

ORDINANCE  
NUMBER 2025 -

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM AGRICULTURE (AG) TO EXCAVATION AND MINING (EM) FOR PROPERTY LOCATED AT 42811 NEAL ROAD, 3300, 3440, 3450, AND 3460 SR 31, IN THE PUNTA GORDA AREA AND WITHIN THE EAST COUNTY AREA, CONTAINING 308.01± ACRES, COMMISSION DISTRICT I, CHARLOTTE COUNTY, FLORIDA; PETITION Z-24-18; APPLICANT: BLUEGRASS LAND & MINE; PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, in a public hearing held on Tuesday, July 22, 2025, the Board of County Commissioners of Charlotte County, Florida ("Board") reviewed Petition Z-24-18, submitted by applicant, Bluegrass Land & Mine ("Applicant"), which requested a rezoning from Agriculture (AG) to Excavation and Mining (EM) on 308.01± acres of property owned by Applicant, and described as property located at 42811 Neal Road, 3300, 3440, 3450, and 3460 SR 31, in the Punta Gorda area and within the East County area, Commission District I, Charlotte County, Florida, and more particularly described in Exhibit "A" which is attached hereto and provided herein ("Property"); and

WHEREAS, at its July 22, 2025 meeting, the Board also considered the associated request submitted by the Applicant, for a large scale plan amendment for the Property, under Petition PAL-24-07; and

WHEREAS, the Applicants seek a rezoning from AG to EM because the EM zoning district is required by and consistent with the Mineral Resource Extraction (MRE) Future Land Use Map designation granted under

Petition PAL-24-07, and to allow Applicants to apply for a commercial excavation permit; and

WHEREAS, Petition Z-24-18 was heard by the Charlotte County Planning and Zoning Board ("P&Z Board") and, based on the findings and analysis provided by County Staff and the evidence presented to the P&Z Board, the P&Z Board recommended approval on February 10, 2025; and

WHEREAS, after due consideration, based on the findings and analysis provided by County Staff and the evidence presented to it, the Board finds that approval of Petition Z-24-18 is consistent with the County's Comprehensive Plan, and that it meets the requirements for the granting of a rezone; and

WHEREAS, based on the above findings, the Board finds that the Petition satisfies the requirements of Section 125.66, Florida Statutes, and that it is in the best interests of the County and its citizens to approve Petition Z-24-18.

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

SECTION 1. The following petition, made by applicant, Bluegrass Land & Mine, for an amendment to the Charlotte County Zoning Atlas is hereby approved:

Petition Z-24-18 requesting rezoning from Agriculture (AG) to Excavation and Mining (EM) for 308.01 acres more or less of property, located at 42811 Neal Road, 3300, 3440, 3450, and 3460 SR 31, in the Punta Gorda area and within the East County area, Charlotte County, Florida, Commission District I, and more particularly described in Exhibit "A" attached hereto.

60                   SECTION 2. That the zoning for this property shall run with the

61  
62 property and shall apply to any subsequent owners, heirs and assigns.

63                   SECTION 3. This Ordinance shall take effect upon (1) filing in the

64 Office of the Secretary of State, State of Florida, but, (2) only after the companion

65 plan amendment, PAL-24-07, to this rezoning, becomes effective. The effective

66 date of PAL-24-07, if not timely challenged, shall be 31 days after adoption. If

67 challenged within 30 days after adoption, PAL-24-07 may not become effective

68 until the state land planning agency or the Administration Commission,

69 respectively, issues a final order determining that PAL-24-07 is in compliance.

70  
71  
72  
73  
74  
75  
76 [SIGNATURE PAGE FOLLOWS]  
77  
78  
79  
80  
81  
82  
83

84  
85  
86  
87  
88  
89  
90  
91  
92  
93  
94  
95  
96  
97  
98  
99  
100  
101  
102  
103  
104  
105  
106  
107  
108  
109  
110  
111  
112  
113  
114  
115  
116  
117  
118  
119  
120  
121  
122  
123  
124  
125  
126  
127  
128  
129  
130

PASSED AND DULY ADOPTED this 22nd day of July, 2025.

