

**SE-14-010**  
**(Special Exception)**

**Applicant**  
**S & S Money Auto Repair /**  
**Expansion of Use**

**Quasi-Judicial**

**Commission District I**

**STAFF REPORT**  
**Community Development Department**  
**Petition Number: SE-14-010**

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**To:** Charlotte County Board of Zoning Appeals  
**From:** Shaun Cullinan, Zoning Official  
**Prepared By:** Ken Quillen, AICP, Planner III  
**Report Date:** November 21, 2014 (P&Z Board)      **BZA meeting date:** January 14, 2015

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**Requested Action/General Information:**

Michael Haymans, agent for S&S Money Auto Repair, is requesting a special exception to allow "expansion of a lawfully existing conforming use to property which is abutting the existing use" in the Coastal Residential-3.5 (CR-3.5) zoning district. The property owner would like to expand the existing S&S Money Auto Repair business south onto the abutting five lots (lots 6, 7, 8, 9 and 10) along Homewood Street. The existing business is addressed **23371 Harborview Road**, which is located in Charlotte Harbor (see attached **Area Map**). The attached **Zoning Map** shows the zoning of subject property, which is Coastal Residential-3.5. This property has a Charlotte Harbor Coastal Residential Future Land Use Map (FLUM) designation.

This proposal is the result of a zoning violation consisting of outdoor storage of rental trucks, trailers and vehicles on residentially zoned property. **Section 3-9-7(b)(3)** (**Exhibit A**) of the Zoning Code states that a special exception may be used to allow "Expansion of a lawfully existing conforming use to property which is abutting the existing use." As such the applicant is requesting a special exception to expand the existing use onto adjacent property and allow an outdoor storage yard for trucks and trailers for rent and customer vehicles, waiting repair.

The applicant has submitted the attached **Site Plan** (**Exhibit B-1**), which includes a location map, and shows the proposed outdoor storage yard in relation to the surrounding properties (**Exhibit B-2**). A typical type "D" landscape buffer, which is required by code to screen outdoor storage yards, is also shown (**Exhibit B-3**). This request originally included the vacated street right-of-way and lot 1 of block D located to the south of lot 10. However, the applicant has withdrawn lot 1 and the vacated street from the request (**Exhibit C**) based on the Charlotte Harbor Community Redevelopment Agency Advisory Committee recommendation. The applicant has also submitted the attached **Narrative** (**Exhibit D**) explaining why they believe a special exception should be granted for subject property.

Staff is in support of this development proposal provided it is in compliance with the Comprehensive Plan and all other development standards of County Codes. The Charlotte Harbor CRA Advisory Committee has initiated a Comprehensive Plan Amendment to change the Future Land Use Map designation for lots 6 through 10 from Coastal Residential to Commercial in support of this request. The final details of this development, including the design of the parking or storage lot, access, paving, traffic circulation, landscaping and storm water systems must be reviewed and approved according to the Site Plan Review process. A type "D" landscape buffer is required by code along the front (west), side (south) and rear (east) of subject property where it abuts the Coastal Residential-3.5 (CR-3.5) zoning district.

The Community Development Department's Environmental Specialist has performed a cursory environmental review and their comments are in the attached **Memorandum** (**Exhibit E**) dated November 19, 2014.

**Findings: The six standards for approval for a Special Exception according to Section 3-9-7(f) of the Charlotte County Zoning Code are as follows:**

1. The requested special exception is either explicitly permitted by the regulations in the zoning district for which it is requested or is permitted by reasonable implication within that district.

Finding: Sections 3-9-7(b)(3) and 3-9-7(m) (Exhibit A) of the Zoning Code explicitly states that "expansion of a lawfully existing conforming use to property which is abutting the existing use" may be allowed by special exception.

2. The requested special exception is compatible with existing uses surrounding immediately adjacent and contiguous to the land on which the requested special exception would exist.

Finding: The Site Plan, which includes landscaping to buffer the outdoor storage yard from surrounding properties and the public right-of-way, has been submitted showing that the proposed outdoor storage yard could be compatible with surrounding residential uses. Staff recommends that approval be subject to compliance with all applicable County Codes including a type "D" landscape buffer.

Direction	Existing Land Uses	Existing Zoning	Future Land Use Map Designation
North	S&S Auto Repair	PD	Charlotte Harbor Commercial
South	Vacant lots	CR-3.5	Charlotte Harbor Coastal Residential
East	Single-family residences	CR-3.5	Charlotte Harbor Coastal Residential
West	Single-family residences	CR-3.5	Charlotte Harbor Coastal Residential

3. Adequate access shall be provided for ingress and egress to the proposed use in a manner that minimizes hazards and congestion on streets and roads.

Finding: Access is proposed by a single access drive which must be approved during the Site Plan Review process and constructed prior to use of subject property for parking or storage.

4. Adequate provision has been made for buffers, landscaping, trees, open space, storm water or other improvements associated with the proposed use.

Finding: All applicable code requirements, including layout, paving, landscaping and storm water systems must be approved through the Site Plan Review process and constructed or installed prior to use of subject property for parking or storage.

5. The requested Special Exception is consistent with the Charlotte County Comprehensive Plan and Land Development Regulations.

Finding: The FLUM designation for subject property is proposed to be changed from Coastal Residential to Commercial to comply with the Comprehensive Plan. The proposed storage yard will be consistent with Land Development Regulations, if the special exception is approved as permitted by the Zoning Code.

6. The establishment, maintenance or operation of the proposed use shall not be detrimental to or endanger the public health, safety or general welfare.

Finding: Staff believes that the proposed storage yard would not be detrimental to or endanger the public health, safety or general welfare of the surrounding area if the property is developed according to all applicable development standards, such as, paving, access, storm water systems, landscaping and screening.

