

R E S O L U T I O N
NUMBER 2025 –

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, TO VACATE THE WESTERLY PORTION OF THE UNDEVELOPED VENICE CANAL ADJACENT TO LOT 11, BLOCK D, 1st ADDITION TO RIO VILLA, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 4, PAGE 10A THROUGH 10C OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA, CONTAINING 1,940± ACRES, AND GENERALLY LOCATED NORTH OF CANAL WAY, EAST OF PELICAN POINTE DRIVE, SOUTH OF BOARDMAN DRIVE, AND WEST OF PALM DRIVE, IN THE PUNTA GORDA AREA, CHARLOTTE COUNTY, FLORIDA; COMMISSION DISTRICT II; PETITION SV-25-04; APPLICANT: DAVID BINDER.

RECITALS

WHEREAS, an application has been made by David Binder ("Petitioner") to vacate the westerly portion of the undeveloped Venice Canal adjacent to Lot 11, Block D, 1st addition to Rio Villa, according to the Plat thereof as recorded in Plat Book 4, Page 10A through 10C of the Public Records of Charlotte County, Florida, and abutting property located at 535 Boardman Drive which is owned by the Petitioner; the total area to be vacated is 1,940± square feet and generally located north of Canal Way, east of Pelican Pointe Drive, south of Boardman Drive, and west of Palm Drive, in the Punta Gorda area, in Commission District II, and more particularly described in Exhibit "A" attached hereto and by this reference provided herein; and

WHEREAS, the underlying Future Land Use Map (FLUM) designation for the subject right of way and the abutting properties is Low Density Residential (LDR); and

WHEREAS, the application was heard by the Charlotte County Planning and Zoning Board ("P&Z Board") and, based upon the findings and analysis provided by County

Staff and the evidence presented to the P&Z Board, the P&Z Board recommended approval on October 13, 2025; and

WHEREAS, public notice of said application was published and evidence thereof given as required by law to the Board of County Commissioners of Charlotte County, Florida ("Board"); and

WHEREAS, Sections 336.09, 336.10, and 336.12, Florida Statutes, authorize the vacating and abandonment of streets and roads and any right of the County and of the public in and to any land or interest therein, by the Board; and

WHEREAS, Petitioner is the fee simple owner of a portion of the property abutting the right-of-way sought to be vacated; and

WHEREAS, Charlotte County retains no interest in the underlying fee by operation of law; and

WHEREAS, this vacation of a portion of the undeveloped Venice Canal, platted in the 1st addition to Rio Villa, according to the Plat thereof as recorded in Plat Book 4, Page 10A through 10C of the Public Records of Charlotte County, Florida, in the Punta Gorda area, will not affect the ownership or right of convenient access of persons owning other properties in the area; and

WHEREAS, the Board has found that the right-of-way which is the subject of this resolution no longer serves a public purpose and is a proper subject for abandonment pursuant to Chapter 336, Florida Statutes.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Charlotte County, Florida:

1. The Board of County Commissioners of Charlotte County, Florida ("Board"), hereby approves the Petition of David Binder ("Petitioner") to vacate a portion of

the undeveloped Venice Canal, platted in the 1st addition to Rio Villa, according to the Plat thereof as recorded in Plat Book 4, Page 10A through 10C, containing 1,940± square feet, and generally located north of Canal Way, east of Pelican Pointe Drive, south of Boardman Drive, and west of Palm Drive, in the Punta Gorda area, in Commission District II, and more particularly described in Exhibit "A" attached hereto and by this reference provided herein.

2. This vacation is subject to the following condition:

Within ninety (90) days following approval of the street vacation by the Board, the Petitioner shall provide Charlotte County Public Works with a recorded Canal Maintenance and Drainage Easement acceptable to the County Attorney.

3. Notice of adoption of this resolution shall be published one (1) time, within thirty (30) days following its effective date, in one issue of a newspaper of general circulation published in Charlotte County. The proof of publication of notice of public hearing, this resolution as adopted, and the proof of publication of the notice of the adoption of this resolution shall be recorded in the official records of Charlotte County.

4. A certified copy of this resolution shall be recorded in the Public Records of Charlotte County, Florida, at which time said vacation shall become effective.