BOARD OF COUNTY COMMISSIONERS  
OF CHARLOTTE COUNTY, FLORIDA

By: \_\_\_\_\_  
Joseph M. Tiseo, Chairman

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

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

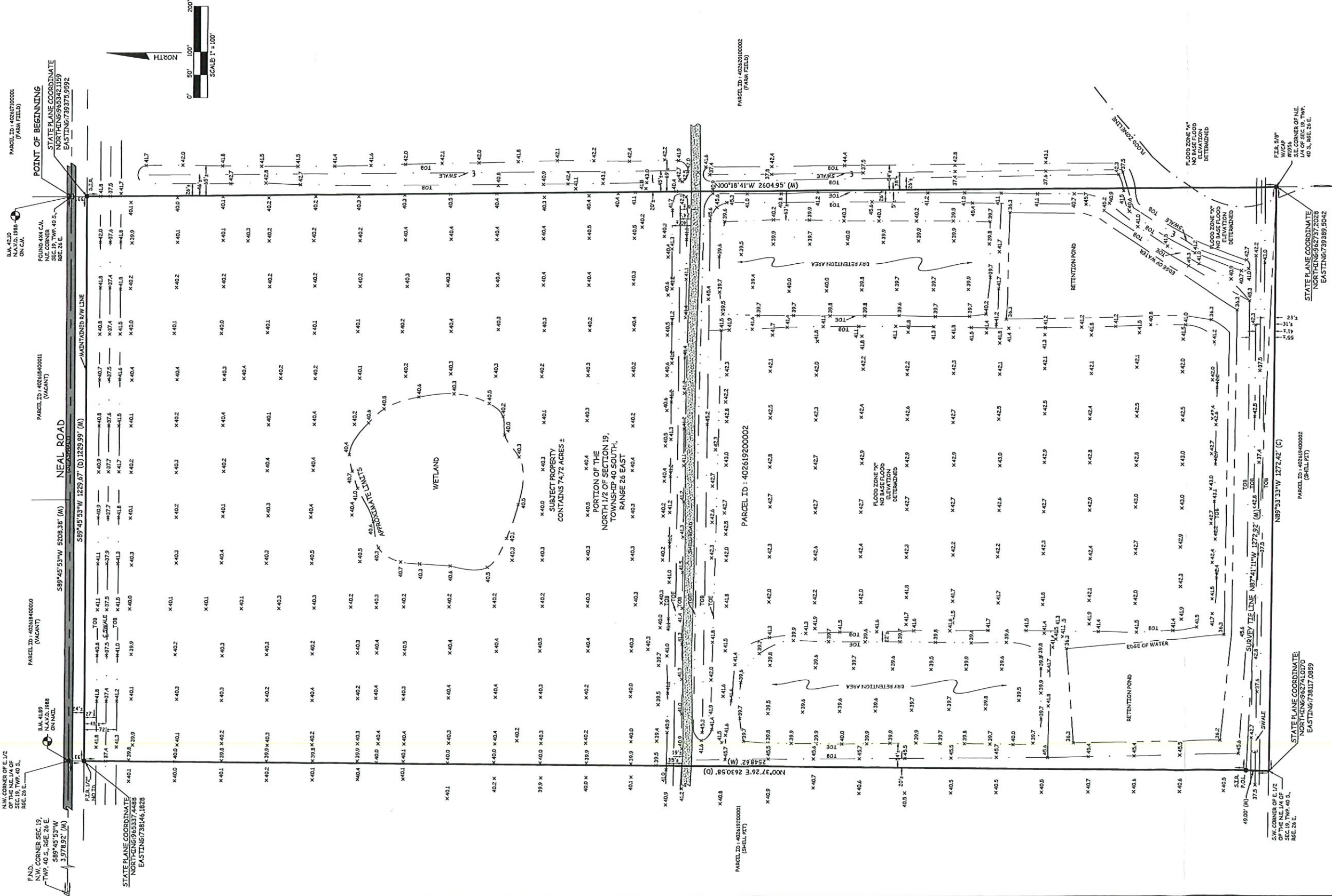
APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

