

CHARLOTTE COUNTY PLANNING AND ZONING BOARD
REGULAR MEETING

Administration Center, 18500 Murdock Circle, Room 119, Port Charlotte, Florida

Board Members

Michael Gravesen, Chair
Paul Bigness, Vice-Chair
Stephen Vieira, Secretary
Don McCormick
Thomas P. Thornberry



District

District V
District III
District I
District II
District IV

MINUTES
REGULAR MEETING

March 8, 2021 at 1:30 P.M.

Call to Order

Chair Gravesen called the meeting to order at 1:30 pm

Roll Call

Upon the roll being called it was determined a quorum was present.

Approval of Minutes – February 8, 2021 Regular Meeting

The February 8, 2021 minutes were approved as circulated.

Announcements

The oath was provided by Recording Secretary Bennett for those wishing to provide testimony.

PETITIONS

Audio Timestamp 1:30

PP-20-12-18

Quasi-judicial

Commission District IV

The Final Plat for Biscayne Landing was approved on November 24, 2020 (FP-19-06-08). The current owner, Lennar Homes, LLC., is now requesting an approval of a Preliminary replat of the residential subdivision to be named, Biscayne Landing II, consisting of 217 lots. The site is 125.93± acres and is located east of Biscayne Dr., north of McCall Rd., west of the Flamingo Waterway, and south of Franklin Ave., in the Port Charlotte area.

Shaun Cullinan, Planning and Zoning Official, provided the findings and analysis for Petition **PP-20-12-18** with a recommendation of approval, based on the reasons stated in the staff report.

Applicant's Presentation

Robert Berntsson, Esq. Big W Law Firm on behalf of Lennar Homes, states that he has been sworn in. He explains this is a minor change. Originally, there was going to be an entrance off of El Jobean and another entrance off Biscayne, they decided to make it a gated community. Since the El Jobean entrance was a right in only, it made it difficult to get out if you couldn't get through the gate. The project has been redesigned since this discovery, to where the main entrance will be off of Biscayne and Emergency access points have been added to the plat. This is part of the Planned Development that was modified by the Board of County Commissioners last month, to allow for these changes. They are adding 3 lots to what was previously approved. We respectfully request your approval of the Preliminary Plat.

Mr. Berntsson explains when the original Plat was done, they provided a School Concurrency Availability Determination Letter (SCADL) for the school board. For the entire project, for all 358 units. We are asking if that condition could be removed.

Mr. Gravesen asked **Mr. Cullinan** is that something that you can address at this point?

Mr. Cullinan answered we are fine with that being removed, if you recommend approval as such, we will strike that before the next public hearing, the Board of County Commissioners meeting.

Public Input

None offered.

- **Mr. Vieira** moved to close the public comment, second by **Mr. McCormick**; with a unanimous vote

Recommendation

Mr. Thornberry moved that **PP-20-12-18** be sent to the Board of County Commissioners with a recommendation of Approval, based on the staff report and testimony presented at today's meeting, second by **Mr. McCormick**; and carried by a unanimous vote.

Audio Timestamp 1:37 p.m.

PP-20-12-19

Quasi-judicial

Commission District IV

The Final Plat for The Cove at West Port Phase 1A, consisting of forty-eight (48) residential lots was approved on November 24, 2020 (FP-19-11-15). Forestar (USA) Real Estate Group, Inc is requesting Preliminary Plat approval to replat the subdivision to be named, The Cove at West Port Phase 1A-1, consisting of forty-two (42) residential lots rather than the previously approved 48 residential lots. The site is 115.34± acres, and is located north of El Jobean Rd., south of Tamiami Trail, east of the Cornelius Blvd. and west of Toledo Blade Blvd., in the Port Charlotte area.

Shaun Cullinan, Planning and Zoning Official, provided the findings and analysis for Petition **PP-20-12-19** with a recommendation of approval with conditions, based on the reasons stated in the staff report.

Questions for Staff

None offered.

Applicant's Presentation

Jackie Larocque, Waldrop Engineering, explains this is a replat, we are changing one Cul-de-sac because Four Star moved their model home location. Six lots were dropped due to the amenity's location being moved. The additional six lots will be coming up next month for a future replat.

Public Input

None.

- **Mr. Bigness** moved to close the public comment, second by **Mr. Thornberry**; with a unanimous vote.

Mr. Gravesen confirmed with the applicant that the two conditions are acceptable?

Ms. Larocque accepts the two conditions.

Recommendation

Mr. Thornberry moved that **PP-20-12-19** be sent to the Board of County Commissioners with a recommendation of Approval with conditions, based on the findings and analysis in the staff report, along with the evidence presented at today's meeting, second by **Mr. Vieira**; and carried by a unanimous vote.

