



MINUTES

Charlotte County Board of Zoning Appeals

Wednesday, April 8, 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 April 8, 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. Steve Vieira 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. Filieo and seconded by Mrs. Beyer to approve the minutes of March 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 April 8, 2026, Board of Zoning Appeals meeting were submitted.

VIII. New Business

The following petitions were advertised on March 24, 2026: SE-26-002, SE-26-003, SE-26-004, and VAR-26-008

SE-26-002

Norman Cardinale is requesting a special exception to allow outdoor storage of vehicles, including commercial vehicles, boats, trailers, and recreational vehicles (RVs), in the Commercial General (CG) zoning district. The property is located at 12229 & 12249 Tamiami Trail, in Punta Gorda, and is described as Lots 11 – 15, Block 146, of the Tropical Gulf Acres Subdivision, Unit 8, located in Section 02, Township 42 South, Range 23 East. The Parcel IDs for subject property are 422302176010 & 422302176011.

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

Applicant Presentation

Norman Cardinale, the applicant, was sworn and can answer any questions.

Chair McVety opened the meeting to Public Comments.

Public Input

None.

There being no further requests to speak for or against the petition, Mr. Filieo moved to close public comment, seconded by Mr. Smallwood. 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 Andrew Filieo and seconded by Phillip Smallwood that Petition SE-26-002 be APPROVED based on the Zoning Official Staff Report dated April 1, 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 ten conditions recommended by staff.

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

1. The Special Exception, as approved by the Board of Zoning Appeals, is to allow the outdoor storage of vehicles, including commercial vehicles, boats, trailers, and recreational vehicles, and extends only to the lands included in the Concept Plans and legal description submitted with this application.
2. The Concept Plans submitted by the applicant, as part of the petition, is for illustrative purposes only. All applicable regulations of County Code shall apply to this development. The applicant shall obtain all necessary permits and approvals as applicable to this development, including but not limited to Site Plan Review, right-of-way access, vegetation removal, fencing, stormwater management, and landscape plan approval. The outdoor storage use may not be used until all required improvements are completed, including the required buffers, and a Certificate of Occupancy or final inspections have been issued.
3. The storage of construction equipment or materials, debris, heavy machinery, cargo containers, semi-trucks, or hazardous materials is prohibited.
4. Storage of commercial vehicles shall be limited to work trucks, trailers, and vans.
5. Subject property shall not be used as a building trades contractor's yard.

6. A "Type D" Landscape Buffer with a 6-foot-tall sight-obscuring (opaque) fence or wall, shall be constructed and planted around the entire perimeter of the site. The use of chain link fencing as part of the required buffer is prohibited.
7. Any perimeter outdoor lighting shall be directed towards the interior of the property.
8. 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.
9. This Special Exception is granted for a term of three years from the date of 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.
10. Any major changes or additions to this special exception shall require a modification of the special exception, including a change in type of outdoor storage. Minor changes or additions, such as accessory uses or structures, may be approved by the Zoning Official.

Chair McVety asked Miss Nocheck questions about the storage and a discussion ensued.

SE-26-003

David Fleming, representative for Fleming Excavating & Pipe, Inc., is requesting a special exception to allow a building trades contractor's office with outdoor storage, in the Commercial General (CG) zoning district. The property is located at 478 Bamboo Drive, in Port Charlotte, and is described as Lots 13 & 14, Block 1181, of the Port Charlotte Subdivision, Section 32, located in Section 02, Township 40 South, Range 21 East. The Parcel ID for subject property is 402102302004.

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

Chair McVety and **Mr. Cullinan** had a discussion regarding the types of use and the area for outdoor storage.

Applicant Presentation

David Fleming, the applicant, stated he was sworn in. **Mr. Fleming** explained that the owner allowed him to use the property for eight years and the owner was the person who cleared the property prior to selling him the property.

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

None.

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

Board Member Comments and Questions

None.

Miss Nocheck presented the recommended conditions for the petition.

Chair McVety asked how the applicant got with the code department. **Mr. Cullinan** responded regarding the clearing and when it had taken place and a discussion ensued.

Mr. Filieo asked Chair McVety about the requirement for a recommendation for after the fact environmental permit within three months. Is that a reasonable amount of time. **Chair McVety** responded and a discussion ensued.

ACTION: A motion was presented by Andrew Filieo and seconded by Nichole Beyer that Petition SE-26-003 be APPROVED based on the Zoning Official Staff Report dated April 1, 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 ten conditions recommended by staff, with removing the equipment.

