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BCC

FILED WITH THE DEPARTMENT OF STATE April 26, 2023

ROGER D. EATON, CHARLOTTE COUNTY CLERK OF
CIRCUIT COURT
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ORDINANCE
NUMBER 2023 - 019

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 3-9-45, PLANNED DEVELOPMENT, UNDER CHAPTER 3-9, ZONING, OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA, APPROVING THE REQUEST TO EXTEND THE TIME LIMITATION OF THE PLANNED DEVELOPMENT (PD) CONCEPT PLAN APPROVED VIA ORDINANCE NUMBER 2007-063, FOR PROPERTY GENERALLY LOCATED AT 26901 OR 27001 ZEMEL ROAD, IN THE PUNTA GORDA AREA; CONTAINING 338.02± ACRES; COMMISSION DISTRICT II; PETITION CPE-23-01; APPLICANT: LINDNER MARK L TRUSTEE; PROVIDING FOR AN EFFECTIVE DATE.

RECITALS

WHEREAS, in a public hearing held on Tuesday, April 25, 2023, the Board of County Commissioners of Charlotte County, Florida ("Board") reviewed Petition CPE-23-01, submitted by property owner and applicant, Lindner Mark L Trustee ("Applicant"), requesting to extend the Planned Development (PD) Concept Plan which was adopted by the Board via Ordinance Number 2007-063 on September 18, 2007; and

WHEREAS, the subject property is generally located at 26901 or 27001 Zemel Road, in the Punta Gorda area, containing 338.02 acres more or less ("Property"); and

WHEREAS, on September 18, 2007, the Board approved an amendment to the Zoning Atlas from Agriculture Estates (AE) to Planned Development (PD) for the Property, along with its associated Planned Development (PD) Concept Plan, via Ordinance Number 2007-063 (attached as Exhibit "A"), in order to have a residential development up to 894 units; and

MIN

33 WHEREAS, since the Board approved this PD rezoning, along with
34 its associated Planned Development (PD) Concept Plan, no density has been
35 transferred onto the Property and no Final Detail Site Plan has been submitted;
36 and

37 WHEREAS, Section 3-9-45(d)(3)d.1. of the Code of Laws and
38 Ordinances of Charlotte County, Florida (“Code”) states that “the
39 applicant/property owner may petition the BCC to extend the expiration date of
40 the Planned Development (PD) Concept Plan. Such request shall be
41 accompanied by a fee as established by the BCC. The extension shall contain a
42 provision requiring the Planned Development (PD) Concept Plan to conform to
43 the Code in effect at the time of the granting of the extension and other
44 reasonable conditions as the BCC may impose”; and

45 WHEREAS, pursuant to Section 3-9-45(d)(3)d.1. of the Code, the
46 Applicant has submitted a request to extend the Planned Development (PD)
47 Concept Plan; and

48 WHEREAS, after due consideration, based on the findings and
49 analysis provided by County Staff and the evidence presented to it, the Board
50 has found that approval of Petition CPE-23-01 is consistent with the County’s
51 Comprehensive Plan, and that it meets the requirements for the granting of an
52 extension; and

53 WHEREAS, based on the above findings, the Board has
54 determined it to be in the best interests of the County to extend the Planned

55 Development (PD) Concept Plan (attached as Exhibit "B") until a Final Detail Site
56 Plan is approved by the Board.

57 NOW, THEREFORE, BE IT ORDAINED by the Board of County
58 Commissioners of Charlotte County, Florida ("Board"):

59 SECTION 1. Petition CPE-23-01, submitted by property owner and
60 applicant, Lindner Mark L Trustee, to extend the Planned Development (PD)
61 Concept Plan until a Final Detail Site Plan is approved by the Board, is hereby
62 approved.

63 SECTION 2. This Ordinance shall take effect upon filing in the
64 Office of the Secretary of State, State of Florida.


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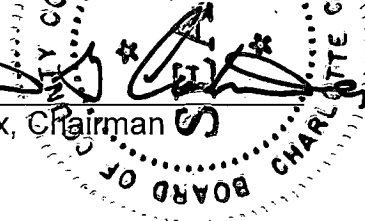
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PASSED AND DULY ADOPTED this 25th day of April, 2023.

