

**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**

***April 14, 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.

**Approval of Minutes – February 10, 2025, Regular Meeting**

The March 10, 2025, minutes were approved as circulated.

**Announcements**

**Mr. Cullinan** said item number 5 will be moved to be heard after number seven.

**Mrs. Sargent** swore in all persons who wished to provide testimony.

**PETITIONS**

**1.) PAS-24-07**

**Legislative**

**Commission District II**

Pursuant to Section 163.3187, Florida Statutes, adopt a Small Scale Plan Amendment amending Charlotte County FLUM Series Map #1: 2030 Future Land Use, from Low Density Residential (LDR) to Parks and Recreation (PKR); for property located at 537 Darst Avenue, in the Punta Gorda area and within the South County area, containing 0.483± acres; Commission District II; Petition No. PAS-24-07; Applicant: Tina Powell, Charlotte County Parks & Natural Resources Divisions Manager; providing an effective date.

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

**2.) Z-24-16**

**Quasi-Judicial**

**Commission District II**

An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Residential Single-family 5 (RSF-5) to Parks and Recreation (PKR), for property located at 537 Darst Avenue, in the Punta Gorda area and in the South County area, containing 0.483± acres; Commission District II; Petition No. Z-24-16; Applicant: Tina Powell, Charlotte County Parks & Natural Resources Divisions Manager; providing an effective date.

**Jie Shao, Planner**, provided the findings and analysis for Petition **Z-24-16** with a recommendation of approval based on the reasons stated in the staff report.

**Questions for Staff**

None offered.

**Public Input**

None offered.

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

**Recommendation**

**Mr. Smallwood** moved that **PAS-24-07**, be sent to the Board of County Commissioners with a recommendation of Approval, based on the findings and analysis in the staff report dated March 28, 2025, Charlotte County's Comprehensive Plan along with the evidence and testimony presented at today's meeting, second by **Mr. Baker**; and carried by a unanimous vote.

**Recommendation**

**Mr. Smallwood** moved that **Z-24-16**, be sent to the Board of County Commissioners with a recommendation of Approval, based on the findings and analysis in the staff report dated March 28, 2025, Charlotte County's Comprehensive Plan along with the evidence and testimony presented at today's meeting, second by **Mr. Baker**; and carried by a unanimous vote.

**3.) PD-25-04**

**Quasi-Judicial**

**Commission District II**

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 2024-012, the adopted General PD Concept Plan and its associated PD conditions, to amend maximum building square footage of "Storage" pursuant to the County Code sec. 3-9-2: Rules of Construction; Definitions from 145,000 square feet to 200,000 square feet, specifically, 1) to reduce the numbers of buildings from 11 to eight; 2) to increase the maximum square footage for mini- storage uses from 77,000 square feet to 110,000 square feet; 3) to increase the maximum square footage of RV storage units from 68,000 square feet to 90,000 square feet; and 4) to adjust the parking area and internal roadways, for property located at 5221 and 5225 Taylor Road, in the Punta Gorda area, containing 10.33± acres; Commission District II; Petition No. PD-25-04; Applicant: Derek Rooney, Esq. of Gary Robinson, P.A.; providing an effective date.

**Jie Shao, Principal Planner**, provided the findings and analysis for Petition **PD-25-04** with a recommendation of approval based on the reasons stated in the staff report.

**Questions for Staff**

None offered.

**Applicant's Presentation**

**Derek Rooney, representing the applicant**, has been sworn in and accept Jie Shao and her expert testimony and all conditions proposed. Talks about the plan, the main building on the first parcel makes a lot more sense. The concept from trying to design actual build the older style, that design didn't work. So, back here a year later with a more realistic design allows us to reduce the number of buildings but also allows us to maximize to get more square footage. I see you have a big crowd here, so I won't delay and if you have any questions I am here, and the owners are here as well.

**Public Input**

None offered.

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

**Discussion**

None offered.

**Recommendation**

**Mr. Smallwood** moved that **PD-25-04**, be sent to the Board of County Commissioners with a recommendation of Approval, based on the findings and analysis in the staff report dated April 5, 2025, Charlotte County's

Comprehensive Plan along with the evidence and testimony presented at today's meeting, second by **Mr. Izzo**; and carried by a unanimous vote.

**4.) PD-24-18**

**Quasi-Judicial**

**Commission District II**

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 to the PD conditions and its associated PD Concept Plan as established in Ordinance Number 2022-022, and adopt the General PD Concept Plan, in order to have a residential development up to 230 dwelling units (a reduction of 48 units); requiring a transfer of 96 density units from the Coastal High Hazard Area (CHHA) (The property contains 230 non-CHHA density units via Resolution Number 2021-107); for property located at 12150 Burnt Store Road, within the boundary of the Burnt Store Area Plan and in the Punta Gorda area, containing 68.43± acres; Commission District II; Petition No. PD-24-18; Applicant: DR Horton; providing an effective date.

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

**Questions for Staff**

**Chair Gravesen** said so if they have 230 density units now and may six of those don't qualify as coastal high hazard. Can they then after they transferred in the 96 transfer out 96 noncoastal high hazard density units someplace else.

**Mr. Cullinan** said yes, they are required to do that.

**Ms. Shao** said you can change that back they have six base densities. That six base densities could be located in the coastal high hazard area. Anything above that they must transfer and explains.

**Applicant's Presentation**

**Neale Montgomery, representing the applicant**, I have been sworn, and agree with and accept the testimony that Jie Shao has provided today. We have our team here but basically were changing from a tiny home the simple life project to a DR Horton real home project reduced in density by 48 units. If you would like to hear from our team, we can do that or if you have any questions.

**Public Input**

**Scott Cope**, address 12020 Burnt Store Road, Punta Gorda. I live and reside and own the property in the northwest corner. I have about 1,000 foot of common property line with the subject property. My concern is the buffer and the setbacks. The type A buffer is only a 3-foot high could we get a taller buffer. But more important when I look at the layout and explains what is shown for the north, east and south setbacks. The only place it doesn't say that is over along the property line that goes our entire length of my property. I was wondering why that is, why my property is being treated separately than the rest of the properties in the diagram.

**Deborah Cope**, 12020 Burnt Store Road. We've been going through this for a long time. First with Simple Life we have been here many times. Talks about the changes, enhanced buffer, the property says it's residential it's not it is AG in AE, that is how we use it. We have cows, and talks on setbacks, buffer, coastal high hazard and right up against our property line.

