

**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  
Clint Baker



**District**

District V  
District III  
District I  
District II  
District IV

**MINUTES**  
**REGULAR MEETING**

***August 14th, 2023, 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 – July 10th, 2023, Regular Meeting**

The July 10th, 2023, minutes were approved as circulated.

**Announcements**

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

**PETITIONS**

1.) PP-23-03-05

Quasi-judicial

Commission District II

D.R. Horton, Inc. is requesting Preliminary Plat approval for a residential subdivision to be named, The Bend at Alligator Creek, consisting of 89 single-family lots and seven tracts. This site contains 26.22± acres and is generally located north of Acline Road, southwest of Taylor Road, and west of Indian Springs Cemetery Road, within the Punta Gorda area, and in Commission District II.

Jenny Shao, Project Coordinator, provided the findings and analysis for Petition PP-23-03-05 is consistent the County's Comprehensive Plan and the County's code of laws and ordinances and other applicable guidelines.

**Applicant's Presentation**

Derek Rooney, Gray-Robinson Law Firm, representing D.R. Horton, Inc, he comments that he is joined by Todd Rebol with Banks Engineering, as the engineering expert and the applicant, Mark Rumfiled. We accept Ms. Shao as an expert and join in the staff's recommendation. This is where lots can become buildable for people to be able to build homes on them.

**Public Input**

None offered.

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

**Recommendation**

**Mr. McCormick** moved that PP-23-03-05, be sent to the Board of County Commissioners with a recommendation of Approval, based on the findings and analysis in the staff memo dated July 17th, 2023, Charlotte County Comprehensive Plan and the evidence and testimony presented at the public hearing before the Planning and Zoning Board, second by **Mr. Vieira**; and carried by a unanimous vote.

**2.) PV-23-04-02**

**Legislative**

**Commission District III**

The applicants, Andress Family Limited Partnership and Andress Holdings, LLC, are requesting to vacate a portion of the Rotonda Villas Subdivision generally consisting of Lots 12 through 22 in Block 17, Lots 5 and 7 through 13 in Block 18, and a portion of the unpaved Harring Way, consisting of 41,875± square feet or 0.96± acres, as recorded in Plat Book 12, Page 1, in the Public Records of Charlotte County, Florida. The total area to be vacated is 354,742± square feet or 8.14± acres and is generally located along Harring Way, west of Rotonda Trace, east of Sedan Road and south of Matom Way, in the Placida and the West County area, and located in Commission District III.

**Jenny Shao, Project Coordinator**, provided the findings and analysis for Petition **PV-23-04-02** is consistent the County's Comprehensive Plan and the County's code of laws and ordinances and other applicable guidelines.

**Questions for Staff**

None offered.

**Applicant's Presentation**

**Noel Andress, representing Andress Family Limited Partnership**, he thanks staff for all of their help in straightening this out. They support the conditions that staff has placed onto this petition and is available to answer any questions the board may have.

**Public Input**

None offered.

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

**Questions**

**Mr. Gravesen** comments where the vacation is occurring there are two cul de sac circles, is that going to be recorded as part of the plat vacation? How is that being reconciled where they overlap with the property line?

**Mr. Cullinan** responded there are looking to vacate those portions of the cul de sac, whereby the road would just dead end into the purposed lots. **Mr. Gravesen** they wouldn't have a turnaround? What does the fire department think about that? **Mr. Cullinan** replied based on what is being purposed, no they would not. We did not hear back from the fire department or transportation.

**Mr. Andress** commented that the original plat of the property did not have the cul de sacs, it was a dead end. Since the cul de sacs have been buildt already we've cut the cul de sacs out of our lots. We no longer own the land where the cul de sacs are, we did preserve the cul de sacs.

**Mr. Gravesen** encourages staff to get the graphics cleaned up prior to going in front of the Board of County Commissioners. He has no problem with what they are trying to do, it's just a technical issue.

**Recommendation**

**Mr. Bigness** moved that **PV-23-04-02** be sent to the Board of County Commissioners with a recommendation of approval, with the conditions 1&2 under CCU and conditions 1&2 under Community Development, based on the findings and analysis in the staff report dated July 25th, 2023, Charlotte county's comprehensive plan and the evidence and testimony presented at the public hearing before the Planning and Zoning Board, second by **Mr. McCormick**; and carried by a unanimous vote.

**3.) SV-23-06-04**

**Legislative**

**Commission District IV**

The applicant, John Bloodsworth, is requesting to vacate a 12' unnamed alleyway between District Commercial Street and Myakka Avenue, and adjacent to lots 54 through 58 of El Jobean Subdivision Ward 1, as recorded in Plat Book 2, Page 30. All adjacent properties are owned by the applicant. The total area to be vacated is 2,019± square feet or 0.05± acres and generally located northwest of Commercial Street, southeast of Myakka Avenue, and west of Kerrigan Circle, within the Port Charlotte area and located in Commission District IV.

