



MINUTES

Charlotte County Board of Zoning Appeals

Wednesday, March 10, 2021 9:00 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)

Board Member:

Steve Vieira, Secretary
William Abbatematteo, Vice-Chair (Absent)
Larry Fix
Blair McVety, Chair
John Doner

Staff:

Shaun Cullinan, Planning/Zoning Official
Thomas David, Asst. Co. Attorney
Stacy Bjordahl, Asst. Co. Attorney
Elizabeth Nocheck, AICP, Sr. Planner
Diane Clim - Recorder

I. Call to Order

Chair McVety called the March 10, 2021 meeting of the Board of Zoning Appeals to order at 9:00 a.m.

II. Pledge of Allegiance

Chair McVety 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

Diane Clim swore in all persons who wished to provide testimony.

V. Approval of Minutes

ACTION: A motion was presented by Mr. Fix and seconded by Mr. Vieira to approve the minutes of February 10, 2021 meeting of the Board of Zoning Appeals which passed with a unanimous vote.

VI. Disclosure Statements

Ex-parte forms indicating site visits concerning the petitions being presented before the March 10, 2021 Board of Zoning Appeals meeting were submitted.

VII. Introduction of Staff/Comments

Chair McVety introduced staff. Elizabeth Nocheck, Sr. Planner, read the Zoning rules, Asst. County Attorney David and Chair McVety 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 February 23, 2021: SE-21-001 and SE-21-002

SE-21-001

Mr. Laszlo Varga is requesting a special exception to allow light manufacturing and assembly in a completely enclosed building, consisting of a liquor blending operation, in the Commercial General (CG) zoning district. The property is located at 3060 Sulstone Drive, Punta Gorda, and is described as Lots 25, 26, 27, 28, and 29, Block 112, of Harbour Heights Subdivision, Section 5, located in Section 22, Township 40 South, Range 23 East.

Elizabeth Nocheck read into the record the staff report and staff findings for the petition.

Applicant Presentation

Judith Varga said she will translate to her husband what the Board says so he understands. **Laszlo Varga, applicant, said he was sworn in.** **Mrs. Varga** said they agree with the staff report and conditions. They will have 3 or 4 employees in the beginning.

Chair McVety opened the meeting to Public Comments.

Public Input

Steve Vieira, BZA member who abstained from voting, said he was sworn in. **Mr. Vieira** said he is a real estate professional with Caldwell Banker and represented the applicants for this sale/property. He also assisted them to the County staff and the Engineer of record. He said he is a business owner and resident in Harbour Heights and he feels the project would be something well needed in an underutilized commercial area in this part of the County.

There being no further requests to speak for or against the petition, Mr. Fix moved to close the public comments, seconded by Mr. Doner. The public comments was closed with a unanimous vote.

Elizabeth Nocheck presented the recommended conditions for the petition.

Board Member Comments and Questions

None

ACTION: A motion was presented by Larry Fix and seconded by John Doner that Petition SE-21-001 be APPROVED based on the Community Development Staff Report dated March 3, 2021, the evidence and testimony presented at the hearing and finding that the applicant HAS MET the required criteria for the granting of the Special Exception with six conditions recommended by staff..

Motion was approved with a unanimous vote with the following six conditions:

1. The Special Exception, as approved by the Board of Zoning Appeals, is to allow light manufacturing and assembly in a completely enclosed building, consisting of a liquor blending and bottling operation, and extends only to the lands included in the Site Plans and legal description submitted with this application.

2. The Site Plans submitted by the applicant, as part of the petition, are for illustrative purposes only. All applicable regulations of County Code shall apply to this development. The applicant shall obtain all necessary permits and approvals as applicable to this development, including but not limited to Site Plan Review, right-of-way access, stormwater management, landscape plan approval, vegetation removal, fencing, and parking.
3. Outdoor storage of materials, ingredients, and equipment is prohibited.
4. Direct retail sales of liquor to the general public is prohibited.
5. This Special Exception is granted for a term of three years from the date it receives approval from the Board of Zoning Appeals; however, the Special Exception shall not expire if the owner commences the proposed development on or before the Special Exception's term expires.
6. 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.

SE-21-002

Ms. Tameca Fullwood is requesting a special exception to allow an in-home daycare, in the Residential Single-family-3.5 (RSF-3.5) zoning district. The property is located at 21915 Hernando Avenue, Port Charlotte, and is described as Lot 15, Block 2784, of Port Charlotte Subdivision, Section 33, located in Section 15, Township 40 South, Range 22 East.

Elizabeth Nocheck read into the record the staff report and staff findings for the petition.

Shaun Cullinan, Planning and Zoning Director, said the Building Official asked him to pass on this information relating to permitting. We will have Ms. Fullwood meet with the permitting department but she needs to get together with the deputy building official and head plans examiner to discuss the conversion of the garage.

Applicant Presentation

Tameca Fullwood, applicant, said she was sworn in. Ms. Fullwood said she agrees with the staff report and conditions. She said she does have air conditioning in the garage. The fuse box needs to be in a place where the inspector can check it 3 or 4 times a year.

Mr. Cullinan said it was stated by Ms. Nocheck that there was not a pool on the property. The last picture shows an above ground pool. Has that been removed?

Ms. Fullwood said that is not a pool, it is a trampoline. She has already removed it.

Chair McVety opened the meeting to Public Comments.

Public Input

No one spoke for or against this request.

Ms. Nocheck said she did get a few informational requests on this application, and one who was not in favor of this. They said they would send me an email, but as of this morning, I have not received that.

There being no further requests to speak for or against the petition, Mr. Fix moved to close the public comments, seconded by Mr. Vieira. The public comments was closed with a unanimous vote.

Elizabeth Nocheck presented the recommended conditions for the petition.

Board Member Comments and Questions

None

ACTION: A motion was presented by Larry Fix and seconded by John Doner that Petition SE-20-002 be APPROVED based on the Community Development Staff Report dated March 3, 2021, the evidence and testimony presented at the hearing and finding that the applicant HAS MET the required criteria for the granting of the Special Exception with six conditions recommended by staff.

Motion was approved with a unanimous vote with the following six conditions:

1. The special exception, as approved by the Board of Zoning Appeals, is to allow an in-home child daycare and extends only to the lands included in the Site Plans and legal description submitted with this application.
2. The Site Plans submitted by the applicant, as part of the petition, are for illustrative purposes only. All applicable regulations of County Code shall apply to this development. The applicant shall obtain all necessary permits and approvals as applicable to this development.
3. The applicant shall comply with all regulations pertaining to childcare set forth in Florida Statutes Sections 402.26 - 402.319 and the Florida Administrative Codes, Chapters 65C-20, 65C-22 and 65C-25.
4. The maximum capacity for the day care shall be ten children between the ages of newborn and 12 years old.
5. This special exception shall apply only to the applicant. In the event of the sale of this property, this special exception shall expire.
6. 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.

IX. **Public Comments** –
None

X. **Staff Comments** –
Ms. Nocheck said we have 2 items for next month's meeting.

XI. **Member Comments** –
None

XII. Next Meeting

*The next meeting of the Board of Zoning Appeals is scheduled for **Wednesday, April 14, 2021 at 9:00 a.m., in Room 119.***

There being no further business, the meeting **ADJOURNED** at 9:45 a.m.

Respectfully submitted,
Diane Clim, Recorder
/dlc



Blair McVety, Chair

Approval Date: _____

4-14-21