

# Charlotte County

Commission Chambers, Room 119  
18500 Murdock Circle  
Port Charlotte, FL 33948  
CharlotteCountyFL.gov



## Regular and Land Use Meeting

Tuesday, October 13, 2020  
9 a.m.

### Board of County Commissioners

#### **COUNTY COMMISSIONERS**

*Bill Truex, District 3, Chairman*

*Christopher Constance, District 2, Vice Chairman*

*Ken Doherty, District 1*

*Stephen R. Deutsch, District 4*

*Joseph Tiseo, District 5*

#### **COUNTY ADMINISTRATOR**

*Hector Flores*

#### **COUNTY ATTORNEY**

*Janette S. Knowlton*

#### **CLERK OF THE CIRCUIT COURT**

*Roger D. Eaton*

Charlotte County Board of County Commissioners does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the County's functions, including access to and participation in meetings, programs and activities. FM Sound Enhancement Units for the Hearing Impaired are available at the Front Security Desk, Building A of the Murdock Administration Complex. Anyone needing other reasonable accommodation or auxiliary aids and services please contact our office at 941.743.1381, TDD/TTY 941.743.1234, or by email to David.Lyles@charlottecountyfl.gov.

Should any agency or person decide to appeal any decision made by the board with respect to any matter considered at such meeting, a record of the proceeding, and for such purpose, a verbatim record of the proceeding is required, which record includes the testimony and evidence upon which the appeal is to be based.

**9:00 A.M.**

## **Call to Order and Roll Call**

### **Invocation**

If you wish, please rise for the invocation

[Reverend Dr. R. Brian Stolarczyk](#)  
[Lutheran Church of the Cross](#)

### **Pledge of Allegiance**

### **Changes to the Agenda**

See separate sheet

### **Proclamations - Commissioner Christopher Constance**

[Imagine a Day Without Water 2020](#)  
[White Cane Awareness Day](#)

### **Employee Recognition**

[Employee Recognition - April](#)**Name**                      **Department****5 Years**

Roberto Santos              Community Services

**10 Years**

Bryan Forsythe              Community Services

**15 Years**

Randall Vowell              Public Works

**20 Years**

James Del Solio              Public Works

**25 Years**

Wanda Pavone              Public Safety

[Employee Recognition - May](#)**Name**                      **Department****5 Years**

Michelle Edwards              Budget & Administrative Services

Roland Snipes              Public Works

**10 Years**

Elise Czajkowski              Human Services

**15 Years**

Sean Doherty              Tourism

John Knezevic              Public Works

Selena Frost              Utilities

Marc Solomon              Community Services

**30 Years**

Eric Benson              Public Safety

Employee Recognition - October

<u>Name</u>	<u>Department</u>
<b><u>5 Years</u></b>	
Scott Ford, Jr.	Utilities
Brian Gleason	Public Information
Julie Pennock	Tourism
Daniel Sabourin	Utilities
<b><u>10 Years</u></b>	
Kyle Chermansky	Public Safety
Edwin Cooper	Public Works
<b><u>15 Years</u></b>	
Martin Maberino	Utilities
Robert Netz	Public Works
Bryan Peyton	Public Safety
Patrick Platt	Utilities
Eddie Tucker	Public Works
James Wheeler	Community Services
<b><u>20 Years</u></b>	
Charles Rine	Utilities
<b><u>25 Years</u></b>	
Marc Davison	Public Works
<b><u>30 Years</u></b>	
Kim Sternal	Facilities

**Award Presentations**Commissioners' Award for Customer Service - Commissioner Constance

Fourth Quarter Commissioners' Award FY 2019/20  
Patrick Fuller - Emergency Management

FSBPA Public Service Award Presented to Matthew Logan

2020 Florida Shore and Beach Preservation Association (FSBPA) Public Service  
Award presented to Matthew Logan.

**PUBLIC INPUT - AGENDA ITEMS ONLY**

Anyone wishing to address the Board during this portion of the meeting must fill out a card, state their name for the record, and state which agenda item(s) will be addressed. Remarks shall be limited to 3 minutes (max) and shall be addressed to the Commission as a body, and not to individual members.

## COMMITTEE VACANCIES

The committee vacancy list below is for informational purposes only. It is not part of the County Commission agenda upon which action is to be taken, and therefore not a topic on which public input is allowed at the beginning of this meeting.