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

**Chair Gravesen** said we don't usually answer questions from the public here. But I will ask the staff or the applicant to make a quick response.

**Mr. Cullinan** said I can respond but the applicant can as well, and talks about the buffer, code and explains about the labeling on the plan. Also explains the residential to residential, applicant can increase it but typically it is a minimal buffer.

**Ms. Shao** said no storage and no need for a type D buffer.

**Chair Gravesen** suggests that to the public citizens get with the Attorney before they get away. Just have a brief conversation with them.

**Mr. Smallwood** said looking at the water and sewer use for this area, are all the homes going to be 2 or 1 bedroom compared to most of these probably being 3 bedrooms.

**Mr. Cullinan** said the applicant's experts will be the ones to address that.

**Carl Brock**, Engineer for the project. We have been working with CCU to permit the project through them and with regards to water and sewer use. The tiny homes did have a smaller use, but the modeling, permitting we are doing with CCU and FDEP will take into account the larger use for the single-family home that DR Horton is proposing.

**Mr. Smallwood** said that plant right now is pretty much at full capacity.

**Dan DiLisi**, land use planner, working for the applicant, we are reducing density by 48 units. That needs to be taken into account, talks about CCU, and they look at what's already been zoned along the corridor.

**Dep. Cty. Atty. Thomas David** said for the record if they can't demonstrate the ability to connect to the water and sewer system they can't proceed. That will be resolved at site plan.

#### **Recommendation**

**Mr. Smallwood** moved that **PD-24-18**, be sent to the Board of County Commissioners with a recommendation of Approval, with conditions "a" through "o" based on the findings and analysis in the staff report dated March 30, 2025, Charlotte County's Comprehensive Plan along with the evidence and testimony presented at today's meeting, second by **Mr. Vieira**; and carried by a unanimous vote.

#### **6.) 22LAD-00000-00007 & LAD-25-02**

#### **Quasi-Judicial**

#### **Commission District I**

A Resolution pursuant to Section 380.06(7), Florida Statutes (F.S.) and Section 3-9-10.1, Development of Regional Impact (DRI) Development Order (DO) Amendment Process and Procedure under Chapter 3-9, Zoning, the County's Land Development Regulations, amending the DO for the Harborview DRI, Resolution Number 2010-083, to 1) revise for internal and statutory consistency to reflect updates to Florida Statutes, as applicable; 2) amend "Specific Conditions": "Vegetation and Wildlife"; "Wetlands"; "Stormwater Management/Water Quality"; "Transportation"; "Education", "Dock Facilities" (existing "Marina and Dock Facilities"); "Energy"; "Flood Plain/Hurricane Preparedness"; and "Recreation and Open Space"; 3) update the "Land Use" condition to delete marina uses; 4) revise Map H as Exhibit "A" to be consistent with the proposed development rights; 5) revise the buildout date; 6) revise Exhibit "B" to include a "Land Use Equivalency Matrix"; 7) replace the existing Exhibit "D": "Harborview DRI Land Management Plan, a Manual of Best Management Practices for Preserve Areas, Wetland Buffers, Green Zone, Nutrient Management, Wildlife Utilization Area, and Listed Species Prepared by EarthBalance, February 25, 2010" with the new Exhibit "D": "Harborview DRI Land Management Plan, a Manual of Best Management Practices for Preservation Prepared by Water Resource Associates, November 2023"; 8) replace Exhibit "E": Wetland Impact/Preservation and Wildlife Areas/Green Zone Map (Map F-1) with a new Map F-1: Wetland Impact & Wildlife Utilization Map; and 9) delete Exhibit "F": Marina Environmental Measures and Best Management Practices, Clean Marina Plan – Harborview Marina; for property general located north of the Peace River, south of Madras Court and Mauritania Road, east of Danforth Drive, and west of Discovery Drive; in

the Port Charlotte area; containing 653± acres; Commission District I; Petition No. 22LAD-00000-00007 & LAD-25-02; Applicant: Benderson Development Company, LLC; providing an effective date.

**Chair Gravesen** asks the county attorney how do we vote on these, and **Dep. Cty. Atty. Thomas David** said each petition number and a discussion ensues.

**Jie Shao, Principal Planner**, provided the findings and analysis for Petition 22LAD-00000-00007 & LAD-25-02 with a recommendation of approval based on the reasons stated in the staff report.

**7.) PD-22-00015 & PD-25-03**

**Quasi-Judicial**

**Commission District I**

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 to the existing Harborview Development of Regional Impact (DRI) PD, Ordinance Number 2010-071, by revising the development rights, removing the public marina, updating development standards, and adopting a General PD Concept Plan; for property generally located north of the Peace River, south of Madras Court and Mauritania Road, east of Danforth Drive, and west of Discovery Drive; in the Port Charlotte area; containing 653± acres; Commission District I; Petition No. PD-22-00015 & PD-25-03; Applicants: Benderson Development Company, LLC; providing an effective date.

**Jie Shao, Principal Planner**, provided the findings and analysis for Petition PD-22-00015 & PD-25-03 with a recommendation of approval based on the reasons stated in the staff report.

**Questions for Staff**

**Dep. Cty. Atty. Thomas David** said to Chair Gravesen, you asked me a question before we started about what the motions are going to be. Ms. Shao is being detailed and complete with her presentation. The motion you will make for number six will be on LAD-25-02 the motion on number seven will be PD-25-03. You will not be making motions on the other two, those are there for informational purposes, so you understand the process by which we to these votes. I will have the applicant's counsel confirm when they get up for their presentation.

**Mr. Vieira** said I am assuming we are moving the residential component out of the west village and being absorbed in the east and north village, is that correct. **Ms. Shao** discusses the matrix, convert multi to single family. **Mr. Vieira** is concerned about concurrency and a discussion ensues between them.

**Applicant's Presentation**

**Derek Rooney, representing the applicant**, agrees with David and Jie did a very thorough job and detailed presentation and accept her testimony. We have a presentation; I am assuming everyone is here for us. I want to emphasize just briefly before I bring up Jem Frantz from RVI Planning to walk through the slide show. Talks about the history of this project, revisions made since then, affordable housing, removal of the marina, increasing the buffers, addressing additional environmental concerns and moving the commercial intensity from east side of I75 to the south west village, land use matrix, entitlements coming from multi-families and this will take years.

