



MINUTES

Charlotte County Board of Zoning Appeals

Wednesday, February 11, 2026 9:00 a.m. – Room 119

Charlotte County Administration Center
18500 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)

Board Member:

Blair McVety, Chair
Steve Vieira, Vice-Chair
Nichole Beyer, Secretary
Phillip Smallwood
Andrew Filieo

Staff:

Shaun Cullinan, Planning/Zoning Official
David Moscoso, Asst. Co. Attorney
Kimlyn Walker, Asst. Co. Attorney
Elizabeth Nocheck, AICP, Sr. Planner
Kimberly Sargent, Recorder

I. Call to Order

Chair McVety called the February 11, 2026, meeting of the Board of Zoning Appeals to order at 9:00 a.m.

II. Pledge of Allegiance

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

III. Roll Call

Roll call was taken; a quorum was present. Andrew Filieo was absent.

IV. Swearing In of Those Giving Testimony

Kimberly Sargent swore in all persons who wished to provide testimony.

V. Approval of Minutes

ACTION: A motion was presented by Mr. Vieira and seconded by Mr. Smallwood to approve the minutes of January 14, 2025, meeting of the Board of Zoning Appeals which passed with a unanimous vote.

VI. Introduction of Staff/Comments

Chair McVety introduced staff. Shaun Cullinan, Planning and Zoning Official, read the Zoning rules, Asst. Co. Attorney Walker and Chair McVety 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.

VII. Disclosure Statements

No Ex-parte forms indicating site visits concerning the petitions being presented before the February 11, 2026, Board of Zoning Appeals meeting were submitted.

VIII. New Business

The following petitions were advertised on January 27, 2026: SE-26-001, VAR-26-001, VAR-26-002, and VAR-26-003

SE-26-001

Robert Berntsson, representative for Mahoney Sports LLC, is requesting a special exception to allow a high school / basketball academy, in the Residential Multifamily-10 (RMF-10) zoning district. The property is located at 2623 Vasco Street, in Punta Gorda, and is described as Lots 1 – 4, Block F, of the Charlotte Park Subdivision, located in Section 18, Township 41 South, Range 23 East. The Parcel ID for subject property is 412318135009.

VAR-26-001

Robert Berntsson, representative for Mahoney Sports LLC, is requesting two variances: (a) to reduce the required 26-foot west side yard setback by 11 feet to allow a 15-foot west side yard setback, and (b) to reduce the required 15-foot east side yard setback by 2.5 feet to allow a 12.5-foot east side yard setback, for a new gymnasium as part of a high school, in the Residential Multifamily-10 (RMF-10) zoning district. The property is located at 2623 Vasco Street, in Punta Gorda, and is described as Lots 1 – 4, Block F, of the Charlotte Park Subdivision, located in Section 18, Township 41 South, Range 23 East. The Parcel ID for subject property is 412318135009.

Miss Nocheck read into the record the staff report and staff findings for the petition.

Applicant Presentation

Robert Berntsson, representative for the applicant, stated he has been sworn. Mr. Berntsson stated he accepts Ms. Nocheck as an expert for these two petitions. We join in her findings for the special exception and the variance. Noted this is a unique opportunity for Charlotte County to relocate this basketball academy from Sarasota County to Charlotte County. There is 40 students and 4 staff members, so the impact is minimal, and the students are bused to the site. I have members of the program here with me along with the project engineer to answer questions. We request approval for both petitions.

Chair McVety asked about the little triangle of the property, the use and a discussion ensued with Mr. Berntsson.

Mr. Vieira asked if the new building going to be attached to the old building and a discussion ensued with Mr. Berntsson.

Chair McVety opened the meeting to Public Comments.

Public Input

Vickie Daniel, stated she lives on Gussie and expressed concerns that a dormitory may be added, as well as concerns regarding noise, building size, and traffic. She stated she opposes the petition.

Joseph Berman, stated he had been sworn in and expressed concerns regarding the height of the building, traffic, drainage, water usage, and the amount of water that would be used at the facility.

There being no further requests to speak for or against the petition, Mr. Vieira moved to close the public comments, seconded by Mrs. Beyer. The public comments were closed with a unanimous vote.

Chair McVety spoke on the water with Mr. Berman concerning the retention pond.

Mr. Berntsson stated they are not seeking a height variance, this petition is the side yard setback, so the height is what is allowed in the zoning district and could actually go up to 60 feet in multi-family. We are

not doing this, and the traffic is minimal for this site. The students will come by bus and 4 staff members. We have met the criteria for the granting of the special exception and variance and request approval for both.

Board Member Comments and Questions

Chair McVety asked Mr. Cullinan what other things they could place there. **Mr. Cullinan** responded with the different types of housing information, could put up a 9-to-10-unit multi-family complex up to 60 feet in height. They could put in an assisted living facility six or less or conditional use for 7 or more, along with the uses such as nursing homes, halfway housing, multi-family, parks and height determined by the types of buildings.

Mr. Vieira asked Mr. Berntsson what the staffing for the facility is. **Mr. Berntsson** stated just the four staff members and explains.

Miss Nocheck presented the recommended conditions for the petition SE-26-001.

Mr. Berntsson stated we accept the conditions for SE-26-001.

ACTION: A motion was presented by Steve Vieira and seconded by Phillip Smallwood that Petition SE-26-001 be APPROVED based on the Zoning Official Staff Report dated February 4, 2026, 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 nine conditions recommended by staff.

