

ORDINANCE
NUMBER 2025 -

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM COMMERCIAL GENERAL (CG) (0.229± ACRES) AND RESIDENTIAL MULTI-FAMILY 10 (RMF-10) (0.45± ACRES) TO PLANNED DEVELOPMENT (PD) TO ALLOW FOR EXPANSION OF EXISTING COMMERCIAL USES, AND ADOPTING A GENERAL PD CONCEPT PLAN; FOR LOTS 5, 19, AND 20, IN BLOCK 3571, PORT CHARLOTTE SUBDIVISION, SECTION 64, LOCATED AT 3797 SOUTH ACCESS ROAD, IN THE ENGLEWOOD AREA AND WITHIN THE WEST COUNTY AREA, CONTAINING 0.679± ACRES; CHARLOTTE COUNTY, FLORIDA; COMMISSION DISTRICT III; PETITION PD-25-06; APPLICANT: TRUEX PREFERRED CONSTRUCTION LLC; 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 PD-25-06, submitted by applicant, Truex Preferred Construction LLC ("Applicant"), which requested a rezoning from Commercial General (CG) (0.229± acres) and Residential Multi-family 10 (RMF-10) (0.45± acres) to Planned Development (PD), and adopting its associated General PD Concept Plan, in order to allow for expansion of existing commercial uses; for Lots 5, 19, and 20, in Block 3571, Port Charlotte Subdivision, Section 64, located at 3797 South Access Road, in the Englewood area and within the West County area, containing 0.679± acres, in the Englewood area and within the West County area, Commission District III, and more particularly described in Exhibit "A" which is attached hereto and by this reference provided herein ("Property"); and

WHEREAS, at its July 22, 2025 meeting, the Board also considered the associated request submitted by the Applicant for a small scale plan amendment for the Property under Petition PAS-25-01; and

WHEREAS, the Applicant seeks to rezone the Property from Commercial General (CG) and Residential Multi-family 10 (RMF-10) to Planned Development (PD) in order to allow for expansion of commercial uses; and

WHEREAS, Petition PD-25-06 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 June 9, 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 PD-25-06 is consistent with the County's Comprehensive Plan and meets the requirements for rezoning and adopting the associated General PD Concept Plan; and

WHEREAS, the Board finds that approval of Petition PD-25-06 to rezone the Property from Commercial General (CG) and Residential Multi-family 10 (RMF-10) to Planned Development (PD) is in the best interests of the County.

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

SECTION 1. The following petition, made by applicant, Truex Preferred Construction LLC ("Applicant"), for an amendment to the Charlotte

County Zoning Atlas is hereby approved subject to the General PD Concept Plan and conditions contained in the attached Exhibit "B":

Petition PD-25-06 requesting a rezoning from Commercial General (CG) (0.229± acres) and Residential Multi-family 10 (RMF-10) (0.45± acres) to Planned Development (PD) and adopting its associated General PD Concept Plan in order to allow for expansion of commercial uses; for Lots 5, 19, and 20, in Block 3571, Port Charlotte Subdivision, Section 64, located at 3797 South Access Road, in the Englewood area and within the West County area, containing 0.679± acres; Charlotte County, Florida, Commission District III, and more particularly described in Exhibit "A" which is attached hereto and by this reference provided herein.

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

SECTION 3. This Ordinance's effective date shall be upon filing in the Office of the Secretary of State, State of Florida; however, this Ordinance shall not be effective until after the companion plan amendment, PAS-25-01, to this rezoning, becomes effective. The effective date of PAS-25-01, if not timely challenged, shall be 31 days after adoption. If challenged within 30 days after adoption, PAS-25-01 may not become effective until the state land planning agency or the Administration Commission, respectively, issues a final order determining that PAS-25-01 is in compliance.