By: \_\_\_\_\_  
Janette S. Knowlton, County Attorney

LR2024-0938

*Knowlton*

|                                               |                |                                               |                |
|-----------------------------------------------|----------------|-----------------------------------------------|----------------|
| LEAD                                          | LEAD EQUIPMENT | LEAD                                          | LEAD EQUIPMENT |
| STA = SET 1/4" IRON ROD WITH CAP "6EN 3"      |                | STA = SET 1/4" IRON ROD WITH CAP "6EN 3"      |                |
| FLA = FOUND POINT                             |                | FLA = FOUND POINT                             |                |
| FPA = FOUND POINT                             |                | FPA = FOUND POINT                             |                |
| S.N. = SET NAIL AND DSK "EN 3"                |                | S.N. = SET NAIL AND DSK "EN 3"                |                |
| P.N. = FOUND NAIL AND DSK                     |                | P.N. = FOUND NAIL AND DSK                     |                |
| P.C.M. = PERMANENT CONTROL POINT              |                | P.C.M. = PERMANENT CONTROL POINT              |                |
| P.R. = PERMANENT REFERENCE POINT              |                | P.R. = PERMANENT REFERENCE POINT              |                |
| C.M. = CONCRETE MONUMENT                      |                | C.M. = CONCRETE MONUMENT                      |                |
| C.A. = CONCRETE ANCHOR                        |                | C.A. = CONCRETE ANCHOR                        |                |
| D. = DIAL                                     |                | D. = DIAL                                     |                |
| B. = BENCH                                    |                | B. = BENCH                                    |                |
| C.H. = CHORD LENGTH                           |                | C.H. = CHORD LENGTH                           |                |
| P.O.L. = POINT ON LINE                        |                | P.O.L. = POINT ON LINE                        |                |
| C.H. = CHORD BEARING                          |                | C.H. = CHORD BEARING                          |                |
| P.F. = FINISHED FLOOR ELEVATION               |                | P.F. = FINISHED FLOOR ELEVATION               |                |
| P.L. = LAST DATA FIELD                        |                | P.L. = LAST DATA FIELD                        |                |
| N.A.D. = NATIONAL GRID UTILITY SURVEY         |                | N.A.D. = NATIONAL GRID UTILITY SURVEY         |                |
| N.A.V.D. = NATIONAL ANCESTRAL VERTICAL DATA   |                | N.A.V.D. = NATIONAL ANCESTRAL VERTICAL DATA   |                |
| L.S. = LOCAL SURVEYOR, SURVEYOR AND APPRAISER |                | L.S. = LOCAL SURVEYOR, SURVEYOR AND APPRAISER |                |
| C.E. = COVERED ENTRY                          |                | C.E. = COVERED ENTRY                          |                |
| C. = CONCRETE                                 |                | C. = CONCRETE                                 |                |
| P.C. = POINT OF CURVATURE                     |                | P.C. = POINT OF CURVATURE                     |                |
| P.I. = POINT OF INTERSECTION                  |                | P.I. = POINT OF INTERSECTION                  |                |
| C. = CONTINUED                                |                | C. = CONTINUED                                |                |
| W.A. = WATER METER                            |                | W.A. = WATER METER                            |                |
| P.N.D. = PAVEMENT                             |                | P.N.D. = PAVEMENT                             |                |
| A.T.O.S. = AT TIME OF SURVEY                  |                | A.T.O.S. = AT TIME OF SURVEY                  |                |
| E.O.W. = EDGE OF WATER                        |                | E.O.W. = EDGE OF WATER                        |                |
| U.P. = UTILITY POLE                           |                | U.P. = UTILITY POLE                           |                |
| U.P. = UTILITY POLE                           |                | U.P. = UTILITY POLE                           |                |
| P.S. = PHONE SERVICE BOX                      |                | P.S. = PHONE SERVICE BOX                      |                |
| A.H. = MANHOLE                                |                | A.H. = MANHOLE                                |                |
| C.H. = FIRE HYDRANT                           |                | C.H. = FIRE HYDRANT                           |                |
| B.M. = BENCH MARK                             |                | B.M. = BENCH MARK                             |                |
| C.T.V. = CABLE TELEVISION                     |                | C.T.V. = CABLE TELEVISION                     |                |
| W.V. = WATER VALVE                            |                | W.V. = WATER VALVE                            |                |
| W/C.P. = WITH CAP                             |                | W/C.P. = WITH CAP                             |                |
| L.B. = LICENSED BUSINESS                      |                | L.B. = LICENSED BUSINESS                      |                |
| C.C. = CONCRETE                               |                | C.C. = CONCRETE                               |                |
| X.O.D. = SPOT ELEVATION                       |                | X.O.D. = SPOT ELEVATION                       |                |
| WHERE APPLICABLE                              |                | WHERE APPLICABLE                              |                |