\* [Charlotte Harbor Community Redevelopment Agency Advisory Committee](#)

**Charlotte Harbor Community Redevelopment Agency Advisory Committee** is seeking four volunteers; two business representatives and two residents. Members must be residents of Charlotte County. Meetings are held quarterly in the Administration Center at 18500 Murdock Circle. Meetings are generally held on the first Monday at 10:30 am. To obtain an application call 941-743-1300 and select option 1 or email [lisa.eby@charlottecountyfl.gov](mailto:lisa.eby@charlottecountyfl.gov).

\* [Murdock Village Community Redevelopment Agency Advisory Committee](#)

**Murdock Village Community Redevelopment Agency Advisory Committee** is seeking a licensed general contractor to serve on the committee. Volunteer must hold a valid Florida contractor's license and be a resident of Charlotte County. Term will expire in October 2022. To obtain an application or for additional information, call 941-743-1309 or email: [joann.dillon@CharlotteCountyFL.gov](mailto:joann.dillon@CharlotteCountyFL.gov).

\* [Agricultural & Natural Resources Advisory Committee](#)

**The Agricultural and Natural Resources Advisory Committee** is searching for one member with expertise in commodity production. The term begins immediately and will expire December 31, 2023. Email [Diane.Clim@charlottecountyfl.gov](mailto:Diane.Clim@charlottecountyfl.gov) or call 941-743-1956.

\* [Affordable Housing Advisory Committee](#)

**Affordable Housing Advisory Committee** is searching for one citizen-at-large and one citizen to serve in any of the following capacities:

- actively engaged in the residential home building industry
- actively engaged in the banking or mortgage banking industry
- a representative of those areas of labor actively engaged in home building
- actively engaged as an advocate for low-income persons
- actively engaged as a for-profit provider of affordable housing
- actively engaged as a not-for-profit provider of affordable housing
- currently represents employers within the jurisdiction
- currently represents essential services personnel, as defined in the local housing assistance plan.

For more information or inquiries, please call 941-205-2161 or email [Colleen.Turner@charlottecountyfl.gov](mailto:Colleen.Turner@charlottecountyfl.gov) or [Doreen.Stoquert@charlottecountyfl.gov](mailto:Doreen.Stoquert@charlottecountyfl.gov).

\* [MSBU-MSTU Advisory Board Vacancies](#)

The following **MSBU/TU Advisory Boards** are seeking volunteers who must be both a property owner within and reside within the Unit. Submit applications to Public Works Department, 7000 Florida Street, Punta Gorda, Florida 33950; call 941-575-3600 or e-mail [MSBU-TU@CharlotteCountyFL.gov](mailto:MSBU-TU@CharlotteCountyFL.gov).

- **Alligator Creek Waterway Unit** is seeking one member to fill a vacant unexpired term through October 31, 2023.
- **Boca Grande Street & Drainage Unit** is seeking three members to fill vacant unexpired terms through October 31, 2021 and October 31, 2023.
- **Buena Vista Waterway Unit** is seeking two members to fill vacant unexpired terms through October 31, 2021 and October 31, 2023.
- **Burnt Store Village Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2022 and October 31, 2023.
- **Charlotte Ranchettes Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2023.
- **Deep Creek Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2023.
- **Don Pedro & Knight Islands Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2023.
- **Edgewater North Waterway Unit** is seeking two members to fill vacant unexpired terms through October 31, 2021 and October 31, 2023.
- **Englewood East Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2023.
- **Gardens of Gulf Cove Street & Drainage Unit** is seeking one member to fill vacant unexpired terms through October 31, 2023.
- **Greater Port Charlotte Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2023.
- **Grove City Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2023.
- **Gulf Cove Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2023.
- **Gulf Cove Waterway Unit** is seeking two members to fill vacant unexpired terms through October 31, 2022 and October 31, 2023.
- **Harbour Heights Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2023.
- **Harbour Heights Waterway Unit** is seeking two members to fill vacant unexpired terms through October 31, 2021 and October 31, 2022.
- **Manasota Key Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2023.
- **Manchester Waterway Unit** is seeking one member to fill a vacant unexpired term through October 31, 2023.
- **Mid-Charlotte Stormwater Unit** is seeking one member to fill a vacant unexpired term through October 31, 2023.
- **Northwest Port Charlotte Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2022 and October 31, 2023.
- **Northwest Port Charlotte Waterway Unit** is seeking two members to fill vacant

unexpired terms through October 31, 2022 and October 31, 2023.