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

1. The Special Exception, as approved by the Board of Zoning Appeals, is to allow a building trades contractor's office with outdoor storage for an excavating and site development business, and extends only to the lands included in the Site Plans and legal description submitted with this application.
2. The Concept Plan submitted by the applicant, as part of the petition, is for illustrative purposes only. All applicable regulations of County Code shall apply to this development. The applicant shall obtain all necessary permits and approvals as applicable to this development, including but not limited to Site Plan Review, right-of-way access, vegetation removal, fencing, stormwater management, and landscape plan approval.
3. The storage of debris, cargo containers, or hazardous materials is prohibited.
4. A "Type D" Landscape Buffer with a 6-foot-tall sight-obscuring (fully opaque) fence or wall, shall be constructed and planted around the entire perimeter of the site. The use of chain link fencing as part of the required buffer is prohibited.
5. Items stored in stacks or piles shall not exceed 6 feet in height.
6. Any perimeter outdoor lighting shall be directed towards the interior of the property.
7. 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.
8. The outdoor storage use may not be used until all required improvements are completed, including the required buffers, and a Certificate of Occupancy or final inspections have been issued. All existing outdoor storage must be removed until a Certificate of Occupancy or final inspections have been issued.
9. This Special Exception is granted for a term of one (1) year from the date of 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. The applicant must obtain, at a minimum, after-the-fact environmental permits within three (3) months of the date of approval from the Board of Zoning Appeals. Final Site Plan Review approval shall be obtained within one (1) year and all other permitting and inspections must be completed within two (2) years of the date of approval from the Board of Zoning Appeals.

10. Any major changes or additions to this special exception shall require a modification of the special exception, including a change in type of outdoor storage. Minor changes or additions, such as accessory uses or structures, may be approved by the Zoning Official.

SE-26-004

Elizabeth Contenta is requesting a special exception to allow a manufactured home ((DCA), minimum requirement is one hundred fifty (150) miles per hour exposure C.), in the Manufactured Home Park (MHP) zoning district. The property is located at 7500 Park Pointe Drive #36, in Englewood, and is described as Lot 36, of the Park Pointe Mobile Home Village Subdivision, located in Section 17, Township 41 South, Range 20 East. The Parcel ID for subject property is 412017327911.

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

Applicant Presentation

Elizabeth Contenta, the applicant, stated she was sworn, thanked Miss Nocheck and noted she is a third generation.

Chair McVety opened the meeting to Public Comments.

Public Input

Kenneth Kelly was sworn and spoke on this petition.

Mr. Cullinan spoke about the code and provided an explanation.

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

Miss Nocheck presented the recommended conditions for the petition.

Board Member Comments and Questions

None.

ACTION: A motion was presented by Andrew Filieo and seconded by Phillip Smallwood that Petition SE-26-004 be APPROVED based on the Zoning Official Staff Report dated April 1, 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 four conditions recommended by staff.

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

1. The Special Exception, as approved by the Board of Zoning Appeals, is to allow a manufactured home (DCA, minimum requirement is 150-miles-per-hour exposure C), and extends only to the lands included in the Site Plans and legal description submitted with this application.
2. The Site Plan submitted by the applicant, as part of the petition, is for illustrative purposes only. All applicable regulations of County Code shall apply to this development.
3. This Special Exception is granted for a term of three (3) years from the date of 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. Should the manufactured home be removed or replaced, this Special Exception shall expire, and all future

development must be constructed in accordance with all applicable codes in existence at that time, unless a new Special Exception 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.

4. 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.

VAR-26-008

Robbie Darst & Soupaphone Sopraseuth-Darst 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-5 (RSF-5) zoning district. The property is located at 1011 Coral Ridge Drive, in Punta Gorda, and is described as Lot 59, of the Coral Ridge Subdivision, Unit 1, located in Section 17, Township 41 South, Range 23 East. The Parcel ID for subject property is 412317103008.

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

Applicant Presentation

Maria and Robbie, the applicants and were sworn in. They do not have anything to add.

Chair McVety opened public comment and then closed it with no one being present.

There being no further requests to speak for or against the petition, Mr. Filieo 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 spoke to Mr. Cullinan on the angle with the pool and the house per code.

ACTION: A motion was presented by Nichole Beyer and seconded by Phillip Smallwood that Petition VAR-26-008 be APPROVED based on the Zoning Official Staff Report dated April 1, 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.

IX. Public Comments –
None

X. Staff Comments –
Mr. Cullinan stated none.

Ms. Nocheck stated next month we have 3 variances.

XI. Member Comments –
None.

XII. Next Meeting
*The next meeting of the Board of Zoning Appeals is scheduled for **Wednesday, May 13, 2026, at 9:00 a.m., in Room 119.***

There being no further business, the meeting **ADJOURNED** at 10:15 a.m.

Respectfully submitted,
Kimberly Sargent, Recording Secretary
Community Development Department



Blair McVety, Chair

 

Date