Motion was approved with a unanimous vote with the following nine conditions.

1. This Special Exception, as approved by the Board of Zoning Appeals, is to allow a high school / basketball academy, generally as proposed in the application and as shown on the Concept Plans labeled Exhibit E, and extends only to the land included in the site plan and legal description as submitted with this application. The Concept Plans submitted as part of this application are for illustrative purposes only.
2. The applicant shall obtain all necessary permits and approvals as applicable to this development, including but not limited to Site Plan Review, building code review, environmental review, stormwater management, vegetation removal, fencing, and landscape plan approval.
3. A minimum of a Type A landscape buffer shall be planted/installed along the west property line. All other applicable requirements of Section 3-9-100 shall be met, including perimeter landscape strips and parking lot screening, as applicable. The final design of the buffers and landscaping shall be determined during the Site Plan Review process.
4. There shall be no outdoor sports courts. All basketball activity is to be conducted indoors.
5. Basketball tournaments shall not be held on subject property.
6. The proposed gymnasium and any future building(s) shall meet or exceed all applicable Commercial Design Standards set forth in Chapter 3-5, Article XXIV, as may be amended.
7. The proposed gymnasium shall be constructed using noise attenuating materials.
8. This Special Exception is granted for a term of five (5) years from the date it receives approval from the Board of Zoning Appeals; however, the Special Exception shall not expire

if the owner commences the proposed development on or before the Special Exception's term expires.

9. 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.

Miss Nocheck presented the recommended conditions for the petition VAR-26-001.

Mr. Berntsson stated we accept the conditions for VAR-26-001.

ACTION: A motion was presented by Steve Vieira and seconded by Phillip Smallwood that Petition VAR-26-001 be APPROVED based on the Zoning Official Staff Report dated February 4, 2026, the evidence and testimony presented at the hearing and finding that the applicant HAS MET the required criteria for the granting of the Variance with three conditions recommended by staff.

Motion was approved with a unanimous vote with the following three conditions.

1. The variances, as approved by the Board of Zoning Appeals, are: **(a)** to reduce the required 26-foot west side yard setback by 11 feet to allow a 15-foot west side yard setback, and **(b)** to reduce the required 15-foot east side yard setback by 2.5 feet to allow a 12.5-foot east side yard setback, for a new gymnasium as part of a high school.
2. The variances shall apply only to the proposed gymnasium, as shown in the documents submitted with this application.
3. If the gymnasium is removed or replaced, this variance shall expire and all future development must be constructed in accordance with all applicable codes in existence at that time, unless a new variance is granted specific to the development proposed at that time. This condition shall not apply to the removal or replacement caused by a natural disaster or involuntary destruction of the gymnasium, provided the use of the property remains as a high school / basketball academy.

VAR-26-003

Steven & Debra Bland are requesting a variance to reduce the required 20-foot rear yard setback by 11 feet to allow a 9-foot rear yard setback, for a lanai addition to an existing single-family residence, in the Manufactured Home Conventional (MHC) zoning district. The property is located at 604 Hawaii Court, in Punta Gorda, and is described as Lot 9, of the Riviera Lagoons Subdivision, Unit 3, located in Section 19, Township 41 South, Range 23 East. The Parcel ID for subject property is 412319182007.

Miss Nocheck read into the record the staff report and staff findings for the petition.

Applicant Presentation

Debra Bland, the applicant, stated she has been sworn. Mrs. Bland stated we are hoping that we can put this roofer screen porch on the back of our home and spend time outside. We have spoken to our neighbors and nobody has any issues with this.

Chair McVety opened the meeting to Public Comments.

Public Input

None.

There being no further requests to speak for or against the petition, Chair McVety closed the public comments.

Miss Nocheck presented the recommended conditions for the petition.

Board Member Comments and Questions

None.

ACTION: A motion was presented by Nichole Beyer and seconded by Steve Vieira that Petition VAR-26-003 be APPROVED based on the Zoning Official Staff Report dated February 4, 2026, the evidence and testimony presented at the hearing and finding that the applicant HAS MET the required criteria for the granting of the Variance with four conditions recommended by staff.

Motion was approved with a unanimous vote with the following four conditions.

1. The variance, as approved by the Board of Zoning Appeals, is to reduce the required 20-foot rear yard setback by 11 feet to allow a 9-foot rear yard setback, for a lanai addition to an existing single-family residence.
2. The variance shall apply only to the lanai addition, as shown in the documents submitted with this application.
3. The roof of the lanai addition shall match the roof of the existing residence, and the lanai addition shall remain as a screened enclosure and shall not be enclosed with opaque walls.
4. If the lanai addition is removed or replaced, this variance shall expire and all future development must be constructed in accordance with all applicable codes in existence at that time, unless a new variance is granted specific to the development proposed at that time. This condition shall not apply to the removal or replacement caused by a natural disaster or involuntary destruction of the lanai addition.

IX. **Public Comments** –
None

X. **Staff Comments** –
Ms. Nocheck stated next month we will have 5 petitions next month.

XI. **Member Comments** –
None.

XII. **Next Meeting**
The next meeting of the Board of Zoning Appeals is scheduled for Wednesday, March 11, 2026, at 9:00 a.m., in Room 119.

There being no further business, the meeting **ADJOURNED** at 9:52 a.m.

Respectfully submitted,
Kimberly Sargent, Recording Secretary
Community Development Department


Blair McVety, Chair


Date