- **Pirate Harbor Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2022 and October 31, 2023.
- **Pirate Harbor Waterway Unit** is seeking one member to fill a vacant unexpired term through October 31, 2023.
- **Placida Area Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2023.
- **Rotonda Heights Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2021 and October 31, 2023.
- **Rotonda Lakes Street & Drainage Unit** is seeking five members to fill vacant unexpired terms through October 31, 2021, October 31, 2022 and October 31, 2023.
- **Rotonda Sands North Street & Drainage Unit** is seeking three members to fill vacant unexpired terms through October 31, 2021 and October 31, 2023.
- **Rotonda West Street & Drainage Unit** is seeking two members to fill vacant unexpired terms through October 31, 2021 and October 31, 2023.
- **South Burnt Store Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2023.
- **South Gulf Cove Street & Drainage Unit** is seeking one member to fill a vacant unexpired term through October 31, 2023.
- **South Gulf Cove Waterway Unit** is seeking one member to fill a vacant unexpired term through October 31, 2023.
- **West Charlotte Stormwater Unit** is seeking one member to fill a vacant unexpired term through October 31, 2021.

## REPORTS RECEIVED AND FILED

## CONSENT AGENDA

### Clerk of the Circuit Court

#### A. Comptroller Division

##### 1. [Finance](#)

###### **Recommended Action:**

Approve the Clerk's Finance Memorandum.

###### **Budgeted Action:**

No action needed.

#### B. Minutes Division

1. [Minutes](#)**Recommended Action:**

Approve the following Minutes:

September 8, 2020 BCC Regular and Land Use Meeting

September 8, 2020 BCC Proposed County Budget Public Hearing

September 15, 2020 BCC Board Workshop

September 15, 2020 BCC Utilities Department Quarterly Meeting

September 17, 2020 BCC Pre-Agenda

September 22, 2020 BCC Regular Meeting

September 22, 2020 BCC Public Hearing on Proposed County Budget

**Budgeted Action:**

No action needed.

**Board of County Commissioners****C. Commission Office**1. [Appointment - Greater Port Charlotte Street & Drainage MSBU Advisory Board](#)**Recommended Action:**

Approve the appointment of Chuck Widner to fill the unexpired term of Charles Hackbarth as well as an additional new three-year term on the Greater Port Charlotte Street & Drainage MSBU Advisory Board. This appointment will be effective immediately and will expire on October 31, 2023.

**Budgeted Action:**

No action needed.

2. [Appointment - Harbour Heights Street & Drainage MSBU Advisory Board](#)**Recommended Action:**

Approve the appointment of Steve Vieira to fill the unexpired term of Christopher Alonso as well as an additional new three-year term on the Harbour Heights Street & Drainage MSBU Advisory Board. This appointment will be effective immediately and will expire on October 31, 2023.

**Budgeted Action:**

No action needed.

3. [Appointment - Northwest Port Charlotte Waterway MSBU Advisory Board](#)**Recommended Action:**

Approve the appointment of Shawn Joannes to fill the vacant term as well as an additional new three-year term on the Northwest Port Charlotte Waterway MSBU Advisory Board. This appointment will be effective immediately and will expire on October 31, 2023.

**Budgeted Action:**

No action needed.



**4. [Appointment - Affordable Housing Advisory Committee](#)****Recommended Action:**

Approve the new appointment of Commissioner Joseph Tiseo to the Affordable Housing Advisory Committee as stated in H.B. 1339. The appointment is effective immediately and will expire on October 1, 2022.

**Budgeted Action:**

No action needed.

**5. [Re-Appointments - Murdock Village Community Redevelopment Agency Advisory Committee](#)****Recommended Action:**

a) Approve the re-appointment of Marie LaBross as the property owner with property located in the Murdock Village Community Redevelopment Agency, term will expire on October 31, 2024; and

b) Approve the re-appointment of Alice Esposito as a member-at-large, term will expire on October 31, 2024.

**Budgeted Action:**

No action needed.

**6. [Re-Appointments - Affordable Housing Advisory Committee](#)**

a) Approve the re-appointment of Todd A. Peres as a representative for Essential Services Personnel, term is effective immediately and will expire on October 31, 2023; and

b) Approve the re-appointment of Mike Mansfield as a representative in the Home Building Industry, term is effective immediately and will expire on October 31, 2023.

**D. County Administration****E. County Attorney****1. [Quasi-Judicial Ex Parte Communications and Repealing Resolution 95-172](#)****Recommended Action:**

Approve Resolution adopting rules related to disclosure of quasi-judicial ex parte communications and repealing Resolution 95-172.

**\*\*Change, Added attachment - Revised Exhibit "A" to Resolution, 10/12/2020\*\***

**Budgeted Action:**

No action needed.

**2. [Extension 30 of Local State of Emergency - COVID-19](#)****Recommended Action:**

Approve Resolution extending the Local State of Emergency related to the Novel Coronavirus Disease 2019 (COVID-19).