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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
LR2025-0297

JSK

☐ FOUND CONCENTRIC ANOMALISM (EXT. & 1.0 NOTED)
☐ FOUND CONCENTRIC ANOMALISM (EXT. & 1.0 NOTED)
☐ SET 5/8" CAPTIVE (NO NOTED) (L.L. NOTED)
☐ FOUND MTL. & DORE (NO NOTED)
☐ FOUND 5/8" CAPTIVE (NO NOTED) (L.L. NOTED)
☐ FOUND 5/8" CAPTIVE (NO NOTED) (L.L. NOTED)
☐ FOUND 5/8" CAPTIVE (NO NOTED) (L.L. NOTED)

SECTION 2
TOWNSHIP 41 S.
RANGE 20 E.

SCALE 1" = 20'

PER RECORDED PLAY IN PLAT BOOK 5, PAGES 78A-78F,
PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA.

SURVEYORS NOTES:

CERTIFIED TO:
TRUEX PREFERRED CONSTRUCTION, LLC

ELEVATIONS TO NAVD 88, JDC

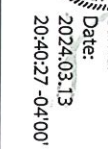
631 N. TAMiami TRAIL
NOKOMIS, FLORIDA 34275
TEL: (941) 485-3100
FAX: (941) 485-3107

www.flengineeringandsurveying.com

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Digitally signed
by Justin D
Garner

Date: 2024.03.13 20:40:27 -04'00'



PD Conditions for Application PD-25-06

This proposed development shall comply with all applicable requirements as set forth in Charlotte County's Code of Laws and Ordinances. In addition, the following shall apply:

- a. Development on the subject property shall occur as generally illustrated in the General PD Concept Plan (Attachment 1: General PD Concept Plan – Truex Expansion Lot) submitted by the applicant, prepared by Banks Engineering, signed January 16, 2025, except such modifications as may be required to meet the conditions of the PD zoning district. In addition, the Site Plan Review comments of recommendation of approval per the letter dated February 11, 2025, are required to be met as applicable. Such General PD Concept Plan (DRC-25-011) shall be valid until a Final Detail Site Plan is approved per Section 3-9-45, Planned Development (PD).
- b. Permitted uses and structures:
 1. One existing single story building as shown on the PD Concept Plan for a construction business or other commercial uses.
 2. A maximum of 4,800 square feet of new building for a building trades contractor's office or other commercial general uses located on Lot 20 of Block 3571.
 3. Any redevelopment of the existing structures and improvements on Lot 5 of Block 3571 except for replacement of the existing building is a major modification to the PD subject to Section 3-9-45, PD, as may be amended. However, any and all redevelopment of the buildings and improvements if damaged by a natural disaster may be redeveloped pursuant to the Florida Building Code and such redevelopment shall not constitute a major modification of the PD conditions for application PD-25-06.
- c. Special exceptions shall not be allowed.
- d. Outside storage and outside display of items are permitted pursuant to Section 3-9-61, Accessory Outdoor Retail Sales, Display, and Storage, as may be amended.
- e. The maximum building height for all structures is 30 feet from the base flood elevation or as may be allowed pursuant to the Code sections governing maximum height in the CG zoning district. Other development standards are listed on the General PD Concept Plan.
- f. The elevations for the proposed new building and redevelopment of the existing building are subject to the provisions of Chapter 3-5, Article XXIV, Commercial Design Standards, of the Charlotte County Code. All other requirements in Chapter 3-5, Article XXIV, Commercial Design Standards, of the Charlotte County Code, as may be amended, shall apply.
- g. No new development or expansion of the existing business shall occur prior to Final Detail Site Plan approval, which will be scheduled on the Board of County Commissioners land use consent agenda for Board consideration.
- h. There is an existing vehicular entrance located on S. Access Road. Subject to approval by the Public Works Department, one gated vehicular entrance shall be permitted from Burlington Avenue.
- i. This planned development is a unified project, which cannot be divided into separate ownership parcels.
- j. Landscaping and buffers: Within the required PD setback, no pavement or other structures are permitted, except for vehicular entrances, driveways, buffer improvements, and the stormwater pond, or others as generally permitted under the Code. Specifically:
 1. The 25-foot PD setback does not apply to Lot 5 of Block 3571 due to the existing development on site; the existing shell drive and the existing chain link fence may remain as currently developed.
 2. The 25-foot PD setback will be reduced to 14 feet along the northern property boundary of Lot 20 of Block 3571; within this setback, at a minimum, a type A buffer is required as shown on the General PD Concept Plan (Attachment 1).



