

**CHARLOTTE COUNTY PLANNING AND ZONING BOARD
REGULAR MEETING**

Administration Center, 18500 Murdock Circle, Room 119, Port Charlotte, Florida

Board Members

Michael Gravesen, Chair
Doug Izzo
Stephen Vieira, Secretary
Phillip Smallwood
Clint Baker, Vice-Chair



District

District V
District III
District I
District II
District IV

**MINUTES
REGULAR MEETING**

February 10, 2025, at 1:30 P.M.

Call to Order

Chair Gravesen called the meeting to order at 1:30 pm

Roll Call

Upon the roll being called it was determined a quorum was present. Doug Izzo and Stephen Viera were absent.

Approval of Minutes – January 13, 2025, Regular Meeting

The January 13, 2025, minutes were approved as circulated.

Announcements

None offered.

PETITIONS

1.) TCP-24-03

Legislative

Commission District IV

Pursuant to Section 163.3184(3), Florida Statutes, an application to transmit a Large Scale Plan Amendment (Text Amendment) to the Department of Commerce and other State agencies for review and comment to amend Future Land Use (FLU) Appendix VII: Compact Growth Mixed Use Master Development Plan by revising Section 1: West County Town Center, specifically, 1) changing the name of Section 1 from "West County Town Center" to "Harbor Village"; 2) amending the total acreage of this project from 1,187± to 1,174.14± acres; amending a) 1.A: Base Residential Density to decrease the base density from 1,831 units to 1,790 units; b) 1.B: Maximum Residential Density to reduce the residential development rights from 3,960 units to 3,475 units; c) 1.C: to rename and amend "Maximum Floor Area Ratio" to "Maximum Commercial and Light Industrial Intensity"; d) 1.D: to remove "Perpetual Conservation Easement" and replace with "Uses Permitted Within Area A As Shown on Figure 1-C Above"; and e) 1.E: Master Development Plan to adopt a new Master Land Use Plan/Pattern Book; for properties generally located southeast of McCall Road (SR 776) and southwest of the Myakka River, in the West County area; Petition No. TCP-24-03; Applicant: Maronda Homes LLC, of Florida; providing an effective date.

Jie Shao, Principal Planner, provided the findings and analysis for Petition TCP-24-03 with a recommendation of approval based on the reasons stated in the staff report.

2.) PAL-24-04

Legislative

Commission District IV

Pursuant to Section 163.3184(3), Florida Statutes, transmit a Large Scale Plan Amendment to the Florida Department of Commerce and other State agencies for review and comment; the amendment request is to 1) amend Charlotte County FLUM Series Map #1: 2030 Future Land Use from Compact Growth Mixed Use (CGMU)(1,081.75± acres) and Preservation (PR)(92.39± acres) to CGMU (1,010.69± acres) and PR (163.45± acres) in order to allow for a mixture of residential up to 3,475 units (a reduction of 485 units), commercial and light industrial uses up to 1,400,000 square feet (a reduction of 109,807 square feet); increasing the base density from 1,631 units or 1,790 units with an approved PD ordinance restricting development on Area A as identified on Figure 1-A under Section 1 of FLU Appendix VII: Compact Growth Mixed Use Master Development Plan to low

impact recreational uses/passive recreational uses; 2) amend Charlotte County FLUM Series Map #2: 2050 Framework, from Agricultural/Rural to Emerging Neighborhood for 28.01± acres of properties and 99.13± acres of properties from Emerging Neighborhood to Agricultural/Rural; and 3) amend Charlotte County FLUM Series Map #3: 2030 Service Area Delineation, to extend the Urban Service Area boundary to include 28.01± acres of properties and to concurrently remove 99.13± acres of properties from the Urban Service Area; for properties generally located southeast of McCall Road (SR 776) and southwest of the Myakka River, in the West County area, containing 1,174.14± acres; Commission District IV; Petition No. PAL-24-04; Applicant: Maronda Homes LLC, of Florida; providing an effective date.

Jie Shao, Principal Planner, provided the findings and analysis for Petition **PAL-24-04** with a recommendation of approval based on the reasons stated in the staff report.