**Jenny Shao, Project Coordinator**, provided the findings and analysis for Petition **SV-23-06-04** based on the reasons stated in the staff report.

**Questions for Staff**

**Mr. McCormick** asked if there was an existing gravity main on the property? **Ms. Shao** replied yes. CCU is requesting that an easement is to be recorded at the same time as the resolution to vacate this alley way if it were to be approved by the board.

**Applicant's Presentation**

**Tim Mave, representing the applicant**, comments there is a recorded easement for utilities across this property and the other one that we did with CCU and FPL. We basically are going to re-record it. After getting a survey it was discovered that not all of the alleyways were vacated back in the 60s. So they are working on correcting that because the county map shows vacated but they were not. We already have the easement done that will be re-recorded per the county and FPL and Utilities. The Utilities line is already in.

**Questions for Applicant**

None offered.

**Public Input**

None offered.

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

**Recommendation**

**Mr. Baker** moved that **SV-23-06-04** be sent to the Board of County Commissioners with a recommendation of approval, with the conditions from CCU, based on the findings and analysis in the staff report dated July 26th, 2023, Charlotte county's comprehensive plan and the evidence and testimony presented at the public hearing before the Planning and Zoning Board, second by **Mr. Bigness**; and carried by a unanimous vote.

**4.) 23LAD-00000-00004**

**Quasi-Judicial**

**Commission District I**

A Resolution pursuant to Section J(1)(k) of the Sandhill Development of Regional (DRI) Development Order (DO), Resolution Number 2022-083, Section 380.06(7), Florida Statutes (F.S.), and Section 3-9-10.1, Development of Regional Impact Development Order (DO) Amendment Process and Procedure under Chapter 3-9, Zoning, Code of Laws and Ordinances, Charlotte County, Florida, amending the Sandhill DRI DO Resolution Number 2023-118, by 1) using the approved equivalency matrix to exchange 8,553.7 square feet of commercial uses (out of 45,000 square feet of entitlements) for 122,053 square feet of Mini-Warehouse on Parcels C-13 and C-23 of Tract 2 of the Sandhill DRI, 2) reducing the Parcels' entitlements by 36,446.3 square feet of commercial, and retaining the relinquished 36,446.3 square feet of commercial square footage within this DRI; and 3) revising Exhibit B, Map H Notes #1 and Map H, Exhibit #2 Notes to memorialize the exchange of square footage; for 2.83± acres of the property located at 1147 and 1185 Kings Highway, in the Port Charlotte area; Commission District I; Petition No. 23LAD-00000-00004; Applicant: Braintree Group; providing for an effective date. The Sandhill DRI is located south of the DeSoto County Line, north of Rampart Boulevard, east of Loveland Boulevard and west of the Deep Creek area; Section 7, Township 40 South, and Range 23 East, in the Port Charlotte area, currently containing a total of 713.12± acres.

**Jie Shao, Principal Planner**, provided the findings and analysis for Petition **23LAD-00000-00004** with a recommendation of approval, based on the reasons stated in the staff report.

**Questions for Staff**

**Mr. McCormick** inquired if there are 3 conditions? **Ms. Shao** replied they only have one condition, to follow the commercial design standards.

**Mr. Vieira** asked if the existing commercial nursely stays in place? **Ms. Shao** replied it's her understanding the nursery will no longer be there. Instead, the mini Warehouse will be built on the site.

**Applicant's Presentation**

**Steve Hartsell, representing the applicant,** he announces that he has with him his planner, project engineer and the applicant. He mentioned that they have a power point if they need to see it. He agrees to the condition and accepts **Ms. Shao** staff report and as an expert. He also mentions that the existing Tractor Supply building was thought to be not included in the DRI numbers. However, Ms. Shao has pointed out that it is apart of the DRI numbers and the changes that she has purposed today are acceptable to them as well. As regard to the nursery they are not keeping the nursery, it is not part of those numbers and will not be included.

**Public Input**

None offered.

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

**Recommendation**

**Mr. Vieira** moved to submit, **23LAD-00000-00004**, be sent to the Board of County Commissioners with a recommendation of approval, based on the findings and analysis in the Board memo dated July 22<sup>nd</sup>, 2023, Charlotte county's comprehensive plan and the evidence and testimony presented at the public hearing before the Planning and Zoning Board, second by **Mr. McCormick**; with and carried by a unanimous vote.