[SIGNATURE PAGE FOLLOWS]

PASSED AND DULY ADOPTED this 25th day of November, 2025.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: _____
_____, Chairman

ATTEST:

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

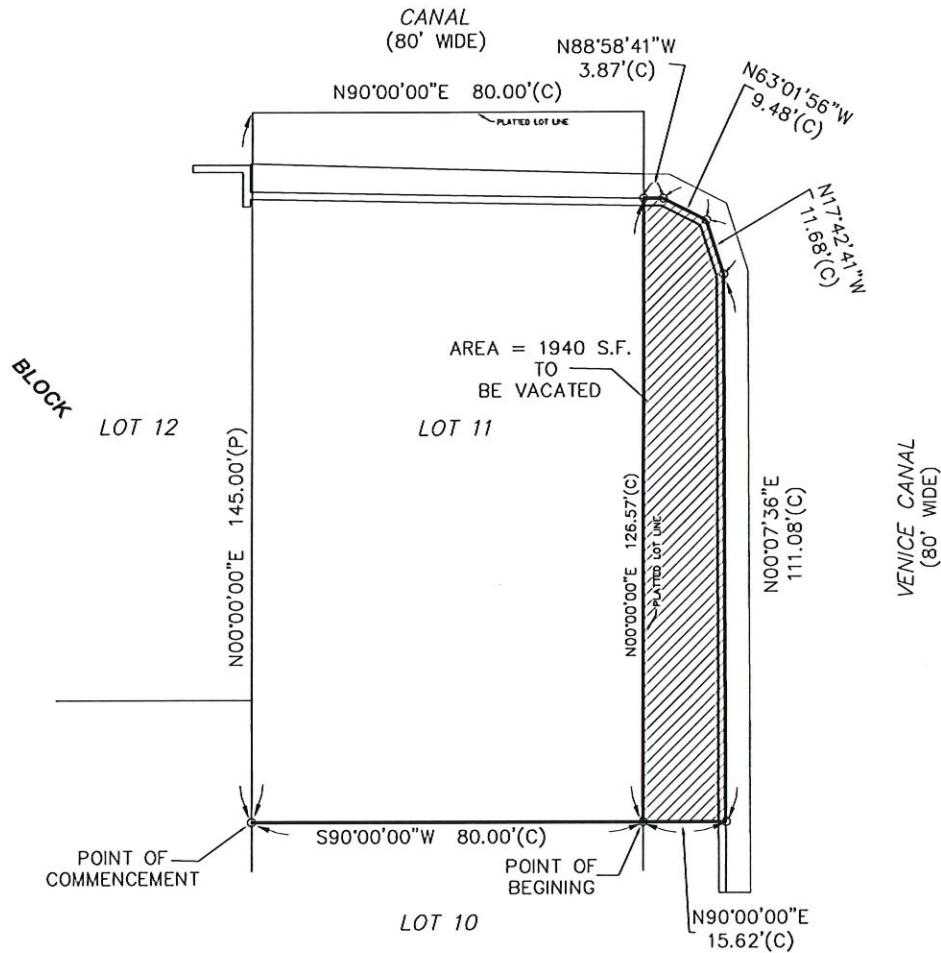
By: _____
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: _____
Janette S. Knowlton, County Attorney
LR 2025-0866

Jan

SKETCH OF DESCRIPTION NOT A BOUNDARY SURVEY



Vacation:

A vacation of area westerly adjacent to Lot 11, Block D, 1st addition to Rio Villa, according to the Plat thereof as recorded in Plat Book 4, Page 10A-10C of the Public Records of Charlotte County, Florida. Said area being more particularly described as follows:

Commence at the plotted Northeast corner of the above mentioned Lot 11:

Thence S 90°-00'-00"W 80.00 feet to the point of beginning;
Thence N 00°-00'-00"E 126.57 feet;
Thence N 88°-58'-41"W 3.87 feet;
Thence N 63°-01'-56"E 9.48 feet;
Thence N 17°-42'-41"W 11.68 feet;
Thence N 00°-07'-36"E 111.08 feet;
Thence N 90°-00'-00"E 15.62 feet to the point of beginning.

Said vacation of area adjacent Lot 11 contains 1940 square feet.



EXHIBIT

"A"

Total: 2 Pages

JOB NUMBER:
24-1255

ELEVATIONS ARE BASED ON: NAVD 88
FLOOD ZONE: AE
BASE FLOOD ELEVATION: 9.0'
COMMUNITY MAP #: 120061
PANEL #: 0243G 12/15/2022

NIELLLO and PLATT
LAND SURVEYING
2000 VETERANS BLVD., UNIT 20
PORT CHARLOTTE, FL 33954

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(941) 505-0365

UNLESS IT BEARS THE SIGNATURE AND SEAL OF A FLORIDA
LICENSED SURVEYOR AND MAPPER THIS DRAWING, SKETCH,
PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY

FIELD: BP/CM COMPS: BP DRAFTING: CS

11/22/2024
WILLIAM C. PLATT, R.S.&M. 5735; LB 8611
THIS SURVEY IS HEREBY CERTIFIED AS MEETING THE MINIMUM
TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA
BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN
CHAPTER 5J-17, F.A.C. PURSUANT TO SECTION 472.027, F.S.
AND IS CORRECT TO THE BEST OF MY KNOWLEDGE

REVISION: 12-18-2024
 ADDED SUL PER FL
 DEP

CANAL
 (80' WIDE)

CANAL WAY
(50' ROW)

FN/D #4759

PALM DRIVE (F)
(CHARLOTTE DR. - PLAT)
(50' ROW)

500'00'00"W 370.00'(P) 370.14'(M)

FN/D #4759

BOARDMAN DR. (F)
(CANAL LN. - PLAT)
(50' ROW)

500'00'00"W 370.00'(P) 370.14'(M)

LOT 11
(VACANT)
AREA = 11,600 S.F.

LOT 12

LOT 10

VENICE CANAL
(80' WIDE)

APPROXIMATE EDGE OF WATER AT TIME OF SURVEY

SAFE UPLAND LINE PER FL DEP 0.50' NAVD 88

4.0' (TYP.)

TBM EL=3.52 (NAVD 88)

SN/D #8611 WITNESS

3.42

NO3'01'22"E 111.24'(C)

PLATED LOT LINE

145.00'(P)

4.2

FIR 1/2" #6713

5.6'

4.3

90.00'(C) 4.5

N90'00'00"E 80.00'±(P)

3.9

WM

EL=4.25 (NAVD 88)

3.8

FIR 3/4" #3776

8.0

3.45

4.12

WOOD DOG

PLATED LOT LINE

5'x8" STONE PP-RAP

CONCRETE CAP

3.50

8.0

4.3

S89'36'39"W 95.68'(C)

SURVEY TIE LINE

3.8

4.0

120.00'(C)

145.00'(P)

500'00'00"W

370.00'(P)

370.14'(M)

LEGEND:

PL IRON ROD CM DRILL POLE CM CONCRETE MONUMENT CM IRON PIPE CM NAIL & DISC CM PERMANENT CONTROL POINT CM PERMANENT REFERENCE MONUMENT CM FOUND CM SET CM CABLE TELEVISION CM CASSIDE PALM	LE UTILITY EASEMENT CO ORANGE EASEMENT M MEASURED C CALCULATED P PLAT DED UNITED TELEPHONE SERVICE PFL FLORIDA POWER & LIGHT WM WATER METER NAVD 88 NORTH AMERICAN VERTICAL DATUM 88 BFC	E CENTERLINE X 8.8 EXISTING ELEVATION P POWER POLE C CONCRETE B BRICK	--- OVERHEAD POWER --- CHAIN LINE FENCE --- WOOD FENCE --- UTILITY RISER * TO BE SET
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BOUNDARY AND TOPOGRAPHIC SURVEY:

LOT 11, BLOCK D, 1ST ADDITION TO RIO VILLA, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 4, PAGE 10B, INCLUSIVE PAGES 10A-10C, OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA.

BEARING BASIS: CENTERLINE OF BOARDMAN DRIVE - PLAT

CERTIFIED TO: DAVID BINDER

WILLIAM C. PLATT
 LICENSED SURVEYOR
 5735
 STATE OF FLORIDA
 Professional Surveyor and Mapper

Digitally signed by William C Platt
 Date: 2024.12.18
 13:32:31-05'00'

This document has been digitally signed using a SHA256 authentication code. Printed copies of this document are not considered signed and sealed

ELEVATIONS ARE BASED ON: NAVD 88

FLOOD ZONE: AE

BASE FLOOD ELEVATION: 9.0'

COMMUNITY MAP #: 120061

PANEL #: 0243G 12/15/2022

FIELD: BP/CM

FIELD DATE: 11/20/24

COMPS: BP

DRAFTING: CS

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 20020 VETERANS BLVD., UNIT 20
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UNLESS IT BEARS THE SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY

1. UNDERGROUND FEATURES ARE SHOWN FOR INFORMATION PURPOSES ONLY

2. TITLE SEARCH PROVIDED BY OTHERS

3. TREE LOCATIONS ARE APPROXIMATE ONLY, AND ARE BASED ON FIELD OBSERVATIONS

JOB NUMBER:
 24-1255

12/18/2024

WILLIAM C. PLATT, R.S.M., 5735, LB 8511

THIS SURVEY IS HEREBY CERTIFIED AS MEETING THE MAXIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, F.A.C. PURSUANT TO SECTION 472.027, F.S. AND IS CORRECT TO THE BEST OF MY KNOWLEDGE