

WHEREAS, Section 3-9-50.6 (a) provides that the guidelines shall become an attachment to the Zoning Code as Addendum 1 and shall be applicable throughout the CRA as provided in Section 3-9-50.3 (a); and

WHEREAS, Section 3-9-50.6 (a) of the Zoning Code authorizes the Board to amend the Charlotte Harbor Architectural Design Guidelines from time to time; and

WHEREAS, Section 3-9-50.6 (a) of the Zoning Code initially provided that the guidelines "...are not intended to be mandatory and are intended to be used in an advisory capacity only;" and

WHEREAS, the Board enacted non-mandatory or advisory architectural design guidelines for the CRA (the "**Original Guidelines**") pursuant to Resolution No. 96-026 dated February 20, 1996; and

WHEREAS, the Board subsequently enacted Ordinance No. 96-052 on July 17, 1998, which amended Section 3-9-50.6 (a) of the Zoning Code to eliminate references to the Original Guidelines as non-mandatory or advisory in nature; and

WHEREAS, the Board desires to amend Resolution No. 96-026 to delete the Original Guidelines and to replace them with mandatory design criteria and requirements that are consistent with the aforementioned amendment to Section 3-9-50.6 (a) of the Zoning Code; and

WHEREAS, the Board deems the aforementioned amendment to Resolution No. 96-026 to be in the best interests of Charlotte County and the CRA.

NOW, THEREFORE, BE IT RESOLVED by the Charlotte County Board of County Commissioners:

SECTION 1. AMENDMENT. Section 3-9-50.6 of Resolution No. 96-026 is hereby deleted in its entirety and amended to set forth the text of Sections 2 through 13 of this "Resolution." The text of Sections 2 through 13 shall henceforth be known as the Community Redevelopment Area Design Requirements ("**CRA Design Requirements**"). Pursuant to Section 3-9-50.6 of the Zoning Code, the CRA Design Requirements shall become an attachment to the Zoning Code as Addendum 1 and shall be applicable throughout the CRA as provided in Section 3-9-50.3.

SECTION 2. PURPOSE. The purpose of the CRA Design Requirements is to regulate the design of new construction and the repair, rehabilitation or remodeling of existing structures throughout the CRA.

SECTION 3. INTENT. The intent of the CRA Design Requirements is to enhance and maintain the character of the CRA by establishing design requirements that serve two primary functions. The first is to enhance the integrity of existing structures. The second is to create a community whose character is consistent with the "old Florida" vernacular style of architecture. The latter development is anticipated over time, particularly as the Requirements are applied to new construction.

SECTION 4. OLD FLORIDA VERNACULAR. The "old Florida" vernacular style was selected by the Community Redevelopment Area Advisory CRAAC ("**CRAAC**") as an architectural pattern for the CRA after consideration of a number of architectural styles. The CRAAC settled upon the "old Florida" vernacular for several reasons, including the presence of the "old Florida" vernacular throughout the CRA, the association of the "old Florida" vernacular with waterfronts and fishing villages and the proximity of the CRA to the Charlotte Harbor portion of the Peace River. As used herein, the term "**Period**" denotes time period(s) that are distinguishable by the use of architectural pattern(s) feature(s) and design(s) that are consistent with the "old Florida" vernacular. The term "**Specifications**" shall mean architectural patterns, features and designs that are consistent with the "old Florida" vernacular.

SECTION 5. CLASSES AND APPLICATION OF CRA DESIGN REQUIREMENTS.

In addition to the period requirements and the general requirements, there are four (4) specific classes of CRA Design Requirements:

- A. Period Requirements (Section 7);
- B. Class I Design Requirements (Section 8);
- C. Class II Design Requirements (Section 9);
- D. Class III Design Requirements (Section 10);
- E. Class IV Design Requirements (Section 11); and
- F. General Requirements and Specifications (Section 12).

There are five (5) classes of construction projects in the CRA. Each class of construction must comply with all classes of Requirements that are applicable to that class of construction in order to fulfill the terms of this Resolution. The five (5) classes of construction are:

- A. Class I Projects (Section 8) ;
- B. Class II Projects (Section 9);
- C. Class III Projects (Section 10);
- D. Class IV Projects (Section 11); and,
- E. Class V All Development (Section 12).

Class I Projects are new construction and reconstruction requiring the elevation of existing structures to regulatory base flood levels. Class I Projects consist of the building of a new structure, or modification or addition to an existing structure such that the existing structure must be elevated to meet base flood elevation requirements pursuant to the Floodplain Management provisions of the County Code. Class I Projects are governed by the Class I Design Requirements, the Period Requirements and the General Requirements and Specifications.