**Mr. Vieira** my concern is the water component and looking ahead on other items we are going to listen to today. I am curious as to when concurrency was determined, was it pre-sunseeker, was it recently within the last year, 30 days, 60 days for the water component from Charlotte Harbor Water. When was it established that there was enough water. We've had Sunseeker, we've had an explosion of building in Harbour Heights that's taking up a lot of capacity.

**Mr. Rooney** speaks on concurrency and goes over all this along with water availability.

**Jem Frantz**, with RVI Planning and Landscape Architecture, there is a couple of us that needs to be sworn in.

**Dep. Cty. Atty. Thomas David** asks patrons not sworn in to stand and get sworn in.

**Mrs. Sargent** swears in people who are wishing to speak.

**Jem Frantz** speaks on the slides, goes over and discusses, plans, changes and highlight the benefits of the application. We are eliminating the marina, that has the effect of preserving, reducing impacts to wildlife habitat, sensitive habitat, reducing boat traffic, enhancing compatibility with Harbour Heights, preservation area, a lot of preservation condition changes, increased preservation area in the property, reflecting the addition of scrub jay preservation areas, updating environmental preservation requirements and all those conditions to today's standards. Talks about the initial application also reduced the intensity in the east village by removing the mixed-use area and the marina. Making that primarily residential development and all of this come without a request for increased density. Also discusses all the additional changes pertaining to this project.

**Matthew Miller**, director of environmental services at WRAN Engineering and I have been sworn. We've worked really hard with your staff Tina Powell, Jamie Scudera on these environmental enhancements to the project. Specifically removing the marina impacts, have an increase of fifty-seven acres of what was previously approved for preserves. Including sixty-one acres of scrub jay and gopher tortoise habit preservation, which is all part of Charlotte County HCMP, mentions the \$3 million dollar mitigation payment, eagle nest protection and there is an eagle nest on the site. When we come to final site plan we'll identify where the nest is, maintain protections and the green zones.

**Becca Bond**, transportation traffic engineer, with Kimley-Horn, I have been sworn. Jie did a great job on the transportation slides. I am going to go through these and I will come back up for any specific questions if you have them. Talks about the traffic impacts, studies, goes over the slides explaining the scheduled improvements Harborview Road, Melbourne and I75 interchange. Traffic study will be submitted to Charlotte County and FDOT for review, any improvements that are required by the traffic associated with this project. Those improvements will be undertaken. It will include the roadways listed here and any major intersections along these roadways. States all that is included in the presentation regarding turn lanes, driveways and roundabouts.

**Jem Frantz** said that is the conclusion of our presentation. We agree with staff and their recommendation of approval, talks about the project areas and informs that we will be available for any additional questions, comments and appreciate your time.

#### **Public Input**

**Dreama Dolittle**, Harbour Heights. The agenda says there will be five minutes for each petition. So, do I get ten minutes.

**Dep. Cty. Atty. Thomas David** said you get five minutes, that's the rule. **Ms. Dolittle** five minutes for which petition. **Dep. Cty. Atty. Thomas David** said item number six.

**Ms. Dolittle** and **Chair Gravesen** a discussion ensues pertaining to the time.

**Ms. Dolittle** said three hundred twenty-two pages of submittals, has the board had time to read all the information in this petition. It took me quite a while, it's my understanding in this petition for changes to over fourteen years of development orders. A lot has happened in fourteen years, talks about all the extensions, talks about Buc-ee's, not needed with the traffic and major hurricanes.

**Laura Johnson**, Harbour Heights, thank you first for being the voice of reason. As we look at this development proposal, in actuality this should be a complete re-do of the development order. However, since we are here, I am going to ask you to consider what is reasonable. Is this comprehensive plan reasonable based on the county's current state of sanitation and water resources. Talks about intensity, density is it reasonable, the county's infrastructure, multiple failures with the lift station. Asks the members to use common sense, adding intensity, sawfish, oil and gas spillage, flooding and asks for denial.

**Greg Dire**, Deep Creek. I just want to make a quick statement that Buc-ee's is going to be a ten-thousand-pound gorilla, environmentally, just asking you to please consider the impact with public safety, resources, light pollution, were talking about signs, storm evacuations we all know that is going to be a nightmare. Deep Creek residents are going to suffer.

**Mike Dolittle**, Harbour Heights. I understand that something is going to be built there. Talks about what was presented in 2006 looked kind of reasonable, right size for the neighborhood. Mentions about what was told by the realtors, infrastructure, talks on cars, traffic, school backups, mass evacuation with hurricanes, sewerage, not taking care of smell, no plan to update road, stuff approved in 2010, and a lot has changed since. Talks also about projects getting shut down, the marina and negotiations, too much development.

**Eric Frohn**, live on Voyager Drive, Harbour Heights. I've been watching this unfold for many years and have the original binder from the original DRI for this. Asks for the slide to be put up showing velocity, storm surge, can I ask for that and get it. The area is severely behind the curve regarding infrastructure, environmental impact. Let's talk about the storm surge elevations are going to be. Talks about if it remains single-family residences and base flood elevations of the slabs be in the east village. Mentions the height in feet for this building, talks on soil and water absorbing into the area. Then do we build houses at twenty feet, and all become a stilt frame, not to mention traffic and that is a problem. When you should be representing us, there is only one of you on this board that has remotely any skin in this game. No one else is concerned about this, where is your responsibility.

**Dick**, Harbour Heights. Never worried about the water problem until the last two hurricanes. It was three feet higher than it's ever been at our house. Talks about building, the amount of fill to bring in, with size and land and amount of water being displaced. Needs to be fewer buildings or buildings built on stilts, something that is not going to displace the water to rise the water level.

**Mike Walsh**, Harbour Heights. Why would anyone want to put hundreds of thousands of gallons of gasoline underground on the border of a coastal high hazard area. They paint a very nice picture of this project; I would ask that you guys' tread lightly and use some good judgment.

**Jackie Moran**, Harbour Heights. We don't need more traffic in our area, we have trouble as it is with our school. They are doing nothing about the traffic there, if we have more, we are really gonna be backed up. It's backed up now past the traffic light. We already got Sunseekers, talks about the water and costing us more money. They are going to cost us even more.

