

ARCHITECTURAL REVIEW COMMITTEE

April 4, 2008

Attendance: John Dubowik, BJ Galberaith, Betsy McCallum, Judy Miller
Roxann Read, Charlotte County

Drake Bliss 2817 North Beach Road

The applicant is seeking approval to build a single-family home at 2817 North Beach Road. The Chairperson recommended that this meeting with the Architectural Review Committee be used as a preliminary hearing. The applicant refused stating that he preferred a written denial to another appearance before the Committee. The applicant did not provide the required site plan for permitting, the zoning district and the NGVD numbers.

The Committee identified the following areas of non-compliance with the Manasota Key zoning district overlay.

1. 3-9-53 Section (j) (vii). Lighting on balconies, porches and raised walkways shall be installed no higher than one (1) foot from the floor (i.e. no overhead lighting)
2. 3-9-53 Section (u) (3) (E). Windows shall be placed on all facades and exterior walls.
3. 3-9-53 Section (u) (C) (ii) Trim shall be required around all wall openings including but, not limited to windows. (c) Trim shall be a minimum of three inches in width.

Due to the absence of information normally contained on a required site plan, the Committee was unable to determine compliance with the Manasota Key zoning district overlay in the following areas.

1. Roof elevations (including elevator shafts) 3-9-53 (f) (9). Building height shall not exceed the lesser of forty-three (43) feet of structure height or two (2) stories of livable space.
2. Method of construction of concrete pilings. 3-9-53 (f) (11). Pilings for structures throughout Manasota and Sandpiper Key shall be augured into the ground, or otherwise introduced through contemporary technologies that are shown to reduce the noise and vibration in sufficient amount to meet the intent of this section. The traditional practice of driving pilings into or onto the ground is hereby prohibited.

3. Driveway construction. 3-9-53 (u) (3) (B) (ii). New driveways and driveways where more than fifty (50) percent of their area (not including enclosed garages) is repaired/replaced shall be completely (i.e. entire driveway) constructed of one (1) of a combination of the following materials: porous brick, porous pavers, rock, pebbles, washed crushed shell, or gravel. New asphalt and concrete (porous or non porous) shall be prohibited.

Concern was expressed about runoff to adjacent properties when the existing fill on the land is spread. The Committee recommended that a new survey be completed after the fill has been spread. This is critical due to the proximity of the existing rear property that is approximately five feet from the property line.

A motion to deny approval for construction of the proposed single-family home due to the multiple issues presented was made, seconded and passed unanimously.

The applicant requested that a letter documenting the action taken be provided as soon as possible for purposes of a lawsuit. The applicant provided the following contact information:

Drake Bliss
1442 Southwest 54th Terrace
Cape Coral, Florida 33914
drake@drakebliss.com

David Arp
6039 Manasota Key Road
Englewood 34223

On 2-01-08, the applicant requested approval to construct a fence on the south property line and replace an existing fence on the north property line at Spinnaker Bay, 5053 North Beach Road. Construction of the fence is partially complete and was erected without the required permit being applied for or issued. The Charlotte County Code Enforcement Board issued a stop work order pending review by the ARC and application for and issuance of necessary permits.

The committee discussed and noted the request for approval did not meet the standards of Sec. 3-9-53 (K) (iv) (v) (vii) (viii).

The applicant was represented by contractor Dale Lewis who provided written documentation that the following corrective measures will be implemented to conform to Manasota Key zoning overlay 3-9-53 (K) (iv) (v) (vii) (viii).

1. 3-9-53 (u) (K) (iv). The fence will be stained or painted an appropriate color.

2. 3-9-53 (u) (K) (v). Openings will be cut in the bottom of the fence every twenty-five (25) feet of a minimum of nine (9) inches wide and six (6) inches tall to allow for wildlife movement.
3. 3-9-53 (u) (K) (vi). The top of the fence will be cut off not to exceed six feet of height to follow the grade of the parcel, not stair-stepped.
4. 3-9-53 (u) (K) (vii). The fence will be cut down to four (4) feet where it is forward of the front building façade on the bayside building.
5. 3-9-53 (u) (K) (viii) Fences and walls that abut a body of water shall not exceed four (4) feet in height for portions that extend beyond the building façade.

The Committee moved, seconded and unanimously passed approval of construction of the fence in accord with the corrective measures presented.

Lavon Cobb
955 Gulf Blvd.

The applicant is seeking approval to remove and replace a concrete seawall and wood dock in the same footprint as the existing structure.

The Committee moved, seconded and unanimously approved the proposed construction in accord with the specifications presented.

Alex Maggeitti
2710 North Beach Road

On 3-22-08, the Architectural Review Committee approved replacement of a condominium deck within the specifications of the existing structure. The Committee, however, requested clarification regarding whether the ownership of the deck is the resident or the condominium association.

Roxann Read representing Charlotte County reported that a letter from the Seacrest Condominium Association was provided stating that the applicant has their approval to have their rear deck replaced.

James and Deborah Scott
2835 D North Beach Road

The applicant presented information to the Architectural Review Committee on 3-22-08 seeking approval to construct a dock. The application was denied because the property on which the dock would be constructed is privately owned and is not on State-owned sovereign land. Prior to approval, the Committee required proof that the applicant owns the required submerged lands.

Roxann Read, representing Charlotte County, advised the Committee that the permit for dock construction was subsequently approved by Charlotte County. The Committee again expressed concern about ownership of the submerged lands and asked Roxann Read to convey this to the proper Charlotte County authorities.

As there was no further business, a motion for adjournment was made, seconded and unanimously passed.

Respectfully submitted,

Judy Miller