

**BOARD OF COUNTY COMMISSIONERS**

**April 19, 2011**

A meeting was held at the Murdock Administration Complex in Room 119, Port Charlotte, Florida.

Members present were: Chairman Starr, Commissioner Constance, Commissioner Deutsch, Commissioner Duffy, Commissioner Skidmore, County Administrator Sandrock, Assistant County Attorney Rooney, and Deputy Clerk Lansing. The following members were absent: None

The meeting was called to Order at **9:00 AM**, followed by the Pledge of Allegiance. ***(Proofs of Publication were in order)***

**Changes to the Agenda:**

**Deletion# 1:** A-1 Requested by Administration RECOMMENDED ACTION: Approve an ordinance adopting Petition #Z-10-09-30, amending the Charlotte County Zoning Atlas from Commercial General (CG), Commercial Intensive (CI), Office, Medical, and Institutional (OMI), Residential Multi-Family 10 (RMF-10), and Residential Single-Family 3.5 (RSF-3.5) to Planned Development (PD), for property in the Murdock Village Community Redevelopment Area located north of SR 776, west of Collingswood Boulevard, south of U.S. 41, and east of Crestwood Waterway, in the Port Charlotte area, containing 1,027.02± acres; Commission District IV; applicant: Charlotte County Board of County Commissioners.

**COMMISSIONER SKIDMORE MOVED TO APPROVE CHANGES TO THE AGENDA, SECONDED BY COMMISSIONER CONSTANCE**

**MOTION CARRIED 5:0.**

**A. PLANNING AND ZONING PUBLIC HEARING**

(2) RECOMMENDED ACTION: Approve an ordinance adopting Petition #Z-11-01-01, amending the Charlotte County Zoning Atlas from Commercial General (CG) to Commercial Intensive (CI), for property located north of Rushmore Avenue, south of Adams Street, east of Highlands Road and west of Sulstone Drive, in the Harbour Heights area, containing 1± acres; Applicants: Walter B. and Barbara O. Boyd; Commission District I. BUDGETED ACTION: None

***(Chairman Starr polled the Board for ex parte disclosures and Commissioner Duffy acknowledged such disclosures.) (Deputy Clerk Lansing administered the oath to potential quasi-judicial witnesses.)***

Jie Shao presented the petition, noted its purpose, paralleled visual slides and packet information, and advised staff recommendation for approval. The Board viewed a brief video which visually described the subject property.

**Commissioner Constance** asked for zoning clarification. Ms. Shao responded in detail.

Mr. Boyd (Applicant) explained his intentions and goals, commended staff participation, and urged Board approval. **Commissioner Deutsch** thanked the applicant.

**COMMISSIONER SKIDMORE MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER CONSTANCE**

**MOTION CARRIED 5:0.**

**Commissioner Duffy** commented on Charlotte County being open for business, commended the Applicant for embracing the concept, and also mentioned the Scrub Jay related challenges he was faced with. **Commissioner Constance** commended the Applicant for energy savings. **Chairman Starr** expressed appreciation for the Applicant's work on creating jobs and economic growth within the County. Additional clarification related to the subject property was given.

**COMMISSIONER CONSTANCE MOVED TO ENACT ORDINANCE 2011-007 AND ADOPT PETITION #Z-11-01-01, SECONDED BY COMMISSIONER DUFFY**

**MOTION CARRIED 5:0.**

(3) RECOMMENDED ACTION: Conduct the first public hearing to review changes made to the Enterprise Charlotte Airport Park zoning district, and set the second public hearing to adopt the changes for May 17, 2011 at 9 AM, or as soon thereafter as the matter may be heard.  
BUDGETED ACTION: None

Inga Williams presented the item, read revisions to the Enterprise Charlotte Airport Park (ECAP) Code into the record, and responded to Board inquiries.

**Commissioner Skidmore** asked for intent detail and questioned the right-of-way. Debrah Forester discussed the landscape concept for Piper Road, provided a timeline of meetings, gave the notification process to date, and responded to additional inquiries. Assistant County Attorney Rooney confirmed tower landscaping will be exempt. **Commissioner Deutsch** expressed confusion with the purpose. Ms. Williams clarified buffering and landscaping requirements. Mr. Sandrock commented on the native tree fund and explained its concept. **Commissioner Constance** provided his understanding of industrial landscaping and asked that additional information on green industry be included at the second Public Hearing.

**Commissioner Duffy** expressed concern with costs. Ms. Forester noted cost estimates would be provided at the next Public Hearing. **Commissioner Skidmore** opined the savings are insignificant, expressed concern with the intent, and suggested eliminating buffering from industrial landscaping. **Chairman Starr** mentioned the importance of planting native vegetation and discussed past irrigation needs at the airport. **Commissioner Duffy** suggested vegetation options to be included for flexibility and thanked staff for their input. **Commissioner Constance** requested staff provide additional cost detail related to the Economic Impact Statement.