**Beverly Constable**, Harbour Heights. This past weekend I had the opportunity to go into a Buc-ee's. Never been there in my life, heard wonderful things about it. There was three ways into the Buc-ee's, every single one was backed up. We drove around 120 pumps three times we finally found a pump. I went inside to experience it, there was so many people in there, it was beyond the fire rules and regulations. The line for the bathrooms went all the way to the doors. Please don't do this to our community, put up a sign up, it will be a destination and a disaster.

**Sharon Brand**, Harbour Heights. I've lived out there now close to forty-five years. I seen a lot of changes come to our whole area. I have also been to a Buc-ee's and my kids love on the way to Atlanta to stop there. It is unbelievable, it is mind boggling, so many people there, using the restrooms, and gas pumps. What worries me the most, I have been able to travel on Harborview Road for forty-five years. Talks about the traffic and how it will impact everyone, please don't do this. Why can't it go out on Jones Loop, not in our little community.

**Jim Deboe**, Harbour Heights. I wasn't planning on talking, got to think about some things. We have heard from the developer, the engineering company. We haven't heard from any resident's who are in favor of the project. I'm guessing that is a telling sign, so if you at the end of this discussion vote to extend to push forward this project. I think you will have to answer to some people. The environmental impact, heard about one hundred pumps,

light pollution, noise pollution, rumble of diesel trucks, run-off, eagles at least one and saving it, scrub jays, and tortoise. Talks on fee they'll have to pay and again that is not how nature works.

**Courtney Mason**, Punta Gorda, I have been sworn in. How are sixty-to-seventy-foot buildings compatible with surrounding residents of single-family homes. Under Florida law landowners do not have a property right to an increase in currently authorized uses densities, intensities. When making your decision today please think about Charlotte County residents and wildlife. It's ok to say no, it's ok to put things on hold to gather more information. Talks about her grandfather and his background, the wildlife, land, gopher tortoises being buried alive.

**Jeff Good**, Harbour Heights. I think traffic is going to be a problem and have been to Buc-ee's. Traffic will be backed up to the off ramp. Then you have homes being developed. Sunseekers will get more traffic over time.

**Stephan**, Charlotte County. I just want to second what all the citizens said before me in agreeance with them.

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

#### **Rebuttal**

**Derek Rooney**, will not do a full rebuttal. I will say that you heard quite a bit from public and neighbors. If you have any specific questions, I will be happy to call up the relevant experts or if I can address them I will. I will point out a few things that I have the answers to. One of the questions was about how much higher these homes are going to be built. One of the conditions is to allow up to five additional feet of freeboard above the base flood elevation to make sure that the homes that are built are out of the flooding area. I will point out, there is an issue that came up last year, the preserve on this property has substantially increased. If you go back to the preserve areas, you'll see that those areas generally tend to be up in the northeast village. Buffering the existing homes, that also happens to be the highest and driest of the property. The developer is taking the position that preserve the environmental habitat, use that for gopher tortoises, use that for scrub jay mitigation. That area rather than mitigate and use those for homes, that area is being set aside. Talks about the commercial building will have the additional freeboard and flood proofing to allow them to not be wiped out during some storm event. It is kind of a give and take, were not putting in the homes in the highest and driest spots. We are going to build them to better standards, not increasing any density in the overall project or the coastal high hazard from what was previously approved. Talks about sawfish and some of the other issues, we can have the environmental expert come up. We removed the marina uses; we are not having any impacts or water uses at all. Going to the portable water and sewer, I apologize if I wasn't clear with my comments responding to Mr. Vieira. Concurrency for the benefit of the neighbors, concurrency means concurrent. Is the infrastructure necessary, is it concurrent with the development and the impacts there of. At this stage we're at the ten-thousand-foot view of this project, since 1992 and explains.

#### **Questions for Staff or the Applicants**

**Mr. Vieira** on the road improvement component of the presentation, I didn't see any reference to any improvements on Discovery Drive. One of the speakers talked about it wasn't built for that sort of traffic and I concur with that. Is that an oversight, I don't know what their potential is for that.

**Mr. Rooney** said there was a proposal to relocate Discovery Drive, I don't believe that it's going to be used for access to the project at all. A discussion ensues.

**Mr. Baker** asks on the Big Elephant and are we to be considering Buc-ee's I don't think you're proposing that in this particular change are you.

**Mr. Rooney** said no, and I believe it's a beaver not an elephant, but there is an interest from Buc-ee's for the west villages there. There will be representatives from Buc-ee's at the Board of County Commissioners to hear and



address that concern. The only change reflected in the proposal in front of you today and it's different from what you seen last year and explains.

**Mr. Smallwood** has a question about water and sewer again. So, impact fees at this time don't seem to be covering the expansion that's going on in this county. So, who covers that impact fee, I was watching the commissioners meeting and utilities stated the public is going to cover that. Is that the way it's going to be. **Mr. Rooney** said in this area portable water is covered by Charlotte Harbor Water Authority as a utility that has that service area. They are only required to plan for in their water capacity studies the existing and planned entitlements. At some level they would have planned for this DRI over the last thirty years because it always showed up as some at least so many units. They have their own connection and impacts fees, and explains the projects, fees, plant is not keeping up, and all that is involved.

**Mr. Vieira** said just to continue that I do know that the east port campus is being expanded. Sixteen million gallons of wastewater treatment per day, which would handle this development. It is already under construction, it started in February of this year. I guess my question is to Mr. Cullinan is who is paying for this expansion at this point in time.

**Mr. Cullinan** said I believe it is being born by whatever funds are available within the CCU, they're an enterprise fund and the connections fees. I want to make a clarification we don't have any utility impact fees. They will be connection fees, connection capacity. We do not have impact fees for utilities like we do for roadways, government and all those other items. Just want the general public to know it's similar but a different funding source and explains the process.

**Chair Gravesen** said I have a couple of questions for staff. The development order, the DRI that does not expire, some rules can change by state statute, so they have to be different things. The DRI exists, does not expire, still have rights involved with their DRI.

**Ms. Shao** said generally speaking yes, but I specifically answered their specific question, their development order expires February 2025, but however the applicant requested revisions to development order since 2022. We have reviewed the changes and both discuss.