Audio Timestamp 1:41

PP-21-01-01

Quasi-judicial

Commission District IV

James Harvey of KL JAK WP LLC has requested Preliminary Plat approval for a subdivision to be named, East Landings at West Port, consisting of 82 single-family lots and 4 tracts. The site is 18.89± acres, and is located North of El Jobean Rd., South of South Port Harbour Blvd., East of Centennial Blvd. and West of the Flamingo Waterway, in the Port Charlotte area.

Shaun Cullinan, Planning and Zoning Official, provided the findings and analysis for Petition **PP-21-01-01** with a recommendation of approval with condition, based on the reasons stated in the staff report.

Questions for Staff

None offered.

Applicant's Presentation

Linda Stewart, Morris Engineering, representing the applicant, she has been sworn and accepts Mr. Cullinan as an expert. They are asking for a replat for some lots within West Port subdivision to accommodate the builders need to put in a different product in these lots. They accept the conditions that staff has imposed upon this and if you have any questions they are here to answer.

Public Input

None offered.

- **Mr. McCormick** moved to close the public comment, second by **Mr. Thornberry**; with a unanimous vote

Recommendation

Mr. Thornberry moved that **PP-21-01-01** be sent to the Board of County Commissioners with a recommendation of Approval with conditions based on the staff report presented at today's meeting, second by **Mr. Vieira**; and carried by a unanimous vote.

Audio Timestamp 1:44

PP-21-01-02

Quasi-judicial

Commission District IV

James Harvey of KL West Port LLC has requested Preliminary Plat approval for a subdivision to be named, Palms at West Port, consisting of 262 residential lots. The site is 65.6± acres, and is located North of El Jobean Rd., South of Tamiami Trl., East of the Crestview Waterway, and West of the Centennial Blvd, in the Port Charlotte area.

Shaun Cullinan, Planning and Zoning Official, provided the findings and analysis for Petition **PP-21-01-02** with a recommendation of approval with condition based on the reasons stated in the staff report.

Applicant's Presentation

Linda Stewart, Morris Engineering, representing the applicant, states she has been sworn and accepts Mr. Cullinan as an expert. They are asking for an approval of this replat. She is here to answer any questions.

Mr. Gravesen asked if she accepts the conditions?

Ms. Stewart answered yes, they accept the conditions.

Public Input

None offered.

- **Mr. Bigness** moved to close the public comment, second by **Mr. Thornberry**; with a unanimous vote

Recommendation

Mr. Thornberry moved that **PP-21-01-02** be sent to the Board of County Commissioners with a recommendation of Approval with conditions, based on the staff report presented at today's meeting and the number of conditions listed, second by **Mr. McCormick**; and carried by a unanimous vote.

Audio Timestamp 1:47

SV-20-12-06

Legislative

Commission District I

Bruce and Denise Eshak are requesting to vacate a portion of the undeveloped Hibiscus canal behind their property. The total area to be vacated is 0.08± acres as recorded in Plat Book 4, Page 49, of the Public Records of Charlotte County, Florida, and located North of Neptide Dr., East of Marine Ct. and West of Hibiscus Ct., in the Port Charlotte area.

Shaun Cullinan, Planning and Zoning Official, provided the findings and analysis for Petition **SV-20-12-06** with a recommendation of approval, based on the reasons stated in the staff report.

Questions for Staff

Mr. Viera asked where the canals have been plated, by the original developer. Is there any type of environmental procedure that we have to go through to vacate that portion of the canal that will be filled in?

Mr. Cullinan answered no, Real Estate services reviewed this, and it has gone through the proper reviewing process. Essentially this is no different than a street vacation of a paper street. It's was essentially a canal right of way that was set aside. There are no conditions, staff sees fit to place on here and finds that it meets all the requirements.

Mr. McCormick asked will that chunk of land be distributed to the other four lots?

Mr. Cullinan answered the only place that is being vacated is around the current owners' lots.

Mr. Bigness asked is there ownership of the strip of land that was going to be a waterway?

Mr. Cullinan answered Right of ways and canals and things of that nature that are platted, are essentially held in a Trust by Charlotte County, the Board of County Commissioners.

Applicant's Presentation

Denise Eshak, applicant, explains the main purpose is they are building on the longer portion and this piece has over grown and is visible from the street.

Public Input

None offered.

- **Mr. Vieira** moved to close the public comment, second by **Mr. McCormick**; with a unanimous vote

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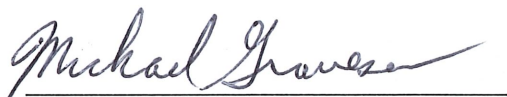
Recommendation

Mr. Vieira moved that **SV-20-12-06** be sent to the Board of County Commissioners with a recommendation of Approval based on the staff report testimony presented at today's meeting, second by **Mr. Bigness**; and carried by a unanimous vote.

ADJOURNMENT

The meeting was adjourned at 1:52 p.m.

Accepted on behalf of the Charlotte County
Planning and Zoning Board



Michael Gravesen, Chair