## **ANALYSIS AND CONCLUSIONS:**

After review of the site and the application requesting this special exception staff believes that the requested special exception, to allow an outdoor storage yard, could meet all of the six criteria (Exhibit A-2) for granting a special exception.

If the Board of Zoning Appeals decides to approve the requested special exception staff recommends the following conditions be adopted, as conditions of approval, to ensure the use is in compliance with the purpose and intent of the Zoning Code and is compatible with surrounding residential uses. The conditions are as follows:

1. The special exception, as approved by the Board of Zoning Appeals, is to allow an outdoor storage yard to be developed only on lots 6, 7, 8, 9 and 10 of block A according to all applicable County Codes.
2. Only licensed and operable rental trucks and trailers and customer's licensed passenger vehicles awaiting repair or pick-up may be stored or parked on subject property. Storage or parking of unlicensed vehicles, boats, recreational vehicles or any parts of vehicles is prohibited.
3. The site plan presented by the applicant as part of the petition is for illustrative purposes only. All permitting procedures and codes are applicable to the construction and operation of the proposed storage yard including Site Plan Review. Site Plan Review approval must be obtained and construction or installation of all required improvements must be completed prior to establishment of the use on subject property.
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.

**Please be advised that the final decision regarding the petition rests with the Board of Zoning Appeals, and will be decided upon after consideration of all the evidence introduced at the hearing.**

Attachments: Staff Report (3), Location Map, Zoning Map, Aerial Photograph, Section 3-9-7 (4), Site Plan (3), Letter of Amendment, Narrative (2) and Environmental Specialist Memorandum



Community Development

# CHARLOTTE COUNTY

## Location Map for SE-14-010

Charlotte County Government

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### 25/40/22 Mid-County

This map is a representation of compiled public information. It is believed to be an accurate and true depiction for the stated purpose, but Charlotte County and its employees make no guaranties, implied or otherwise, to the accuracy, or completeness. We therefore do not accept any responsibilities as to its use. This is not a survey or is it to be used for design. Reflected Dimensions are for informational purposes only and may have been rounded to the nearest tenth. For precise dimensions, please refer to recorded plats and related documents. Created By: Land Information-D. Vance Date Saved: 8/14/2014 9:41:44 AM

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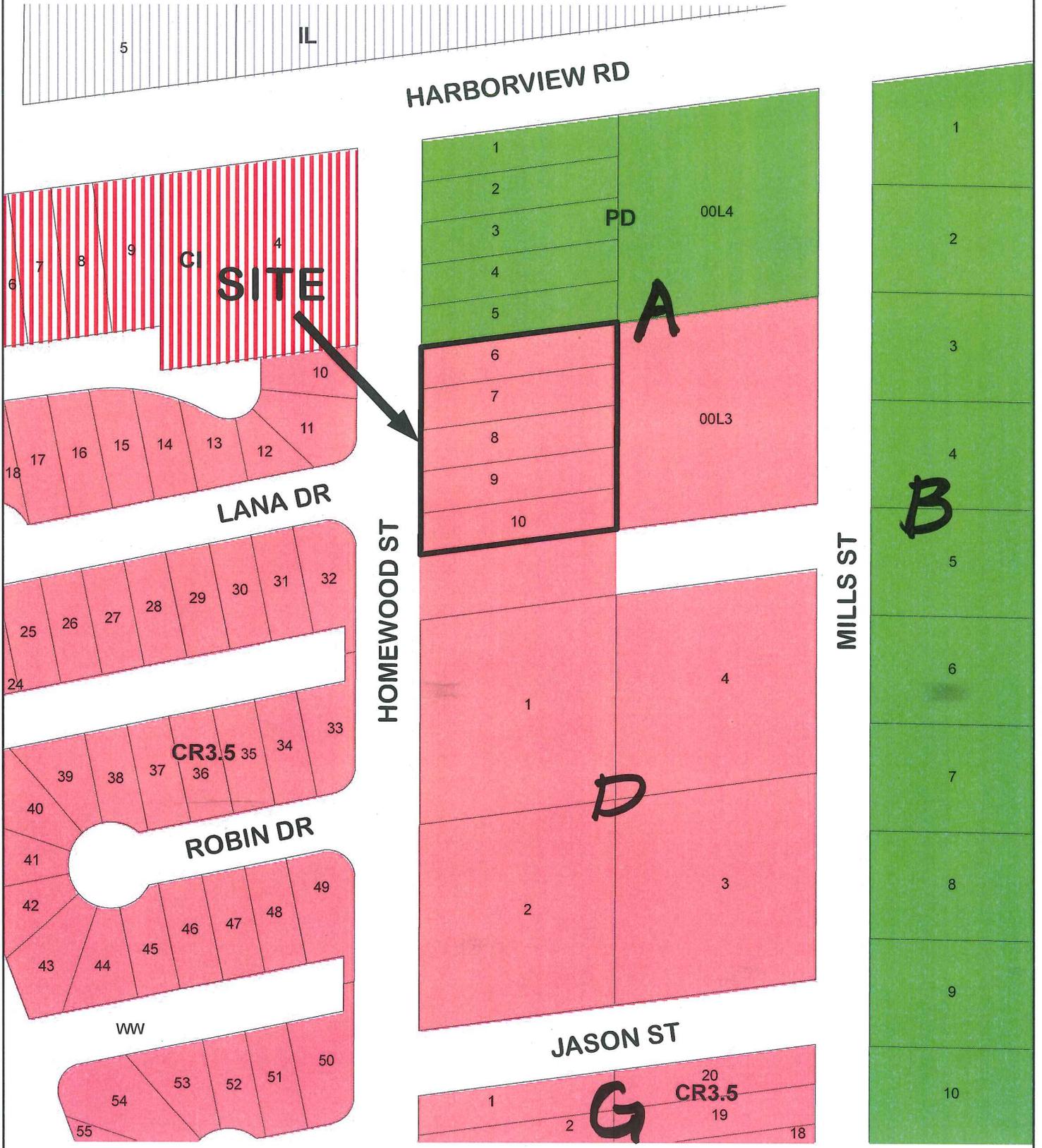
Community Development

