

BSIA POLICIES

Policy # 2000-0004: Interpretation of BSI Deed Restrictions related to prohibiting businesses

Historic perspective: From time to time, the BSIA, Inc., Board of Directors is called upon to determine if various activities are in violation of Paragraph 15. Historically, this restriction has been interpreted by determining whether or not the activity under question is, or has the potential, for being a nuisance to the neighborhood. This determination generally considers whether there is any activity outside the dwelling in question that, in the opinion of the Board of Directors or General Membership, causes or might cause a nuisance.

Application of Policy: If it is the opinion of the Board of Directors or the General Membership that a referenced or contested activity does not cause, or is not likely to cause a nuisance, then there shall be no interpretation of a violation of Deed Restrictions. Reciprocally, if the Board of Directors or General Membership decides the referenced activity causes or is likely to cause a nuisance or subsequently modifies the activity to become a nuisance, then the activity will be considered in violation of the BSIA, Inc., Deed Restrictions and shall be referred to the City of Punta Gorda, Code Enforcement Officer, for such actions or remedies as are required by applicable City Code. Examples of nuisance activities include signs denoting the presence of a business, presence of employees, commercial deliveries, client or other non-resident traffic, or any other visible activity normally associated with a commercial business.

City of Punta Gorda Applicable Code Section 26-16: Limited Home Occupation.

Limited home occupation means a limited home occupation shall be determined to exist when all of the following criteria have been satisfied:

1. There is no traffic generated by the occupation.
2. The occupation is conducted by the resident owner only.
3. There are no employees.
4. There is no signage allowed.
5. There shall be no change in residential character or appearance.
6. There can be no advertising using the home address as the place of limited home occupation.
7. There shall be no onsite storage of goods or merchandise which is for sale or distribution.

Any violation of one or more of the above-stated criteria will constitute a violation of the occupational license law and the zoning regulations and mandates a code enforcement hearing or a citation be given for operating an unlawful business within the City.