MINUTES
CHARLOTTE COUNTY BOARD OF ZONING APPEALS
Wednesday, January 8, 2014 – 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 January 8, 2014 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. Tiseo and seconded by Mr. Fix to approve the minutes of the December 11, 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 January 8, 2014 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.

VIII. ***New Business***
The following petitions were advertised on December 24, 2013: VAR-13-007 and SE-13-017

VAR-13-007

Michael and Sherry Schroeder are requesting a variance of 10.0' to reduce the required rear yard setback from 20.0' to 10.0' for construction of a swimming pool for an existing single-family residence in the Manasota Single Family-3.5 (MSF-3.5) zoning district. The property address is 4141 North Beach Road, Englewood, and is described as part of lots 2 and 3, of Lemon Bay Haven Subdivision, as recorded in Plat Book 13, Page 27, of Charlotte County Florida, all located in Section 01, Township 41 South, Range 19 East.

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

Applicant Presentation

Sherry Schroeder, applicant, said she was sworn in. Ms. Schroeder said the pool person was supposed to be here, but she can explain. The setback is short and they are asking for the variance.

Chair Ariens opened the meeting to Public Hearing.

Public Input

No one spoke for or against the request.

There being no further requests to speak for or against the petition, Mr. Tiseo 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

None

ACTION: A motion was presented by Joe Tiseo and seconded by Blair McVety that Petition VAR-13-007 be APPROVED based on the Community Development Staff Report dated December 31, 2013, the evidence and testimony presented at the hearing and finding that the applicant HAS MET the required criteria for the granting of the Variance with the following 3 conditions recommended by staff.

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

1. The variance, as approved by the Board of Zoning Appeals, is to reduce the required 20' rear yard setback by 10' to allow a 10' rear setback.
2. This variance extends only to a new swimming pool as proposed in the documents submitted with this application. This variance shall carry with the swimming pool only once it is constructed.
3. If the swimming pool is constructed and at a later date removed, destroyed or replaced, all future development must be constructed according to all applicable codes in existence at that time, unless a new variance is granted specific to the development proposed at that time.

SE-13-017
Edward and Sherry Taft are requesting a special exception to allow a mobile home, to be used as a residence, in the Agriculture Estate (AE) zoning district. The property address is 16085 Begonia Drive, Punta Gorda, and is described as lot 24, of Block 2 of Orange Grove Park Part One Subdivision, all located in Section 19, Township 42 South, Range 24 East.

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

Applicant Presentation
Linda Smith, 16095 Begonia Dr., representative for Edward and Sherry Taft, said she was sworn in. Ms. Smith said she has a picture of the mobile home that would be placed on the site. She lives next door. There are 4 other mobile homes on Begonia Drive. Sherry is her daughter and Ed is her son-in-law.

Chair Ariens opened the meeting to Public Hearing.

Public Input
No one spoke for or against the request.

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
None

ACTION: A motion was presented by Joe Tiseo and seconded by Blair McVety that Petition SE-13-017 be APPROVED based on the Community Development Staff Report dated December 31, 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 4 conditions recommended by staff.

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

1. The special exception as approved by the Board of Zoning Appeals is for a single manufactured (mobile) home to be used as a residence.
2. This special exception extends only to the land included in the Site Plan and legal description submitted with this application. Any modification, alteration or revision of this use may require a modification of the special exception.
3. The site plan submitted by the applicant as part of the petition is for illustrative purposes only. All permitting procedures and codes are applicable to the erection and occupation of the proposed manufactured home.
4. The manufactured home erected on this property must be rated for the appropriate wind loads by HUD (or DCA) as evidenced by the Data Plate supplied by the manufacturer.

IX. ***Public Comments*** **- None**

X. ***Staff Comments*** **–**
Ken Quillen said there are 2 petitions for the February meeting.

XI. ***Member Comments*** **– None**

XII. ***Election of Officers***
Mr. McVety nominated Ms. Ariens for Chairperson, second by **Mr. Fix,** approved with a unanimous vote.

Mr. Tiseo nominated Steve Vieira for Vice-Chairperson, second by **Ms. Ariens**, approved with a unanimous vote.

Mr. Vieira nominated Joe Tiseo for Secretary, second by **Mr. McVety**, approved with a unanimous vote.

XIII. ***Next Meeting***
The next meeting of the Board of Zoning Appeals is scheduled for ***Wednesday, February 12, 2014, at 9:00 a.m., in Room 119.***

There being no further business, the meeting ***ADJOURNED*** at 9:35 p.m.

Respectfully submitted,

_____
Diane Clim, Recorder
/dlc

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Katherine Ariens, Chair

*Approval Date:*_____