



MINUTES

Charlotte County Board of Zoning Appeals

Wednesday, May 13, 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 May 13, 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 Mrs. Beyer to approve the minutes of April 8, 2026, meeting of the Board of Zoning Appeals which passed with a unanimous vote.

VI. Introduction of Staff/Comments

Chair McVety introduced staff. Planning & Zoning Official, Shaun Cullinan, 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 May 13, 2026, Board of Zoning Appeals meeting were submitted.

VII. New Business

The following petitions were advertised on April 28, 2026: VAR-26-009, VAR-26-010, VAR-26-011

VAR-26-009

David Bianconi is requesting a variance to reduce the required 50-foot rear yard setback by 17 feet to allow a 33-foot rear yard setback, for a replacement tiki hut, in the Manasota Single-family-3.5 (MSF 3.5) zoning district. The property is located at 4060 N Beach Road #D, in Englewood, and is described as Parcels P30-1-1 and P30-1-3, located in Section 02, Township 41 South, Range 19 East. A full legal description of subject property is available on file. The Parcel ID for subject property is 411902280002

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

Applicant Presentation

Robyn Serafine, agent for the applicant, was sworn and can answer any questions, there were no 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. Vieira moved to close public comment, seconded by Mr. Smallwood. Public comments were closed with a unanimous vote.

Board Member Comments and Questions

None.

Miss Nocheck presented the recommended conditions for the petition.

Mr. Vieira asked if the applicant would still be required to obtain a permit. Mr. Cullinan stated that a zoning permit would still be required.

ACTION: A motion was presented by Nichole Beyer and seconded by Steven Vieira that VAR-26-009 be APPROVED based on the Community Development Department Staff Report dated May 6, 2026, the evidence 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 50-foot rear yard setback by 17 feet to allow a 33-foot rear yard setback, for a replacement tiki hut.
2. The variance shall apply only to the proposed tiki hut, as shown in the documents submitted with this application.
3. If the tiki hut is removed or replaced, this variance shall expire and all future development must be constructed according to 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 tiki hut.

VAR-26-010

Chad Durrance, representative for TheBeachStop LLC, is requesting a variance to reduce the required 20-foot front yard setback by 8 feet to allow a 12-foot front yard setback, for two unroofed entry staircases, in the Bridgeless Barrier Island (BBI) zoning district. The property is located at 461 N Gulf Boulevard, in Placida, and is described as Lot 21, Block A, of the Palm Island Estates Subdivision, Unit 1, located in Section 29, Township 41 South, Range 20 East. The Parcel ID for subject property is 412031401011.

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

Mr. Vieira had a question regarding the setback, that **Miss Nocheck** answered. **Chair McVety** spoke on size, code and stated that the steps were not too steep.

Applicant Presentation

Chad Durrance, the applicant, stated he was sworn in. **Mr. Durrance** explained that the home is 3700 sq ft, not the allowable 5,000. He has concerns, as the last step ends in the parking area, posing a hazard.

Chair McVety opened the meeting to Public Comments.

Public Input

None.

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

Board Member Comments and Questions

None.

Miss Nocheck received several letters from neighbors in support of the variance, labeled Exhibit I.

Miss Nocheck presented the recommended conditions for the petition.

ACTION: A motion was presented by Mr. Vieira and seconded by Mr. Smallwood that VAR-26-010 be APPROVED based on the Community Development Department Staff Report dated May 6, 2026, the evidence presented at the hearing and finding that the applicant HAS MET the required criteria for the granting of the variance with the 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 front yard setback by 8 feet to allow a 12-foot front yard setback, for two unroofed entry staircases.
2. The variance shall apply to the proposed unroofed entry staircases, as shown in the documents submitted with this application.
3. The staircases shall remain unroofed and unenclosed. A new variance shall be required if the staircases were proposed to be roofed or enclosed in the future.

4. If the unroofed entry staircases are removed or replaced, this variance shall expire and all future development must be constructed according to 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 unroofed entry staircases.

XIII. Staff Comments

Mr. Cullinan stated he has nothing.

Miss Nocheck stated that next month we have 7 petitions.

IX. Next Meeting

*The next meeting of the Board of Zoning Appeals is scheduled for **Wednesday, June 10, 2026, at 9:00 a.m., in Room 119.***

There being no further business, the meeting **ADJOURNED** at 9:36 a.m.

Respectfully submitted,
Jane Babler, Recording Secretary
Community Development Department



Blair McVety, Chair



Date