

**CHARLOTTE COUNTY PLANNING AND ZONING BOARD**  
**Administration Center, 18500 Murdock Circle, Room 119, Port Charlotte, Florida**  
**Minutes of Regular Meeting**  
**March 11, 2013 @ 1:30 p.m.**

**Call to Order**

**Chair Hess** called the meeting to order at 1:28 p.m. and upon the Secretary calling the roll, it was noted a quorum was present.

**Roll Call**

**PRESENT**

Paula Hess  
Michael Gravesen

John Mahshie  
Paul Bigness

**ABSENT**

Steven Vieira

**ATTENDING**

Ty Harris, Assistant County Attorney  
Gayle Moore, Recording Secretary

**APPROVAL OF MINUTES**

The minutes of January 14, 2013 were approved as circulated.

**ANNOUNCEMENTS**

The oath was administered, whereupon the meeting commenced.

**PETITIONS**

**SV-13-01-01**

**Legislative**

**Commission District I**

Roger E. Tetrault has applied to vacate portions of Second Avenue (aka Bagley Avenue), Third Avenue (aka Carrington), Fourth Avenue (aka Dale Avenue), Second Street (aka Beechwood Street), a total of 2.22 acres, more or less, in the North Cleveland Subdivision, as recorded in Plat Book 1, Page 22, located in Section 26, Township 40 South, Range 23 East, in Commission District I.

**Staff Presentation**

**Steven Ellis, Planner II**, presented the findings and analysis of the petition with a recommendation of *Approval*, based on the reasons stated in the staff report dated February 22, 2013 and the evidence presented at the public hearing on the application.

**Questions for Staff**

*None.*

**Applicant's Presentation**

**Geri L. Waksler, Esq.**, applicant's agent, made a brief presentation in support of the petition, noting that the applicant has the support of the neighbors. There were no questions.

Mr. Bigness arrived.

**Public Input**

*None.*

- **Mr. Gravesen** moved to close the public hearing, second by **Mr. Mahshie** with a unanimous vote.

**Discussion**

**Chair Hess** noted that the one reasonable objection, regarding public access to the water, was not applicable, since the resulting park and gardens would provide such access.

**Recommendation**

**Mr. Gravesen** moved that application **SV-13-01-01** be forwarded to the Board of County Commissioners with a recommendation of *Approval*, based on the findings and analysis in the staff report dated February 22, 2013, along with the evidence presented at today’s meeting, second by **Mr. Mahshie** and carried by a unanimous vote.

**Chair Hess** welcomed Mr. Paul Bigness to the Board, and she announced that the Commissioners would honor the service of his predecessor, Brenda Bossman, at their next meeting.

**PP-13-01-01**

**Quasi-Judicial**

**Commission District III**

Placida Commons, LLC is requesting Preliminary Plat approval for a 95-lot residential subdivision to be named, Placida Commons. The property 35.20 acres, more or less, and is located east of Placida Road, west of Cape Haze Drive, south of Dixon Lane, and north of Blue Heron Cove, in Sections 33 and 34, Township 41S, Range 20E, in Commission District III.

**Staff Presentation**

**Steven Ellis, Planner II**, having been sworn, presented the findings and analysis of the petition with a recommendation of *Approval with seven conditions*, based on the reasons stated in the staff report dated February 22, 2013, and the evidence presented at the public hearing on the application. Other than the standard five environmental conditions, Mr. Ellis noted there were two conditions, one requiring school concurrency and the other requiring a list of street names be submitted to the Addressing Division for approval.

**Questions for Staff**

*None.*

**Applicant’s Presentation**

**Mr. Clay Rebol**, applicant’s agent, having been sworn, stated that applicant accepted and would abide by all conditions.

**Public Input**

*None.*

- **Mr. Gravesen** moved to close the public hearing, second by **Mr. Mahshie** with a unanimous vote.

**Discussion**

**Chair Hess** commented that the matter seemed appropriate for approval.

**Recommendation**

**Mr. Bigness** moved that application **PP-13-01-01** be forwarded to the Board of County Commissioners with a recommendation of *Approval with seven conditions*, based on the

findings and analysis in the staff report dated February 22, 2013, along with the evidence presented at today’s meeting, including evidence of the hardship, second by **Mr. Gravesen** and carried by a unanimous vote.

**Z-13-01-01                                      Quasi-Judicial                                      Commission District III**

An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Residential Estates (RE-1) to Manasota Single Family (MSF-1); for property located east of N. Beach Road, south and west of Lemon Bay, in Lemon Bay Estates No. 2, in the Englewood area, containing 25.29± acres; Commission District III; Petition No. Z-13-01-01; applicant: Charlotte County Board of County Commissioners; providing an effective date.

**Staff Presentation**

**Roxann Read, Planner II**, presented the findings and analysis of the petition with a recommendation of *Approval*, based on the reasons stated in the staff report dated February 21, 2013, and the evidence presented at the public hearing on the application. She provided a brief history of the project, noting that this request from the BCC was intended to create consistency for all properties within the Manasota Key Overlay.

**Questions for Staff**

*None.*

**Public Input**

*None.*

- **Mr. Gravesen** moved to close the public hearing, second by **Mr. Mahshie** with a unanimous vote.

**Chair Hess** noted that the petition was entirely appropriate for approval, since it was not contrary to Smart Charlotte 2050 or the Overlay, is in compliance with the BCC directive to make all zoning districts align with the Overlay District, and has the support of the community.

**Discussion**

*None.*

**Recommendation**

**Mr. Bigness** moved that application **Z-13-01-01** be forwarded to the Board of County Commissioners with a recommendation of *Approval*, based on the findings and analysis in the staff report dated February 21, 2013, along with the evidence presented at today’s meeting, second by **Mr. Mahshie** and carried by a unanimous vote.

**Inga Williams, Principal Planner**, announced that the Community Development Department would be bringing the new earthmoving and excavation code forward next month, and offered a ‘heads-up’ because it would be a complete rewrite of the code and will take some review, and would come forward with some other related matters. **Mr. Mahshie** asked if the material was available now for review; he was advised that it would be available in the usual way.

There being no further business to come before the Board, meeting was adjourned at 1:44 p.m.