

CHARLOTTE COUNTY PLANNING AND ZONING BOARD  
REGULAR MEETING

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

Board Members

Kevin Graham  
Robert Segur  
Stephen Vieira, Vice-Chair  
Phillip Smallwood, Secretary  
Clint Baker, Chair



District

District V  
District III  
District I  
District II  
District IV

MINUTES-REVISED  
REGULAR MEETING

*February 9, 2026, at 1:30 p.m.*

**Call to Order**

Mr. Baker called the meeting to order at 1:30 p.m.

**Roll Call**

Upon roll call, it was determined a quorum was present.

**Approval of Minutes – January 12, 2026, Regular Meeting**, minutes were approved by Mr. Graham, seconded by Mr. Vieira.

**Announcements**

**Mr. Cullinan** stated he had no comments but requested that Petitions 2 and 3, which are a joint presentation, be heard first. **Chair Baker** stated that Petition 1 would be moved to the end of the agenda.

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

**PETITIONS**

**2.) PAS-25-03**

**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 Medium Density Residential (MDR) to High Density Residential (HDR); for property located at 2352 and 2452 Luther Road, in the Port Charlotte area, containing 10.30± acres; Commission District I; Petition No. PAS-25-03; Applicant: Blue Luther, LLC; providing an effective date.

**Ms. Shao, Principal Planner**, presented the findings and analysis for Petition **PAS-25-03** and recommended approval based on the reasons outlined in the staff report.

**3.) PD-25-16**

**Quasi-Judicial**

**Commission District I**

An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Residential Multi-family 10 (RMF-10) to Planned Development (PD) in order to allow for residential development up to 154 residential dwelling units; the base density for the subject property is 103 dwelling units; requesting 51 units of Incentive Density for the proposed affordable housing; also requesting to adopt the General PD Concept Plan; for property located at 2352 and 2452 Luther Road, in the Port Charlotte area, 10.30± acres; Commission District I; Petition No. PD-25-16; Applicant: Blue Luther, LLC; providing an effective date.

**Ms. Shao, Principal Planner**, presented the findings and analysis for Petition **PD-25-16** and recommended approval based on the reasons outlined in the staff report.

**Questions for Staff**

**Mr. Vieira** asked about the fifty-one density units and whether they were purchased from the County or donated, and how the transaction occurs. **Ms. Shao** responded, and a discussion ensued.

**Applicant's Presentation**

**Rob Bertsson**, representing the applicant, was sworn in. He discussed the petition, noted that the project was previously approved for affordable housing, reserved time for rebuttal, and stated that the project engineer and project manager were present.

**Mr. Vieira** asked **Mr. Bertsson** whether Buildings Three and Four shown on the plan were existing buildings, and a discussion ensued.

**Public Input**

**Dominick Villane** spoke regarding drinking water, floodwater, traffic, and rainfall concerns, expressed opposition to the request, and asked the Board to reconsider the proposed high density.

- **Mr. Vieira** moved to close public comment, seconded by **Mr. Graham**, with a unanimous vote.

**Kurt Septer** spoke on behalf of his father, Charles K. Septer, noting that his father is hard of hearing.

- **Mr. Vieira** made a motion to re-open public hearing and seconded by **Mr. Graham**.

**Mr. Septer** expressed concern about the density and requested time to review the zoning density and asked that his comments be entered into the record.

- **Mr. Vieira** moved to close public comment, seconded by **Mr. Smallwood**, with a unanimous vote.

**Rebuttal**

**Mr. Bertsson** stated that he agreed with staff conditions, emphasized the need for affordable housing, and requested a recommendation of approval.

**Discussion**

**Mr. Vieira** requested clarification from **Mr. Cullinan** regarding PD condition item C, subparagraph iii, concerning project commencement timelines related to incentive density units. A discussion ensued among **Mr. Cullinan**, **Mr. Bertsson**, **Mr. Graham** and **Ms. Shao**.

**Recommendation**

**Mr. Vieira** moved that **PAS-25-03**, be sent to the Board of County Commissioners with a recommendation of Approval, based on the findings and analysis in the staff report dated **January 30, 2026**, Charlotte County's Comprehensive Plan along with the evidence and testimony presented at today's meeting, seconded by **Mr. Smallwood**; and carried by a unanimous vote.