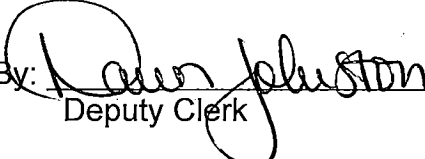
BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: 
For William G. Truex, Chairman

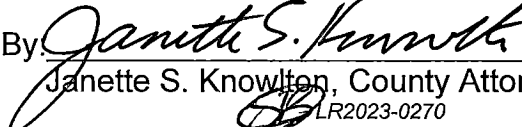


ATTEST:

Roger D. Eaton, Clerk of the Circuit Court
and Ex-Officio Clerk of the
Board of County Commissioners

By: 
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: 
Janette S. Knowlton, County Attorney
LR2023-0270

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ORDINANCE
NUMBER 2007 - *063*

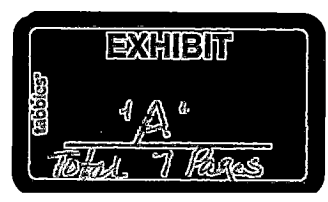
AN ORDINANCE APPROVING AN AMENDMENT TO THE CHARLOTTE COUNTY ZONING ATLAS FROM AGRICULTURE ESTATES (AE) TO PLANNED DEVELOPMENT (PD), FOR PROPERTY LOCATED AT 26901 OR 27001 ZEMEL ROAD, IN THE PUNTA GORDA AREA, CONTAINING 338.02 ACRES MORE OR LESS; PETITION Z-07-06-40-TDU; APPLICANT, MARK LINDNER, AS TRUSTEE OF THE BURNT STORE EAST LAND TRUST; PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, in a public hearing held on Tuesday, September 18, 2007, the Board of County Commissioners of Charlotte County ("Board") reviewed Petition Z-07-06-40-TDU which requested a rezoning from Agriculture Estates (AE) to Planned Development (PD) on 338.02 acres more or less of property owned by Mark Lindner, as Trustee of the Burnt Store East Land Trust, 2206 Majestic Court, Naples, Florida 34110, and described as located at 26901 or 27001 Zemel Road, Punta Gorda area, in Commission District II, and more particularly described in Exhibit "A" attached hereto and by this reference incorporated herein; and

WHEREAS, Mark Lindner, as Trustee of the Burnt Store East Land Trust, as the applicant, seeks a rezoning to Planned Development to allow a 894-unit residential development including single-family units as well as multi-family units; and

WHEREAS, Petition Z-07-06-40-TDU has previously been heard by the Charlotte County Planning and Zoning Board ("P&Z Board") and, based on



united

1 the findings and analysis presented in the Planning and Zoning Division staff
2 report dated July 20, 2007, revised on August 16, 2007, and the evidence
3 presented to the P&Z Board, has been recommended for approval with
4 conditions; and

5 WHEREAS, after due consideration, based on the Planning and
6 Zoning Division staff report dated July 20, 2007, revised on August 16, 2007, and
7 the evidence presented to it, the Board has found that approval of Petition
8 Z-07-06-40-TDU is consistent with the 1997-2010 Charlotte County
9 Comprehensive Plan, and that it meets the requirements for the granting of a
10 rezoning, and;

11 WHEREAS, based on the above findings, the Board has
12 determined it to be in the best interests of the County to rezone the subject
13 property from Agriculture Estates (AE) to Planned Development (PD).

14 NOW, THEREFORE, BE IT ORDAINED by the Board of County
15 Commissioners of Charlotte County, Florida:

16 SECTION 1. The following petition for an amendment to the
17 Charlotte County Zoning Atlas is hereby approved subject to the conditions
18 contained in the attached Exhibit "B":

19 Petition Z-07-06-40-TDU requesting rezoning from
20 Agriculture Estates (AE) to Planned Development
21 (PD) for 338.02 acres more or less of property owned
22 by Mark Lindner, as Trustee of the Burnt Store East
23 Land Trust, and described as located at 26901 or
24 27001 Zemel Road, in the Punta Gorda area,
25 Charlotte County, Florida, and more particularly
26 described in Exhibit "A" attached hereto and
27 incorporated herein by this reference.
28

1 SECTION 2. That the zoning for this property shall run with the
2 property and shall apply to any subsequent owners, heirs and assigns.