Class II Projects are rehabilitation of commercial structures. Class II Projects consist of any repair, rehabilitation or remodeling of an existing commercial structure valued at fifty percent (50%) or more of the value of the existing structure over a five (5) year period regardless of whether such repair, rehabilitation or remodeling requires elevation of the existing structure to regulatory base flood levels pursuant to the Floodplain Management provisions of the County Code. Class II Projects are governed by the Class II Design Requirements, the Period Requirements and the General Requirements and Specifications.

Class III Projects are residential rehabilitation not requiring the elevation of existing structures to regulatory base flood levels. Class III Projects also include commercial rehabilitation, reconstruction, remodeling, or additions valued at forty-nine percent (49%) or less of the value of the existing structure over a five (5) year period. Class III Projects are governed by the Class III Design Requirements and the General Requirements and Specifications.

Class IV Projects consist of decks, patios; permanent swimming pools; fences, walls, gazebos, sheds and other outbuildings, vending booths, carts, and other miscellaneous displays. Class IV Projects are governed by the Class IV Design Requirements and the General Requirements and Specifications.

Class V Projects include all development within the CRA including, without limitation, Class I Projects, Class II Projects, Class III Projects and Class IV Projects. The term "development" is defined in Section 12 hereof. In addition to all other Requirement(s) that a development is subject to, all development activity in the CRA is subject to the General Requirements and Specifications.

SECTION 6. DEFINITIONS.

For purposes of this Resolution, the terms set forth in *Appendix "A"* attached hereto and by reference made a part hereof shall have the meanings provided therein unless expressly provided otherwise in a particular section of this Resolution or unless the context clearly requires otherwise.

SECTION 7. PERIOD REQUIREMENTS. (CLASS I PROJECTS AND CLASS II PROJECTS).

Both Class I Projects and Class II Projects shall be required to comply with the Period Requirements. Class I Projects and Class II Projects, which include a minimum of four (4) of the features, below, shall be deemed in compliance with the Period Requirements, except that Class I and Class II projects which utilize a metal roof consistent with the Period shall only be required to select two (2) of the features below in addition to the Period metal roof.

- A. A veranda which runs the entire length of a structure's primary facade, minus any portion of the primary facade necessary for vehicular access (e.g., garages), provided the length of veranda not located along the primary facade due to vehicular use is located along one of the sides abutting the primary facade as a continuous, "wrap-around" veranda.
- B. A metal roof of design and materials consistent with the Period.
- C. A widow's walk.
- D. A cupola.
- E. The use of 6/6 or 2/2 double hung windows
- F. The use of decorative lattice or "gingerbread" treatments at gable peaks, building corners and other appropriate areas of the structure as illustrated in the "Pictures," as defined below.

The CRAAC has adopted a series of "Pictures" that depict structures that reflect the Period vernacular. By this reference, the Pictures are made a part hereof. The Pictures are available for public inspection at the Community Development Department, and may be available for inspection through the County Web Site. The CRAAC reserves the right to add and remove photographs from the Pictures, as the case may be, provided that a complete set of the Pictures shall be made available for public inspection at the location provided above. The purpose of the Pictures is to present visual examples of combinations of design features that result in structures that display the Period vernacular.

SECTION 8. CLASS I DESIGN REQUIREMENTS. CLASS I PROJECTS.

General

Class I Projects consist of new construction and reconstruction requiring the elevation of existing structures to regulatory base flood levels. Class I Projects are governed by the Class I Design Requirements, the Period Requirements and the General Requirements and Specifications. Class I Projects are intended over time to create a community whose character is consistent with the Period style of architecture. The Period Requirements, Class I Design Requirements and the General Requirements and Specifications shall be employed before design development work begins so that the required relationships that properly relate individual buildings to the total environment can be established.

Site design and site preparation

Improvements to property shall be undertaken with careful consideration to natural features, including but not limited to topography, drainage, and vegetation. To the greatest extent possible, natural features shall be incorporated into site design. For example, on-site stormwater ponds shall be located in those portions of the site which naturally occur at lower elevations in order to minimize the amount of fill material necessary to elevate the property in order to achieve drainage. This example also illustrates how proper site design will compliment other goals of the CRA including the preservation of canopy trees and the minimization of fill within No-Fill Areas.

Compatibility

Class I Projects shall be compatible with the character of the CRA in terms of size, scale, design, materials, color and texture.