3.) PD-24-14

Quasi-Judicial

Commission District IV

An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Planned Development (PD)(408.39± acres, including 0.7 acres of Cattle Dock Point Road), Residential Single-family 2 (RSF-2)(428.20± acres), and Residential Multi-family 5 (RMF-5)(4.41± acres) to Planned Development (PD), and adopting its associated General PD Concept Plan in order to have a mixture of residential and commercial development; increasing the base density from 1,114 units to 2,000 units, and requiring a transfer of 886 density units to reach the maximum of 2,000 units; for property generally located north of Delamere Boulevard, southeast of McCall Road (SR 776), east of Gasparilla Road (CR 771), and west of Butterford Waterway, in the West County area, containing 840.30± acres; Commission District IV; Petition No. PD-24-14; Applicant: Maronda Homes, LLC of Florida; providing an effective date.

Jie Shao, Principal Planner, provided the findings and analysis for Petition **PD-24-14** with a recommendation of approval based on the reasons stated in the staff report.

Questions for Staff

Mr. Baker asked will they have gulf or harbor access to that, I see a canal going around to that cattleman's dock.

Ms. Shao said yes, both discuss about the boat access, and the Manatee Protection Plan.

Mr. Cullinan said I have been sworn, they are proposing the marina there which would access through that canal to the Locke to the Myakka River. Under the Manatee Protection Plan that the county has adopted this area is a preferred location for future marinas, the entirety of the South Gulf Cove area and those areas are in the preferred areas meaning it's the least impact to Manatee and other protected species.

Mr. Smallwood said I have a question about sewer and water for that many homes in that area.

Ms. Shao said they must have water and sewer before we issue the CO's.

Mr. Smallwood asked is there enough capacity in the existing plant that's already there.

Mr. Cullinan said we will let the applicant address that, we do have letters of availability from Charlotte County if they need to do improvements to the sites, that is all part of the development process.

Applicant's Presentation

Robert Berntsson, Big W Law Firm, representing the applicant, stated he has been sworn in and accepts Ms. Shao as an expert for the purpose of these hearings. However, I do need to make one correction, she indicated that the adoption hearing would be May 25th it is actually May 27th of 2025. The most important takeaway from this is there is an approved plan and project for this property already. It was approved in 2009 by the Board of County Commissioners, we actually had a portion of it put under a PD in the last couple of years that would allow

development to occur today under those plans. As part of the original plan there was a pattern book that was required. That pattern book is dated, think of the technology on your phone today compared to what it was back in 2009. Same thing with the pattern book and explains what took place back in that time frame to the changes in today's time. It is important for you to go through this step by step and realized what's happening, and discusses the size of the acres, size and preservation areas which increased. The emerging neighborhood changed by adding the additional wetland area and creating a more compact development. This is called compact growth mixed use and we're actually putting the wetland and preservation where there are things to preserve. Talks about the changes it also reduces the PM peak hour trips by 745 trips per peak hour and explains all the changes and would like to reserve time for rebuttal and do meet all the requirements for the planned development rezoning and for the comp plan amendments and at the end request your approval for that.

Mr. Baker asks Mr. Berntsson I think you mentioned minus 485 units but yet you are going to have to bring 800 more units on so which is a net.

Mr. Berntsson said there is two different things, base density of the property and then the allowed density. In order to reach that maximum density, we have to transfer density in just like we did before. But we will be transferring less density in because we've reduced the overall density by the 485 units.

Mr. Baker said then the make up of the houses or buildings hasn't changed drastically to be more multi-family less as single-family homes.

Mr. Berntsson said it's still a mix and that mix can be developed, and it is the reduction of the 475 units that we currently could build.

Chair Gravesen speaks to Mr. Berntsson regarding the units that are transferring in are coming from other coastal high hazard areas and both discuss this.

Public Input

Donald Rainville, lives at 7340 Candance Lane in Port Charlotte, the Village of Holiday Lake. I am also on the board of directors in the Village of Holiday Lake. The property to the east side of VHL always used to be conservation land of what we've been told over the years. Now it's being changed, and we don't understand that I am wondering how it could be built on. On the northeast section of our property that's where our water drains to their property. Are they going to change that, so we still get the drainage. When they originally built ours fifty years ago, also on that property they are talking about, I was wondering about putting a fence in. Their property is keeping a lot of animals such as wild boars, Florida panthers, bobcats, rats, raccoons, snakes etc. they're all going to come towards our property once they start their construction.