SUBMITTER'S NOTES:  
 FROM FLOOD MAP FLOOD ZONE "A5" SHOWING "BASE FLOOD ELEVATION" "A5" SHOWN "COMMUNITY  
 MAP #120001, PANEL C0326, DATE PRINTED 12-19-22.  
 ELEVATIONS ARE BASED ON N.A.S.D. 1985.  
 ALL DISTANCES ARE BASED ON THE "NORTH ARROW" WAY MAP #39, (L. = 3872 N.A.S.D. 1985).  
 ALL BEARINGS AND ELEVATIONS ARE EXPRESSED IN DECIMAL FEET.  
 SYMBOLS DIRECTED ON THIS SKETCH ARE NOT TO SCALE AND FOR INFORMATIONAL PURPOSES ONLY.  
 THEREFORE, UNDESIGNED UTILITIES AND NON PERMANENT IMPROVEMENTS HAVE NOT BEEN  
 LOCATED.  
 STATE PLAIN COORDINATES OBTAINED BY USE OF 69.5, THROUGH THE FLORIDA PERMANENT  
 REFERENCE NETWORK (FPN) AND ARE BASED ON FLOODA VEST NAS 81-(2011) DATA IN DECIMAL

**LEGAL DESCRIPTION:**  
A PORTION OF SECTION 19, TOWNSHIP 26 SOUTH, RANGE 26 EAST, CHARLOTTE COUNTY, FLORIDA,  
BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 19; THENCE S89°45'45" W, ALONG THE NORTH LINE OF SAID SECTION 19 A DISTANCE OF 122.67 FEET; THENCE S00°37'28" W, A DISTANCE OF 543.63 FEET TO SOUTHLINE 122.67 FEET OF THE NORTH ONE HALF OF SAID SECTION 19; THENCE S89°51'33", ALONG THE SOUTHWEST CORNER OF SAID ONE HALF OF SAID SECTION 19 A DISTANCE OF 122.43 FEET TO THE SOUTH LINE OF SAID SECTION 19; THENCE S00°37'28" W, ALONG THE EAST LINE OF SAID SECTION 19, A DISTANCE OF 2637.69 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT  
MAINTAINED RIGHT OF WAY FOR NEAL ROAD