3 SECTION 3. This ordinance shall take effect upon filing in the
4 Office of the Secretary of State, State of Florida.

5 PASSED AND DULY ADOPTED this 18 day of September, 2007.

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BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: Richard D. Loftis
Richard D. Loftis, Chairman

ATTEST:
Barbara T. Scott, Clerk of
Circuit Court and Ex-Officio Clerk
to the Board of County Commissioners
By: Anne L. Pfahler
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: Janette S. Knowlton
Janette S. Knowlton, County Attorney
RB
LR 2007-442

LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN SEC. 28, TWP. 42 SOUTH, RGE. 23 EAST IN CHARLOTTE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

THE EAST ONE HALF OF SECTION 28 IN TOWNSHIP 42 SOUTH, RANGE 23 EAST, LYING AND BEING IN CHARLOTTE COUNTY, FLORIDA. SUBJECT TO A ROAD RIGHT OF WAY RECORDED IN DEED BOOK 48, PAGE 129, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA.

PARCEL CONTAINS 338.02 ACRES, MORE OR LESS.

EXHIBIT A

CONDITIONS:

- a. Development on the subject property shall occur as generally illustrated in the PD Concept Plan submitted by the applicant, prepared by Banks Engineering, dated March 29, 2007, and except such modifications as may be required to meet the conditions of the PD zoning district. In addition, the Development Review Committee (DRC) conditions of approval per letter dated July 2, 2007 are required to be met. The open habitat space area shall be no less than 158.32± acres. The PD Concept Plan includes 34.44± acres of lake area. Areas indicated for single-family development and multi-family development will be developed as such. Revisions consistent with the notes on the approved PD Concept Plan shall be permitted. Residential development standards shall be as indicated on the PD Concept Plan, with minor modifications allowed only to increase lot sizes.
- b. The subject property currently retains 33 units of density. The applicant is proposing to develop a total of 894 units including 714 multi-family units and 180 single-family units. The mix of multi-family units and single family units may be changed consistent with the PD Concept Plan. If more than 356 single family units are proposed, the applicant shall submit a revised Traffic Impact Statement and proportionate share analysis. The subject property shall require 861 units of transferred density. The transfer of density units must be approved by the Board of County Commissioners prior to Preliminary Plat application or Final DRC application, whichever shall occur first.
- c. No development shall occur prior to Final DRC approval.
- d. The developer shall minimize impervious surfaces within the development wherever practicable.
- e. A development time line and phasing plan for the entire PD shall be submitted prior to Final DRC approval. A monitoring report shall be submitted annually from the day of Final DRC approval until buildout, identifying the development activities which occurred during the past year and summarizing current and previous year statistics (as applicable).
- f. The maximum building height for residential development is 38 feet from the base flood elevation. The maximum building height within the recreation area is 40 feet from the base flood elevation.
- g. The roadways for this development shall be constructed to Charlotte County standards. If the roadways for this development are to be private, following Final DRC approval, the developer, and subsequently, the homeowner's association, is required to maintain all private roads within the development area.
- h. The development must utilize potable water and sanitary sewer utilities. The potable water and sanitary sewer lines must be connected to the site before any certificates of occupancy shall be issued. The developer must also extend re-used water utility lines along with the potable water and sanitary sewer lines throughout the development. A developer's agreement with Charlotte County Utilities for the extension of potable water, sanitary sewer, and re-use lines must be approved by the Board of County Commissioners prior to the final DRC application for any phase of development.
- i. The site shall be developed with a unified landscaping theme. Only Florida Friendly plantings and/or xeriscaping shall be allowed for landscape plantings within the common areas. The developer shall also make every effort to ensure that residential property owners within the development also utilize Florida Friendly plantings and xeriscape landscaping. The applicant shall institute an education program for all homeowners on the correct use of pesticides, herbicides, and fertilizers. A partnership

with the Cooperative Extension Service of the University of Florida to interact with the Florida Yards and Neighborhoods program is encouraged. Only natural organic or other slow release forms of fertilizers shall be utilized throughout the development.