# CHARLOTTE COUNTY Zoning Map for SE-14-010

Charlotte County Government

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Community Development

# CHARLOTTE COUNTY

## Aerial View for SE-14-010

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**Sec. 3-9-7. - Special exceptions.**

- (a) *Generally.* A special exception is permission for a use that would not be permissible generally or without restriction throughout a zoning district but which, if controlled as to area, location, relation to the neighborhood and other such restrictions as may be deemed appropriate in each case, would be compatible with surrounding land uses and found to be consistent with the Comprehensive Plan for Charlotte County.
- (b) *Application.* Special exceptions are established to allow the approval of specific uses in addition to the permitted uses in each zoning district. Uses eligible for a special exception shall be limited to:
- (1) The uses listed as special exceptions in each zoning district.
  - (2) Uses allowed by special exception upon a determination by the zoning official.
  - (3) Expansion of a lawfully existing conforming use to property which is abutting the existing use.
- (c) *Written petition.* Applications for special exceptions shall be obtained from and filed with the zoning official and shall be accompanied by the applicable fee to be established by resolution of the board of county commissioners. The zoning official shall review the application for sufficiency, which includes completeness of the application. If additional data is required, the zoning official shall advise the applicant within ten (10) working days after receipt of the application. Upon finding the application to be correct and complete, it shall be scheduled for a public hearing before the next available board of zoning appeals meeting, except in the case of an application for a special exception for the purpose listed in subsection (b)(3), which shall be scheduled for public hearings before the next available planning and zoning board meeting and the next available board of zoning appeals meeting following such planning and zoning board meeting, in accordance with the process for such special exceptions contained in subsection (m). Should an error in the application be discovered, the zoning official shall have the discretion to require the applicant to reapply or submit revised or additional information. Special exception applications shall include but not be limited to the following where applicable:
- (1) Site plans of an appropriate scale showing proposed placement of structures on the property, provisions for ingress and egress, off-street parking and off-street loading areas, refuse and service areas and required yards and other spaces.
  - (2) Plans showing proposed locations for utilities hookups.
  - (3) Plans for screening and buffers, with references to type, dimensions and character.
  - (4) Proposed landscaping.
  - (5) Proposed signs and lighting, including type, dimension and character.
  - (6) A legal description of the entire property encompassing the special exception.
  - (7) A narrative description of the total project in sufficient detail to provide an understanding of the nature of the development proposal and a statement describing how the requested special exception meets the standards for approval as set forth below.
  - (8) A notarized affidavit which lists the names and addresses of property owners within two hundred (200) feet of the subject property corresponding address labels. This information available property records of the property app

**Section 3-9-7  
( Exhibit A-1 )**

provide a map clearly showing the subject property and all of the other properties within two hundred (200) feet.

(d) **Public hearing.** Following the public hearing, the board of zoning appeals may grant or deny the special exception or may grant approval subject to compliance with certain conditions, restrictions or requirements as the board of zoning appeals may deem necessary to protect the interest of the public health, safety, morals and welfare appropriate to be in accordance with the land development regulations established to implement the comprehensive plan. Approval of a special exception, with or without conditions, shall be considered permanent to the extent that it may only be revoked following the procedure for a new special exception unless a time limit or ownership condition is provided in the approval of the use, in which case, the approval shall become void and the use shall be terminated at the end of the time specified in the approval. Notwithstanding this provision, any unused or abandoned special exception shall expire pursuant to subsection (h) of the zoning regulations.

(e) **Notice of public hearing.** Upon the receipt of an application for a special exception, the zoning official shall establish a date, time and place for the public hearing before the board of zoning appeals or, in the case of an application for a special exception for the purpose listed in section 3-9-7(b)(3), the zoning official shall establish dates, times and places for the public hearings before the planning and zoning board and the board of zoning appeals. Public notice shall be given at least fifteen (15) calendar days prior to the date of any public hearing hereunder by publication in a newspaper of general circulation in the county. The notice shall contain a description of the request, a brief description of the property involved (subject property), and the time, date and place of the hearing, or the times, dates and places of the hearings, whichever is applicable, and shall invite all interested persons to appear and be heard. When a special exception is requested, the owners of property situated within two hundred (200) feet of the subject property shall be mailed written notice of the proposed request at least fifteen (15) days prior to the initial public hearing on the special exception before either the board of zoning appeals or the planning and zoning board, whichever is applicable. The notice shall contain the time, date and place of the public hearing, or the times, dates, and places of the public hearings, whichever is applicable, for the request and a brief description of the property involved (subject property). Notice by mail shall be addressed to the property owner at the address shown on the latest available records of the property appraiser. Such notice shall be considered effective when placed in the United States mail, postage paid; and failure to receive notice shall not invalidate any appeals proceeding. In addition, a sign shall be posted conspicuously on the subject property. The sign shall contain the time, date and place of the public hearing, or the times, dates and places of the public hearings, whichever is applicable, and shall state the action being considered. The sign shall be placed on the property at least ten (10) calendar days prior to the initial public hearing on the special exception before the board of zoning appeals or planning and zoning board, whichever is applicable. Failure to comply strictly with these notice requirements shall not invalidate the proceedings. The zoning official shall investigate the conditions pertaining to a particular request and submit a report to the board or boards that is or are hearing the special exception application giving the facts involved. The parties in interest shall appear at the hearing or hearings in person by agent or attorney.