**Budgeted Action:**

No action needed.

**F. Budget and Administrative Services****Fiscal Services****Information Technology****Purchasing****1. [20-551, Award, Gulf Boulevard Sidewalks \(Public Works\)](#)****Recommended Action:**

a) Approve award of Request for Bid #20-551, Gulf Boulevard Sidewalks, to EHC, Inc., of Naples, Florida, for the total amount of \$1,955,587.12. This is for the construction of sidewalks and improvements on Gulf Boulevard; and

b) Approve Resolution for budget adjustment BA21-001 in the amount of \$255,993 increasing the CIP project "Manasota Key Community Plan."

**Budgeted Action:**

Approve budget adjustment BA21-001 in the amount of \$255,993, amending the FY21 budget for CIP project "Manasota Key Community Plan" from \$2,904,819 to \$3,160,812. Additional funding is needed for construction of sidewalks and improvements and will be provided by the Manasota Key Street and Drainage Maintenance MSTU ad valorem.

**2. [20-552, Approve Ranking, Building Automation Consultant \(Facilities\)](#)****Recommended Action:**

a) Approve ranking for Request for Proposal 20-552, Building Automation Consultant: 1st Matern Engineering of Fort Myers, Florida; 2nd Moses Engineering of Gainesville, Florida; and

b) Approve start of negotiations; and

c) Authorize the Chairman to sign the contract after completion of negotiations.

**Budgeted Action:**

No action needed. Budget for this item comes from savings in various account lines budgeted in the General Fund - Facilities budget as approved in the FY2021 budget process. Funding for this expenditure comes from ad valorem.

3. [20-580, Award, Construction of Lift Station #2 with a Forcemain and Watermain \(Utilities\)](#)

**Recommended Action:**

Approve award of Bid #20-580 Construction of Lift Station #2 with a Forcemain and Watermain to the lowest responsive, responsible, bidder, Andrew Sitework, LLC of Fort Myers, Florida in the amount of \$1,284,331.02 to construct the new Lift Station #2, a Forcemain and Watermain.

**Budgeted Action:**

No action needed. Budgeted in the Utility Capital Maintenance Plan, as approved in the FY21 budget process. Funding comes from the Utility Renewal and Replacement Fund.

4. [17-206, Amendment 5, Construction Manager at Risk-Capital Maintenance Repair, Guaranteed Maximum Price \(Facilities\)](#)

**Recommended Action:**

a) Approve Amendment #5 to the Contract #17-206 Construction Manager at Risk - Capital Maintenance Repair-Annual with Florida Premier Contractors LLC (FPC) of Punta Gorda, Florida for the Guaranteed Maximum Price (GMP) in the amount of \$5,503,767 for the Fiscal Year 21 projects list; and

b) Authorize the Chairman to sign Amendment #5 to the Contract for the Construction Manager at Risk - Capital Maintenance Repair-Annual.

**Budgeted Action:**

No action needed. \$4,983,124 budgeted in the Facilities Capital Maintenance Plan, as approved in the FY21 budget process. Funding comes from various sources and is based on the building occupant. \$210,000 is budgeted in the Community Services Capital Maintenance Plan as approved in the FY21 budget process. \$310,643 is budgeted in the Capital Improvements Project "Public Safety Security Modifications" as approved in the FY21 budget process. Funding is supplied by the Capital Projects Fund, ad valorem.

5. [Property Deletions for the Month of October, 2020 \(Purchasing\)](#)

**Recommended Action:**

Approve the deletion of additional property inventory items listed on the attached for the month of October 2020.

**Budgeted Action:**

No action needed.

**Real Estate Services**

**6. [Declare Parcels Surplus](#)****Recommended Action:**

Approve Resolution declaring the real property listed on Exhibit "A" to be surplus to County needs and authorizing County staff to dispose of the real property in accordance with the provisions of Florida Statute 125.35.

**Budgeted Action:**

No action needed.

**Risk Management****Transit****G. Community Development****H. Community Services****1. [Agreement between Charlotte County and the South Gulf Cove Home Owners Association](#)****Recommended Action:**

Approve an agreement between the Charlotte County and the South Gulf Cove Home Owners Association for the operation of the Learning Garden on County land.

**Budgeted Action:**

No action needed. No financial impact.

**2. [Environmental Center at Cedar Point Environmental Park Operations](#)****Recommended Action:**

- a) Resolution approving the form agreement between Charlotte County and the Charlotte Harbor Environmental Center (CHEC) for the use and operation of the Environmental Center at Cedar Point Environmental Park; and
- b) Authorizing the County Administrator, or his designee, to execute the agreements on behalf of the County; and
- c) Authorizing the County Administrator, or his designee, to make minor formal, but not substantive, changes to the agreement.

