

**MINUTES**  
**CHARLOTTE COUNTY BOARD OF ZONING APPEALS**  
**Wednesday, November 12, 2014 – 9 a.m. – BCS Large Conf Room**  
**Charlotte County Administration Center**  
**18400 Murdock Circle**  
**Port Charlotte, FL 33948-1094**

(These minutes are not official until they have been approved by the Charlotte County Board of Zoning Appeals)

**Members Present**

Katherine Ariens, Chair  
Steve Vieira, Vice-Chair (absent)  
Joe Tiseo, Secretary  
Blair McVety  
Larry Fix

**Staff Present**

Shaun Cullinan, Zoning Official  
Joshua Moye, Assistant Co. Attorney  
Ken Quillen, AICP, Planner  
Diane Clim, Recorder

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**I. Call to Order**

Chair Ariens called the November 12, 2014 meeting of the Board of Zoning Appeals to order at 9:00 a.m.

**II. Pledge of Allegiance**

Chair Ariens led the members and the audience in reciting the Pledge of Allegiance.

**III. Roll Call**

Roll call was taken; a quorum was present.

**IV. Swearing In of Those Giving Testimony**

Diane Clim swore in all persons who wished to provide testimony.

**V. Approval of Minutes**

***ACTION: A motion was presented by Mr. Tiseo and seconded by Mr. Fix to approve the minutes of the October 8, 2014 meeting of the Board of Zoning Appeals. Motion passed with a unanimous vote.***

**VI. Disclosure Statements**

Ex-parte forms indicating site visits concerning the petitions being presented before the November 12, 2014 Board of Zoning Appeals meeting were submitted.

**VII. Introduction of Staff/Comments**

Chair Ariens introduced staff. Shaun Cullinan, Zoning Official, read the Zoning rules, Attorney Josh Moye, and Chair Ariens made introductory remarks regarding the types of requests that the Board of Zoning Appeals would be reviewing and the standards which must be met, the notification process and how the Board of Zoning Appeals makes its decision.

**VIII. New Business**

***The following petitions were advertised on October 28, 2014: SE-14-019***

### **SE-14-019**

Edward Johnson, agent for Sterling House of Englewood, is requesting a modification of a special exception (file number SE-97-13) to allow an additional Adult Congregate Living Facility (ACLF) in the Residential Multi-family-15 (RMF-15) zoning district. The property address is 550 Rotonda Boulevard West, in Rotonda and is described as part of Lot 1971, Rotonda Heights Subdivision, located in Section 22, Township 41 South, Range 20 East.

Ken Quillen presented general information and staff findings for the petition.

### **Applicant Presentation**

**Edward Johnson, agent for Sterling House, said he was sworn in.** Mr. Johnson said the existing property contains a Sterling House. This is a 42 unit assisted living facility. There is undeveloped land on this site and they would like to expand for a memory care unit. This would be a 32 unit standalone facility. This is a secure facility. The exterior would match the existing facility. There is a living room, activity room, media room, dining room, country kitchen, commercial kitchen, laundry room and a parking lot expansion. There is more need for memory care for dementia and Alzheimer's residents.

There were some questions regarding the security of the residents and the possibility of a fence around the site because of the busy roadway so close.

**Brenda Peckham, agent for Sterling House, said she was sworn in.** Ms. Peckham said one in ten people will have some sort of dementia or Alzheimer's in their lifetime. She said there is only one other place in Englewood that offers this type of care. They provide special programming for these folks, besides the extended care.

**John Swen, Charlotte Engineering, said he was sworn in.** Mr. Swen said the retention pond is a dry pond. It can get filled up with rain, but is designed to percolate within 24 hours.

**Chair Ariens opened the meeting to Public Hearing.**

### **Public Input**

No one spoke for or against this request.

Ken Quillen presented the analysis, conclusion and recommended conditions for the petition.

### **Board Member Comments and Questions**

***ACTION: A motion was presented by Joe Tiseo and seconded by Larry Fix that Petition SE-14-019 be APPROVED based on the Community Development Staff Report dated September 30, 2014, the evidence and testimony presented at the hearing and finding that the applicant HAS MET the required criteria for the granting of the Special Exception with the 5 conditions recommended by staff.***

***Motion was approved with a unanimous vote with the following five conditions:***

1. The special exception, as approved by the Board of Zoning Appeals, is for an Adult Congregate Living Facility (Assisted Living Facility) for a maximum of 32 units and 34

beds that is in substantial conformance with the Site Plans submitted by the applicant for this request.

2. The exterior architectural appearance of the building shall be similar in appearance to the existing ACLF located on subject property.
3. Any major changes or additions to this special exception shall require a modification of the special exception. Minor changes or additions, such as accessory uses or structures, may be approved by the Zoning Official.
4. The site plan presented by the applicant as part of the petition is for illustrative purposes only. All permitting procedures and codes are applicable to the construction and operation of the proposed Adult Congregate Living Facility (Assisted Living Facility).
5. Site Plan Review approval is required prior to issuance of any building permits for the proposed new Adult Congregate Living Facility (Assisted Living Facility) and all off-street parking and landscaping requirements of code must be met for the proposed development.

**IX. Public Comments - None**

**X. Staff Comments –**

**Mr. Quillen** said there are 3 petitions for the December meeting.

**Mr. Cullinan, Zoning Official**, said the BZA hearings will be taped by CC-TV live starting in January, 2015. Also, Mr. McVety and Ms. Ariens are up for re-appointment this month by the BCC.

**XI. Member Comments - None**

**XII. Next Meeting**

*The next meeting of the Board of Zoning Appeals is scheduled for **Wednesday, December 10, 2014, at 9:00 a.m., in Room 119.***

There being no further business, the meeting **ADJOURNED** at 10:04 a.m.

Respectfully submitted,  
Diane Clim, Recorder  
/dlc

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Katherine Ariens, Chair

Approval Date: \_\_\_\_\_