j. All landscaping must be irrigated as necessary to ensure survival. When made available by the Utility, non-potable water shall be utilized for common area and private irrigation throughout the development. The developer is encouraged to construct grey water retention basins on site if at all possible. The developer, a homeowner's association, community development district or similar entity, is required to maintain all common areas within the development area.

k. The development must comply with Chapter 3-2, Article IX, Tree Requirements, of the Charlotte County Code. All heritage trees shall be preserved unless the applicant can provide substantial evidence that such preservation will cause the development of the site to be severely hindered. Should any heritage tree be removed, the applicant will plant a sufficient number of trees of the same species to equal the girth of the tree removed. These trees will not be counted as part of the points needed for development but in addition to those trees needed for points.

l. The developer shall maintain hydrogeology to all of the wetlands. The project must comply with Chapter 3-5, Article XV, Upland Buffer Zone requirements of the County Code. A naturally vegetated upland buffer zone shall be preserved along the perimeter of all wetlands and natural surface waters to the edge of development. The buffer shall be a minimum of fifteen (15) feet and average twenty-five (25) feet in width as measured from the landward limit of the wetland or surface water.

m. A Conservation Easement preserving in perpetuity all wetlands and associated buffer uplands in the area shall be granted to the County or the Southwest Florida Water Management District. A copy of the easement shall be sent to the County Attorney's Office and Comprehensive Planning Section of the Community Development Department for review and approval prior to being filed with the Clerk of the Circuit Court. The filing shall be completed prior to Preliminary Plat application or Final DRC application, whichever shall occur first.

n. A developer's agreement to fund the widening the Burnt Store Road shall be finalized and approved prior to the final DRC application for any phase of development.

o. Landscaping and Buffer requirements:

- i. At a minimum, the 25-foot PD setback for the property boundary adjacent to Zemel Road shall be landscaped.
- ii. At a minimum, a type B buffer must be placed within the 25-foot PD setback along the northern, eastern, and western portion of the property lines which are adjacent to the property zoned AE.
- iii. At a minimum, a type B Buffer must be placed within the multi-family development area which is adjacent to internal single-family development.
- iv. At a minimum, a type C buffer must be provided around the recreation area as it considered to be similar to an "active use park". The applicant must comply with Chapter 3-5, Article XVIII, Landscaping and Buffer Requirements, of the County Code.
- v. The developer is required to remove exotic/nuisance species from the subject property.

p. The developer shall obtain stormwater approval prior to final DRC approval. Applicable SWFWMD and Army Corp. permits must be obtained prior to the commencement of development. All stormwater facilities must be designed to protect groundwater and surface water resources.

q. The developer is required to provide a sidewalk throughout the subject site, with a minimum width of five (5) feet along at least one side of all internal roadways. An eight (8) foot wide bicycle/pedestrian trail is required along the northern property line on Zemel Road. The developer shall coordinate with the Department of Public Works. The sidewalk must be completed at the time of the 50% completion of the residential development.

r. The recreation areas shall be a total of 7.11± acres and will contain a clubhouse with a swimming pool together with other amenities such as a basketball court, tennis courts, and a parking area. The final design of the recreation area shall be determined at Final Detail Plan approval. The clubhouse shall be built to the highest wind-bearing loads required by Charlotte County and will be made available for use as a post-storm hurricane refuge to the proposed neighborhood following a natural disaster. It is understood that the clubhouse will not be able to accommodate all residents of the community.

s. The applicant shall work with the Charlotte County Public Schools Transportation Department to provide a bus stop(s) and shelter(s) for the community. Should the pick up and drop off point be located at the entrance of the development, the developer shall allow for sufficient room for a parent drop-off and bus pick-up along with an adequate means for traffic circulation at the entrance. A shelter for the children is required at the pick-up area(s). This addition must be shown on the Final DRC plan for approval.

t. Any changes in the Concept Plan must receive a recommendation from the Natural Resources Planning Section and the Comprehensive Planning Section.

u. The developer shall install a sign at the end of the cul-de-sac in the northwest corner of the project informing residents that, in the future, a connection may be provided to the properties to the west of the site.