Contemporary designs

Contemporary designs shall complement and shall not conflict with the Period Requirements, the Class I Design Requirements and the General Requirements and Specifications. The distinction between contemporary and existing designs shall be and remain evident. Factors that shall be considered in blending contemporary with existing structures include, without limitation, size, pedestrian scale, relationship of building mass to adjacent structures, relationship to existing architectural details, elements, materials, color, texture and styles in the CRA, and similarity of window and door proportions.

Materials, Textures, and Colors

Exterior finishes in the CRA are wood or block/stucco with various types and colors of roofing materials. Roofing materials shall be consistent in appearance with the Period. Class I Projects shall establish a relationship with existing structures by utilizing the finishes and roofing materials required by this Resolution.

Siting

No Class I Project shall be placed closer to the sidewalk, street, or visible alley, than the distance that has been predetermined by existing structures. Areas that have traditionally been reserved for parks or open spaces shall remain. Requirements for building setbacks shall be established either by studying original zoning permits and plat maps, by establishing a uniform setback or as provided by the Zoning Code.

Height

The height of all Class I Projects shall not exceed the maximum height standard established for the zoning district within which the subject property is located. There shall be a complementary relationship of height between new buildings and existing adjacent structures. An attached exterior addition shall be located at the rear or on an inconspicuous side of a structure, limiting its size and scale in relationship to the building.

Additions

New additions shall not destroy features that characterize the property and shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the property and its environment would be unimpaired.

Infill Requirements

Where lattice is used to enclose open areas underneath buildings resulting from the use of pilings, piers, and methods of achieving elevation that do not result in opacity, only one type of lattice infill may be used for an individual structure.

Colors

Neon and fluorescent colors shall not be used on any structure in the CRA. The use of black paint shall be limited to trim.

Lighting

All street lighting, yard lighting, and for commercial development, parking and vehicular circulation area lighting shall be done in accordance with the General Requirements and Specifications, and shall be further designed, shielded, installed, or otherwise accomplished so as to contain all illumination within the development site. Exterior lighting shall not exceed the lower of the lowest portion of the roofline or fifteen (15) feet.

SECTION 9. CLASS II DESIGN REQUIREMENTS. CLASS II PROJECTS.**Applicability**

Class II Projects consist of existing commercial structures undergoing exterior reconstruction (including additions), rehabilitation, or remodeling such that the value of the structure is increased by fifty percent (50%) or more as measured over a five (5) year period of time. Class II Projects are governed by the Class II Design Requirements, the Period Requirements and the General Requirements and

Specifications. As used in this Section, the term "development" shall mean any exterior reconstruction, remodeling, rehabilitation, or addition to an existing structure.

Generally

The Period Requirements, the Class II Design Requirements and the General Requirements and Specifications shall be employed before design development work begins so that the required relationships that properly relate individual buildings to the total environment can be established.

Site design and site preparation

Where Class II Projects also trigger the need for additional site improvements (for example, additional parking or stormwater treatment), such improvements shall be undertaken with careful consideration to natural features, including but not limited to topography, drainage, and vegetation. To the greatest extent possible, natural features shall be incorporated into site design. For example, on-site stormwater ponds shall be located in those portions of the site which naturally occur at lower elevations in order to minimize the amount of fill material necessary to elevate the property in order to achieve drainage. This example also illustrates how proper site design will compliment other goals of the CRA including the preservation of canopy trees and the minimization of fill within No-Fill Areas.

Landscaping

Parking lots and vehicular circulation areas associated with commercial redevelopment within the CRA shall be treated as new development and must be landscaped in accordance with Article XVIII of Chapter 3-5 of the County Code. Interior and perimeter landscaping areas are included within the scope of the preceding sentence. This Class II Design Requirement shall control and supercede any exemption afforded to existing paved parking areas from compliance with landscaping standards that are applied to new paved parking areas pursuant to Sec. 3-5-392 of the County Code.

Compatibility

Class II Projects shall be compatible with the character of the CRA in terms of size, scale, design, materials, color and texture as provided in Section 12 of this Resolution.

Contemporary designs

Contemporary designs shall complement and shall not conflict with the Period Requirements, the Class II Design Requirements and the General Requirements and Specifications. The distinction between contemporary and existing designs shall be and remain evident. Factors that shall be considered in blending contemporary with existing structures include, without limitation, size, pedestrian scale, relationship of building mass to adjacent structures, relationship to existing architectural details, elements, materials, color, texture and styles in the CRA, and similarity of window and door proportions.