(f) **Standards for approval.** A special exception shall be granted by the board of zoning appeals only if all of the following requirements are satisfied:

(1) The requested special exception is either explicitly permitted by the regulations in the zoning district for which it is requested or is permitted by reasonable implication within that district.

(2)

## Section 3-9-7 ( Exhibit A-2 )

The requested special exception is compatible with existing uses surrounding immediately adjacent and contiguous to the land on which the requested special exception would exist.

- (3) Adequate access shall be provided for ingress and egress to the proposed use in a manner that minimizes hazards and congestion on streets and roads.
  - (4) Adequate provision has been made for buffers, landscaping, trees, open space, stormwater or other improvements associated with the proposed use.
  - (5) The requested special exception is consistent with the Charlotte County Comprehensive Plan and Land Development Regulations.
  - (6) The establishment, maintenance or operation of the proposed use shall not be detrimental to or endanger the public health, safety or general welfare.
- (g) *Denial.* If the board of zoning appeals should deny an application for a special exception, it shall state fully in its record its reasons for so doing. Such reasons shall take into account the standards for approval stated in this section as they may be applicable to the denial.
- (h) *Conditions and safeguards.* Should the board of zoning appeals approve a special exception, the BZA may impose reasonable conditions in order to prevent or minimize adverse effects on other property in the surrounding neighborhood. Any violation of the conditions and safeguards that may be imposed on any special exception by the board of zoning appeals when made a part of the terms under which the special exception is granted shall be deemed a violation of this Code. Any special exception granted shall expire three (3) years after the date of approval unless the use allowed by the special exception is in existence and actively occurring on the subject property prior to the date of expiration. Any such special exception which ceases to exist and actively occur on the subject property shall expire three (3) years after the date the activity permitted by the special exception ceased. Further, any previously granted special exception or special approval which has not been utilized shall, unless otherwise provided in said approval, expire three (3) years from the effective date of this regulation unless good faith commencement of the special exception has begun prior to expiration. Prior to expiration, the applicant or property owner may request an extension from the board of zoning appeals. Such extension may be granted to the applicant or owner upon showing of good cause. Any nonconforming special exception shall be subject to requirements of section 3-9-10 of the zoning regulations with regard to nonconforming uses.
- (i) *Lot and building requirements.* Lots and buildings shall comply with the lot and building requirements of the district in which the special exception is to be located, or shall comply with more stringent requirements as may be imposed by the board of zoning appeals upon approval of the special exception.
- (j) *Signs permitted.* Signs shall comply with the district requirements for the district in which the special exception is located, or such requirements as may be imposed by the Board of Zoning Appeals upon approval of the special exception.
- (k) *Modifications.* Expansion, alteration or modification of any special exception shall require reapplication for a modification to the original special exception.
- (l) *Limitations of applications for special exception.* Whenever the board of zoning appeals has denied an application for a special exception, the board of zoning appeals shall not thereafter consider an identical application for special exception concerning all or any part of the same property for a period of six (6) months from the date of such action, except that this requirement may be waived by the positive votes of a majority of the members of the board of zoning appeals when such action is deemed ly to applications for a modification of a previously

## Section 3-9-7 ( Exhibit A-3 )

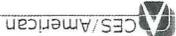
(m) *Procedure for expanded use special exception application.* A special exception application submitted for the purpose listed in section 3-9-7(b)(3) hereof shall be reviewed and considered at a public hearing by the planning and zoning board prior to being submitted to the board of zoning appeals for consideration and disposition at a public hearing. The planning and zoning board shall review and make recommendations to the board of zoning appeals regarding approval, denial, or conditions, restrictions or requirements for any special exception application submitted for the purpose listed in section 3-9-7(b)(3). The planning and zoning board's recommendations shall be advisory only and not binding on the board of zoning appeals. Public hearings before the planning and zoning board and board of zoning appeals, and notices therefor, concerning any special exception application submitted for the purpose listed in section 3-9-7(b)(3) shall be subject to the requirements contained in section 3-9-7(f), and shall be subject to all other requirements of this section 3-9-7

*(Minutes of 12-8-81, § 11; Res. No. 85-112, § 2, 6-18-85; Res. No. 87-78, § 4, 5-19-87; Res. No. 87-256, § 5, 10-20-87; Res. No. 87-257, § 4, 10-20-87; Ord. No. 89-50, § 2, 6-22-89; Ord. No. 94-50, § 1, 11-3-94; Ord. No. 2000-013, §§ 1—4, 4-25-00)*

**Section 3-9-7**  
**( Exhibit A-4 )**

DR

Charlotte Engineering & Surveying, Inc.  
 1700 E. Johnson Road  
 Port Charlotte, Florida 33948  
 Telephone No. (811) 625-2522  
 Fax No. (811) 742-2528  
 E-mail: ces@cep-ces.com



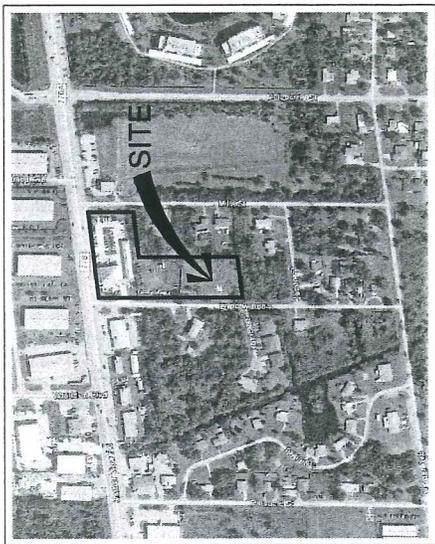
Special Exception  
 Charlotte Harbor, Florida