**COMMISSIONER SKIDMORE MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER CONSTANCE**

**MOTION CARRIED 5:0.**

**COMMISSIONER SKIDMORE MOVED TO SET THE SECOND PUBLIC HEARING TO ADOPT THE CHANGES FOR MAY 17, 2011 AT 9 AM, OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD , SECONDED BY COMMISSIONER DEUTSCH**

**MOTION CARRIED 5:0.**

(4) RECOMMENDED ACTION: Approve an ordinance adopting an amendment to Smart Charlotte 2050. Petition PA-11-03-05-LS is a remedial plan amendment to Smart Charlotte 2050 involving the requirements identified in the Stipulated Settlement Agreement for DOAH Case No. 10-9457GM. BUDGETED ACTION: None

Ms. Williams presented the petition for the record.

Percy Angelo thanked the County for their participation, expressed support of the amendment, and urged approval.

**COMMISSIONER SKIDMORE MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER CONSTANCE**

**MOTION CARRIED 5:0.**

**COMMISSIONER SKIDMORE MOVED TO ENACT ORDINANCE 2011-008 AND ADOPT PETITION PA-11-03-05-LS, SECONDED BY COMMISSIONER CONSTANCE**

**MOTION CARRIED 5:0.**

(5) RECOMMENDED ACTION: To approve a street name change from Sargassum Road to Rotonda Trace. This street is located in Rotonda Meadows/Villas/Springs Subdivision in Commission District III. BUDGETED ACTION: None

Maggie Horton provided detail and history related to the proposed street name change and responded to Board inquiries.

Kendall Leach spoke in favor and on behalf of the Rotonda Board of Directors, mentioned past confusion with the name, and suggested this change will correct any future confusion.

John Brandenburger also spoke in favor of the name change, explained this is one of many updates being made to the area, and urged support.

**COMMISSIONER CONSTANCE MOVED TO CLOSE THE PUBLIC HEARING, SECONDED BY COMMISSIONER DEUTSCH**

**MOTION CARRIED 5:0.**

**CHAIRMAN STARR MOVED TO APPROVE RESOLUTION 2011-211 TO CHANGE STREET NAME FROM SARGASSUM ROAD TO ROTONDA TRACE, SECONDED BY COMMISSIONER CONSTANCE**

**MOTION CARRIED 5:0.**

**B. CITIZEN INPUT - ANY SUBJECT**

George Wester mentioned conversations with bankers willing to lend money, opined this will create jobs, handed out a related article, and commended the Board.

Ed Boyd opined a shortage of right turn lanes within the County and provided several related energy and cost savings that could be achieved.

**AA. County Administrator: None**

**BB. County Attorney: None**

**CC. Commissioner Comments:**

**Commissioner Deutsch** agreed with citizen comments related to economic development. **Commissioner Duffy** mentioned a positive meeting with Sarasota County, discussed 211 System costs and noted the type of calls being received; commended staff and those involved with the Medical Arts District clean up held last weekend, and agreed with the right turn issue. **Commissioner Constance** also recognized a successful meeting with Sarasota County, discussed the fertilizer ordinance, mentioned pill mill issues, remarked on the search for an Economic Development Director, and again suggested Mr. Sandrock step in as an interim director. **Commissioner Skidmore** discussed the Economic Development Director issue and mentioned

legalities related to a permanent moratorium related to pill mills. **Chairman Starr** opined Charlotte County should be included in the Environmental Impact Study, noted benefits to the County, if included; asked for Board Consensus to allow him to submit a letter requesting inclusion, suggested it would help with the health of Charlotte Harbor, and expressed opposition to appointing Mr. Sandrock as Interim Economic Development Director. There was **BOARD CONSENSUS** for the Chair to request Charlotte County be included in the Environmental Impact Study. **Commissioner Constance** explained Mr. Sandrock would facilitate the hiring process. Mr. Sandrock indicated if directed, he would help coordinate the interviews. Attorney Knowlton recommended they place the Economic Development Director issue on the next agenda to allow for citizen input. **Commissioner Deutsch** asked for clarification of "Commissioner Comments" held at the end of Land Use meetings. Attorney Knowlton provided options and asked for direction. Board discussion ensued. There was **BOARD CONSENSUS** to allow "Commissioner Comments" to be heard at Land Use Meetings and to only add emergency non-land use items to the agenda.

**ADJOURNED: 10:27 AM**

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**Chairman**

**ATTEST:**

**BARBARA T. SCOTT, CLERK  
OF THE CIRCUIT COURT AND  
EX-OFFICIO TO THE BOARD  
OF COUNTY COMMISSIONERS**

By: \_\_\_\_\_  
**Deputy Clerk**

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