Ken Pavel, I live at 7368 Candance Lane, which is the Village of Holiday Lake. I am not representing the VHL, I just here on my own. Unfortunately, you said I can't ask any questions, but I went to the county website this morning. The proposed area is owned by at least five different owners, how can they be proposing to do all this unless they own all that land. Is there anyway I can get a copy of this presentation, is there a website or an email address.

Ms. Shao said I can email you.

Chair Gravesen said it is also on the county website for the planning and zoning board the agenda is there.

Mr. Cullinan said the agenda would be there but not the presentation.

Mr. Pavel said I did not see this presentation.

Chair Gravesen said the agenda is there and the linkage.

Mr. Baker said it is the little circle by the number you can click on it and it will bring it up.

Chair Gravesen said it says Info.

Mr. Pavel said from the start time to build out two months, two years or twenty years timeframe, any estimates. I have one more question along the lagoon, north to south that red long line going up there, that's all mangroves on that waterline. I thought those were protected, it's 100% mangroves, I went up and down there in a boat and see them there all the time.

Rachel Lowe, I am at 15530 Aqua Circle.

Chair Gravesen asked did you sign in.

Ms. Lowe said no but I will. My question is transportation in and out of this community, there is one road in and one road out if you're taking the shortest distance. What is the plan for that road and construction for potentially two to four thousand driving it every day.

Keith Mallon, I live on **Ponce De Leon Trail**, directly across from the proposed development. Little concerned about the potential high hazard area along this development. I didn't know if there will be a retention berm, it would have to be built from the lift of the Locke all the way down to the proposed end next to the other development. Also, will they be clear cutting all of those beautiful pine trees, that reach to the sky, it is part of the reason that drew us down from Ohio. To see all that be cut down and build berms to keep the water that's my concern.

Ron Miester, I live on **Cyledge Circle**. That conservation area has been there for many years, how did that get sold, I thought it's a conservation area, how did it get sold or gave it up to a developer. When is there going to be answers from these questions from these folks. Right behind my place I've blocked this off, there is very little land between the back and the water. How are they going to put anything back there and how do they access it. They are not going to access it through the Village of Holiday Lakes. Is the developer being made, we see so many projects getting started without any land use thought of it. I mean the roads and the infrastructure; they get built with places get built but all the people have to put up with the traffic. That is going to create quite a hazard. Is there going to be any answers.

Steve Eustis, I live at **14477 Ponce De Leon Trail, Harbor West**. My background is in civil engineering and real estate development. I know that you said that there is something that's successful on the website, I know I can't ask questions so what I will throw out there is because I've had to deal with traffic issues. Are you going to have more traffic lights, you going to have the curb access, is there going to be more than one egress. What is the load on the emergency services, somebody mentioned water, sewer and electric. My concern would be that the developer should be paying for any additional increase in capacity. For the volume of what they are doing here, I'm finding it hard to believe that there isn't going to be some kind of modifications to the existing support services that you have here in the county to support that. I also serve on the Mangrove Conservation committee for our HOA we are immediately south of your area C and we are very strict DEP permits we have to follow for the promotional growth of our mangroves. Which really helped during hurricanes we have seen it already and talks about a buffer area for the mangroves because they can really help a lot. The other issue is the dock, obviously we don't know exactly where that marina is going in and what kind of a traffic load. The dock is already pretty busy just thought I would throw that out there.

Ann Stout, I live on **Breezeway Avenue**, which is two streets off of **Gillot**. My concern is the traffic, and the animals right now we have coyotes in the day times because we just had a whole bunch of new construction.

There are so many houses for sale right now new ones, it's just a problem. Gillot coming out there are accidents, the sirens are two, three times a day. That is not even by the time you get to Gasparilla, it's just that many houses is a big concern.