Site Plan

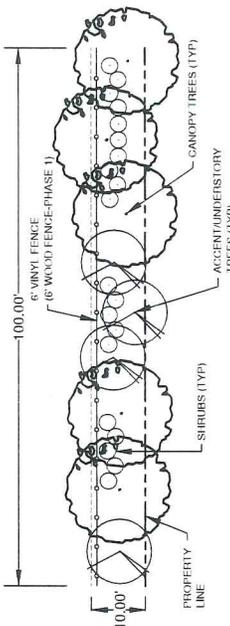
FOR  
 S&S Money Auto Repair  
 2327 Harborview Road  
 Charlotte Harbor, Florida 33980

Project #	12726
Scale	1" = 40'
Checked By	JSM
Date	06/02/2011
Author	Joseph S. Murray, P.E.
Checker	Joseph S. Murray, P.E.
Project	S&S Money Auto Repair

SHEET C1

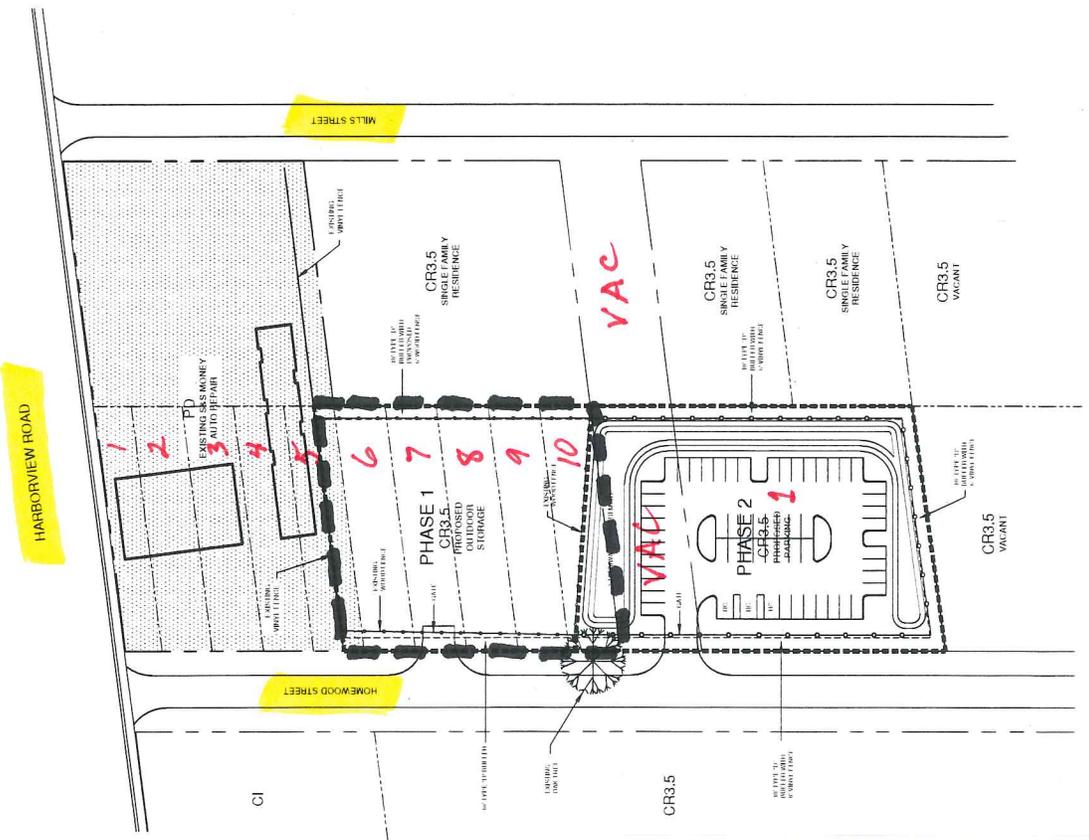


LOCATION MAP



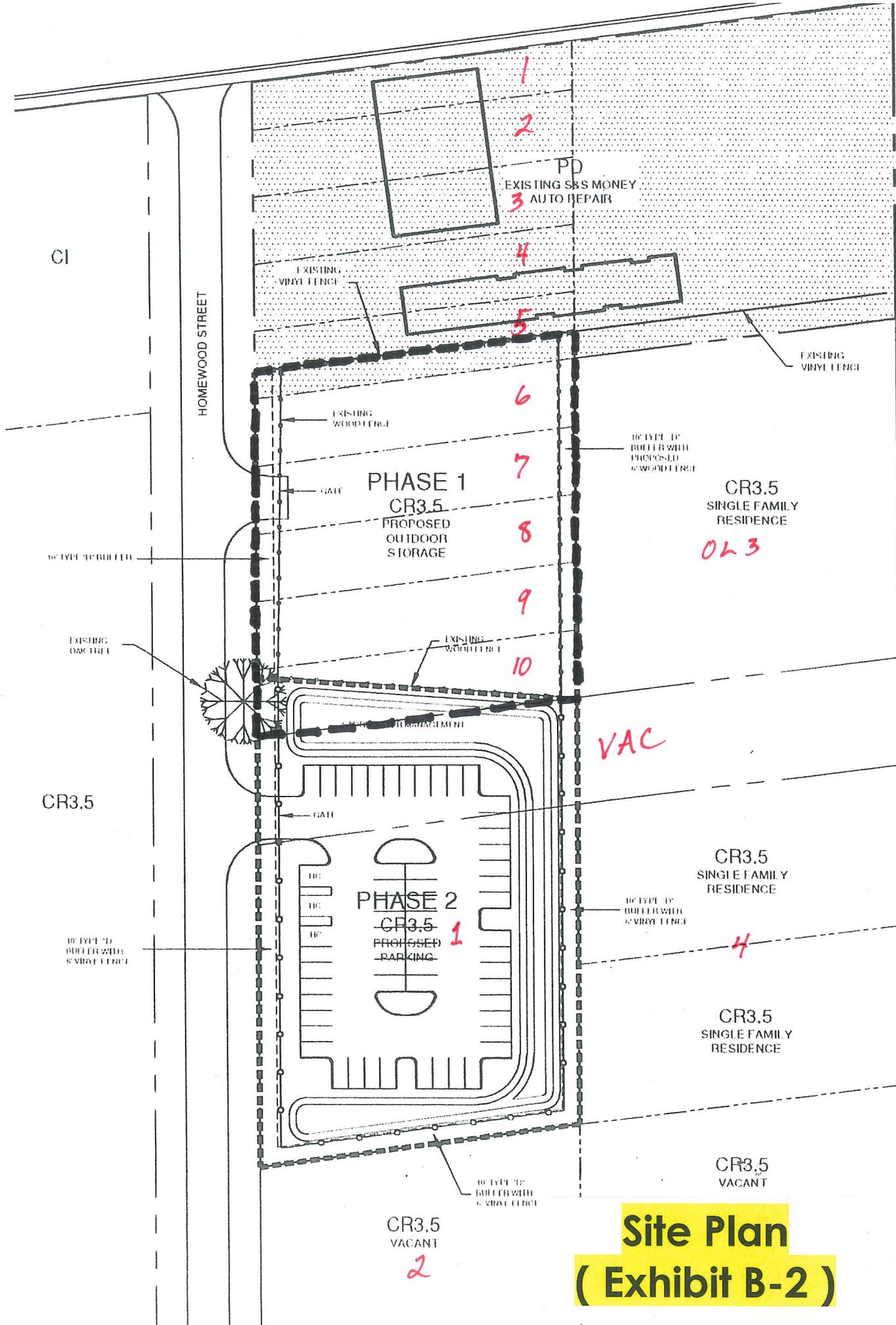
10' TYPE "D" LANDSCAPE BUFFER  
 (TYPICAL 100' SECTION)