PD Concept Plan





FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

April 27, 2023

Roger D. Eaton
Clerk of the Circuit Court
County Comptroller
Charlotte County
18500 Murdock Circle, Room 416
Port Charlotte, Florida 33948

Attention: Dawn Johnston

Dear Roger Eaton,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Charlotte County Ordinance No. 2023-019, which was filed in this office on April 26, 2023.

Sincerely,

Anya Owens
Program Administrator

ACO/wlh

Fire damages four Bermont Road apartments

STAFF REPORT

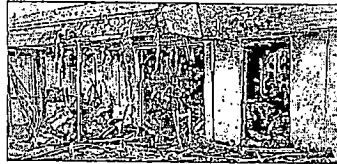
PUNTA GORDA — One unit in the Villas Del Sol apartments on Bermont Road was heavily damaged by fire Saturday afternoon.

One person was treated for smoke inhalation and transported to a local hospital, according to a Charlotte County Public Safety social media post.

Two people lived in the unit. Three other units were damaged by smoke.

Charlotte County Fire and EMS is working with the State Fire Marshal's office to investigate the cause of the fire.

"The Red Cross is assisting the families affected," the post stated.



CHARLOTTE COUNTY PUBLIC SAFETY PHOTO

Fire destroyed one unit and damaged three others Saturday at the Villas Del Sol apartments on Bermont Road.

Police: Driver faces hit-and-run charge

STAFF REPORT

NORTH PORT — Police announced the arrest of a suspect in a two-month-old hit-and-run crash that seriously injured a pedestrian.

Veronica Fidanza, 34, of the 6000 block of Osbert Avenue was arrested Thursday, according to North Port Police.



FIDANZA

Officers found an injured person who had been struck by a car on North Cranberry Boulevard on Feb. 2.

Members of NPPD's Traffic Homicide Investigations Unit learned that the victim struck the victim and did not stop or call for help. Fidanza is now facing hit-and-run charges involving serious injury.

"Our Traffic Homicide Investigators take over investigations of fatal and near fatal vehicle

crashes. They work hard on these cases and go to great lengths to secure justice for victims, much like the one in this case. If you're involved in a crash, stay on scene, render aid and call for help. There is no need to make a bad situation worse," Traffic Sgt. Scott Guzman stated in a social media release.

Fidanza was released Friday on \$7,500 bond. She has a hearing scheduled for May 15.

POLICE BEAT

The Charlotte County Sheriff's Office reported the following arrests:

• Gary Dennis Mulawa, 80, 1100 block of Rotonda Circle, Rotonda West. Charge: operate motor vehicle without valid license. Bond: \$1,000.

• Bayron Duvier Ariano Amador, 34, 59 block of Boundary Boulevard, Rotonda. Charge: operate motor vehicle without valid license. Bond: \$500.

• Stacie Lynn Dalgleish, 60, 11000 block of 2nd Avenue, Punta Gorda. Charges: possession of drug paraphernalia and possess controlled substance without prescription. Bond: none.

• Richard J. Skiba, 68, address withheld. Charge: battery. Bond: \$1,500.

• Frank John Benyk, 46, homeless, Punta Gorda. Charge: failure to appear. Bond: none.

• Adam Troy Windsch, 50, 21000 block of Holdern Avenue, Port Charlotte. Charge: battery on person 65 years or older. Bond: none.

• David Wyatt Dubosque, 18, 150 block of Beeny Road Southeast, Port Charlotte. Charge: felony battery. Bond: \$1,500.

• Charles Joseph Arnold, 43, homeless, Port Charlotte. Charges: trespass failure to leave

property upon order by owner, and failure to appear. Bond: none.

• Alex Noe Moreno Moreno, 23, Palmetto. Charge: operate motor vehicle without valid license. Bond: \$1,000.

• Justin Lee Piner, 20, 3800 block of Trenton Lane, North Port. Charge: felony battery. Bond: \$1,500.

• Joseph Carmen Ledesma-Cruz, 28, North Fort Myers. Charge: operate motor vehicle without valid license. Bond: \$500.

• Michael William Edge Jr., 26, Lehigh Acres. Charges: trafficking amphetamine more than 14 grams; possess controlled substance without prescription; possession of drug paraphernalia and possess harmful new legend drug without prescription. Bond: none.