Siting

No new addition shall be placed closer to the sidewalk, street, or visible alley, than the distance that has been predetermined by existing structures. Areas that have traditionally been reserved for parks or open spaces shall remain. Criteria for building setbacks shall be established either by studying original zoning permits and plat maps, by establishing a uniform setback or as provided by the Zoning Code. Additions other than additional floors shall be located at the rear or on an inconspicuous side of a structure, limiting its size and scale in relationship to the building.

Height

Class II Projects shall not exceed the maximum height standard established for the zoning district within which the subject property is located. There shall be a complementary relationship of height between additions that increase the height of the structures to which they are added and existing, adjacent structures.

Additions

New additions shall not destroy existing Period features that characterize the property and shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the property and its environment would be unimpaired.

Infill Requirements

Where lattice is used to enclose open areas underneath buildings resulting from the use of pilings, piers, and methods of achieving elevation that do not result in opacity, only one type of lattice infill may be used for an individual structure.

Colors

Neon and fluorescent colors shall not be used on any structure in the CRA. The use of black paint shall be limited to trim.

Lighting

All exterior lighting shall be done in Period style, and shall be further designed, shielded, installed, or otherwise accomplished so as to contain all illumination within the development site. Exterior lighting shall not exceed the lower of the lowest portion of the roofline or fifteen (15) feet.

SECTION 10. CLASS III DESIGN REQUIREMENTS. CLASS III PROJECTS.**Applicability**

Class III Projects consist of all residential rehabilitation, reconstruction, remodeling, or additions which do not require elevation of the existing structure to regulatory base flood levels pursuant to the County's Floodplain Management Regulations, or to which the provisions of Section 8 of this Resolution do not otherwise apply. Class III Projects also include commercial rehabilitation, reconstruction, remodeling, or additions valued at

forty-nine percent (49%) or less of the value of the existing structure over a five (5) year period. Class III Projects are governed by the Class III Design Requirements and the General Requirements and Specifications.

General

Each property shall be recognized as a physical record of its time, place, and use. While most properties change over time, it is the intention of this Section that the character of properties undergoing reconstruction, rehabilitation, or to which additions are added be maintained through preservation of distinctive features, finishes, construction techniques, or examples of craftsmanship. Section 12 of this Resolution shall be utilized to provide guidance for the treatment of design elements, materials, treatments, and finishes. Changes that are inconsistent with the character of a property (such as architectural elements) are prohibited.

Scale.

No existing structure shall be enlarged so that its proportions, particularly height, are out of scale with its surroundings. On any given block or area where a variety of sizes and styles exist, no structure shall surpass the majority of the structures in that area. Alterations shall be made in a manner that does not alter the scale of the streetscape.

Alterations

The alteration of existing Period features is prohibited unless the alteration is necessary to salvage the structure. Whenever possible, deteriorated Period features that characterize a property shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a Period feature, the new Period feature shall match the old Period feature in design, color, texture, and other visual qualities and, where possible, materials. Documentary, physical, or pictorial evidence shall justify and substantiate the replacement of missing Period features.

Exterior alterations and related new construction shall not destroy Period features that characterize the property and shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the property and its environment would be unimpaired. New features shall be compatible with the massing, size, scale, and architectural features of existing features in order to protect the integrity of the structure, the property and the environment.

The removal or alteration of exterior spaces (such as porches, courtyards, etc.) that characterize a property is prohibited unless the removal or alteration is necessary to salvage the property or doing so enables the incorporation of Period design elements.

The removal of Period materials is prohibited unless the Period materials are too deteriorated to repair. New Period materials shall be utilized to replace deteriorated Period materials. If new Period materials are unavailable, modern building materials and techniques that are visually equivalent to the Period materials shall be utilized.

SECTION 11. CLASS IV DESIGN REQUIREMENTS. CLASS IV PROJECTS.

Class IV Projects consist of decks, patios, permanent swimming pools, fences, walls, gazebos, sheds and other outbuildings, vending booths, carts, and other miscellaneous displays. Class IV Projects are governed by the following Class IV Design Requirements.

Swimming Pools

Permanent swimming pools, spas, or Jacuzzis shall not be visible from the front of the building.

Fences and Walls

1. Fences and walls are important elements of the design and character of a structure and district. The scale and character of a fence and its posts and gates shall be compatible with the house and neighboring structures.

2. The height of fences and walls shall be governed by the standards of the zoning district within which the fence or wall occurs or is proposed to occur.