NOTE: REFER TO CHARLOTTE COUNTY LANDSCAPE ORDNANCE NUMBER 20080417 FOR APPROVED LANDSCAPE MATERIALS AND ADDITIONAL REQUIREMENTS.



Site Plan  
 (Exhibit B-1)

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CI

HOMWOOD STREET

PD  
EXISTING S&S MONEY  
AUTO REPAIR

EXISTING VINYL FENCE

EXISTING VINYL FENCE

EXISTING WOOD FENCE

TO TYPE TO BUFFER WITH PROPOSED WOOD FENCE

PHASE 1  
CR3.5  
PROPOSED OUTDOOR STORAGE

CR3.5  
SINGLE FAMILY RESIDENCE  
023

TO TYPE TO BUFFER

EXISTING OAK TREE

EXISTING WOOD FENCE

VAC

CR3.5

CR3.5  
SINGLE FAMILY RESIDENCE

TO TYPE TO BUFFER WITH VINYL FENCE

PHASE 2  
CR3.5  
PROPOSED PARKING

CR3.5  
SINGLE FAMILY RESIDENCE

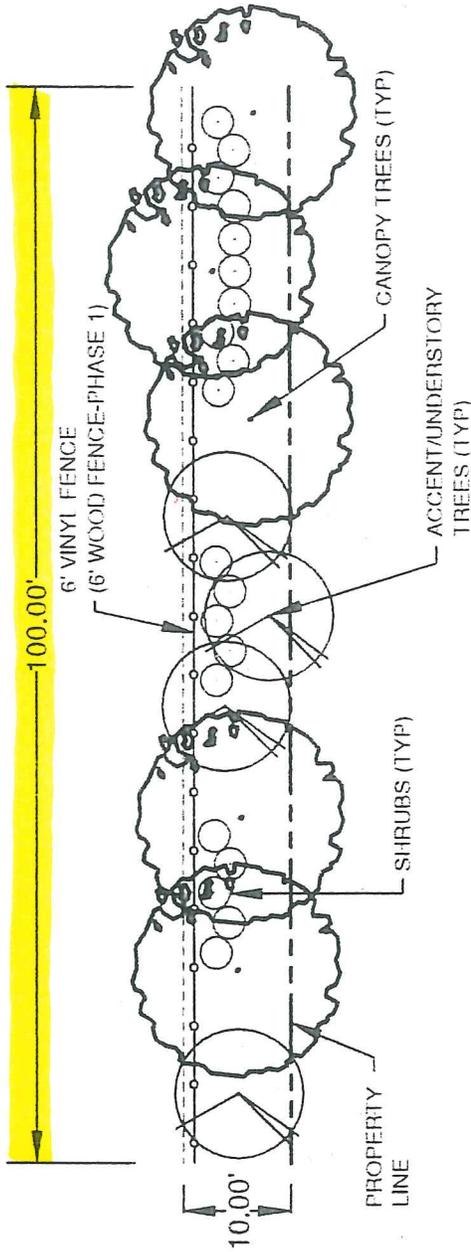
CR3.5  
VACANT

CR3.5  
VACANT  
2

TO TYPE TO BUFFER WITH VINYL FENCE

**Site Plan**  
**(Exhibit B-2)**

LOCATION MAP



**10' TYPE "D" LANDSCAPE BUFFER  
(TYPICAL 100' SECTION)**

SCALE 1" = 40'

- CANOPY TREES REQUIRED PER 100 LF = 5
- ACCENT/UNDERSTORY TREES REQUIRED PER 100 LF = 4
- SHRUBS REQUIRED PER 100 LF = 20
- 6' FENCE/WALL REQUIRED = YES

NOTE: REFER TO CHARLOTTE COUNTY LANDSCAPE ORDINANCE NUMBER 2009-017 FOR APPROVED LANDSCAPE MATERIALS AND ADDITIONAL REQUIREMENTS.



