

MINUTES
CHARLOTTE COUNTY BOARD OF ZONING APPEALS
Wednesday, May 11, 2016 – 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
Joe Tiseo, Vice-Chair
Steve Vieira, Secretary
Blair McVety
Larry Fix

Staff Present

Shaun Cullinan, Zoning Official
Joshua Moye, Assistant Co. Attorney
Ken Quillen, AICP, Planner
Diane Clim, Recorder

I. Call to Order

Chair Ariens called the May 11, 2016 meeting of the Board of Zoning Appeals to order at 9:00 AM.

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. Fix and seconded by Mr. McVety to approve the minutes of the April 13, 2016 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 May 11, 2016 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 Josh Moye*, 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.

VIII. New Business

The following petitions were advertised on April 26, 2016: SE-16-005.

SE-16-005

Steven Goldin and Josivina Vargas are requesting a special exception to allow a Major Home Occupation, consisting of a spa for personal services, in the Residential Single Family-3.5 (RSF-3.5) zoning district. The property address is 3790 Peace River Drive, Punta Gorda, and is described as Lots 25, 26, 27 and 28 of Block 275 of Harbor Heights Sub-section Nine, Part One, located in Section 28, Township 40 South, Range 23 East.

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

Applicant Presentation

Steven Goldin, applicant, said he was sworn in. Mr. Goldin said his wife is a master hair stylist, has had her own business for over 30 years and would like to have a few clients come over during the week. He handed in 10 letters from the neighbors stating they do not mind having this small business in their neighborhood. These letters were labeled Exhibit "H". There is a separate walkway to go into the area where the hair salon would be.

Steve Vieira said he lives in the neighborhood also. He said he also knows all the neighbors who signed the sheet Mr. Goldin handed in. He asked if the hair salon would be open 7 days a week?

Mr. Goldin said no, it would be Monday through Friday but only maybe one or two clients a day, if even that many.

Josivina Vargas, said she was sworn in. Ms. Vargas said maybe one or two customers a day, but only 3 or 4 days a week – no weekends.

Chair Ariens opened the meeting to Public Hearing.

Public Input

No one spoke for or against this request.

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

Mr. Vieira asked if this Special Exception was approved, would this stay with the property if the owners moved?

Mr. Quillen said no, the request would expire at the sale of the house.

Mr. Tiseo asked if they would be able to put a sign up in the property?

Mr. Cullinan said they could put a sign up to two sq. ft. on their site.

Mr. Goldin said they do not want a sign in their yard. They are at the end of the street, no one would even see it. They might advertise on the internet.

ACTION: A motion was presented by Steve Vieira and seconded by Larry Fix that Petition SE-16-005 be APPROVED based on the Community Development Staff Report dated May 4, 2016, 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 four conditions recommended by staff.

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

1. This special exception shall allow a major home occupation consisting of a day spa that provides personal cosmetology services, such as, hair styling and coloring, facials, waxing, make-up and massages, only as an accessory use to the existing single-family residence.
2. This special exception, allowing a major home occupation, shall be conducted according to these conditions as well as all of the standards and conditions of Section 3-9-74 of the Land Development Regulations, as amended.
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 -

Mr. Quillen said there may be two petitions for the June BZA meeting.

XI. Member Comments - None

XII. Next Meeting

The next meeting of the Board of Zoning Appeals is scheduled for **Wednesday, June 8, 2016, at 9:00 a.m., in Room 119.**

There being no further business, the meeting **ADJOURNED** at 9:34 a.m.

Respectfully submitted,
Diane Clim, Recorder
/dlc

Katherine Ariens, Chair

Approval Date: _____