• Arnoldo Chivalan Ajcót, 38, Fort Myers. Charge: operate motor vehicle without valid license. Bond: \$1,000.

• Arthur Bernard Hinson Jr., 24, 200 block of Macon Road, Arcadia. Charge: failure to appear. Bond: none.

• Juan Ernesto Cortes Gurrola, 40, California. Charges: grand theft property more than \$750 but less than \$3,000; grand theft more than \$5,000 less than \$10,000; petit theft (second offense). Bond: none.

• Charles Backus Moore, 36, 2400 block of Riverfront Drive, Punta Gorda. Charge: DUI. Bond: none.

• Martha Annette Powers, 34, 15000 block of Appleton Boulevard, Port Charlotte. Charge: violation of probation. Bond: \$7,500.

• Matthew Nathaniel Simon, 38, 4400 block of Laura Street, Port Charlotte. Charge: violation of probation. Bond: none.

• Lawrence John Gudmestad, 59, 9400 block of Rosebud Circle, Port Charlotte. Charge: battery on a person 65 or older. Bond: none.

• John E. Lowmark, 65, of Port Charlotte. Charge: battery. Bond: \$2,500.

• Thomas H. Piche, 58, 1200 block of West Oak Lane, Port Charlotte. Charge: DUI. Bond: \$1,000.

• Gene Paul Porter Sr., 65, of Englewood. Charge: battery. Bond: \$2,500.

• William Jon Withers III, 52, 500 block of Broadway Street, Englewood. Charge: out-of-county warrant. Bond: \$1,000.

• Montrice Demontia McGill, 45, Charlotte Commons Apartments, Port Charlotte. Charge: battery. Bond: \$3,500.

• Brandon Heidkamp, 51, 15000 block of Gullstrand Avenue, Port Charlotte. Charge: DUI alcohol or drugs. Bond: none.

• Charles La Dimaras, 53, 3000 block of Yukres Avenue, Port Charlotte. Charge: DUI. Bond: none.

• Edson Vazquez Martinez, 44, Oakland Park, FL. Charge: driving with license expired more than 6 months. Bond: \$1,000.

• Shaun Joseph Kelly, 44, 1300 block of Sun Market Place, North Port. Charge: DUI. Bond: none.

• Jose Almaguez Vargas, 27, Grand Prairie, Texas. Charge: operating a motor vehicle without a valid license. Bond: \$1,000.

• Mark Phillip Steiner, 46, 2000 block of Willow Avenue, Englewood. Charges: possession or use of drug paraphernalia; violation of probation. Bond: none.

• Rafael Gomez Rodriguez, 22, Arcadia, FL. Charge: operating a motor vehicle without a valid license. Bond: \$1,000.

• Jeremy Michael Oberly, 40, Arcadia, FL. Charges: driving while license suspended, fail to register motor vehicle. Bond: none.

Compiled by Nancy J. Semon and Sue Erwin

NOTICE OF PUBLIC MEETING AND HEARING FOR ONE OR MORE OF THE FOLLOWING MATTERS: PROPOSED CHANGES TO THE FUTURE LAND USE MAP AND COMPREHENSIVE PLAN ELEMENTS, DEVELOPMENT'S OF REGIONAL IMPACT OR CHANGES THERETO, REZONINGS, TRANSFER OF DENSITY UNITS (TDU), PRELIMINARY AND FINAL PLATS, DEVELOPER AGREEMENTS, STREET AND PLAT VACATIONS, DRC FINAL DETAIL PLANS OR CHANGES THERETO, TEXT AMENDMENTS AND STREET NAMING

A PUBLIC MEETING AND HEARING (IN PROPOSALS AND PETITIONS AS DESCRIBED BELOW) WILL BE CONDUCTED BY THE BOARD OF COUNTY COMMISSIONERS AT A REGULAR MEETING ON TUESDAY, APRIL 18, 2023, AT 2:00 PM, OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD DURING THE COURSE OF ACTION. THE MEETING AND HEARING WILL BE HELD IN COMMISSION CHAMBERS, ROOM 119, FIRST FLOOR, BUILDING A, THE CHARLOTTE COUNTY ADMINISTRATION CENTER, 16905 HURDLOCK CIRCLE, PORT CHARLOTTE, FLORIDA. THE BOARD IS NOT BOUND TO CONSIDER THE PETITIONS IN THE ORDER LISTED IN THIS NOTICE. ANY OF THESE PETITIONS MAY BE CONSIDERED AS SOON AS THE MEETING COMMENCES.

