

MINUTES
CHARLOTTE COUNTY BOARD OF ZONING APPEALS
Wednesday, April 8, 2009 - 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

Tom Thornberry, *Chairman*
Audrey Seay, *Vice-Chair*
Ed Hittson, *Secretary*
Bob Stout
Bill Truex

Staff Present

Derek Rooney, *Assistant County Attorney*
Nicole C. E. Dozier, *Zoning Official*
Ken Quillen, *AICP, Planner III*
Jane Starr, *Recorder*

-
- I. Call to Order**
- Chairman Thornberry* called the April 8, 2009 meeting of the Board of Zoning Appeals to order at 9:00 a.m.
- II. Pledge of Allegiance**
- Chairman Thornberry* 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**
- Jane Starr* swore in all persons who wished to provide testimony.
- V. Approval of Minutes**
- ACTION: A motion was presented by Bob Stout and seconded by Audrey Seay to approve the minutes of the March 11, 2009 meeting of the Board of Zoning Appeals as written. Motion carried unanimously.***
- VI. Disclosure Statements**
- Ex-parte forms indicating site visits concerning the petitions being presented before the April 8, 2009 Board of Zoning Appeals meeting were submitted.
- VII. Introduction of Staff/Comments**
- Chairman Thornberry* introduced staff. *Nicole Dozier, Zoning Official, Attorney Derek Rooney and Chair Thornberry* 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 March 24, 2009: VAR-09-06, VAR-09-07 and SE-09-08

Petition #VAR-09-06

John Sullivan is requesting a variance to reduce the required front yard setback from 25' to 17.2' to allow an addition to the existing single-family residence in a Residential Single-family-3.5 (RSF-3.5) zoning district. The property address is 149 Barre Drive NW, Port Charlotte, Florida and is described as Lot 10, Block 17, Port Charlotte Subdivision Subsection 02, located in Section 22, Township 40 South, Range 22 East. The property contains +/- 11,960 square feet. A complete legal description and additional information are on file.

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

Ed Hittson asked if the original carport was in compliance and if the metal shed met the setback requirements. *Mr. Quillen* stated the carport was nonconforming but he did not have information pertaining to the shed at this time as it is not part of the Variance.

John Sullivan, the applicant, 149 Barre Drive NW, Port Charlotte, appeared before the Board to further present the petition and confirmed the shed was in compliance.

Chair Thornberry confirmed the home was purchased in 1994 and inquired about the septic tank location and an item seen in the aerial photo.

Chairman Thornberry opened the meeting to Public Hearing.

There being no requests to speak for or against the petition, the Public Hearing was closed.

Ken Quillen presented the analysis, conclusion and recommended conditions for the petition.

Board Member Comments and Questions

Responding to a question by Bill Truex, Mr. Quillen confirmed the size of the side setback and pointed out the front of the property. Nicole Dozier added additional comments.

ACTION: A motion was presented by Audrey Seay and seconded by Bill Truex that Petition VAR-09-06 be APPROVED based on the Growth Management Staff Report dated March 30, 2009, 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 conditions.