3. The beginning point for six-foot fences shall be rear-ward from the point where the façade of the house joins the front porch, or a minimum of ten (10) feet from the front property line. This Class IV Design Requirement shall not be construed to exempt applicants from having to obtain a variance as may be required by the County Code regarding setback requirements from fences and walls.

4. All concrete walls shall be stuccoed and capped.

5. Unless approved by the Board of Zoning Appeals for another location by way of a special exception in accordance with Section 3-9-7 of the County Code, chain-link fencing shall not be installed forward of the back wall(s) of any structure. No request for a special exception to allow chain link fencing in any other location shall be placed on the Board of Zoning Appeals' agenda until such time as the Community Development Department receives a written recommendation regarding the requested special exception from the Charlotte Harbor CRA Advisory Committee.

6. Reed fencing is prohibited.

7. Fence structures erected within the required setback area (i.e. between the property line and the setback line) are subject to the same height restrictions as fences erected on the property line.

Gazebos, Sheds, and other Outbuildings

1. The design of any gazebo, shed, or other outbuilding greater than one hundred square feet (100 sq. ft) in area shall be complementary in terms of design, scale, proportion, color, finish, and details to the main building.

2. Siting on the lot shall determine the allowable location and dimensions.

3. Temporary outside storage units shall be allowed to remain on a property for 30 days in a calendar year unless the Zoning Official authorizes a greater period of time.

Vending Booths, Carts, and Other Merchandise Displays

The use or storage of vending booths, carts, and other merchandise displays is prohibited in the front yard or side yard of any structure adjoining a public street (i.e. between the front or side facade and the public right-of-way or sidewalk), and are prohibited in public rights-of-way. Vending carts or booths shall be located only in or on the periphery of parking lots, where vending will not displace required parking, or otherwise vacant properties. Merchandise shall not be mounted or displayed on the exterior surface of the front facade. All vending machines shall be placed in kiosks or enclosures constructed in Period style and materials.

SECTION 12. GENERAL REQUIREMENTS AND SPECIFICATIONS. ALL DEVELOPMENT.

Applicability

The General Requirements and Specifications apply to all development in the CRA. As used in this Section, "development" shall mean any activity for which a building permit, excavation permit, tree removal authorization, or other County authorization which has the effect of allowing land clearing or construction activities must be obtained prior to the commencement of such activities. Development includes, but is not limited to, Class I Projects, Class II Projects, Class III Projects and Class IV Projects.

Generally

Due to the broadness of the General Requirements and Specifications, each General Requirement and Specification will not pertain to every type of development activity in the CRA. The determination as to whether a General Requirement and Specification affects a particular development activity will be made by the Zoning Official and/or a designee in connection with the application.

Materials

Wherever these General Requirements and Specifications or any other CRA Design Requirement reference the use of Period materials, nothing herein shall preclude the use of modern materials that are the visual equivalent of Period materials and which are equal or superior to Period materials in regard to strength and durability.

Exteriors

Wood

Wood is the most commonly used material for architectural features such as clapboards, cornices, brackets, entablatures, shutters, columns and balustrades. These wooden features are important in defining the character of a structure. The retention, protection and repair of all wood features shall be required in all rehabilitation projects.

Exterior Siding Alternatives

1. Weatherboard, clapboard or lapped siding.
2. Wood, vertical board-and-batten siding with 1" x 2" or 1" x 3" battens.
3. Wood, horizontal novelty or drop siding.

A combination of exterior siding materials is prohibited unless Period evidence indicates otherwise or additions were clad differently than the original structure. The introduction of a new wood feature that is incompatible in size, scale, material, and color is prohibited.

Masonry

1. Masonry features (such as brick cornices and door pediments, stone window architraves, terra cotta brackets and railings) as well as masonry surfaces (molding, bonding patterns, joint size and color) are important in defining the Period character of a building. It should be noted that while masonry is among the most durable of building materials, it is also the most susceptible to damage by improper maintenance or repair techniques and by harsh and abrasive cleaning methods.

2. Masonry features that are important in defining the overall Period character of the building such as walls, brackets, railings, cornices, window architraves, door pediments, steps, and columns shall be identified, retained, and preserved.

3. Masonry features shall be repaired using recognized preservation methods. Where masonry features are too deteriorated to repair, they shall be replaced in kind using physical evidence to guide the work.

Roofing (Materials)

The replacement or substitution of Period roofing materials on Period structures with roof treatments that are inconsistent with the Period (e.g. Spanish tile) is prohibited.