**Mr. Cullinan** said correct, what Jie was saying I will see if I can clarify that a little bit. Because under very numerous executive orders extending development orders due to storms that have been going on. Even other natural disasters such as the Covid pandemic. The applicants can request to extend DO's at this point. I don't know if any development orders, permits things will ever expire if there requested. What Jie is saying is because they've already put in an application into us which included an extension of the date that their project vested. We couldn't say no to those executive orders regardless. We just typically just wait until they come in and do something else and then update the development orders. So, the development order is still valid.

**Chair Gravesen** said my point was kind of we have a higher anarchy of a number of different things being a DRI, development orders withing that DRI that are tied to the land use and zoning codes. Each step of this creates some development rights that the property owners have. There are some things can happen on the property that just going through a of a construction permit application stage. Construction could start not what they want to build at this point maybe, but they could be building something along this corridor.

**Mr. Rooney** said can I add a little clarification, it's not typical especially for the public. We don't see a lot of DRI's in Charlotte County. We don't really see them much left in the state, because the ones that are still utilizing the process are winding down. Because the legislature essentially said you don't need to do these anymore. Talks on the number of size and units was so intense. That required a larger more consistent review at a statewide and with regional entities to get involved. The development order itself could be abandoned; the state allows. Discusses all of this with obligations, requirements and rules.

**Mr. Vieira** said I've owned property in Harbour Heights for twenty-five years. I've lived there for twenty-one years; I had the not so good sense to start construction of the home about two months before Hurricane Charley hit. That wiped that out. I Volunteered in Harbour Heights for almost any public committee that needed to be done. We needed roads, sidewalks, I was the chairman of those committees to improve the neighborhood. So, I am embedded in Harbour Heights I have a lot of respect for the community in general. My reward for being the chairman of that committee was my tires of my vehicles were flattened, garbage was thrown in my yard as my thanks for putting new sidewalks and roadways in Harbour Heights. My thanks went to Bill Truex and Sheriff Prummell who intervened and stopped that from happening. So, when I sit out here and listen to this conversation that we're having about whether we should allow this development or not allow this development and a number of houses. I moved there twenty-five years ago when I came here, I knew about this development. I knew that it was an inevitable situation that was going to happen. A gentlemen got up and said that there was probably somebody up here that had some skin in the game. I am sure he was referring to me, because I've known him for a number of years. I also have one of those binders that is eight inches thick and the original DRI report and that sort of thing. It might start a good fire one day I guess, my point in saying all that is that I know the developer has certain rights that he is entitled to and has been entitled since 1992. The numbers have diminished significantly since that point in time. When I listen to this, I have to consider the impacts that are coming and how long it's really going to take to build everything. This portion we are talking east village any overall development order, I see that being ten years. Who knows when it will really get built out, I see that the developer has actually listened to everybody that actually came here in previous meetings and is looking into improving the traffic situation at the school. The water and sewer situation, I see a lot of positive things moving forward. I am a guy, and I will say it straight out, I am a pro development person. I am in favor of good development; I don't see there might be a different discussion concerning the west village. But as far as the east and north village go, I see that as reasonably good development to occur in the area.

#### **Recommendation**

**Mr. Vieira** moved that **22LAD-00000-00007 & LAD-25-02**, be sent to the Board of County Commissioners with a recommendation of Approval, based on the findings and analysis in the staff report dated March 25, 2025, Charlotte County's Comprehensive Plan along with the evidence and testimony presented at today's meeting, second by **Mr. Baker**; and carried by a unanimous vote.

#### **Recommendation**

**Mr. Vieira** moved that **PD-22-00015 & PD-25-03**, be sent to the Board of County Commissioners with a recommendation of Approval, with conditions "a" through "hh", based on the findings and analysis in the staff report dated April 5, 2025, Charlotte County's Comprehensive Plan along with the evidence and testimony presented at today's meeting, second by **Mr. Baker**; and carried by a unanimous vote.

**3:54 Recess**

**4:01 Resume**

#### **5.) TCP-22-04**

#### **Legislative**

#### **Commission District I**

Pursuant to Section 163.3184(3), Florida Statutes, adopt a Large Scale Plan Amendment to revise Future Land Use (FLU) Appendix VI: Developments of Regional Impact by 1) removing permitted "Public Marina" land use/development right from the Harborview Development of Regional Impact (DRI), 2) increasing the total minimum acreage of "Open Space, Preservation and Recreational Uses" to 226.55 acres for this DRI, and 3) updating "Notes" to remove Note #1 for the West Village residential development rights and to revise and renumber Note #2 to new Note #1 to reflect a new Land Use Equivalency Matrix; Petition No. TCP-22-04; Applicants: RDL Associates, LLC; Peace River Associates, LLC; Peace River East II, LLC; and Post Falls Management Associates, LLC; providing an effective date. The Harborview DRI is located within Commission District I.

**Jie Shao, Principal Planner**, provided the findings and analysis for Petition **TCP-22-04** with a recommendation of approval based on the reasons stated in the staff report.

**Questions for Staff**

None offered.

**Chair Gravesen** asks is this just a land use change, does the applicant have anything.

**Ms. Shao** said the applicant because they have multiple requested.

**Applicant's Presentation**

**Jem Frantz, with RVI Planning and Landscape Architecture, representing the applicant.** **Ms. Frantz** said we don't have a presentation on this one today. This is implementing the changes that we talked about. We are available for any questions.

**Public Input**

**Dreama Dolittle, Harbour Heights,** I want to get a few more points in that I didn't get last time. Talks on impacts and Buc-ee's being a destination, not for residential area, mentions the reduction and island plantings with variances and special cases that go in front a special board. Proper protocol, green space with acres, should not have passed on wetlands and the scrub jays not improvement, it's a requirement and mandatory to follow rules, not due diligence, not just rubber stamped for approval, where is the analysis and traffic study.

**Laura Johnson,** said please don't approve this.

**Mike Dolittle,** said I just want to reiterate what they said, I can't see how you can use something from 2010. When there have been so many changes to the area. You talk about they have rights, if you make a right in 1900 and everything changes to 2025 the rights change too. You can't go by the same rights you did fifteen years ago, there has been so many changes. These has been flooding, more construction, thing have changed since then and should be updated to 2025 before you make you make a decision that is going to affect all of us forever.