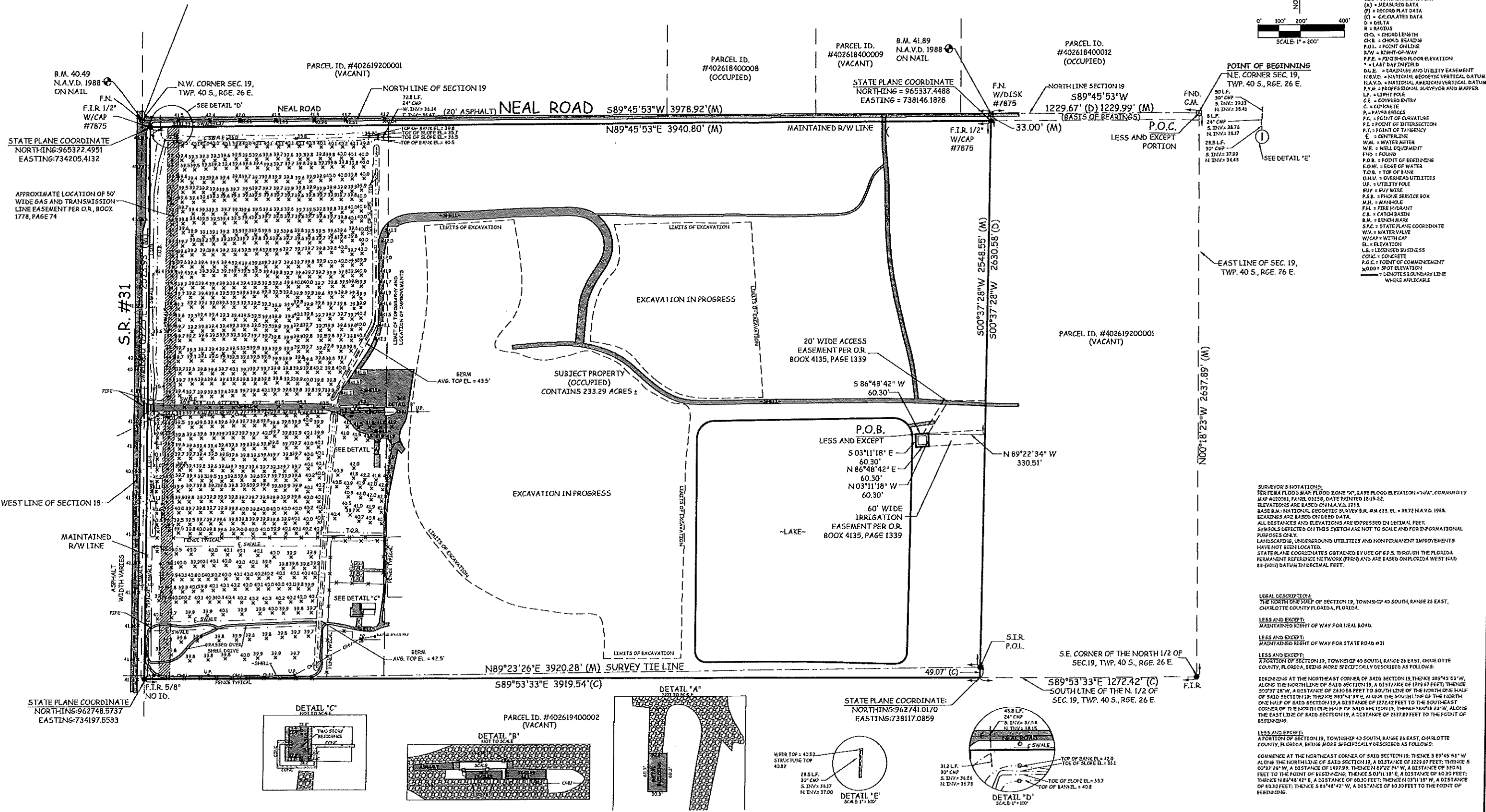
**Gen<sup>3</sup>**  
LAND SURVEYING INC.

