

MINUTES
REGULAR MEETING
CHARLOTTE HARBOR
COMMUNITY REDEVELOPMENT AGENCY ADVISORY COMMITTEE
Friday, September 11, 2015 – 10:30 a.m.
County Administration Building – Room 119
18500 Murdock Circle, Port Charlotte, FL 33948

Members Present

James Herston, *Chairman*
Garland Wilson, *Vice Chair*
Charlotte Ventola, *Secretary*
Michael Haymans
Vanessa Oliver
Delmar Wooden

Staff Present

Commissioner Ken Doherty
Debrah Forester, Redevelopment Manager
Matt Trepal, Community Development
Kathy M. Knee, Recorder

Members Absent

Denise Garbacz

I. Call to Order

Chairman Herston called the September 11, 2015 meeting of the Charlotte Harbor Community Redevelopment Agency Advisory Committee to order at 10:33 a.m. in Room 119 of the Charlotte County Administration Building.

II. Pledge of Allegiance

Chairman Herston led the members and the audience in reciting the Pledge of Allegiance.

III. Roll Call/Determination of Quorum

Roll call was taken by Charlotte Ventola. A quorum was present.

IV. Additions/Deletions to Agenda

- Debrah Forester asked to add Hands Across the Harbor under Old Business.

V. Approval of Minutes

A Motion was presented by Vanessa Oliver, seconded by Garland Wilson and unanimously approved to accept the Minutes of the June 1, 2015 and the July 13, 2015 Regular Meetings of the Charlotte Harbor Community Redevelopment Agency Advisory Committee, as written.

VI. Public Comments

- Bill Schmitz:
 - Are meeting minutes edited or reviewed by other staff members? Jim Herston advised Mr. Schmitz that staff types the minutes up and he and the Committee Members review them prior to approval.
 - US41 is a mess. Complaining to Code Enforcement is not working. People need to take care of the property. The Advisory Committee should follow-up with Code Enforcement. There are prominent business owners who have the money to take care of their property. Jim Herston suggested a committee be formed to talk with business owners.
- Harry Thomas:
 - In the August 6 newspaper there was a letter from a person who attended an ICSC event and noticed that Charlotte County was not represented. Why? Debrah Forester advised she did not know why Charlotte County was not invited to participate on the panel. Ms. Forester, an ICSC member, did not attend because she had a scheduling conflict and the agenda for that event was focused on Bonita Springs. Ms. Forester was not able to track down the organizer of the event. Ms. Forester noted that she and Kay Tracy are becoming more involved with local commercial realtors and bring the realtors materials to events.
 - If a business closes down, what is the time frame before the zoning classification is lost. Mike Haymans responded that if a business is zoned for what they are doing and can do that as a matter of right, it can close and be reopened at any time. It is only when the business

has some grandfathered right or vested right, which right can be lost by not acting. If you have a legally non-conforming use and the business is abandoned for 365 days it cannot be reestablished. Matt Trepal mentioned that in Charlotte Harbor, legally non-conforming use ceases if a business is abandoned for 120 days. Debrah Forester noted the other issue is the definition of abandoned. It is important to get through the zoning code so properties can be rezoned to match the new comp plan.

- Can you walk along the beach adjacent to the park with a beer in your hand. Mike Haymans noted that although he does not know what marine park zoning provides for or the exact definition of where the park is, the concept is correct if you are in the public area outside of the uplands, the mean high tide, then you are not in a place with the same restrictions.
- On the water side of 41 to get height you must give up a 12-foot right of way along the water. Right across the street they also have the right to the same heights but do not have the 12-foot right of way to give up so what do they give up? Jim Herston advised there are waterfront and non-waterfront requirements to obtain height. Matt Trepal read from the requirements from the Zoning Code. Non waterfront requirements include: contribute to the Harborwalk Enhancement Fund; provide public access, mixed uses; provide public parking; and additional greenspace. Mr. Thomas believes he should be able to do those same things and keep his waterfront. Mike Haymans noted these are the incentives that were established to create the Riverwalk.

