

# Unique Land Regulations for PGI

## Introduction:

Punta Gorda Isles was established as a “Deed Restricted Community” when it was opened for sales. Under Florida law deed restrictions expire 30 years after initial sale unless renewed by the controlling body, currently the Punta Gorda Isles Civic Association. In 1995 the decision was made *NOT* to renew the deed restrictions but to work with the City in incorporate unique community standards in the City Code. As a result of this decision Punta Gorda Isles is located in a “Special Overlay District” that contains special land use regulations to preserve the original values of the Isles in addition to the general city code. This is a much stronger standard since these codes are enforced by the City and include provisions for the former deed restrictions which have expired in many portions of the Isles. Your Association continues to actively work with City Staff and Leadership to maintain our quality of life and to ensure standard are maintained.

That portion of the Special Overlay District (Section 23) is reprinted for easy reference below. The reprinted portion has been formatted for ease of use. For the general city code requirements please refer to the referenced portion of the City website under the City Clerk page: ([www.ci.punta-gorda.fl.us/departments/cityclerk/code.htm](http://www.ci.punta-gorda.fl.us/departments/cityclerk/code.htm))

## Section 3.13. SRO, Special Residential Overlay District

The Special Residential Overlay District is established to provide control to land subdivided within the City through the approval and recording of several plats of subdivision entitled “Punta Gorda Isles”, Sections 1 through 12, 14, 17, 18, 24, 26 and 27.

### (a) Minimum Area Requirements

The method of determining the square feet of proposed buildings and structures or additions and enlargements thereto shall be to multiply the outside horizontal dimensions of the building or structure at each floor level. Garages, carports, roofed screened porches and the like shall not be taken into account in calculating the minimum square foot area as required by the zoning rules and regulations.

- (1) Section 1-8, block 8 lots 3-17, block 9 lots 2-39, block 10 lots 7-25, block 11 lots 13-27, block 12 lots 19-33, block 13 lots 24-38, block 14 lots 36-42, block 15 lots 1-18, and block 10 lots 46-49; Minimum of 1,500 square feet of living area.
- (2) Section 10, block 90 lots 1-39; Minimum of 2,000 square feet of living area.
- (3) Section 9A, block 88 lots 1-5; Minimum of 2,000 square feet per building, with the living area of any single dwelling no less than 1,000 square feet.
- (4) Section 18; Minimum of 800 square feet for multi-family and 1,000 square feet for ingle-family.
- (5) All other lots; Minimum of 1,200 square feet for single-family and 1,000 square feet for multi-family per unit. Square footage is defined as the area which is air conditioned.

**(b) Roof Materials**

Except in PGI Section 18, roofs shall be of concrete or clay tiles or metal. However, multi-family structures may also have flat, built up roofs; and aluminum pan and built up roofs shall be allowed on attached accessory structures when they are less than a 3:12 pitch and are not visible from the public right-of-way. In addition, roof coverings on existing structures with roof coverings that are not in compliance with this Subsection, may be replaced using like kind material (i.e. asphalt single for asphalt single, etc.).

**(c) Driveways**

Driveways in single-family districts shall be constructed of concrete and/or concrete pavers; driveways and parking lots in multiple-family districts may be constructed of asphalt.

**(d) Setbacks**

Provided the front setback of the principle structure is maintained at 25 feet, permits shall be issued for pools, patios, pool cages and patio cages in the rear yards to within 20 feet of a waterway or golf course. Pool cages and patio cages as those terms are used herein are defined as skeletal structure of aluminum or any engineered approved lightweight material designed to fasten screen. Additionally, aluminum lattice, pre-finished vinyl or pergolas constructed of wood may be permitted within 20 feet of a waterway or golf course. The overhang of the lattice pergola cannot encroach more than one foot into the required 20' setback. Roof covers are prohibited.

**(e) Sod**

No parking strips, drives or paved areas are allowed, except as shown on the plot plan of the approved building plans and specifications. A minimum of 6 feet of sod shall abut any seawall. All City rights-of-ways shall be sodded. Underground sprinkler systems are required for maintenance of sodded or landscaped areas, except in PGI Section 18 where it shall be the option of the residential owner. No areas of landscape shall be contoured as to allow the washing of materials from landscaped areas into canals and swales. No drainage configuration of impervious area shall be configured to create hydrostatic pressure against a seawall. Yards in which the owner has decided not to landscape must be fully sodded.

