

**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**

***October 9th, 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 – September 11<sup>th</sup>, 2023, Regular Meeting**

The September 11<sup>th</sup>, 2023, minutes were approved as circulated.

**Announcements**

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

**PETITIONS**

**1.) PAL-23-00002**

**Legislative**

**Commission District I**

Pursuant to Section 163.3184(3), Florida Statutes, transmit a Large Scale Plan Amendment to the Department of Economic Opportunity (DEO) and other State agencies for review and comment; the amendment request is to change Charlotte County FLUM Series Map #1: 2030 Future Land Use, from Agriculture (AG) to Mineral Resource Extraction (MRE); for property located at 3771 SR 31, in the Punta Gorda area and within the East County area, containing 536.22± acres; Commission District I; Petition No. PAL-23-00002; Applicant: JDI Farms Inc.; providing an effective date.

**Jie Shao, Principal Planner**, provided the findings and analysis for Petition **PAL-23-00002** is consistent with the County's Comprehensive Plan and the County's code of laws and ordinances and other applicable guidelines.

**2.) Z-23-59-13**

**Quasi-Judicial**

**Commission District I**

An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Agriculture (AG) to Excavation and Mining (EM); for property located at 3771 SR 31, in the Punta Gorda area and within the East County area, containing 536.22± acres; Commission District I; Petition No. Z-23-59-13; Applicant: JDI Farms Inc.; providing an effective date.

**Jie Shao, Principal Planner**, provided the findings and analysis for Petition **Z-23-59-13** is consistent with the County's Comprehensive Plan and the County's code of laws and ordinances and other applicable guidelines.

**Questions for Staff**

**Mr. Vieira** commented that at one time there was a proposal for a landfill area out there, and wanted to make sure it wasn't in those parameters. Ms. Shao responded that she believes that proposal was in this area, but the applicant withdrew that application.

**Mr. McCormick** commented that the term “reclaimed” was used at one point; ultimately this land will be returned to some state, suitable for Agriculture perhaps? **Ms. Shao** replied after the excavation? They will create a lake.

### **Applicant’s Presentation**

**Robert Berntsson, Big W Law Firm representing the applicant**, he has been sworn and accepts Ms. Shao as an expert. He explained that his client is in the agricultural and excavation business’s they have a lot of farmlands and they are looking to turn this into an excavation to create fill and to create a lake. Which could possibly be used for agricultural type use at the completion of the project. He’s available to answer any questions.

### Questions

**Mr. Bigness** asked if they are going to have a wash plant? **Mr. Berntsson** replied most likely they will that will be apart of the approved plans. **Mr. Bigness** for the road study; they don’t think it’s going to have any difference in the impact then what’s going on currently? **Mr. Berntsson** replied no theirs currently an agricultural road and this property has been used for agricultural in the past. There is an access easement that goes straight out to US 31. They did supply the required traffic study and have been asked to augment that with looking at US 31 and they are currently in the process of doing that. **Mr. Bigness** for the reclamation are they going to be slopping the banks and putting in recycled material? **Mr. Berntsson** replied not to his knowledge and that **Gary Bayne** the project Engineer is here as well. **Mr. Bayne** commented per the reclamation phase it’s side slopping with landscaping once the permit is applied for.

### **Public Input**

None offered.

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

**Mr. McCormick** commented that he will be voting against this based on the need for comprehensive evaluation for agricultural land. He’s concerned about the role of agricultural in the future, so he will be making a pyrrhic vote.

**Mr. Bigness** commented that there is not a mining zoning option available, it’s agricultural that’s reclassified. **Mr. Cullinan** replied that’s correct, that’s why they are doing the rezoning. Unfortunately, a lot of issues they’ve had in the past decade or so with citrus greening and or row crops the problem is the land is not suitable anymore. That’s why they come in to convert to mining. **Mr. Bigness** commented that he is supportive of this based on it meeting all the requirements, meeting all the environmental and passing all the government agencies. **Mr. Gravesen** comments he can see **Mr. McCormick’s** point of view with the agriculture. You can’t do 20-acre farms for fill dirt; you have to go out east and you just end up getting larger sections like 500 acres. This gives the farmer the economic ability to refurbish some of their acreage for the row crops and citrus greening.

### **Recommendation**

**Mr. Vieira** moved that **PAL-23-00002**, be sent to the Board of County Commissioners with a recommendation of Approval, of transmittal of application **PAL-23-00002** to the Department of Economic Opportunity (DEO) and other State review agencies for review and comment, based on the findings and analysis in the staff report dated **September 23, 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**; the motion passed with a 4 yay- (Mr. Vieira, Mr. Gravesen, Mr. Baker and Mr. Bigness) -1 nay (Mr. McCormick).

**Recommendation**

**Mr. Bigness** moved that **Z-23-59-13** be sent to the Board of County Commissioners with a recommendation of approval, based on the findings and analysis in the staff report dated September 23, 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 the motion passed with a 4 yay- (Mr. Vieira, Mr. Gravesen, Mr. Baker and Mr. Bigness) -1 nay (Mr. McCormick).

**ADJOURNMENT**

The meeting was adjourned at 1:55 p.m.

Accepted on behalf of the Charlotte County  
Planning and Zoning Board

A handwritten signature in cursive script that reads "Michael Gravesen". The signature is written in black ink and is positioned above a horizontal line.

Michael Gravesen, Chair