COPIES OF SAID PETITIONS WITH COMPLETE LEGAL DESCRIPTIONS AND SUBSEQUENT STAFF REPORTS WILL BE AVAILABLE FOR REVIEW AT THE CHARLOTTE COUNTY COMMUNITY DEVELOPMENT DEPARTMENT AND ALL CHARLOTTE COUNTY PUBLIC LIBRARIES. A MEETING AGENDA AND PETITION PACKETS MAY BE REVIEWED AT THE FOLLOWING INTERNET ADDRESS: <http://www.charlottecountyfl.gov/board-commissioners/planning-zoning-board/agenda.html>

ALL INTERESTED PERSONS ARE URGED TO ATTEND. THE PUBLIC IS WELCOME TO SPEAK, TIME LIMITS ARE SET BY BOARD RULES. IF YOU HAVE SPECIFIC QUESTIONS OR COMMENTS, YOU ARE ENCOURAGED TO CONTACT A STAFF PERSON AT ANY TIME IN ADVANCE OF THE PUBLIC HEARING(S). PLEASE CALL 941-764-4961 AND MENTION THE PETITION NUMBER OF THE MATTER YOU WISH TO DISCUSS.

PETITIONS

LAND USE CONSENT AGENDA

DRC-21-00216 Quasi-Judicial Commission District II
Banks Engineering is requesting modification to the previously approved Final Detail Site Plan for Heritage Landing. The project consists of sub-phasing the previously approved Phase II B (DRC-21-0008) for 174 single family lots and 200 multi-family units in four phases. Additionally, sub-phase II-B-J North is proposing infrastructure changes and will consist of 46 multi-family units, 13 more than previously approved. This sub-phase II-B-J North project site is 6.802 acres of an 897.7 acre site and is located at 14181 Heritage Landing Boulevard, Punta Gorda in Section 17, Township 41, Range 22 E.

FP-18-04-04 Quasi-Judicial Commission District IV
KL West Part LLC is requesting a bond release of the approved safety provided under Bond No. LUCK1191129 in the amount of \$1,540,283.92 for the completion of the infrastructure for West Part. The subdivision consists of tracts for rights-of-way and future residential and commercial development. West Part was granted Final Plat approval by the Board of County Commissioners on March 14, 2020. The site contains 434.681 acres and generally located south of Tomiami Trail, north of U1 Lebar Road, east of Highway Texas, and west of Flamingo Blvd. in the Port Charlotte area and in Commission District IV.

FP-22-02-05 Quasi-Judicial Commission District I
Babcock Ranch Community Independent Special District and Babcock Neighborhood School, Inc. are requesting Final Plat approval for a subdivision to be named, Babcock Ranch Community Neighborhood School. There will be no bond or Development Agreement associated with this plat. The proposed subdivision, consisting of 20 tracts for roads, utilities, drainage, school, shelter, parks and future development, received Preliminary Plat approval from the Board of County Commissioners under PP-22-02-05 on July 26, 2022. The property contains 67.802 acres and is generally located south of Bermont Road, north of the County line with Lee County, west of the County line with Glades County, and east of SR 31. The site is located within the boundary of the Babcock Ranch Community Development of Regional Impact (DRIR) Increment I, the East County area, and in Commission District I.

CSZ-22-01 Quasi-Judicial Commission District I
A Resolution of the Board of County Commissioners of Charlotte County, Florida, approving a petition for cancellation of Seeding Zones located at 26126 and 26126 Northern Cross Road, in the Port Charlotte area within Commission District I, containing 0.793 acres for calculation and severance of ten density units, in accordance with Part III Land Development and Growth Management, Chapter 3-9 Zoning, Article V Environmental Requirements and Other Requirements, Section 3-9-150 Transfer of Density Units (TDU), of the Code of Laws and Ordinances of Charlotte County, Florida, Petition No. CSZ-21-011 Applicant: Relygen Partners IV LLC, providing an effective date.