**Budgeted Action:**

No action needed. Budgeted in the General Fund - Natural Resources budget as approved in the FY2021 budget process. Funding for the expenditure comes from ad valorem.

**3. [West Coast Inland Navigation District Special Meeting](#)****Recommended Action:**

~~Approve West Coast Inland Navigation District Board holding a special meeting electronically on October 23, 2020 to get Boards' vote on a contract for an upcoming dredge project.~~

**\*\*Change, Moved to Regular Agenda, R-3, 10/8/2020\*\***

**Budgeted Action:**

~~No action needed. No financial impact.~~

**I. Economic Development****1. [Project Romeo](#)****Recommended Action:**

Adopt Resolution and Approve Program Agreement authorizing \$42,500 Economic Development Incentive to attract DARZAC Modular, Inc. as inducement to bring new jobs and capital investment to Charlotte County for their new manufacturing facility.

**Budgeted Action:**

No action needed. Budgeted in the General Fund as approved in the FY2021 budget. Funding for this expenditure comes from Ad Valorem Taxes. In June 2011, the BCC approved the creation of a dedicated funding source for future Economic Incentives. As of 9/10/2020, the total available budget after reserves is \$1,421,175.

**2. [Cancel scheduled Charlotte Harbor Community Redevelopment Agency meeting set for October 13, 2020](#)****Recommended Action:**

Cancel previously scheduled Charlotte Harbor Community ~~D~~**R**edevelopment Agency meeting set for 10:00 a.m., or soon thereafter, on October 13, 2020 in Room 119 18500 Murdock Circle, Port Charlotte, Florida.

**\*\*Change, Updated wording, 10/8/2020\*\***

**Budgeted Action:**

No action needed.

**J. Facilities Construction and Maintenance****K. Human Resources****L. Human Services****M. Public Safety**

1. [Set a Public Hearing to Consider Renewal of Certificate of Public Convenience and Necessity \(COPCN\) with Little Gasparilla Island Fire Rescue](#)

**Recommended Action:**

Set a Public Hearing on October 27, 2020 at 10:00 a.m., or as soon thereafter as may be heard, to consider the Certificate of Public Convenience and Necessity (COPCN) renewal application of Little Gasparilla Island Fire Rescue to provide emergency advanced life support and basic life support service throughout Little Gasparilla Island.

**Budgeted Action:**

No action needed.

**N. Public Works**

1. [Amendment 1 for Florida Department of Environmental \(FDEP\) Beach Management Funding Assistance Program \(BMFAP\) Grant 20CH1](#)

**Recommended Action:**

Approve and authorize the Chairman to sign Amendment #1 to Agreement #20CH1 for State of Florida Department of Environmental Protection (FDEP), Beach Management Funding Assistance (BMFA) Program Grant for the Charlotte County Erosion Control project. Project is located between FDEP reference monuments R172.9 to R183.7 in Sarasota County; in addition to R1 to R21.2 and R28 to R40.5 along the Gulf of Mexico, in Charlotte County, Florida. Amendment 1 will increase FDEP share of Construction and Monitoring by \$4,913,221.00 to a new total of \$12,715,395.00 in FDEP funding.

**Budgeted Action:**

No action needed. Budgeted in the FY20 and FY21 CIP projects "Manasota Key Beach Nourishment" and "Don Pedro Knight Palm Bch Renourishment." Grant funding for this expenditure comes from the Florida Department of Environmental Protection in the amount of \$22,843,107.40 for construction services, and \$60,278.00 for monitoring services. Additional funding in the amount of \$261,824.66 comes from Federal Emergency Management Administration for construction services. There is a 64.35% match requirement for non-FEMA portions of the project. Other local cost share sources and match funding supplied by Tourist Development Council, Growth Increment Fund, and Boater Improvement Fund-Local.

2. [Grant Funding from The Florida Department of Environmental Protection \(FDEP\) Beach Management Funding Assistance Program \(BMFAP\) FY 2021/2022 Local Government Funding Request](#)

**Recommended Action:**

Approve Resolution in support of the Florida Beach Erosion Control Program, approving a request for funding from the FDEP for the Manasota Key Beach Restoration Project and Charlotte County Erosion Control Project including the beaches of Manasota Key, Englewood Beach Park, Stump Pass Beach State Park to Stump Pass, Palm Island, Knight Island, Bocilla Island, and Don Pedro Island, and authorizing local matching funds.