**Recommendation**

**Mr. Vieira** moved that **PD-25-16**, be sent to the Board of County Commissioners with a recommendation of Approval with the conditions "a" through "r", based on the findings and analysis in the staff report dated **January 30, 2026**, Charlotte County's Comprehensive Plan along with the evidence and testimony presented at today's meeting, seconded by **Mr. Smallwood**; and carried by a unanimous vote.

**1.) PD-25-12**

**Quasi-Judicial**

**Commission District III**

An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Residential Multi-family 12 (RMF-12) to Planned Development (PD) in order to have a residential development up to 135 residential units; requiring transfer of density units for residential development above the base density of 108 units; and adopting a General PD Concept Plan, for property generally located northeast of Placida Road and southwest of Cape Haze Drive, in the Placida area and within the West County area, containing 9± acres; Commission District III; Petition No. PD-25-12; Applicant: Hutton MF Cape Haze, LLC; providing an effective date.

**Ms. Shao, Principal Planner**, presented the findings and analysis for Petition **PD-25-12** and recommended approval based on the staff report.

**Questions for Staff**

**Mr. Baker** asked Ms. Shao about the future land use designation, allowable density, density transfer, and PD rezoning. A discussion ensued.

**Applicant's Presentation**

**Mr. Berntsson** having been previously sworn in, accepted Ms. Shao as an expert witness and explained the project request, including the addition of 27 dwelling units to a site already approved for 108 units, and discussed project considerations.

**Public Input**

The following individuals spoke in opposition to the petition:

Roseanne Buccine, Jim Burnett, Al Woody, Bob Couch, Robert Ruble, Johnny Hoell, Margaret Burnett, Dominic Villane, Percy Angelo, Rob Robbins, Maryann Walczak, Patrick Brady, Marilyn Foren, and Colonel Mary Ann Tipton.

- **Mr. Smallwood** moved to close public comment, seconded by **Mr. Graham**, with a unanimous vote.

**Rebuttal**

**Mr. Berntsson** addressed public concerns related to notice requirements, roadway access, easements, traffic, drainage, stormwater, wetlands, and neighborhood compatibility. He stated that stormwater and environmental impacts are reviewed by appropriate agencies.

**Mr. Smallwood** asked about sewer and water service. **Mr. Berntsson** stated he believed service would be provided by Charlotte County Utilities. **Mr. Smallwood** then asked about Sunshine Water Services. **Mr. Berntsson** requested that the project engineer address the question.

**Shay Steck**, Engineer with Bowman, was sworn in and stated that Sunshine Water Services provides sewer service, and Charlotte County Utilities provides water service. A discussion ensued regarding utility requirements.

**Mr. Graham** asked Mr. Berntsson about the parking and the wetlands, and a discussion ensued with Mr. Segur, Mr. Smallwood, Ms. Steck, and Mr. Baker on the pre-lime site plan, water, sewer, increased ground height, flooding.

**Mr. Vieira** asked about the sewer capacity reservations, and Ms. Steck responded.

**Discussion**

**Mr. Segur** acknowledged public concerns regarding increased density and discussed benefits including increased buffers and mitigation measures. A discussion ensued with Mr. Baker and Mr. Graham.

**Recommendation**

**Mr. Segur** moved that **PD-25-12**, be sent to the Board of County Commissioners with a recommendation of Approval of conditions "a" through "r", based on the findings and analysis in the staff report dated **January 31, 2026**, Charlotte County's Comprehensive Plan along with the evidence and testimony presented at today's meeting, seconded by **Mr. Vieira**; motion passed with a 4-1 recommendation. (Mr. Baker, Mr. Segur, Mr. Graham and Mr. Vieira voted yes to approve – Mr. Smallwood voted no against the approval).

**Mr. Baker** stated there was an appointment to be made to the Affordable Housing Advisory Committee. **Mr. Vieira** clarified that he believed the position was a liaison role but was informed it is a voting position and that an application is required.

**Asst. Co. Atty. Walker** stated that a motion was required for appointment, which would then be forwarded to the Board of County Commissioners.

**Mr. Graham** made a motion to elect **Steve Vieira** to the Affordable Housing Advisory Committee, seconded by **Mr. Segur**, motion passed unanimously.

**ADJOURNMENT**

The meeting adjourned at 3:34 p.m.

Submitted by Kim Sargent, recording secretary

Community Development Department

 5/11/26

Clint Baker, Chair

Date