# BOUNDARY & TOPOGRAPHIC SURVEY

EXHIBIT

Total : 2 Pages

BOUNDARY AND TOPOGRAPHIC SURVEY CERTIFIED TO:  
SOUTHWEST ENGINEERING AND DESIGN



**Gen<sup>3</sup> LAND SURVEYING INC.**  
17840 TOLEDO BLVD, SUITE B, PORT CHARLOTTE, FL 33948  
info@gen3survey.com (941) 629-6801 L.B. #8450

NOTE: THE UNDERSIGNED AND GEN 3 LAND SURVEYING, INC. MAKE NO WARRANTIES, GUARANTEES OR REPRESENTATIONS REGARDING INFORMATION SHOWN HEREON PERTAINING TO EASEMENTS, RIGHT-OF-WAYS, SETBACK LINES, ASSESSMENTS, RESERVATIONS, AND OTHER SIMILAR MATTERS EXCEPT PLATTED EASEMENTS WHERE APPLICABLE. DETERMINATION OR RESEARCH FOR THE ABILITY OR INABILITY TO USE THIS PARCEL OF LAND FOR ANY PURPOSE IS NOT INCLUDED IN THIS SURVEY. THE SURVEY SKETCH AS SHOWN WAS MADE WITHOUT BENEFIT OF A TITLE REPORT UNLESS NOTED OTHERWISE. THIS SKETCH IS NOT VALID UNLESS IT BEARS AN ORIGINAL SIGNATURE AND AN EMBOSSED SURVEYOR'S SEAL. ANY ADDITIONS AND/OR DELETIONS TO THIS SKETCH, OR PARTICULATION OF THIS SKETCH, IS PROHIBITED WITHOUT THE WRITTEN CONSENT OF THE UNDERSIGNED. THIS SURVEY IS PREPARED SPECIFICALLY FOR THE PARTY OR PARTIES LISTED ABOVE. USE OF THIS SURVEY BY OTHERS FOR LENDING, DESIGN, CONSTRUCTION, OR ANY OTHER REASON, WILL BE AT THE SOLE RISK OF THE USER. WHERE APPLICABLE, FLOOD RISK INFORMATION HAS BEEN DETERMINED FROM THE F.E.M.A. FLOOD INSURANCE RATE MAPS AS A COURTESY TO THE CLIENT. IT IS THE RESPONSIBILITY OF THE CLIENT TO OBTAIN THE FLOOD ZONE INFORMATION AND ANY APPLICABLE BASE FLOOD ELEVATION REQUIREMENTS WITH THE LOCAL GOVERNING BODY AND THE FEDERAL EMERGENCY MANAGEMENT AGENCY FOR A FINAL DETERMINATION WHERE APPLICABLE. SPOT ELEVATIONS AND THEIR LOCATIONS ARE APPROXIMATE UNLESS NOTED OTHERWISE. ONLY ADEQUATE TOPOGRAPHY HAS BEEN ESTABLISHED. TOPOGRAPHY BETWEEN SPOT ELEVATIONS MAY VARY GREATLY. THIS SHOULD BE CONSIDERED BY SPOT ELEVATIONS ARE TO BE USED FOR DESIGN AND TBL CALCULATION PURPOSES. ADDITIONAL TOPOGRAPHY MAY BE NECESSARY. JURISDICTIONAL WETLANDS IF ANY HAVE NOT BEEN DETERMINED.

**BOUNDARY & TOPOGRAPHIC SURVEY**

| REVISION: | DATE:      | DESCRIPTION:                                                                                                                                                                                                                                                                                                                                                 |
|-----------|------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1         | 2023.05.18 | 1. I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE "STANDARDS OF PRACTICE FOR SURVEYS" AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 47C01, F.S., AND THE ADMINISTRATIVE CODE, PURSUANT TO SECTION 47C01.01, F.S., AND THE ADMINISTRATIVE CODE, PURSUANT TO SECTION 47C01.01, F.S. |
| 2         | 2023.05.18 | 2. R.J. Strickland, Jr., P.E.M. Digitally signed by R.J. Strickland, Jr., P.E.M. Florida Registration #6144 Date: 2023.05.18 13:28 -0400                                                                                                                                                                                                                     |
| 3         | 2023.05.18 | 3. FADDED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SURED AND SEALING AND THE SHA AUTHENTICATION CODE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.                                                                                                                                                                                                            |