Entrances, Porches, and Doors

1. Entrances and their functional and decorative elements that are important in defining the Period character of a building, such as doors and door openings, fanlights, sidelights, pediments, hardware, pilasters, columns, balustrades, and stairs shall be identified retained and preserved.

2. Whenever possible, four-or six-paneled wood doors or horizontal panel doors as featured on late 19th and early 20th century buildings shall be utilized. In lieu thereof, French doors or doors with a single large light over one of two horizontal panels are acceptable.

3. The additions of sidelights and entryway surrounds that are not original to the entrance are prohibited.

4. Whenever possible, entrances and porches shall be repaired by reinforcing existing materials. When repair is not possible, limited replacement in kind or with compatible substitute materials shall be allowed.

5. An entire entrance or porch that is too deteriorated to repair shall be replaced in kind. If the form and detailing are still evident, the physical evidence shall be used to guide the new work. If using the same kind of materials is not technically or economically feasible, then a compatible substitute material shall be used.

6. In constructing a new entrance or porch, the design shall be compatible in size, scale, material, and color with the character of the building.

7. A porch on an existing structure, which contributes to the Period character of the structure, shall not be removed. If a porch is to be enclosed, it shall be done in a manner consistent with the style and materials of the existing structure in a manner that preserves the character of the building.

Columns, Posts, and Pillars

1. Existing posts or columns that contribute to defining the character of the building shall be retained and preserved.

2. When columns must be replaced, they shall be replaced with columns compatible in size, scale and material.

3. Columns that have historically defined a building shall not be replaced with posts or pillars that are uncharacteristic of a building's style. For example, simple 4" x 4" wood square posts, not rounded, decorative columns, shall be utilized for a shotgun style house.

Exterior Stairs

1. Exterior staircases shall be retained, preserved and, when necessary, replaced with materials that are compatible with both the individual structure and the CRA. Replacement of wood stairs with concrete stairs is prohibited.

2. The balusters, newel posts, and rails of an exterior staircase shall be replaced with the same material, and shall be proportional to the main structure.

3. Period stairways shall be upgraded to meet health and safety codes in a manner that assures their preservation.

Roofs (Shape)

1. The roof with its shape, features such as dormers, widow's walks, and chimneys, and the size, color, and patterns of the roofing material are extremely important in defining the building's overall character.

2. A roof's shape, Periodic roofing material and features such as dormers, widow's walks, chimneys, scuttles, or roof porches shall be retained and preserved.

3. Changing the configuration of a roof such that the Period character is diminished is prohibited.

Gutters

Gutter style is reflective of the property's history in terms of appearance and technology. Only the half-rounded style of gutter shall be installed on structures erected prior to 1900. Only half-round or "ogee" style shall be installed on structures erected after 1900.

Dormers

1. Dormers are gable projections of an attic room that allow for a vertical window opening.

2. A dormer addition shall be in scale and harmony with the existing building, shall be placed in a location with the least visibility, shall have a roof consistent with that of the existing structure and shall have windows of the same design as the existing structure.

Widow's Walks

A widow's walk addition shall be in scale and harmony with the existing structure. Period evidence of the prior existence of a widow's walk shall be the best justification for such an addition.

Windows

1. Windows and their functional features that contribute to defining the Period character of the building shall be identified, retained and preserved. Such features include frames, sash, muntins, glazing, sills, paneled or decorated jambs and moldings, and interior and exterior shutters and blinds.

2. When the replacement of windows in a structure is unavoidable, the replacement windows shall maintain the character of the structure.

3. Changing of the number, locations, size, or glazing pattern of windows by cutting new openings, blocking in windows, and installing replacement sash that does not fit a window opening is prohibited.

4. Period windows shall only be replaced with Period windows. Repair and restoration of Period windows shall maintain the Period character of the windows.

Shutters

1. Existing shutters and their functional and decorative elements shall be retained, repaired and preserved.

2. If the overall form and detailing are still evident, a set of shutters that is too deteriorated to repair shall be replaced in kind using the physical evidence to guide the work. If using the same kind of material is not technically or economically feasible, a compatible substitute material shall be utilized. Hurricane shutters or panels shall be architecturally compatible with the building. When traditional shutters are not feasible or are inappropriate, removable storm panels shall be utilized (panels are stored except during a storm). Tracks for removable panels shall be painted to match the wall. Roll-down shutters shall be utilized on commercial buildings so as to allow concealment of the overhead casing. Accordion shutters shall be utilized on existing commercial buildings only if the stacked shutter is not conspicuous within the opening. Aluminum awnings/shutters are prohibited.

