

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



MINUTES
REGULAR MEETING

District

District V
District III
District I
District II
District IV

November 13, 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 – October 9, 2023, Regular Meeting

The October 9, 2023, will be approved at the December 11th, 2023, Planning and Zoning meeting.

Announcements

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

PETITIONS

1.) PP-23-04-06

Quasi-judicial

Commission District IV

Kolter Group Acquisitions LLC is requesting Preliminary Plat approval for a residential subdivision to be named, West Port East, consisting of 436 lots, three right-of-way tracts, four future development area tracts, 16 open space, access and drainage area tracts. This site contains 187.66± acres and is located at 17372 Toledo Blade Boulevard, within the boundary of the Murdock Village Community Redevelopment Area (CRA), in the Port Charlotte area, and in Commission District IV.

Shaun Cullinan, Planning and Zoning Official, provided the findings and analysis for Petition **PP-23-04-06** 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.

Public Input

None offered.

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

Discussion

Mr. Gravesen commented that in the staff report they talked about some changes that are routine graphical type. **Mr. Cullinan** replied correct, those are tweaks that need to be done prior to the Final Plat submittal. Typically, with a Preliminary Plat they are about 75-80% plans, any changes needing corrections gets changed and corrected for the Final Plat mylar.

Mr. Vieira inquired on the Charlotte County Utilities comment where they talked about a treatment plant remaining in operation; was there reason? Was the treatment plant going to be demolished at any point of time? **Mr. Cullinan** responded no sir. He believes it's referring to the lines that are going to need to be relocated. So they need to make sure the plant and everything stays operational during the re-location.

Mr. Bigness this is related to West Port and under similar management? **Mr. Cullinan** replied yes, Kolter is the group that purchased from private equity group. **Mr. Bigness** commented that it doesn't look like they are developing the property immediately in the front. As you drive through there now, you're pretty much looking at the back of units. **Mr. Cullinan** with that when we did the purchase and sale and also in the Planned Development conditions there is a 60ft wide vegetation buffer along these portions and currently a 25 ft natural vegetated buffer along the commercial portion.

Comments

Mr. Vieira mentioned that again we have an applicant that has not shown up to make their presentation. My personal feeling is that we make the effort; staff and this board to investigate and to learn about these projects and the applicant doesn't have the professional courtesy to show up. That makes me feel that we are a foregoing conclusion in the process. Again, he just wanted to make his opinion know that they are not in favor of an applicant not showing up to present their own project in front of the Planning and Zoning Board.

Recommendation

Mr. Baker moved that **PP-23-04-06**, 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 2, 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. Gravesen**; the motion passed with a 4 yay- (Mr. McCormick, Mr. Gravesen, Mr. Baker and Mr. Bigness) -1 nay (Mr. Vieira).

Mr. McCormick commented to **Mr. Gravesen**, that **Mr. Vieira's** point is well taken and asked if they should review with **Assistant County Attorney Thomas David** the implications of us determined to table it? **Assistant County Attorney Thomas David** responded if the board were to vote it down here it would go to the Board of County Commissioners with a negative recommendation. He thinks it's fare for the staff to send a message to the applicants that they should have people here. He agrees that it's a reasonable request and will make sure that it gets mentioned to the applicant. **Mr. McCormick** inquired about the boards ability to table items until they show up? **Mr. David** responded he will look into that. **Mr. Cullinan** commented that staff does express for the applicants to be present and has shared the boards concerns. There may be some petitions coming in forth in the near future by this applicant, if they show up, you'll be able to express your displeasure in person.

Mr. Gravesen stated we have one more meeting this year; that come the new year it may be where the board will look at it if you don't show up to present or at least concur with the staff's position that they will automatically reject it. It may end up being negatively forwarded to the Board of County Commissioners and that would not be good to have on your recommendations. He agrees with **Mr. Vieira's** that the applicant should be here to at least say yes, they agree with staff report and to be available if the board has any questions.

Mr. Baker inquired with **Mr. Cullinan** if they have studied the Live Local Act; is there any changes that you all foresee or any highlights that you've discovered? **Mr. Cullinan** responded that he will be doing a board workshop on November 21st regarding that. He's unaware of any changes yet in the next Legislative session but that's set to start in the near future. So, we are anticipating some changes being made. However, as of now he doesn't believe anything has been filed. **Mr. David** commented that the Florida Association of County's and the Florida Association of County Attorneys have had some conversation about making recommendations for some clarifications in the Statue. It's the topic of all kinds of meetings/discussion all over the state right now.

ADJOURNMENT

The meeting was adjourned at 1:45 p.m.

Accepted on behalf of the Charlotte County
Planning and Zoning Board



Michael Gravesen, Chair