Jim Krouse, I live at 15328 Spanish Pointe Drive in the Harbor West Community. I am also on the Marine Advisory Board for the South Gulf Cove. My concern is the canal that currently runs from the Butterford Waterway up to the existing Locke. No longer is a speed restricted waterway at this time, if these developers are allowed to put homes on the west side of that canal are they going to be allowed to put docks out into that canal. If they do that is going to impede that dock restricted speed area for boaters. So, what you are basically doing is allowing docks to go in there making that a speed restricted zone from the Butterford Waterway all the way to the Locke. Then talks about if you live in South Gulf Cove is because it's an easy out to the Myakka River, it's over a two-mile run of being a speed restricted zone. The property values will be diminished in South Gulf Cove.

Bill Facompre, I live at 15088 Spanish Pointe Drive. I want to reinforce what the gentleman just mentioned. I think there needs to be some sort of a buffer direct buffer along the waterway down to the Butterford waterway, from the Butterford Waterway to the Locke. You can not have docks and houses right up against that waterway that land there is all mangroves, and it really should be protected by some sort of a hundred foot, two-hundred-foot buffer. That is a really valuable waterway for the whole county and for South Gulf Cove in general. It should be protected as much as it can be, so I recommend that you look into that and put in some sort of a buffer in there to keep the houses inland from that waterway.

Robin Paul, lives at 7380 Varley Circle in VHL. My question is the animals, yes, we know we have plenty of them, we have coyotes, we have families, we have the pigs, everything. What do they plan on doing with them are they going to kill them. Are they going to send people in to shoot them. Because I have a problem with that, so, that is my concern, not a good look.

Ron Miester, lives at Cylus Circle. About the tortoise's I had to get a permit to get a tortoise taking out of my yard. What is this developer going to do, take them and move them. What's good for the goose is good for the gander. Also, we got like everybody said we got all kinds of different wildlife that's what makes it nice. You guys develop everything around here, with no thought in my opinion and no thought into what it does for the people here. Plus, the fact they won't put the roads in before they start to build. I've never seen it; I've never seen any county make it happen which it should. No shovel of dirt should be taken down until those road improvements. Sewerage improvements, utilities and all that is taking place. I wish you guys would give us answers.

- **Mr. Baker** moved to close the public comment, second by **Mr. Smallwood**, with a unanimous vote.

Rebuttal

Rob Berntsson, first of all I think many of the people that spoke weren't actually sworn in so just as a reminder when we get to the Board of County Commission meeting, they really need to be sworn in before they present their testimony. I think it's best we have our development team here. Before I bring up anyone to answer any of the specific questions. This is an approved project with more residential development than we're proposing and with more commercial industrial, light industrial use than we're proposing. We're scaling this project back, everything that we have to do to develop this land has to go through various local, state, federal agencies in order for permits to be issued. I want to assure everybody it's not just we go in there and we just start doing what we want to do because we got some ordinance approved. Everything that is done is done with permits. I will ask Todd Rebol the civil engineer to come up and address any of the civil questions that were raised.

Todd Rebol, with Atwall Port Charlotte. I am going to address the concerns that were brought up by drainage, coastal high hazard area, discuss a little bit about how that process happens as well as utilities. Let me first start with the drainage. So, the way this project has to move forward for approvals is you have to submit to the Southwest Florida Water Management District as well and Charlotte County for a stormwater permit. During that

process it is our responsibility as the applicant to do the development. To prove where the current water shed is going and we can not as part of state law, we are not allowed to disrupt any adjacent properties drainage. He explains the process and all that is involved, including wetland and canal drainage pertaining to runoff. Talks about the state process, building code revised, elevation, coastal high-water line, selling units and they were working with CCU. They pay for fees for each unit and will be paying impact fees, and a lot of other fees, explains all involved.

Mr. Baker said any idea for the gentleman that asked the question about start to finish.

Mr. Rebol said I will let the traffic engineer because she actually coordinated the developer the most because traffic has and it's very important for build out cycle and do not want to speak and be wrong. This isn't a one-year project and will let her address that.