Balustrades

1. Wooden balustrades are significant in defining the Period character of frame structures. They shall be retained and preserved.

2. When replacement is necessary, balustrades shall be replaced with materials that are compatible with the structure.

3. New balusters shall match the original balusters in size and height above the porch floor.

Building Environment

1. Features such as gardens, walkways, streets, alleys, plants, trees, fencing, and building setbacks which have traditionally linked buildings to their environment and which reflect the property's development shall be utilized and, in the case of existing structures, retained.

2. For walkways in residential areas, brick or paver type treatment shall be used whenever possible.

3. Traditional lawn and garden arrangements, with emphasis given to regional flora, shall be utilized whenever possible.

4. Concrete or gravel lawns, and permanent aboveground or in-ground swimming pools are prohibited in front yards. At least 25 percent (25%) of a front yard shall be landscaped, and shall not be covered by brick, concrete, or gravel.

5. Widening of existing streets, changing the paving materials, and introducing new streets and new parking lots shall be done in a manner which is compatible with the character of the neighborhood and maintains the relationship of the buildings to the environment.

Awnings

1. Historically, the canvas awning was an important design element in the traditional storefront, providing cover and added color. Awnings served as a transition between the storefront and the upper facade.

2. Standard street level awnings shall be mounted so that the valance is 8 feet above the sidewalk elevation and projects out no more than 4 feet from the building.

3. Awnings shall be attached above the display window and below the cornice. An awning shall reinforce the frame of the storefront and shall not cover the space between the second story windowsills and the storefront cornice.

4. The size, scale, and shape of awnings shall be appropriate to the specific building.

5. If a flat canopy exists, it shall be dressed up with a 12- to 24-inch awning valance. Round or dome-shaped awnings must be compatible with the structures on which they are to be placed, and shall be in proportion to the entryway.

6. Signage on an awning valance shall be approved on a case-by-case basis, taking into consideration the total number of signs per building or business establishment as provided by the County Code. Lettering shall be one-half the height of the valance.

7. Awnings used as vehicle shelters are prohibited.

Lattice Infill

1. The space between the floor of the house and the ground shall be screened with lattice between supports of the house.

2. Only one type of infill shall be used for each house. Lattice infill may be wood or recycled plastic. If wood, the lattice shall be a minimum of one-quarter-inch ($\frac{1}{4}$ ") and pressure-treated. Posts on which the lattice is to be mounted shall be set on four (4) foot centers.

Storefronts

1. Because storefronts play a critical role in a store's advertising strategy to draw customers, they are often altered to meet the needs of a new business. Care shall be taken when working on storefronts so that the building's character is preserved in the process of rehabilitation.

2. Storefronts and their functional and decorative elements that are important in defining the character of the building, such as display windows, doors, transoms, corner posts, entablatures, cornices, signs, and bulkheads shall be retained and preserved.

3. Fluorescent lighting shall be baffled so that lamps are not visible from the public right-of-way. Where neon tubing is visible from the street and used to outline building facades or window/door openings, it shall be limited to signage and not extended to bands.

4. The remodeling of storefronts shall be done in Period style and materials. Repairs to storefronts and their features shall maintain the existing character of the structure.

5. Only appropriately scaled signs and logos that do not obscure, damage, or destroy a building's existing features shall be used.

6. The use of chaser lights is prohibited.

Secondary Roof Structures, Skylights and Scuttles

1. Whenever possible, original skylights and wood roof scuttles shall be retained and preserved.

2. Flat roof windows shall be located on the side that is least visible from a public street.

Exterior Paint

Neon and fluorescent colors shall not be used on any structure in the CRA. The use of black paint shall be limited to trim.

Ramps

Ramps, where required, shall be concealed with landscaping as much as possible, and shall blend with the scale and architectural features of the building.

Air Conditioning Units

1. Air conditioning units shall be installed in such a manner that Period material and features of a building are not damaged or obscured.

2. Through-the-wall air conditioning units or window units shall not be installed in the facade (front) of a building.

3. Air conditioning units shall be placed in new openings that align with the existing window frame. Molding shall be utilized as a trim element.

4. Air conditioning units shall be concealed by landscaping and placed in the rear of a lot so as not to be seen from the street.

Garbage and Trash

1. When not a curbside for pick up, garbage and trash units shall be placed out of the public view.

2. Whenever possible, a picket fence or other approved enclosure shall be utilized to screen areas where garbage and trash are stored prior to pick up or disposal.

Inspection of Excavations

Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken according to State and Federal Regulations.