**Budgeted Action:**

No action needed.

- O. **Tourism Development**
- P. **Utilities**
- Q. **Other Agencies**

## REGULAR AGENDA

- R. **Regular Agenda**

1. [COVID-19 Response Update](#)

**County Administration**

Update on Charlotte County's COVID-19 response.

**\*\*Change, Added attachment - CARES Act - 1st Quarter, 10/8/2020\*\***

**\*\*Change, Added attachment - COAD Update Presentation, 10/12/2020\*\***

2. [Property Appraiser Request to Extend 2020 Tax Roll](#)

**Other Agencies**

Approve Tax Collector's request (on behalf of the Property Appraiser) to extend the 2020 Tax Roll to the Tax Collector before the Value Adjustment Board completes its final meetings.

**\*\*Added, 10/7/2020\*\***

3. [West Coast Inland Navigation District Special Meeting](#)

**Community Services**

Approve West Coast Inland Navigation District Board holding a special meeting electronically on October 23, 2020 to get Boards' vote on a contract for an upcoming dredge project.

**\*\*Change, Moved to Regular Agenda, 10/8/2020\*\***

**\*\*Change, Added attachment - WCIND October 23, 2020 Agenda, 10/9/2020\*\***

**4. [M-CORES Program Overview Update](#)****Commission Office**

M-CORES Program overview update presented by Walter Breuggeman, P.E.,  
M-CORES Project Engineer.

**\*\*Change, Moved to Regular Agenda, 10/8/2020\*\***

**\*\*Change, Added attachment - M-CORES Draft Report, 10/8/2020\*\***

**\*\*Change, Added attachments - Draft WorkProgram, Draft Legislation,  
10/12/2020\*\***

## **PUBLIC HEARING AGENDA**

**S. 10:00 A.M. Public Hearing**

## **PRESENTATION AGENDA**

**T. 10:00 A.M. Presentations****1. [M-CORES Program Overview Update](#)**

~~M-CORES Program overview update presented by Walter Breuggeman, P.E.,  
M-CORES Project Engineer.~~

**\*\*Change, Moved to Regular Agenda, R-4, 10/8/2020\*\***

## **PUBLIC INPUT - ANY SUBJECT**

Anyone wishing to address the Board during this portion of the meeting must state their name for the record. Remarks on any County related subject, shall be limited to 3 minutes (max) and shall be addressed to the Commission as a body, and not to individual members. There will not be any discussion.

## **2 P.M. LAND USE AGENDA**

## **PUBLIC INPUT - LAND USE CONSENT AGENDA ITEMS ONLY**

Anyone wishing to address the Board during this portion of the meeting must fill out a card, state their name for the record, and state which agenda item(s) will be addressed. Remarks shall be limited to 3 minutes (max) and shall be addressed to the Commission as a body, and not to individual members.

## **Consent Agenda**



**UA1. [TDU-20-04, Lake Hurst Holdings, LLC, et al](#)****Community Development**

A Resolution of the Board of County Commissioners of Charlotte County, Florida, approving a petition for a transfer of 2 density units to a Receiving Zone located at 6530, 6600, 6640, and 6650 San Casa Drive, containing 19.90± acres; Commission District III; Petition No. TDU-20-04; applicant: Casa Sand, LLC, Lake Hurst Holdings, LLC, and San Casa Investments, LLC; providing an effective date.

**Quasi-Judicial**

## Public Hearing

**UB1. [PP-20-05-12, Kingsgate Phase 8 Neal Communities of Southwest Florida, LLC](#)****Community Development**

Waldrop Engineering has requested Preliminary Plat approval for a 188 lot subdivision to be named, Kingsgate Phase 8. The site is 18.65 acres, more or less, and located one mile west of I-75, north of Rampart Blvd. and east of Kings Hwy., within the Victoria Estate DRI in Section 07, Township 40, Range 23.

**Quasi-Judicial****UB2. [FP-20-05-11, Tucker's Bay](#)****Community Development**

Old Florida Homes LLC has requested Preliminary & Final Plat approval for a three-lot Minor Subdivision to be named Tucker's Bay. The site is 1.59 acres, more or less, and is located at 1951 Wisconsin Avenue, Englewood, FL. in Section 17, Township 41, Range 20 in Englewood.

**Quasi-Judicial****UB3. [SV-20-06-03, Parada Street](#)****Community Development**

Approve a Resolution granting a Street Vacation to Tracie L. York, under Petition #SV-20-06-03.