**Dick Latimer, Harbour Heights,** we're talking about the proposed Buc-ee's site, I am confused. I thought we just discussed the east village, is that what we are talking about now. **Chair Gravesen** said all we are talking about is a text amendment for the comprehensive plan for the land use map. **Mr. Latimer** said the last episode talking about the traffic, I just want to say that area east getting off the four lane anything going into that area. The Buc-ee's that were not discussing would go, is a left hand turn you have talked about widening Harborview for a left-hand turn signal or turn lane to get northbound on 75. But the day is going to come when that's going to need to be a-round-about. There is just not enough room there and explains.

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

**Tyler Peterson,** I am a resident of Deep Creek and own several properties in Harbour Heights as well. I just want to clarify the original zoning of this area was intended to by city center is that correct, in the comp plan, was the original intended use, I saw the slides earlier it said city center mixed use.

**Ms. Shao** said future land use map designation is DRI mixed use.

**Mr. Peterson** said I would argue that a Buc-ee's would be almost borderline industrial use and that's not compatible with a mixed use. I am a big fan of Benderson and love what they've done with UTC that whole area. You specifically don't see a Buc-ee's next to UTC, it is not a compatible use in any way. Talks about this project and it's not about Buc-ee's and just letting the people talking for no reason ok.

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

**Recommendation**

**Mr. Vieira** moved that **TCP-22-04**, be sent to the Board of County Commissioners with a recommendation of Approval, based on the findings and analysis in the staff memo dated **April 5, 2025**, Charlotte County's Comprehensive Plan along with the evidence and testimony presented at today's meeting, second by **Mr. Izzo**; and carried by a unanimous vote.

**8.) PAL-23-00004**

**Legislative**

**Commission District V**

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 request is to 1) amend Charlotte County FLUM Series Map #3: 2030 Service Area Delineation, to extend the Urban Service Area boundary to include 14.52± acres of the property; and 2) amend Charlotte County FLUM Series Map #2: 2050 Framework, from Agricultural/Rural to Revitalizing Neighborhood for 11.51± acres of the property and Managed Neighborhood for 3.01± acres; for property including three parcels, two parcels located at 4331 and 4399 Willow Street, in the Port Charlotte area, and one unaddressed parcel generally located north of the Peace River, south of Edgewater Drive, west of Bayshore Road, east of Lister Street and southeast of Crews Court, in the Charlotte Harbor Community Redevelopment area and in the Port Charlotte area, containing 14.52± acres; Commission District V; Petition No. PAL-23-00004; Applicant: Tarpon Waterfront Village LLC c/o Jeffrey DiLaura; providing an effective date.

**Jie Shao, Principal Planner**, provided the findings and analysis for Petition **PAL-23-00004** with a recommendation of approval based on the reasons stated in the staff report.

**9.) PAS-24-00002**

**Legislative**

**Commission District V**

Pursuant to Section 163.3187, Florida Statutes, adopt a Small Scale Plan Amendment amending Charlotte County FLUM Series Map #1: 2030 Future Land Use, from Preservation (PR) (11.01± acres) and Parks and Recreation (PKR) (8.57± acres) , and Low Density Residential (LDR) (0.75± acres) to High Density Residential (HDR) for 11.05± acres and PR for 9.28± acres, for property including five parcels, four parcels located at 4420 or 4444 Crews Court, 4331 and 4399 Willow Street, and 4400 Lister Street, in the Port Charlotte area, and one unaddressed parcel generally located north of the Peace River, south of Edgewater Drive, west of Bayshore Road, east of Lister Street and southeast of Crews Court, in the Charlotte Harbor Community Redevelopment area and in the Port Charlotte area, containing 20.33± acres; Commission District V; Petition No. PAS-24-00002; Applicant: Tarpon Waterfront Village LLC c/o Jeffrey DiLaura; providing an effective date.

**Jie Shao, Principal Planner**, provided the findings and analysis for Petition **PAS-24-00002** with a recommendation of approval based on the reasons stated in the staff report.

**10.) PD-24-08**

**Quasi-Judicial**

**Commission District V**

An Ordinance, pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Environmentally Sensitive (ES) (9.74± acres), Parks and Recreation (PKR) (3.51± acres), Residential Single-family 3.5 (RSF-3.5) (0.75± acres), Residential Multi-family 5 (1.27 acres), and Commercial Tourist (CT) (5.06± acres) to Planned Development (PD) in order to allow for a residential development up to 156 units; requiring a transfer of 152 density units to reach the maximum of 156 units; and adopting a "General PD Concept Plan" for this proposed development; for property including five parcels, four parcels located at 4420 or 4444 Crews Court, 4331 and 4399 Willow Street, and 4400 Lister Street, in the Port Charlotte area, and one unaddressed parcel generally located north of the Peace River, south of Edgewater Drive, west of Bayshore Road, east of Lister Street and southeast of Crews Court, in the Charlotte Harbor Community Redevelopment area and in the Port Charlotte area, containing 20.33± acres; Commission District V; Petition No. PD-24-08; Applicant: Tarpon Waterfront Village LLC c/o Jeffrey DiLaura; providing an effective date.

**Jie Shao, Principal Planner**, provided the findings and analysis for Petition **PD-24-08** with a recommendation of approval based on the reasons stated in the staff report.

**Questions for Staff**

None offered.

**Applicant's Presentation**

**Michael Haymans, Michael P. Haymans, Attorney at Law P.A., representing the applicant,** we have a team here for you to address questions and concerns. What happened here that we would consider this rural? Talks on land and timing issue, key ingredient, urban services become more expensive to do that. County bought property to make a park never happened. Made it rural which was a made-up thing. There is nothing rural about Charlotte Harbor at Edgewater and 41. States there is nothing rural about it and all of the infrastructure is already in place. As a matter of fact, it's the opposite of urban sprawl it is urban in fill. From this location you can walk to Walgreen's and CVS, you can walk to Publix, I am not talking about get in your car and ride. Talks about being able to walk to many stores and businesses. Explains about putting up 156 units, why is that important. Well, we are putting them on the upland and discusses the project.

**Ben Smith, Morris Depew Associates, Director of Planning,** gives a history of his career, I was sworn, says we are not completely aligned on with staff here. Talks on the development and goes over the slides, preserve wetlands, not urban it's rural, asking to correct inconsistency, residential units on this property will enhance, talks on items the property has. In agreement with staff goes over all the slides, talks about the board walk that will be installed so you don't have to walk on Lister.

