



MINUTES-REVISED

Charlotte County Board of Zoning Appeals

Wednesday, March 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 March 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. Nichole Beyer 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 February 11, 2026, meeting of the Board of Zoning Appeals which passed with a unanimous vote.

VI. Introduction of Staff/Comments

Chair McVety introduced staff. Assistant County Attorney Walker, read the Zoning rules, Assistant County 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 related to the petitions presented before the March 11, 2026, Board of Zoning Appeals meeting were submitted.

VIII. New Business

The following petitions were advertised on February 24, 2026: VAR-26-004, VAR-26-005, VAR-26-006 and VAR-26-007

VAR-26-004

Charles & Rhonda Fehrenbach are requesting three variances: (a) to reduce the required 25-foot front yard setback by 5.5 feet to allow a 19.5-foot front yard setback and (b) to reduce the required 7.5-foot north side yard setback by 4.5 feet to allow a 3-foot north side yard setback, for a new detached garage; and (c) to reduce the required 25-foot front yard setback by 5.5 feet to allow a 19.5-foot front yard setback, to allow an existing manufactured home to remain “as-is” in its current location on subject property, in the Manufactured Home Conventional (MHC) zoning district. The property is located at 6632 Bernadean Boulevard, in Punta Gorda, and is described as Lot 7, Block D, of the Pine Acres Subdivision, located in Section 26, Township 40 South, Range 23 East. The Parcel ID for subject property is 402326481006.

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

Applicant Presentation

Charles & Rhonda Fehrenbach, the applicants, stated they were sworn. Mrs. Fehrenbach stated if there were any questions, the reason for the location was due to the neighbor to the north, who would have their view blocked of the club house, and so she could keep an eye on it. Mr. Fehrenbach stated they wanted to keep it matching the house, looking nice, and to do things right.

Chair McVety opened the meeting to Public Comments.

Public Input

Don Delmont, lives across the street and is in support of this variance.

There being no further requests to speak for or against the petition, Mr. Filieo moved to close public comment, seconded by Mr. Vieira. Public comments was closed with a unanimous vote.

Board Member Comments and Questions

None.

Miss Nocheck presented the recommended conditions for the petition.

ACTION: A motion was presented by Steve Vieira and seconded by Andrew Filieo that Petition VAR-26-004 be APPROVED based on the Zoning Official Staff Report dated March 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 25-foot front yard setback by 5.5 feet to allow a 19.5-foot front yard setback and **(b)** to reduce the required 7.5-foot north side yard setback by 4.5 feet to allow a 3-foot north side yard setback, for a new detached garage; and **(c)** to reduce the required 25-foot front yard setback by 5.5 feet to allow a 19.5-foot front yard setback, to allow an existing manufactured home to remain “as-is” in its current location on subject property.
2. The variances shall apply only to the existing manufactured home and proposed detached garage, as shown in the documents submitted with this application.

3. If the manufactured home or detached garage is removed or replaced, the applicable variance(s) 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 manufactured home or detached garage.

VAR-26-005

Heather & Timothy Buck are requesting a variance to reduce the required 10-foot rear yard setback by 5 feet to allow a 5-foot rear yard setback, for a new swimming pool, pool deck, and pool cage, in the Residential Single-family-3.5 (RSF-3.5) zoning district. The property is located at 542 Encarnacion Street, in Punta Gorda, and is described as Lot 10, Block 532, of the Punta Gorda Isles Subdivision, Section 20, located in Section 03, Township 40 South, Range 23 East. The Parcel ID for subject property is 402303379012.

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

Applicant Presentation

Timothy Buck, the applicant, stated he was sworn in. Mr. Buck explained the size and need for the lane pool, and many neighbors wrote letters of support.

Chair McVety opened the meeting to Public Comments.

Miss Nocheck informed the Board that she had received two letters of support from the neighbors which would be marked as Exhibit I for the record and distributed copies to the members.

Public Input

Dorothy Anderson stated she lived on this street asked whether it was normal procedure for the county to require a variance for a pool. A discussion ensued about a different neighbor concerning a prior variance with Chair McVety and Miss Nocheck advised her to contact the Code Department.

There being no further requests to speak for or against the petition, Mr. Vieira moved to close public comment, seconded by Mr. Smallwood. Public comment was closed with a unanimous vote.

Board Member Comments and Questions

None.

Miss Nocheck presented the recommended conditions for the petition.

ACTION: A motion was presented by Steve Vieira and seconded by Andrew Filieo that Petition VAR-26-005 be APPROVED based on the Zoning Official Staff Report dated March 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 variance, as approved by the Board of Zoning Appeals, is to reduce the required 10-foot rear yard setback by 5 feet to allow a 5-foot rear yard setback, for a new swimming pool, pool deck, and pool cage.