Site Plan	Special Excepli Charlotte Harbor, F	FOR	S&S Money Auto Repair 23371 Harborview Road Charlotte Harbor Florida 33980	Revisions			
Joseph S. Mowen P.E. Landscape Architect 1000 E. 1st St. Fort Myers, FL 33902 Phone: 941.336.1111 Fax: 941.336.1112				Date:	06/09/2011	Scale:	1" = 40'
				Drawn By:	JIS	Checked By:	JSM
				Project #:	12726		
						SHEET C1	

**Site Plan  
(Exhibit B-3)**

# Michael P. Haymans

====ATTORNEY AT LAW, P. A. ====

November 7, 2014

Ken Quillen  
Planner III  
Charlotte County Community Development Department  
18400 Murdock Circle  
Port Charlotte, FL 33948



Reference: Special Exception SE-14-010/  
Lots 6, 7, 8, 9, and 10, Block A, Shelton's Addition to Hickory Bluff, Plat Book 1, Page 12,  
Public Records of Charlotte County, Florida

Dear Mr. Quillen,

Please accept this letter as a request to amend the Special Exception application so that the only property included are Lots 6, 7, 8, 9, and 10.

Sincerely,

A handwritten signature in black ink, which appears to read "Michael P. Haymans". The signature is fluid and cursive, with a long horizontal stroke across the middle. Below the signature, the name "Michael P. Haymans" is printed in a standard black font.

MPH/lsc  
Cc: Client  
Rebecca Eliassen  
Suzanne Bloomingdale

MICHAEL P. HAYMANS ATTORNEY AT LAW, P. A.

215 West Olympia Avenue  
Punta Gorda, FL 33950  
Phone: (941) 575-0007  
Fax: 575-9177  
[www.mphaymans.com](http://www.mphaymans.com)  
[michael@mphaymans.com](mailto:michael@mphaymans.com)

**Letter of Amendment  
( Exhibit C )**

**S&S MONEY AUTO REPAIR, INC.**  
**SPECIAL EXCEPTION APPLICATION**  
**NARRATIVE**

The subject property is owned by the Applicant, S&S Money Auto Repair, Inc. S&S's automotive repair and U-Haul rental business relocated to its current Charlotte Harbor location from Punta Gorda after Hurricane Charley. The business has been successful from its Harborview Road location. The Harborview frontage portion of the parcel, which was rezoned to Planned Development for the business in 2006, has a positive road frontage appearance because a portion of the same property (our subject property) but zoned Coastal Residential was fenced with wooden/opaque fence, permitted in 2010 (Permit Number 2009070172) and has been used for four years as a U-Haul inventory parking area, and as an overflow parking area for S&S's garage customers' vehicles.

Although the application seeks Special Exception approval for the entire subject property, the use and development is proposed to be in two phases with a portion of the first phase in another sub-phase (Phase I-A). The Phase I use is intended to correct the current Code violation while addressing immediate fencing, buffering and access needs.

In Phase I, the existing wooden/opaque fence parallel and along Homewood Street will remain, and landscaping buffer will be created between the fence and the Homewood Street right of way, drainage will be installed to County standards with a right of way permit. The fence running east and west on Lot 10 will remain, and because it is an interior fence will not be buffered from the remaining portion of the subject parcel. The adjacent property to the east of subject property Lots 6-10 (Phase I) is heavily vegetated, serving as a buffer, and will not be fenced and landscape buffered until the owner of Lot 13 (the adjacent property) asks for a buffer, at which time an opaque fence and buffer will be installed (Phase I-A). No portion of the balance of the subject property will be used pursuant to the Special Exception approval until all of the property is developed in Phase II.

In Phase II, the fence will be extended around the entire property (including the entire eastern boundary) and landscape buffer will be installed. Prior to use of the Phase II portion of the property storm water and parking surface will be permitted through the appropriate agencies and provided.

**1. The requested special exception is either explicitly permitted by the regulations in the zoning district for which it is requested or permitted by reasonable implication within that district.**

S&S Money Auto Repair is an existing auto repair service provider and U-Haul rental facility, whose principal address is 23371 Harborview Road, Punta Gorda, FL 33980. The existing S&S Money businesses and other businesses are on property Zoned PD, which explicitly allows the parking and display of U-Haul vehicles, and the temporary parking of vehicles to be and just worked on at the S&S Money garage. S&S Money Auto Repair's request is to allow the expansion of a lawfully existing conforming use to the subject property, which is abutting the existing use.

**2. The requested special exception is compatible with existing uses surrounding immediately adjacent and contiguous to the land on which the requested special exception would exist.**

**Narrative**  
**( Exhibit D-1 )**

The applicant is seeking approval of a request to allow U-Haul and temporary garage overflow parking on Lots 6, 7, 8, 9 and 10, Block A, on Vacated Right of Way Petition # SV04-02-04, and on Lot 1 Block D, Shelton's Addition to Hickory Bluff according to the plat thereof as recorded in Plat Book 1, Page 12, of the Public Records of Charlotte County, Florida. This extension of an existing use can be made compatible with existing surrounding uses by fencing and buffering, which will be provided in Phase I, Phase I-A, and Phase II as indicated above.

**3. Adequate access shall be provided for ingress and egress to the proposed use in a manner that minimizes hazards and congestion on streets and roads.**

Concrete aprons, drainage culvert and landscaping will provide ingress and egress via Homewood Street.

**4. Adequate provision has been made for buffers, landscaping, trees, open space, storm-water or other improvements associates with the proposed use.**

The property will meet the landscaping and buffering Code, and the Homewood Street right-of-way drainage will be improved and accommodated.