**Bill Morris, Morris Depew Associates, Professional Engineer,** gives history on his background, has been sworn, goes over the slides and explains project is located in flood zone coastal high hazard area, further areas are in flood zones, talks about the coastal high hazard area the project address's goal 3 of the coastal planning element. Discusses as going through the slides on the project and what it will accommodate, talks on FEMA, the Slosh map created by NOAA and the different levels of hurricane stages, talks on why this is relevant and the elevations, design storms, talks on the slosh for Cat 1-5 ranges up to elevation 13 plus, talks about the height and what is acceptable to the board.

**Chair Gravesen** asks what the maximum height on the chart is. **Mr. Morris** answers it is at 71.0 and they have a discussion.

**Mr. Morris** continues with the slides and talks about concerns we heard about the stormwater management and how the development of the project would impact the drainage patterns, for storm water run off received from adjacent properties, talks about the proposed development will help with storms and protect with surge and the retaining wall and this will be a structural buffer between the development and the preserve areas.

**Chair Gravesen** asks Mr. Morris to wrap this up.

**Dep. Co. Atty. Thomas David** says limit is 20 minutes and we've exceeded that. **Chair Gravesen** said I think we are double that and asks Mr. Haymons that he will need to wrap it up.

**Mike Haymans** says to wrap up, makes one clarification, no matter what the graphic says, the condition is we accept on the PD is we will be at least two feet above the FEMA building elevation that is permissible. At least two and no more than six, the top of the building will not exceed sixty-five feet. We can still get the number of units that we need in there under those sixty-five feet what is required by FEMA. Talks about the wetland management plan to take the exotic invasives out, done the transportation and we meet all the levels of service. It is not rural it's properly urban, please recommend that and pass it along. We accept all of the conditions within the PD except for one we didn't get to. That is staff wants a minimum of twenty-five feet the rules and every agency say minimum of fifteen, average of twenty-five, that is what we want to live with. We need a little bit of flexibility on that, this is a really good project, the development will make it a walkable community with access to Charlotte Harbor.

**Chair Gravesen** asks from the presentation I get the impression that the yacht club is being folded into this project.

**Mr. Haymans** said the property is owned by Tarpon Waterfront Village LLC and the Charlotte Harbor Yacht Club is a tenant and they are locked together but it's going to continue. Both discuss and if they were aware of the situation and yes, they are aware.

**Public Input**

**Steve Moore**, Deep Creek, and a member of the Charlotte Harbor Yacht Club, says everything that has been explained to you has been an unwavering dedication to get this project done. We do firmly believe this will help that community, it will help the yacht club and overall, it's a very positive project. So, we really do appreciate your consideration on this.

**Doug Foster**, a member of the Charlotte Harbor Yacht Club, live in Port Charlotte and also in favor of the project. It will be helpful, wonderful for the yacht club. Also want to talk about the meeting I had with the Tarpon Waterfront Village when I was the treasurer of the yacht club. We were going through our financial problems. We had a meeting and Tarpon Waterfront Village, Mr. DiLaura gave the presentation and at the end of the meeting he made the slide and big presentation like you all seen today. I came away from the meeting like wow, if some of these things could get done it would be fantastic. It's a year and a half later and guess what, and every single one got done. He is in favor of it, let's go get it.

**Doug Shore**, I've been sworn in, and a member of Charlotte Harbor Yacht Club since Jan/2007. The yacht club has financially struggled, it is almost a miracle it existed as long as it has. It was about was about to close when Tarpon Village came in purchased the property and gave us a very favorable lease, it's affordable and allows the club to keep going. I appreciate that as do most of the members, can't say all of them do but most do. Talks about it being a single use it's not, he started the youth sailing program called Charlotte Harbor Youth Sailing Program. It's a 501C3, we started it in 2010, and we run about 60-70 kids through there every summer. It's open for all kids and explains about the program and all involved. We run an international regatta called the Pan Am Games and explains all about it and what is involved.

**John Gowan**, live in Punta Gorda, I am a member and agree with everything that has been said here. TWV when they purchased the property a year and a half ago promised and delivered everything, top high quality, it's in great shape and recommend it.

**Russ Charter**, live at Edgewater Village condominiums and member of yacht club, I got the memo and what I think is important they all are in favor of it. We enjoy being a member and we can walk everywhere, if not at the yacht club we can go down in our car get oil changed and walk to it. As far as not being an urban setting, it is an urban setting. So, we strongly support it.

**Martin Haan** not sworn in.

**Mrs. Sargent** swears in.

**Mr. Haan**, resident of Harbour Heights, he is the commodore for the yacht club, fourth term commodore. I have a great team with me and talks on membership club, single point, and have seen people for different events. We allow that for birthday parties, weddings, retirement, quite a few things, holidays. We are not just a private yacht club and explains we are also connected with Guardian Ad Litem. Says trying to keep this property for growth and the petition is very important.

**Michelle Irving**, I own a property at 4419 Crews Court, I know this is probably not going to be very popular with my neighbors. I am about to move to Florida full time, and about to put hundreds of thousands of dollars into the property and I am actually very happy that this development is coming to that area. I think as long as it meets all

the regulations with water, storm surge. I think it's going to be cool for this area. I don't live here full time yet but will soon. I've been coming to this area since I was a teenager, so for over forty years and I am excited to see what's happened with Port Charlotte and excited the Yacht Club will still be able to stay in existence. I am very for it and being a resident, and I know it's probably made me not very popular in my neighborhood, but I speak the truth.

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

#### **Rebuttal**

**Mr. Haymans**, says I have nothing to rebut it, thank you very much for your attention it's been a long day. I guess the last thing to say is I don't see anybody here in opposition. So, I don't think that your neighbors are going to be upset with you. We had a community meeting and had a couple of people who won't be happy with anything. This is really any truly a neighborhood that's embraced this project.

#### **Questions for Staff or the Applicants**

**Chair Gravesen** said I have a question, for staff, service areas. We have the urban service area and the rural service area. Is there a third?