Tracie L. York is requesting to vacate a portion of Parada Street, within the Parada Del Sol Subdivision located north of Bermont Road and south of Washington Loop Road. The segment is 0.43 acres, more or less, lying East of Lot 4 & Lot 5 and lying West of Lot 12 & Lot 13 as recorded in Plat Book 15, Page 57, of the Public Records of Charlotte County, in Section 31, Township 40, Range 24, in Commission District I.

**Legislative**

**UB4. [PV-20-05-03, Dubbland Development LLC](#)****Community Development**

Approve a Resolution granting a Plat Vacation to Dubbland Development LLC, under Petition # PV-20-05-03. Dubbland Development LLC is requesting to vacate lots, streets, and a park strip in a portion of Replat Port Charlotte Subdivision Section 30, including an access road and adjacent park strip, a total of 5.31 acres, more or less, as recorded in Plat Book 5, Page 49, 23A-23F, of the Public Records of Charlotte County, Florida, and located at the northeast corner of US 41 and Chamberlain Boulevard, in Section 02, Township 40, Range 21 in Port Charlotte.

**Legislative****UB5. [PP-20-07-13, Babcock Ranch Community Phase 1B3](#)****Community Development**

Babcock Property Holdings LLC has requested Preliminary Plat approval for a subdivision to be named, Babcock Ranch Community, Phase 1B3, consisting of 38 single-family lots. The site is 10.32 acres, more or less, and is located south of Bermont Road, north of the border with Lee County, east of Babcock Ranch Road, and west of the border with Glades County, in Sections 31 and 32, Township 42S, Range 26E, in Commission District I.

**Quasi-Judicial****UB6. [20LAD-00000-00001, Revisions to the Victoria Estates DRI DO](#)****Community Development**

Adopt 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 Regulation, amending Development Order for the Victoria Estates Development of Regional Impact (DRI) to extend the buildout date of this Development Order to August 12, 2035. The DRI currently contains 382.94± acres in two non-contiguous parcels in the Port Charlotte area. The first consists of 301.44± acres located southeast of Kings Highway, southwest of I-75, north of Rampart Boulevard, and east of Loveland Boulevard, known as Kings Gate. The second consists of 72.5± acres located south of Suncoast Boulevard, north of Old Landfill Road, east of Loveland Boulevard and west of Minneola Avenue, known as Suncoast Lakes. Commission Districts I; Petition No. 20LAD-00000-00001; applicant: Neal Communities of SW Florida, Inc.

**Quasi-Judicial**

**UB7. [PP-20-07-14, Babcock Ranch Village III SW](#)****Community Development**

Babcock Property Holdings, LLC has requested Preliminary Plat approval for a subdivision to be named, Babcock Ranch Community, Village III Southwest, consisting of 101 single-family lots. The site is 48.91 acres, more or less, and is located south of Bermont Road, north of the border with Lee County, east of Babcock Ranch Road, and west of the border with Glades County, in Sections 19 and 30, Township 42S, Range 26E, in Commission District I.

**Quasi-Judicial****UB8. [PAS-20-00006, Paladin Land Management, LLC](#)****Community Development**

An Ordinance pursuant to Section 163.3187(1)(C), Florida Statutes, adopting a Small-Scale Plan Amendment to change Charlotte County Future Land Use Map Series Map #1: 2030 Future Land Use, from Low Density Residential (LDR) to Office and Institutional (OI); for property located at 16890 Toledo Blade, in the Port Charlotte area, containing 0.689± acres; Commission District IV; Petition No. PAS-20-00006; applicant: Paladin Land Management, LLC; providing an effective date.

**Legislative****UB9. [Z-20-28-20, Paladin Land Management, LLC](#)****Community Development**

An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Residential Single-family-3.5 (RSF-3.5) to Office Medical Institutional (OMI); for property located at 16890 Toledo Blade, in the Port Charlotte area, containing 0.689± acres; Commission District IV; Petition No. Z-20-28-20; applicant: Paladin Land Management, LLC; providing an effective date.

**Quasi-Judicial****UB10. [PAS-20-00005, Seventeen and Seventy-five LLC](#)****Community Development**

Approve an Ordinance pursuant to Section 163.3187(1)(C), Florida Statutes, to adopt a Small-Scale Plan Amendment to change Charlotte County Future Land Use Map Series Map #1: 2030 Future Land Use, from Low Density Residential (LDR) and High Density Residential (HDR) to Commercial (COM); for property located at 3300 - 3506 Rosemary Drive, in the Punta Gorda area, containing 2.48-acres more or less.