Discovered artifacts shall be promptly reported to the Charlotte County Historic Preservation Board and the appropriate State and Federal authorities. Excavation of utility trenches, cisterns, and foundations require notification in advance so that activities may be monitored.

Metal Carports

Metal carports shall be utilized only on 1950/60's Mackle/GDC or other structures that were originally constructed with the structure.

SECTION 13. APPEALS.

Any applicant seeking approval of development subject to these regulations aggrieved by the decisions of the Charlotte Harbor CRA Advisory Committee or its Architectural Review Subcommittee regarding interpretation or application of the requirements found herein may appeal such decisions to the Zoning Official who shall render a written determination regarding the disputed matter(s) which shall be considered the final resolution to the matter(s), subject to appeal as provided by Section 3-9-6 of the County Code.

SECTION 14. MISCELLANEOUS PROVISIONS.

CAPTIONS. The captions of this Resolution are inserted for convenience or reference only and not to define, describe or limit the scope or the intent of this Resolution nor any provision or term hereof.


OTHER LAWS. This Resolution shall not be construed to imply a waiver or exemption from any existing mandates imposed by Federal and State laws and regulations and or the County Code. Without limitation, the preceding sentence shall encompass any mandates imposed by the Federal Emergency Management Agency.

SEVERABILITY. If any portion of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, portion shall be deemed a separate, distinct, and independent portion of this Resolution and such holding shall not affect the validity of the remainder of this Resolution.

PASSED AND DULY ADOPTED this 10 day of September, 2002.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By Sara Devos
Sara Devos, Vice Chairman




ATTEST:
Barbara T. Scott, Clerk of Circuit
Court and Ex-officio Clerk to the
Board of County Commissioners

By Anne L. Fables
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

Renee Francis Lee
Renee Francis Lee, County Attorney



APPENDIX "A"

ARCH: A structural member shaped in the arc of a curve.

ARCHITRAVE: The lower part of a classical entablature, which rests on a column.

BALUSTER: A post or upright supporting a handrail, often vase-shaped, a series of which makes up a balustrade.

BALUSTRADE: A banister, railing, handrail or barrier.

BARGEBOARD: The decorative board attached to the projecting portion of a gable.

BRACKET: A support element under eaves, shelves, or other overhangs.

CHAMFER: The surface formed by cutting off a corner of a board or post; a bevel.

COLUMN: A vertical support generally consisting of a base, circular shaft and capital.

CORNICE: The horizontal molded projection at the top of a building or wall.

CRESTING: A light repeated ornament, incised or perforated, carried along the top of a wall or roof.

CUPOLA: A spherical roof or dome-roofed structure built on top of a roof.

DORMER: A vertical window set in a sloping roof or a roofed structure containing such a window.

EAVES: The projecting overhang at the lower edge of a roof.

ENTABLATURE: A horizontal part in a classical post and beam system composed of the cornice, frieze and architrave.

FACADE: The front or principal face of a building.

FINIAL: An ornament at the top of a spire, gable or pinnacle.

FRIEZE: The part of the entablature between the architrave and cornice; any sculptured or ornamented band in a building.

GABLE: The triangular portion of a wall between the enclosing lines of a sloping roof.

HIP ROOF: A roof with four uniformly pitched sides.

LATTICE: A structure consisting of strips of metal or wood, crossed or interlaced to form regularly spaced openings.

LINTEL: A beam of any material used to span an opening (also known as an architrave).

LOUVRE: A series of inclined slats in a vertical frame allowing ventilation without admitting rain.

MOULDING: A continuous decorative band that is either carved into or applied to the surface.

MULLION: A vertical member that divides a window or separates one window or door from another.

MUNTIN: The wood or metal strips that divide a multi-pane window.

PARAPET: A low solid protective wall or railing along the edge of a roof or balcony.

PEDIMENT: A wide, low-pitched gable above a portico or door.

PORCH: A covered structure or recessed space at the entrance of a building.

PORTICO: A major porch, with a pedimented roof supported by columns.

RAFTER: Part of a wooden roof frame sloping down from the ridge to the eaves and establishing the pitch.

RIDGE: The highest point of the roof, running from end to end.

SASH: A frame or window in which glass is set.

SHUTTER TIEBACKS: Hardware used to secure open shutters.

STUCCO: A type of plasterwork, either coarse or fine, used for surfacing interior or exterior walls.

TRANSOM: A small window over a door or large window.

TURRET: A small slender tower, usually set at the corner of a building, often containing a circular shaft.

IMAGED
9-26-02
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