**5. The requested special exception is consistent with the Charlotte County Comprehensive Plan and Land Development Regulations.**

There is no inconsistency. The use of the subject parcel for additional parking, storage and as ingress/egress to Homewood Street is an appropriate use within the Urban Service Area.

**6. The establishment, maintenance or operation of the proposed use shall not be detrimental to or endanger the public health, safety or general welfare.**

The use supports the general welfare in a safe and efficient manner.

**Narrative  
( Exhibit D-2 )**



## MEMORANDUM

**Date:** November 19, 2014  
**To:** Ken Quillen, Planner III  
**From:** Jamie Scudera, Environmental Specialist  
**Subject:** SE-14-010, S&S Money Auto Repair, 23371 Harborview Road

The Zoning Environmental Review Section has conducted a cursory review (additional wildlife or environmental reviews may be required by state and federal agencies) of the above referenced petition for compliance with Environmental, Tree and Landscaping codes and ordinances and offers the following comments:

- ❖ The subject property is partially undeveloped (primarily in Phase II) and is located adjacent to an existing fenced overflow parking lot and commercial auto repair building.

If this petition is approved, the following conditions will be reviewed for compliance upon Site Plan Review (if required) and the issuance of any county permit or land improvement activities:

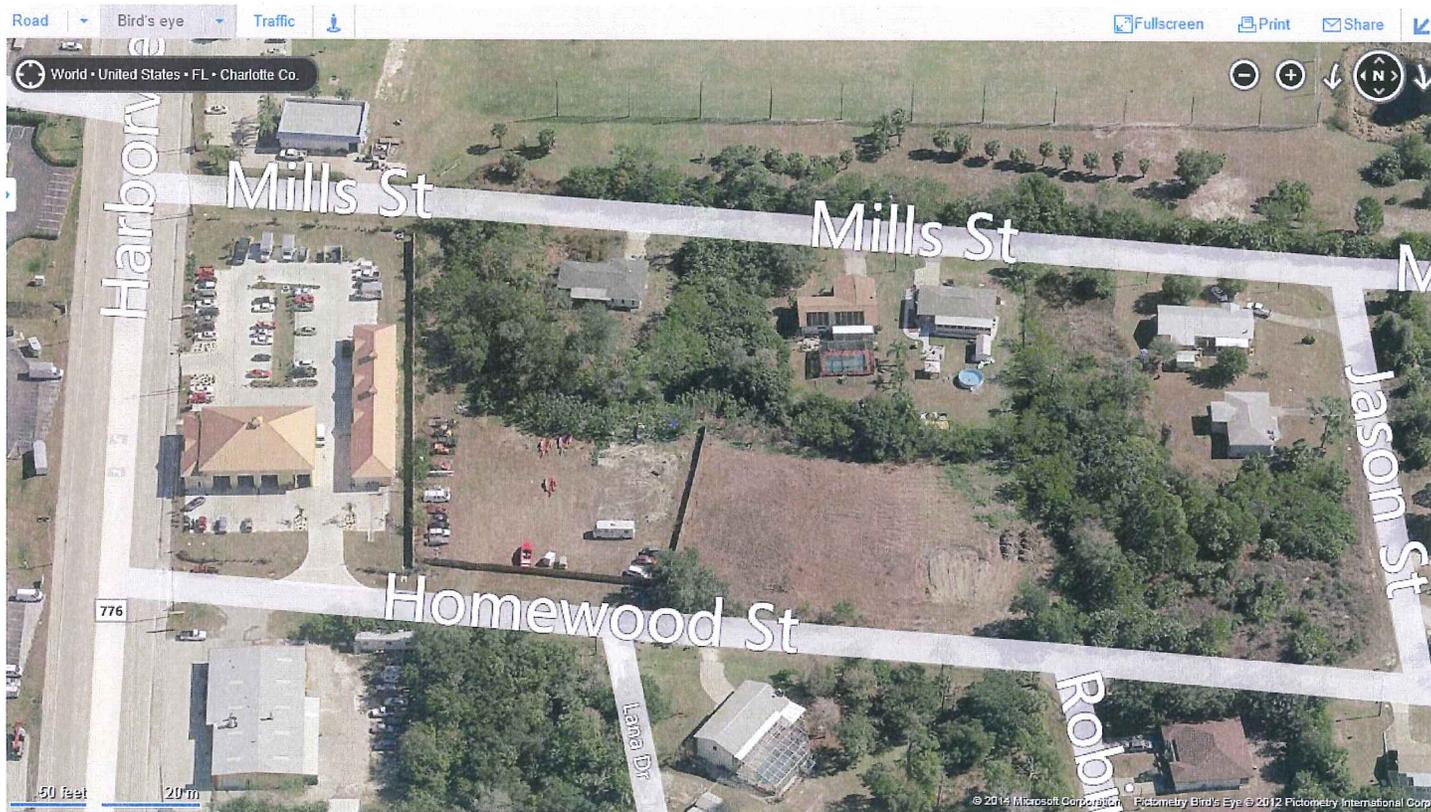
- ❖ All applicable county, state and federal authorization or permits, and mitigation (if necessary) will be required.
- ❖ If this proposal moves forward, it will be reviewed for compliance with:
  - Chapter 3-2:
    - Article IX, *TREE REQUIREMENTS*  
\*\*All heritage trees (per Section 3-2-190) must remain preserved.
  - Chapter 3-5:
    - Article IV, *CLEARING, FILLING AND SOIL CONSERVATION,*
    - Article XVI, *OPEN SPACE/HABITAT RESERVATION TRUST,*
    - Article XVIII, *LANDSCAPING AND BUFFERS.*

If there are any questions pertaining to this review please feel free to contact me in the Zoning Office at (941) 743-1290.

JS

**( Exhibit E )**

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Aerial Photograph

(23371 Harborview Road)

( Exhibit F )