T1U-22-01 Quasi-Judicial Commission District II
A Resolution of the Board of County Commissioners of Charlotte County, Florida, approving a petition for a transfer of ten density units onto a Receiving Zone located at 5546 Grand Street and 1402 Emerald Street, in the Punta Gorda area and Commission District II, containing 53.92 acres (the property contains 54.567 acres and the vacated platted street contains 1.362 acres); in compliance with Part III Land Development and Growth Management, Chapter 3-9 Zoning, Article V Environmental Requirements and Other Requirements, Section 3-9-150 Transfer of Density Units (TDU), of the Code of Laws and Ordinances of Charlotte County, Florida, Petition No. T1U-21-011 Applicant: Family Communities, Punta Gorda, LLC, providing an effective date.

LAND USE REGULAR AGENDA

SV-22-1-03 Legislative Commission District I
Earl Coast Mobile Inc. is requesting to vacate a portion of the unnamed 15-foot alleyway adjacent to 3355 Broadpoint Drive and 2193 Broadpoint Drive, which are both owned by the applicant. The total area to be vacated is 1.8783 square feet or 0.043 acres and is generally located north of Bushmore Avenue, south of Adams Street, east of Saboteur Drive and West of Broadpoint Drive, within the Punta Gorda area and located in Commission District I.

CPD-22-01 Concept Plan Extension of the PD Concept Plan Quasi-Judicial Commission District II
An Ordinance, pursuant to Section 3-9-45, Planned Development, under Chapter 3-9 Zoning, the County's Land Development Regulations, a request to extend the time limitation of the PD Concept Plan approved via Ordinance Number 2017-025, for property at 16001 or 12001 Zanol Road, in the Punta Gorda area, Florida, containing 338.027 acres; Commission District II; Petition No. CPD-22-011 Applicant: Linder Mark L Trustee providing for an effective date.

PD-22-00014 Quasi-Judicial Commission District I
An Ordinance pursuant to Section 121.06, Florida Statutes, amending the Charlotte County Zoning Atlas from Applicant (AG) in Planned Development (PD) and adopting a General PD Concept Plan in order to provide for an existing owner to be retained to a preserve with future vegetation for property generally located north of Petromont Road R 22 741, south of Washington Loop Road, east of Dumas Road (US 7) and west of CR 31, in the East County area, containing 740.2 acres; Commission District I; Petition No. PD-22-00014 Applicant: Bermont Road Partnership and TAV Inc. providing an effective date.

IF YOU AS AN 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.

Charlotte County Board of County Commissioners does not discriminate on the basis of disability. This non-discrimination policy involves every aspect of the County's functions, including access to and participation in meetings, programs and activities. For more information, contact the County's Disability Services Office at 941-764-4961, ext. 2100 or 2101 Zanol Road, in the Punta Gorda area, Florida, containing 338.027 acres; Commission District II; Petition No. CPD-22-011 Applicant: Linder Mark L Trustee providing for an effective date.





Ticket# 3888016
04-25-23
AD ID# 3888017
5 x 13.5
Submitted by: Heather Bennett
Publish: 04/10/2023
163352 3888017

**PUBLISHER'S AFFIDAVIT OF
PUBLICATION STATE OF FLORIDA COUNTY
OF CHARLOTTE:**

Before the undersigned authority personally appeared Melinda Prescott, who on oath says that she is the Legal Advertising Representative of The Daily Sun, a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a Legal Notice that was published in said newspaper in the issue(s)

04/10/23

as well as being posted online at www.yoursun.com and www.floridapublicnotices.com.

Affiant further says that the said newspaper is a newspaper published at Charlotte Harbor, in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in said Charlotte County, Florida, Sarasota County, Florida and DeSoto County, Florida, each day and has been entered as periodicals matter at the post office in Punta Gorda, in said Charlotte County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

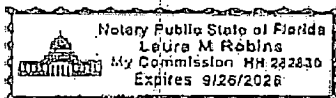
Melinda Prescott

(Signature of Affiant)

Sworn and subscribed before me this 10th day of
April, 2023

Laura M Robins

(Signature of Notary Public)



Personally known OR Produced Identification