Becca Bond said registered professional engineer and transportation engineer on this project, I can answer that. We analyzed a build out of 2036 so, there is a significant lead time there but takes into account we are at the planning stage right now and this construction is going to take time. Making sure we are able to get all those permits before we get started. I do want to discuss the fact that it was mentioned there was a previously approved project for this site. Traffic was analyzed with that; this is an anticipated to be a reduction in traffic from the previously approved and vested development. However, we did conduct a traffic analysis based on what is being applied for currently, that traffic study was sent to staff and approved. This is a planning stage, there will be additional analysis that is required and additional studies that are submitted to both county and FDOT before any permits are issued.

Mr. Baker said any egress for South McCall Road and talks about Gillot with Ms. Bond and right now there are two proposed primary vehicle entrances on Gasparilla Road, one on McCall Road, and two on Cattlebuck Pointe Road.

Mr. Berntsson said there is two different things we are looking at the overall and then looking at the PD also. Talks about with in the PD and discusses with the both of them.

Tim Hall, said I heard some of the comments related to mangroves and some of the animals on the site and I can try to address those. I will start with the gopher tortoises and there are several areas on the site they have been located. Prior to any construction any land clearing a survey has to be done to document where the tortoises are if they are within the footprint of the proposed construction. Then permits from the Fish and Wildlife Conservation Commission will be required to move those tortoises. When you move them there are two options. If there is enough preserve area that is suitable habitat being left on the property they can be moved into the onsite preserve area. If the onsite preserve already has a population and doesn't have room for more tortoises, then there is conservation banks located in the center of the state and will be relocated to those conservation banks. Addressing the mangroves there are mangroves in various portions of the property. Those trees are protected under the Mangrove trimming and preservation act to the State of Florida regulations. In terms of what you can and can't do with those, if there are impacts to mangroves those impacts have to be mitigated for at an appropriate location. To either replace mangrove habitat in some area where it's been denuded in the past. That can be onsite or offsite at a mitigation bank. We are also dealing with some of the boat traffic and all along there. I heard some concerns about putting docks along the waterway. The State of Florida has waterfront rights associated with property and discusses with what is involved regarding all of this.

Mr. Baker asks about the manatee zone and will they be slowing the boat speed down anyway.

Mr. Cullinan said when I mentioned the manatee protection plan and that this is an area as a preferred area of new sitings of marinas and water dependent access. That means that there aren't many manatees in this area and doesn't mean there is zero and discusses all that is involved.

Mr. Berntsson said we are reducing what has been approved, every concern that was raised today would be a valid concern if we had vacant property here and we were coming in to do something for the first time. We are actually taking something that has been approved and reducing its impacts on traffic, density, and bringing into today's needs and wants for development. With that I would request your approval of the three items before you.

Asst. Co. Atty. Thomas David said all of the property owners that are applicants have signed on to this application and you can speak for them.

Mr. Berntsson said that is correct, there are multiple property owners, really there is three and one has a bunch of different entities that their properties are in. There are three general property owners and all in agreement and have agreed to have this as moving forward.

Chair Gravesen asks any other questions for staff, any discussion. Staff has indicated when these will be before the County Commissioners. Be prepared for them and if you have any other questions. I will say Mr. Berntsson will entertain any questions you have especially outside of the room as everybody leaves. The engineers are here to help deal with those questions and there is a lot of regulations that they have to comply with as they go forward.

Recommendation

Mr. Baker moved that TCP-24-03, be sent to the Board of County Commissioners with a recommendation of Approval, of transmittal of application TCP-24-03 to the Florida Department of Commerce and other State review agencies for review and comment, based on the findings and analysis in the staff memo dated **February 1, 2025**, Charlotte County Comprehensive Plan along with the evidence presented at today's meeting, second by **Mr. Smallwood**; and carried by a unanimous vote.

Recommendation

Mr. Baker moved that PAL-24-04, be sent to the Board of County Commissioners with a recommendation of Approval, of transmittal of application PAL-24-04 to the Florida Department of Commerce and other State review agencies for review and comment, based on the findings and analysis in the staff memo dated **February 1, 2025**, Charlotte County Comprehensive Plan along with the evidence presented at today's meeting, second by **Mr. Smallwood**; and carried by a unanimous vote.