2. The variance shall apply only to the proposed swimming pool, pool deck, and pool cage, as shown in the documents submitted with this application.
3. If the swimming pool, pool deck, or pool cage are 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 swimming pool, pool deck, or pool cage.

VAR-26-006

Adams Homes of NW FL Inc., representative for Cheryl Bourget, is requesting a variance to reduce the required 15-foot east side yard setback by 2 feet to allow a 13-foot east side yard setback, to allow an existing single-family residence to remain "as-is" in its current location on subject property, in the Residential Single-family-3.5 (RSF-3.5) zoning district. The property is located at 25619 Deep Creek Boulevard, in Punta Gorda, and is described as Lot 49, Block 625, of the Punta Gorda Isles Subdivision, Section 20, located in Section 05, Township 40 South, Range 23 East. The Parcel ID for subject property is 402305263006.

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

Mr. Vieira asked if the pool was constructed or under construction and about exhibit C5 photo of the pool and a discussion ensued with Miss Nocheck.

Applicant Presentation

Cheryl Bourget, the applicant, stated she had not been sworn in.

Mrs. Sargent swore in Ms. Bourget.

Ms. Bourget stated the pool had been constructed.

Mr. Vieira stated they were there to correct an oversight made during the review process, and a discussion ensued with Miss Nocheck and Chair McVety.

Billiejo Bransfield, representative for Adams Homes, asked do you have any questions.

Chair McVety asked if a survey was completed for the property, and a discussion ensued.

Chair McVety opened the meeting to Public Comments.

Public Input

None.

There being no further requests to speak for or against the petition, Mr. Vieira moved to close the public comment, seconded by Mr. Smallwood. Public comment was closed with a unanimous vote.

Miss Nocheck presented the recommended conditions for the petition.

Board Member Comments and Questions

Chair McVety stated those lots are weird when they are not rectangle in size. I recommend having the survey on the layout, so this doesn't happen.

ACTION: A motion was presented by Andrew Filieo and seconded by Steve Vieira that Petition VAR-26-006 be APPROVED based on the Zoning Official Staff Report dated March 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 variance, as approved by the Board of Zoning Appeals, is to reduce the required 15-foot east side yard setback by 2 feet to allow a 13-foot east side yard setback, to allow an existing single-family residence to remain "as-is" in its current location on subject property.
2. The variance shall apply only to the existing single-family residence, as shown in the documents submitted with this application.
3. If the existing single-family residence 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 single-family residence.

VAR-26-007

Kathleen White & Gregory Yagle are requesting a variance to reduce the required 30-foot front yard setback by 5 feet to allow a 25-foot front yard setback, for a replacement single-family residence, in the Manasota Multifamily-7.5 (MMF-7.5) zoning district. The property is located at 1155 Little Court, in Englewood, and is described as Lot 22, Block E, of the Englewood Shores Subdivision, located in Section 18, Township 41 South, Range 20 East. The Parcel ID for subject property is 412018102008.

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

Applicant Presentation

Kathleen and Gregory, the applicants were sworn. Ms. White discussed the reasons for the request.

Mr. Smallwood asked about the fill and the applicants discussed their reasons. A discussion ensued with Chair McVety and Mr. Yagle.

Chair McVety opened public comment and then closed public comment.

Miss Nocheck presented the recommended conditions for the petition.

Board Member Comments and Questions

Chair McVety stated this is a weird lot and explains.

ACTION: A motion was presented by Steve Vieira and seconded by Phillip Smallwood that Petition VAR-26-007 be APPROVED based on the Zoning Official Staff Report dated March 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 3 to 1 vote with the following three conditions.

(Mr. Vieira, Mr. Smallwood and Chair McVety voted for approval - Mr. Filieo voted against approval)

1. The variance, as approved by the Board of Zoning Appeals, is to reduce the required 30-foot front yard setback by 5 feet to allow a 25-foot front yard setback, for a replacement single-family residence.
2. The variance shall apply only to the proposed single-family residence, as shown in the documents submitted with this application.
3. If the single-family residence 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 single-family residence.

IX. **Public Comments** –
None

X. **Staff Comments** –
Ms. Nocheck stated next month we have 3 special exceptions and 1 variance.

XI. **Member Comments** –
None.

XII. **Next Meeting**
The next meeting of the Board of Zoning Appeals is scheduled for Wednesday, April 8, 2026, at 9:00 a.m., in Room 119.

There being no further business, the meeting **ADJOURNED** at 10:12 a.m.

Respectfully submitted,
Kimberly Sargent, Recording Secretary
Community Development Department



Blair McVety, Chair



Date