**(f) Garages**

Except in multiple-family districts, no garage or carport shall be erected which is separated from the main building.

**(g) Parking of Vehicles**

No land, except that which is both zoned and used for commercial or industrial purposes, shall be used for the parking of any commercial truck, trailer, cart, school bus, or any other converted private vehicle except as provided by this district. Converted private vehicles, by whatever name designated, include vehicles which have been partially or completely converted from a private

vehicle to a vehicle used for transporting goods or articles (such as ladders, wheelbarrows, tools, equipment, supplies or other materials) if such a vehicle so converted is used in or incidental to the operation of a business. "Truck" shall include any motor vehicle designed or used principally for carrying things other than passengers, except that a pickup truck used exclusively as a means of private transportation is excluded here. This is not intended to prevent the parking of truck/s within a completely enclosed garage, nor the temporary parking of vehicles when a person is visiting a resident for less than 4 hours, or when construction is being done on the premises for work being done under a proper building permit during daylight hours or because of emergency at other times.

### **(h) Front Yard Parking**

No vehicle may be parked on the front yard of any property used for a single-family residence, except in those areas designated as parking strips, drives or paved areas on the plot plan of the approved building plans and specifications for such residence, and except as set forth in (i) below.

### **(i) Parking on Vacant Land or ROW**

No vehicle shall be kept or parked on vacant land zoned for residential purposes or on a public right-of-way in the special Residential Overlay District between the hours of 1:00 a.m. or 5:00 a.m., except in a paved driveway between the property line and the paved roadway, provided no portion of said vehicle is blocking any portion of a sidewalk. Within a thirty day period, a resident may have a single vehicle, other than a vehicle for human habitation, kept or parked off the paved road but within the public right-of-way on up to two occasions between the hours of 1:00 a.m. and 5:00 a.m., upon notification to the Punta Gorda Police Department, identifying the residence by address and the vehicle by license number and description. Keeping or parking a single vehicle, other than a vehicle for human habitation, off the paved road but within the public right-of-way between the hours of 1:00 a.m. and 5:00 a.m., beyond two occasions provided for the above, but limited to a cumulative period not exceeding seven occasions within a thirty day period, shall require a permit issued by the City, the fee for which shall be set by resolution of the City Council. The permit shall be affixed in a conspicuous place on the street side of said vehicle. Residents or visiting non-residents may obtain a parking permit by filing an application at the City Code Compliance Division or, on evenings, weekends and holidays, by calling the Punta Gorda Police Department, identifying the residences by address and the vehicle by license number and description. No vehicle shall encroach upon or block a public sideway or paved roadway.

### **(j) Parking of Camping Trailers, etc.**

A residence may have a single vehicle for human habitation kept or parked on the premises, on the paved driveway within the front yard, or within the public right-of-way off the paved roadway between the hours of 7:00 a.m. and 7:00 p.m. No vehicle for human habitation, except vans 19 feet or less in length shall be kept or parked on the premises, nor within a public right-of-way, between the hours of 7:00 p.m. and 7:00 a.m. unless parked entirely within the confines of a garage or carport, or upon obtaining a permit without charge from the City. Upon obtaining a permit the vehicle may be parked on the driveway of any premises for a cumulative period not exceeding 7 days in a 30-day period, with a "day" meaning from 12:00 noon to 12:00 noon. The permit shall be affixed to the vehicle in a conspicuous place on the street side thereof. Residents or visiting non-residents may obtain a parking permit by filing an application at the City Code Compliance Division

or, on weekends or evening, by calling the Police Department and identifying the vehicle by license number and giving a description of the vehicle and location thereof.

### **(k) Advertising on Vehicles**

The parking of passenger cars and pickup trucks and primarily as vehicles for private transportation with commercial advertising signs thereon in residential areas outside the confines of a garage or carport is permitted providing the signs do not exceed an overall dimension of 8 inches by 16 inches if permanently affixed. If large, such sign must be removed (i.e., magnetic, snap-on, etc.) if vehicle is parked outdoors between the hours of 6:00 p.m. and 6:00 a.m.