Recommendation

Mr. Baker moved that PD-24-14, be sent to the Board of County Commissioners with a recommendation of Approval, with conditions "a" through "aa", based on the findings and analysis in the staff memo dated **February 1, 2025**, Charlotte County Comprehensive Plan along with the evidence presented at today's meeting, second by **Mr. Smallwood**; and carried by a unanimous vote.

2:40 pm Recess

2:46 pm Resume

4.) PD-24-17

Quasi-Judicial

Commission District IV

An Ordinance, pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Planned Development (PD) to PD. This is a major modification amending Ordinance Number 2020-008, the adopted PD Concept Plan, and its associated PD conditions; converting through the adopted equivalency matrix approved 84,745.76 square feet of regional commercial uses to 350 units of single-family units and approved 58,394.16 square feet of regional commercial uses to 320 multi-family units, in order to have a mixture of residential and commercial development up to 670 residential units, 250,000 square feet of regional commercial uses, 150 keys of hotel uses, and 150,000 square feet of other commercial uses for governmental uses; adopting a General PD Concept Plan; for multiple parcels, generally located north of El Jobean Road (SR 776), south of Seymour Avenue, east of the Como Waterway, and west of Collingswood Boulevard, within the boundary of the

Murdock Village Community Redevelopment Area; in the Port Charlotte area; containing 154.93± acres; Commission District IV; Petition No. PD-24-17; Applicant: Kolter Group Acquisitions, LLC; providing an effective date.

Jie Shao, Principal Planner, provided the findings and analysis for Petition PD-24-17 with a recommendation of approval based on the reasons stated in the staff report.

Questions for Staff

None offered.

Applicant's Presentation

Linda Stewart, planner with Morris Engineering, representing the applicant, I have been sworn. Ms. Stewart said we accept Jie as an expert witness agrees with the staff report. This development as with the previous development was previously approved. With a planned development this is an amendment to that existing development approval. We will be adjusting the uses from this previously approved planned development. We will be reducing the impacts and goes over what they will be providing.

Public Input

Rachel Lowe, with K&R Investments and Titanz Plumbing. My office is right north of this property. My question is the same as it was with the last one and transportation and road. The Toledo Blade that is straight to the west of that property is currently a two-lane road. It is not even a two-lane road, you can fall off the edge, it's falling apart. One of the previous speakers said before why we aren't doing anything to the roads before we allow these people to break ground. I understand we have to let them do what they want with their property. As long as it's withing legal limits, but us as a county need to make sure that we are taking care of the county. Transportation to and from work and that is a main road to the interstate. Another thing is that is a homeless campsite and what is the plan with relocating probably two-hundred people. I am excited about it because they are a huge liability, especially to my business. What is the plan to relocate them.

- **Mr. Baker** moved to close the public comment, second by **Mr. Smallwood**, with a unanimous vote.

Rebuttal

Becka Bond licensed professional engineer and transportation engineer on this project. Ms. Bond said in this case there is a scheduled improvement for Toledo Blade. It is a developer commitment for this project, that will be widening Toledo Blade from two to four lanes. That is being done in conjunction with this project.

Linda Stewart said regarding the homeless camp out there, we are aware this is an issue. We have had some of our consultants have the Sheriff's Department's help out there and that will continue. The developer will work with the Sheriff's Department regarding the homeless camp.

Discussion

Chair Gravesen asked wasn't this what ever water park that didn't happen.

Asst. Co. Atty. Thomas David said it was called Lost Lagoon. The county is one of the property owners as some of this land will be transferred to the buyer. The county's interest in the land will be transferred to the buyer at closing. The county is aware of the homeless situation out there, there have been multiple meetings, we have a procedure that we follow when we have to remove people. It is unfortunately and sadly a problem across this county, there is a process in place. This particular group has been a little bit more complicated to deal with than the others that we had to work on. I am sure that we will be working on that for quite some time with the developer. We were able to get them on the site to do some of the due diligence work that they needed to do. We still have a lot of work to do in terms of getting the people resettled.

Chair Gravesen said does the county own most of this.

