*
Ken Quillen, *AICP, Planner III*
Pam Alexander, *Recorder*

I. Call to Order

Acting Chair Ariens called the August 8, 2012 meeting of the Board of Zoning Appeals to order at 9:00 a.m.

II. Pledge of Allegiance

Acting 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

Pam Alexander swore in all persons who wished to provide testimony.

V. Approval of Minutes

ACTION: A motion was presented by Mr. Truex and seconded by Mr. Vieira to approve the minutes of the July 11, 2012 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 August 8, 2012 Board of Zoning Appeals meeting were submitted.

VII. Introduction of Staff/Comments

Acting Chair Ariens introduced staff. *Shaun Cullinan, Zoning Official, Attorney Derek Rooney, and Acting 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.

VIII. New Business

The following petition was advertised on July 24, 2012: SE-12-011

SE-12-011

David Pagliughi, agent for First Alliance Church of Port Charlotte, Inc., is requesting a modification of special exception number SE-90-39 to allow an expansion of the church property and uses in a Residential Single-family 3.5 (RSF-3.5) zoning district. The property address is 20444 Midway Boulevard, Port Charlotte, and is described as Lots 13, 14, 15, 16, 17 and 18 of Block 467 and the westerly 6-acres, more or less, of Block 466 of Port Charlotte Subdivision Sub-section 18, located in Section 16, Township 40 South, Range 22 East.

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

Applicant Presentation

David Pagliughi, agent for the applicant, said he is the treasurer for the church and has been sworn in. **Mr. Pagliughi** said the church has been at this current location for 50 years. They cannot grow on the original property. They were able to purchase a section of the church property next to them. They were also able to purchase other properties surrounding them. They would like to build a new worship center. They will put in landscaping buffers if required.

Clay Rebol, Banks Engineering, represents the applicant and has been sworn in. He said they have to consider which buffer choice they will go with. They have options.

Acting Chair Ariens opened the meeting to Public Hearing.

Public Input

Roseana Gassera, 2173 Green Street, said she was sworn in. **Ms. Gassera** said she lives near where the buffer would be going in. There are only 3 families on the street now, but when she purchased the home in 1993, there was a full street of families. Back then, the church used the parking lot down the street. Now they park everywhere. Since the church purchased the lots around the street, the area has changed. It is no longer a neighborhood. It is all a parking lot on Sundays, Saturdays and Wednesday nights. She brought in pictures of the area with all the cars parked in the neighborhood.

There was some discussion about the parking in that area, expansion, and buffering.

Shaun Cullinan, Zoning Official, said he will have Code Enforcement check on the parking now that they are aware.

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

Ms. Ariens asked a question about the church parking lot.

Mr. Quillen said they are not allowed to park on lawn. They need to bring the parking up to Code.

There was discussion about buffering the side by the neighbor.

ACTION: A motion was presented by Bill Truex and seconded by Steve Vieira that Petition SE-12-011 be APPROVED based on the Community Development Staff Report dated July 31, 2012, 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 7 conditions, also including a condition between Lot 18 and 19 a Type C buffer be installed, approved with a unanimous vote.

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

1. This special exception, as approved by the Board of Zoning Appeals, is to modify special exception SE-90-39 to allow the following: (1) expansion of the church property to 20464 Midway Boulevard and lots 13 through 18 of block 467 on the west side of Green Street; (2) expansion of the church building and parking lot to allow a new worship center; (3) church offices in the existing residences located at 2225 and 2217 Green Street; and (4) a storage building and parking lot on lots 15, 16, 17 and 18 of block 467 on the west side of Green Street.
2. The site plan presented by the applicant as part of the petition is for illustrative purposes only. All permitting procedures and codes, including parking, landscaping, and tree preservation are applicable to the construction and operation of the existing church and proposed new buildings and parking lots.
3. No new construction or development activity may proceed until Final Site Plan approval has been obtained by the applicant.
4. The "storage garage" and any other accessory buildings for the church shall be designed and built in compliance with section 3-9-32(c) of the Zoning Code.
5. All new and existing parking lots shall be brought into compliance with all code requirements.
6. A type "B" Landscape Buffer shall be required where any parking lot is located "adjacent" to a residential property.
7. 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.
8. A type "C" Landscape Buffer shall be required on lot 18 along the north side property line adjacent to lot 19 of block 467.

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, September 12, 2012, at 9:00 a.m., in Room 119.**

There being no further business, the meeting **ADJOURNED** at 10:04 a.m.

Respectfully submitted,

Diane Clim, Recorder
/dlc



Katherine Ariens, Acting Chair

Approval Date: 9-12-12