### **(l) Storage of Vehicles**

It shall be unlawful for any person to park, store, keep, maintain, or permit to be parked, stored, kept or maintained on the property of a single or multiple family residence, or on a vacant lot in a residential area, any watercraft, boat or empty boat trailer. Any watercraft, boat, empty boat trailer, or a boat and/or watercraft on a trailer may be parked entirely within the confines of a garage or carport. The above restrictions shall not apply in the cases of davited boats or watercraft, boats watercraft, and/or boat trailers temporarily parked in rear yards only (waterside) for the purpose of maintenance and repair for a period no to exceed 15 days. Each 15 day maintenance period requires a no charge permit issued by the Code Compliance Division. In no case shall any such permit be used within 6 months after issuance of a prior permit. The provisions of this paragraph shall not apply to vehicles parked on the premises of churches, clinics, schools, public libraries, public buildings, public and club swimming pools, private clubs, golf courses, utilities and parks and recreational areas, while persons transported thereby are attending or participating in activities or being treated or served on those premises, no to business trucks or trailers permitted to be parked at any time in a space prepared or designated on said premises, if such vehicles are used or operated by or for the operation of the places or institutions designated, except that such vehicles cannot be used primarily for personal transportation.

### **(m) Fences, Walls and Hedges**

No solid boundary wall shall be permitted. Hedges shall be permitted at a height of not more than 5 feet in a required side yard, no more than 4 feet within 10 feet of a rear lot line, and no more than 3 feet in a required front yard. The heights and elevations of hedges shall be measured from the property elevation. Fences shall be allowed to a height of four feet in all yards as above but shall not be allowed in any front yard.

### **(n) Garbage Containers/Clothes Drying**

All garbage and trash containers shall be placed in walled-in areas. Oil tanks and bottle gas tanks shall be placed in the ground or landscaped with 100 percent landscape screening so that they are not visible from the streets or adjoining properties. The landscape and buffer provisions as stated will be strictly enforced. On non-waterfront lots, no outdoor drying shall be allowed except in required rear yards, but not less than 40 feet from a street. On waterfront lots, the clothes drying area shall be in the required side yard and shall be shielded from view through the use of shrubbery.

**(o) Water Wells**

On all property except golf courses, digging and drilling of water wells is prohibited. The installation of geothermal closed loop well systems is allowed in all zoning districts as an approved energy conservation system. This system is not to be confused with a conventional irrigation or water well which is prohibited in the special zoning districts.

**(p) Temporary Buildings**

Except as may be permitted elsewhere by the zoning rules and regulations, no tents or temporary accessory buildings shall be erected.

**(q) Utilities Service Lines**

There shall be no new overhead street crossings for secondary electrical, telephone service drops, and cable television service drops. The cost to place service underground shall be borne by the individual property owner, or other person or entity as required by state law.

**(r) Watercraft**

Any watercraft which is inoperative or unregistered or appears to be in a state of decay and/or abandonment, or any watercraft which is disabled due to renovation or reconstruction to the extent it cannot reasonably return to open water within 14 days, as determined by the applicable department head, shall be prohibited on any waterway, shore, private and public property unless within a completely enclosed garage or building.

**(s) Real Estate Signs**

Real estate signs shall not exceed 6 inches by 8 inches and are limited one per lot.

**(t) Walkways in rear Yards**

A 5 foot width, concrete, paver block, or other material walkway may be installed from the rear of the home to the seawall. The width may be increased by Special Exception. In the event the walkway must be removed to repair or maintain the seawall, the property owner shall be responsible for all costs and expenses associated with its removal and reconstruction.

**(u) Other**

Notwithstanding any provision in these Land Development Regulations to the contrary, equipment for swimming pools, solar installations, air conditioning units, generators and similar equipment, cornices, eaves, and similar above ground architectural features and garbage receptacles with walls not exceeding five feet in height above finished grade elevation are permitted to encroach four feet in recorded drainage/utility easements.