VII. Development Review Report - Jim Herston will report at end of meeting.

VIII. Old Business

Harbor Walk Update – Debrah Forester reported Phase 1A is currently under construction. It is 117 days into the project and basically it is on track. This phase should be done in March. Phase 1B creates the boardwalk which connects the two sides of US41. Based on estimates, this phase is over budget and staff is looking for additional funding. On Tuesday the BCC approved a letter to FDOT asking for additional funding. Staff has also applied for grant funding. Ms. Forester asked if someone could be available to speak at the September 22 BCC Board meeting because the RESTORE Committee has reviewed applications and will be presenting. Charlotte Harbor's request is for about \$218,000 to offset Phase 1B; RESTORE has recommended funding for this project. Ms. Forester noted WCIND funds will also be requested. Harbor Walk Phase 1B is also on the County's Legislative Appropriations for next year. Design plans are at 100% for that project, which FDOT has basically approved with some tweaking. Applications have been submitted to Army Corp and SWFWMD for environmental approvals and are in the review process.

Comprehensive Plan Amendment – Ms. Forester reported a letter from DEO approving the Comp Plan changes was included in the meeting packet. The Comp Plan changes are now in effect.

Land Development Regulations – Map Overview – Matt Trepal gave an overview of revisions, explaining which areas were impacted and how.

Jim Herston asked about the previous issue with commercial property being deep enough along Harborview Road. Mike Haymans advised that S&S Money requested U-Haul Storage on Coastal Residential. The underlying land use plan was changed to Commercial. At the most recent Zoning Appeals meeting, a special exception to store the U-Hauls on now Commercial property was approved. This is consistent with the comp plan. It allows the use under Special Exception which extended the up-front use to the back property. The zoning could change but it was the consensus to wait until the area is matured to determine appropriate zoning.

Land Development Regulations – Land Use Table – Matt Trepal advised the use table had been updated since June and he would like to start at the beginning and work off this new expanded table, which has been changed to help clarify things. The County-wide code has been redone and this revised table reflects those changes. Charlotte Ventola and Jim Herston began discussion on

the definition of Major and Minor Home Occupations. Matt Trepal explained that Minor Home Occupations has no customers; Major Home Occupation can allow 1 or 2 customers to come to the house.

Mike Haymans asked and Mr. Trepal confirmed today's task is to review the table from start to finish and have the Committee agree or disagree with the coding. Mr. Hayman's guided the Committee through the list as staff made note of the necessary revisions.

Hands Across Harbor – Debrah Forester noted the Hands Across the Harbor Event will be held on January 30, 2016. The Hands Across the Harbor website should be launched next week.

IX. New Business – None.

X. Correspondence/Communications

The following items were included in the meeting packet:

- Minutes from Punta Gorda CRA meetings of August 19, 2015 and September 1, 2015.

XI. Public Comments – None.

XII. Staff Comments

Debrah Forester reported the following:

- She will be out of office for 2 weeks. Any questions regarding land use can be directed to Matt Trepal. Tom Patton will also be out of the office.
- Code Enforcement is looking for an officer to focus on US41.

XIII. Attorney Comments – None.

XIV. Member Comments

- Mike Haymans extended an apology to Harry Thomas for their confrontation earlier in the meeting.
- Jim Herston reported that Benjamin Moore recently opened and Harbor Nissan opened an insurance business. There were also 20-30 permits pulled in Charlotte Harbor.

XV. Next Meeting Date

The next regular meeting of the Charlotte Harbor Community Redevelopment Agency Advisory Committee will be held on **Monday, October 5, 2015 at 10:30 a.m., in Room 119 of the Charlotte County Administration Center, 18500 Murdock Circle, Port Charlotte, FL.**

XVI. Adjournment - There being no further business, the meeting **ADJOURNED at 1:21 p.m.**

Respectfully submitted,



Charlotte Ventola, Secretary

/kmk

Approved: 10-5-2015