Asst. Co. Atty. Thomas David said maybe forty percent or something, because Kolter purchased a big chunk of it from the prior group that the county had contracted with. The road work and all that kind of stuff that was all component of the purchase plan. That road and Toledo Blade will be improved and also the one next to it, Flamingo.

Mr. Cullinan said Flamingo is in the middle portion currently under construction.

Asst. Co. Atty. Thomas David said there will be another north, south connector. The flow in that area should be good and the other thing that's happening is they have an internal road that runs east and west. Connecting all of these properties up to and the last thing to say is all of the rips on these roads and in this area were vested a long time ago. All the development that is happening here is less intensive than what was allowed. If you looked at the traffic max, traffic capacity there.

Recommendation

Mr. Baker moved that **PD-24-17**, be sent to the Board of County Commissioners with a recommendation of Approval, with conditions "a" through "aa", based on the findings and analysis in the staff memo dated **January 29, 2025**, Charlotte County Comprehensive Plan along with the evidence presented at today's meeting, second by **Mr. Smallwood**; and carried by a unanimous vote.

Chair Gravesen said items 5 and 6 on our agenda are postponed until next month, now item 7 and 8.

5.) PAL-24-07

Legislative

Commission District I

Pursuant to Section 163.3184(3), Florida Statutes, transmit to the Florida Department of Commerce and other State agencies for review and comment a Large Scale Plan Amendment to Charlotte County FLUM Series Map #1: 2030 Future Land Use from Agriculture (AG) to Mineral Resource Extraction (MRE); for property located at 42811 Neal Road, 3300, 3440, 3450 and 3460 SR 31, in the Punta Gorda area and within the East County area; containing 308.01± acres; Commission District I; Petition No. PAL-24-07; Applicant: Bluegrass Land & Mine; providing an effective date.

Jie Shao, Principal Planner, provided the findings and analysis for Petition **PAL-24-07** with a recommendation of approval based on the reasons stated in the staff report.

6.) Z-24-18

Quasi-Judicial

Commission District I

An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Agriculture (AG) to Excavation and Mining (EM); for property located at 42811 Neal Road, 3300, 3440, 3450 and 3460 SR 31, in the Punta Gorda area and within the East County area; containing 308.01± acres; Commission District I; Petition No. Z-24-18; Applicant: Bluegrass Land & Mine; providing an effective date.

Jie Shao, Principal Planner, provided the findings and analysis for Petition **Z-24-18** with a recommendation of approval based on the reasons stated in the staff report.

Questions for Staff

None offered.

Applicant's Presentation

Rob Berntsson, Big W Law Firm, representing the applicant, states has been sworn in and we accept Ms. Shao as an expert for these hearings. I think she has covered it very well. There is an ongoing excavation that's coming

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to an end. They just want to finish off the rest of the property when it was originally approved. We didn't have the EM zoning and land use so now in order to expand the mine they have to bring it into compliance with the comp plan and zoning. That is what we are seeking to do, there's not an increase in traffic or anything because it is the same trucks coming there now to do the current area. They will be the ones that would come through the expanded area. I am happy to answer any questions, we do have the project engineers here and the applicants.

Public Input

None offered.

- **Mr. Baker** moved to close the public comment, second by **Mr. Smallwood**, with a unanimous vote.

Discussion

None offered.

Recommendation

Mr. Baker moved that **PAL-24-07**, be sent to the Board of County Commissioners with a recommendation of Approval, of transmittal of application PAL-24-07 to the Florida Department of Commerce and other State review agencies for review and comment, based on the findings and analysis in the staff memo dated **January 30, 2025**, Charlotte County Comprehensive Plan along with the evidence presented at today's meeting, second by **Mr. Smallwood**; and carried by a unanimous vote.

Recommendation

Mr. Baker moved that **Z-24-18**, be sent to the Board of County Commissioners with a recommendation of Approval, based on the findings and analysis in the staff memo dated **January 30, 2025**, Charlotte County Comprehensive Plan along with the evidence presented at today's meeting, second by **Mr. Smallwood**; and carried by a unanimous vote.

ADJOURNMENT

The meeting was adjourned at 3:10 p.m.

Accepted on behalf of the Charlotte County
Planning and Zoning Board



Michael Gravesen, Chair