**Legislative**

**UB11.** [PD-20-00004, Seventeen and Seventy-five LLC](#)**Community Development**

Approve an Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Planned Development (PD), Residential Multifamily-5 (RMF-5) and Residential Multifamily-10 (RMF-10) to Planned Development (PD); for property located at 6201 Duncan Road and 3300 - 3506 Rosemary Drive, in the Punta Gorda area, containing 21.45-acres more or less.

**Quasi-Judicial****UB12.** [TCP-20-04, Revisions to FLU Policy 1.2.17 and the CGMU FLUM Designation](#)**Community Development**

Pursuant to Section 163.3184(3), Florida Statutes, transmit a Large-scale Plan Amendment to the Department of Economic Opportunity (DEO) and other State review agencies for review and comment; the request is to amend the Future Land Use (FLU) Element of the County's Comprehensive Plan by revising 1) FLU Policy 1.2.17: Incentive Density Usage, to add item 4 addressing development under Mixed-Use (MU) and Planned Development (PD) zoning; and 2) FLU Appendix I: Land Use Guide, to amend the Compact Growth Mixed Use (CGMU) Future Land Use designation; Petition No. TCP-20-04; Applicant: Charlotte County Board of County Commissioners.

**Legislative****UB13.** [TLDR-20-01, Keeping of Chickens](#)**Community Development**

Consider the revisions to the Land Development Regulations referencing Chicken Keeping as a Conditional Use, based on the findings and analysis in the Planning Division staff report dated July 27, 2020, and the evidence presented at the public hearing," and request the Board to set the second public hearing on October 27, 2020 at 2:00PM or as soon thereafter as may be heard, in accordance with Section 125.66, Florida Statutes.

**Legislative**

**UB14. [TLDR-20-02, Revisions to Section 3-9-45: Planned Development](#)****Community Development**

Hold the first of two public hearings to discuss revisions to Section 3-9-45, Planned Development (PD); and request the Board to set the second public hearing for October 27, 2020, at 2:00 p.m., in accordance with Section 125.66, Florida Statutes. The proposed revisions are to amend Charlotte County Code Chapter 3-9: Zoning, Article II: District Regulations, by 1) by revising Land Development Regulations Table of Contents to add new Section 3-9-45.1: Planned Development (PD) Open Space and Setback Special Requirements; 2) revising Section 3-9-45: Planned Development (PD); providing for revised intent; providing for revised uses permitted; providing for revised design criteria and development standards; providing for revised procedures for rezoning to PD; and providing for PD rezoning flow chart; and 3) creating new Section 3-9-45.1: Planned Development (PD) Open Space and Setback Special Requirements; providing for intent; providing for development requirements within the US 41 Overlay District (41OD); providing for development requirements within the Burnt Store Limited Development (BSLD) and Burnt Store Village Residential (BSVR) Future Land Use Map (FLUM) designations; providing for development within the Compact Growth Mixed Use Future Land Use Map (FLUM) designation; and providing for development requirements within the Rural Community Mixed Use FLUM designation or Conservation Subdivision; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

**Legislative****UB15. [TLDR-20-03: Section 3-9-46: Mixed-Use District.](#)****Community Development**

Hold the first of two public hearings related to the creation of the Mixed-Use Zoning Classification; and request the Board to set the second public hearing for October 27, 2020, at 2:00 p.m., in accordance with Section 125.66, Florida Statutes. An Ordinance pursuant to Section 125.66, Florida Statutes, amending Charlotte County Code, Chapter 3-9: Zoning, Article II: District Regulations, (1) by revising Land Development Regulations Table of Contents to add new Section 3-9-26.5: Use Table - Mixed Use Districts, and to rename Section 3-9-46 from Compact Mixed Use (CGM) to Mixed-Use (MU); (2) by creating new Section 3-9-26.5: Use Table - Mixed Use Districts; (3) by creating Section 3-9-46: Mixed-Use (MU) to provide for intent; provide for applicability; provide for mixed-use categories; provide for uses and structures permitted; and provide for development standards; and (4) by amending Section 3-9-69: Conditional uses and structures, to add conditional uses under Section 3-9-46: Mixed-Use (MU) to this section, and to provide for standard conditions; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

**Legislative****AA. County Administrator Comments**

**BB. County Attorney Comments**

**CC. Economic Development Director Comments**

**DD. County Commissioner Comments**

**County Commissioners**

Bill Truex, District 3, Chairman

Christopher Constance, District 2, Vice Chairman

Ken Doherty, District 1

Stephen R. Deutsch, District 4

Joseph Tiseo, District 5

**Board of County Commissioners**

**Schedule of Future Closures/Hearings/Workshops**

[Schedule](#)