**5.) CSZ-23-04    Quasi-Judicial    Commission District I**

Resolution of the Board of County Commissioners of Charlotte County, Florida, approving a petition for certification of Sending Zone, located at 25555 Sandhill Boulevard; containing 5.45± acres; for calculation and severance of 81 density units, in accordance with Part III Land Development and Growth Management, Chapter 3-9 Zoning, Article V Environmental Requirements and Other Requirements, Section 3-9-150 Transfer of Density Units (TDU), of the Code of Laws and Ordinances of Charlotte County, Florida; Petition No. CSZ-23-04; Applicant: Charlotte County Board of County Commissioners; providing an effective date.

**Jie Shao, Principal Planner,** provided the findings and analysis for Petition **CSZ-23-04** based on the reasons stated in the staff report.

**6.) PAS-23-00003    Legislative    Commission District I**

Pursuant to Section 163.3187, Florida Statutes, adopt a Small Scale Plan Amendment to change Charlotte County FLUM Series Map #1: 2030 Future Land Use, from High Density Residential (HDR) to Parks and Recreation (PKR); for property located at 25555 Sandhill Boulevard, in the Port Charlotte area, containing 5.45± acres; Commission District I; Petition No. PAS-23-00003; Applicant: Tina Powell, Charlotte County Parks & Natural Resources Divisions Manager; providing an effective date.

**Jie Shao, Principal Planner,** provided the findings and analysis for Petition **PAS-23-00003** based on the reasons stated in the staff report.

**7.) Z-23-47-16    Quasi-Judicial    Commission District I**

An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Residential Multi-family 15 (RMF-15) to Parks and Recreation (PKR), for property located at 2555 Sandhill Boulevard, in the Port Charlotte area, containing 5.45± acres; Commission District I; Petition No. Z-23-47-16; Applicant: Tina Powell, Charlotte County Parks & Natural Resources Divisions Manager; providing an effective date.

**Jie Shao, Principal Planner,** provided the findings and analysis for Petition **Z-23-47-16** based on the reasons stated in the staff report.

**Questions for Staff**

**Mr. Vieira** inquired when TDUs are stripped from the property there's no further chance for development. Moving it to PKR in perpetuity as a parks and recreation site? If the county wants to expand the park what's the process for doing so? Does the county come back to any board for expansion? Mr. Cullinan replied no sir. They would just have to go through the site plan review process. As passive and active parks are allowed used in that PKR zoning

**Charlotte County Planning and Zoning Board Minutes Continued**

August 14th, 2023

Page 5 OF 5

---

district. A few of these have been coming through lately to get all the various holdings into the proper Future Land Use zoning categories as well as if there is density needed to be severed off. We can then sever that off and certificate it so that the county can have its own bank of certifications density's. Similar to the private sector. He then gave a few examples of what has been recently done.

**Public Input**

None offered.

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

**Comments**

**Mr. Gravesen** commented this appears to be cleaning up some of our plats that needed to be done and creating some density for some other uses. **Mr. Cullinan** explained that the county can use it as we see fit. As long as it follows the county's TDU ordinance. Incentive density is a bit different; it can be used for only 80% and lower of AMI in order to incentive those. This will give us another bucket of density which gives us some more tools. We could do just as any private entity would do.

**Recommendation**

**Mr. Vieira** moved to submit, **CSZ-23-04**, to the Board of County Commissioners with a recommendation of Approval, to certify a sending zone for the subject property, based on the findings and analysis in the staff report July 22<sup>nd</sup>, 2023, Charlotte County's Comprehensive Plan, and the evidence and testimony presented at the public hearing before the Planning and Zoning Board, second by **Mr. McCormick**; with and carried by a unanimous vote.

**Recommendation**

**Mr. Vieira** moved to submit, **PAS-23-00003**, to the Board of County Commissioners with a recommendation of Approval, based on the findings and analysis in the staff report July 22<sup>nd</sup>, 2023, Charlotte County's Comprehensive Plan, and the evidence and testimony presented at the public hearing before the Planning and Zoning Board second by **Mr. Bigness**; with and carried by a unanimous vote.

**Recommendation**

**Mr. Vieira** moved to submit, **Z-23-47-16**, to the Board of County Commissioners with a recommendation of Approval, based on the findings and analysis in the staff report July 22<sup>nd</sup>, 2023, Charlotte County's Comprehensive Plan, and the evidence and testimony presented at the public hearing before the Planning and Zoning Board, second by **Mr. Baker**; with and carried by a unanimous vote.

**ADJOURNMENT**

The meeting was adjourned at 2:16 p.m.

Accepted on behalf of the Charlotte County

Planning and Zoning Board



Michael Gravesen, Chair