**Mr. Cullinan** said no it's urban or rural. Rural is just a term we've got area along Gasparilla Road that are in the rural service area. But they are abutting a four-lane road. We have areas in South Gulf Cove all throughout the county. The reason that this was taken out of the urban service area twenty-five years ago. This was removed in the 2050 plan in 2010, was due to the significant environmental issues there. A couple of things I'd like to correct to make sure, we did not quote pocket any density. When we as the property owner did the future land use map amendment and rezone. That density was extinguished, we did not certify it, it did not become part of incentive density. We chose as property owners just as any private property owner to just let that density go. That density no longer exists anywhere. So, I just wanted to put that out there, that no we didn't pocket it and then sell land with no entitlements. The other concern that we have is the access. Jie, go to one of the shots that shows the ariels. The title creek there is no direct access onto Lister, it does front onto Lister, but they will have to bridge that title creek that goes across there. Again, that property immediately to the east, the old YMCA property that Harpoon Harrys had come in. That was already established within the CRA boundaries. Meaning it was determined as all the rest of the CRA properties to be a lighted area. That is why we were not in opposition to that being brought into the urban service area, A. it had significantly more upland but B. it was within the CRA and the intent of a CRA is redeveloping. There are some significant differentiations here. The reason we are claiming this is a single use, the area with the other use, the yacht club is already in the urban service area and explains further regarding this.

**Dep. Co. Atty. Thomas David** said to Chair Gravesen it would be appropriate to give the applicants counsel an opportunity to rebut those last bit of testimony.

**Mr. Hayman** I am sorry you took offense at my vernacular of saying pocketed, I just meant that it disappeared someplace. There used to be a lot of density that was applicable to this property. So, I used the term pocketed, it wasn't needing to be defended, I don't think but appreciate that. The point of it is that this property has been multi-family in the past. It was changed to co-inside with the county's purchase of the property. They decided it wasn't appropriate to be multi-family, because they don't develop multi-family properties. They have parks and recreation; they made the change and now they want to stick to it in the face of the fact. That it is not really rural and explains it further.

**Mr. Baker** said what about the creek, the access. **Mr. Hayman** discusses this in detail.

**Paul Owen**, president and owner of Owen Environmental Consulting, I've been an expert in wetlands for thirty years. I move to be accepted as a witness. I'm just wanting to speak about one point I need to make as a rebuttal. Could you put up the vegetation map, just wants to talk about the existing conditions it is not consistent with a pristine upland by any means of the imagination. What you have on this site you've got some native trees that are there, some good oak trees. But it is a disturbed site that is full of exotic vegetation, this is not a special site that needs to be protected in the future. This project is a good project it preserves the better-quality wetlands, it makes a good buffer around it and that's the only point I need to make.

**Mr. Baker** said it seems to me that it was intended to be developed, I know that area well. I own some houses over there by it and I believe that project would be helpful. I am not sure why the county is stubborn on it. I've heard hours of presentation here. This is one that it seems that the community wants and I haven't been to the yacht club, thought you guys were private, I'll come now. But being in here for years, I understand you got a bridge that, there is some disturbing of that area. The gentleman pointed out it's not a pristine area. That area on Bayshore was depressed for years and it's an eyesore over there. This would have to be an improvement to bring the money into the yacht club and it seems multi-use to me and urban.

**Chair Gravesen** said my position on this is I am not for it. The county purchased it 15-20 years ago, changed it to park and recreation and preservation. Said it's a wetland and talks about this, along with development rights, and went through two hurricanes and it probably had two feet of water on it. Explains rights would suggest to staff that you create a third designation for the comprehensive plan. Because I understand it was designated rural to remove it from development area, talks about this and states all three petitions I am not for. It's in my district so somebody else is going to have to make the motions for it.

**Mr. Baker** said the point is the county shouldn't have sold it, if they thought it was so great. What business is the county in to own property other than to be a park. They shouldn't be developing, and both have a discussion with **Mr. Cullinan**.

**Dep. Co. Atty. Thomas David** said a motion is in order **Mr. Chair**.

**Recommendation**

**Mr. Baker** moved that **PAL-23-00004**, be sent to the Board of County Commissioners with a recommendation of Approval, of transmittal of application PAL-23-00004 to the Florida Department of Commerce and other State review agencies for review and comment, based on the findings and analysis in the staff report dated **April 5, 2025**, Charlotte County's Comprehensive Plan along with the evidence and testimony presented at today's meeting, second by **Mr. Izzo**; motion passed with a 4-1 recommendation. (*Mr. Baker, Mr. Izzo, Mr. Smallwood and Mr. Vieira voted yes to approve – Mr. Gravesen voted no against the approval*).

**Recommendation**

**Mr. Baker** moved that **PAS-24-00002**, be sent to the Board of County Commissioners with a recommendation of Approval, based on the findings and analysis in the staff report dated **April 5, 2025**, Charlotte County's Comprehensive Plan along with the evidence and testimony presented at today's meeting, second by **Mr. Izzo**; motion passed with a 4-1 recommendation. (*Mr. Baker, Mr. Izzo, Mr. Smallwood and Mr. Vieira voted yes to approve – Mr. Gravesen voted no against the approval*).

**Recommendation**

**Mr. Baker** moved that **PD-24-08**, be sent to the Board of County Commissioners with a recommendation of Approval, with conditions "a" through "v", based on the findings and analysis in the staff report dated **April 5, 2025**, Charlotte County's Comprehensive Plan along with the evidence presented at today's meeting, second by **Mr. Gravesen**; motion passed with a 4-1 recommendation. (*Mr. Baker, Mr. Izzo, Mr. Smallwood and Mr. Vieira voted yes to approve – Mr. Gravesen voted no against the approval*).



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**Discussion**

**Chair Gravesen** has a question on the motion is because those conditions there was one that was not acceptable to the applicant. **Mr. Baker** said he said it was he would make it work at 65 feet. **Ms. Shao** said buffer condition "k" applicant does not agree with the buffer. **Mr. Baker** said they want the average they want it to be.

**Dep. Co. Atty. Thomas David** said your motion is to accept it as the staff has proposed it but that's up to you all, if you want to change it.

**Mr. Baker** said let's accept it as proposed because they have to go to the commission anyways.

**ADJOURNMENT**

The meeting was adjourned at 5:49 p.m.

Accepted on behalf of the Charlotte County  
Planning and Zoning Board



Michael Gravesen, Chair