3. The 25-foot PD setback will be reduced to ten feet along the western property boundary of Lot 20 of Block 3571; within this setback, at a minimum, a Type A buffer with at least a six-foot tall opaque fence or wall is required as shown on the General PD Concept Plan (Attachment 1). 100 percent of the required plant material shall be placed outward facing outside of the opaque fence or wall.
4. The 25-foot PD setback will be reduced to 15 feet along the southern property boundary of Lots 19 & 20 of Block 3571; within this setback, a Type D buffer with at least a six-foot tall opaque fence or wall is required as shown on the General PD Concept Plan (Attachment 1). 100 percent of the required plant material shall be placed outward facing outside of the opaque fence or wall.
5. The 25-foot PD buffer will be reduced to 12 feet along the eastern property boundary of Lot 19 of Block 3571; within this setback, a Type D buffer with at least a six-foot tall opaque fence or wall is required as shown on the General PD Concept Plan (Attachment 1). 100 percent of the required plant material shall be placed outward facing outside of the opaque fence or wall.
6. If Conditions j.1. through j.5, regarding the location and type of buffers, creates any perceived ambiguity or confusion, the General PD Concept Plan (Attachment 1) shall control.
- k. The existing pole sign shall remain at the entrance of the project on S. Access Road. All other signage shall comply with the County Sign Ordinance, Section 3-9-85, as may be amended.

Attachment 1
General PD Concept Plan –
Truex Expansion Lot

TRUEX EXPANSION LOT

REVIEWED FOR CODE COMPLIANCE
3/7/2025 DBC-25-011

PREPARED FOR:
TRUEX PREFERRED CONSTRUCTION, LLC
3797 S. ACCESS RD.
ENGLEWOOD , FL 34224
(941) 475-6680

APPROVED WITH CONDITIONS BY THE
DEVELOPMENT REVIEW COMMITTEE
DATE 2/7/2005 BY MF



GENERAL LOCATION MAP



LOCATION MAP

SECTION 02, TOWNSHIP 41 SOUTH, RANGE 20 EAST
CHARLOTTE COUNTY, FLORIDA

SITE INFORMATION

<u>PROJECT AREA:</u>	0.45 ACRES
<u>PARCEL STRAP NO.:</u>	412002381005
<u>PARCEL ADDRESS:</u>	3787 SOUTH ACCESS ROAD ENGLEWOOD, FL 34224
<u>CURRENT ZONING:</u>	CQ, RMF10
<u>PROPOSED USE:</u>	PD PLANNED DEVELOPMENT

UTILITY SERVICE PROVIDERS

WATER: CHATELAIN COUNTY UTILITIES	306 LINDEN BLVD PORT CHARLIE, IL 62880 PHONE: (618) 754-0320
SEWER: CHATELAIN COUNTY UTILITIES	306 LINDEN BLVD PORT CHARLIE, IL 62880 PHONE: (618) 754-0320
ELECTRIC: ILLINOIS POWER AND LIGHT	1121 MARSHY CT. NORTH PORT, IL 62858 PHONE: (618) 275-4945
PHONE: CENTELONE	405 KINGS HIGHWAY PORT CHARLIE, IL 62853 PHONE: (618) 837-9141
CABLE: COMCAST COMMERCIAL	305 FRANKLIN RD KARSTEN, IL 62432 PHONE: (618) 256-2544
FIREFIGHTING: CHATELAIN COUNTY FIRE/EMS	26151 AMBERT RD PANTA GOSPA, IL 62862 PHONE: (618) 833-5022
SOLID WASTE DISPOSAL: WASTE MANAGEMENT	2558 S. 101 LINDEN RD PORT CHARLIE, IL 62880 PHONE: (618) 837-0126

PROJECT CONTACTS

CIVIL ENGINEER:
TIMOTHY L. HARRIS, P.E.
STEVE R. HOGG, P.E., VICE PRESIDENT

WATER RESOURCES ENGINEER:
TERRY R. HOGG, P.E., VICE PRESIDENT

STRUCTURAL ENGINEER:
JAMES R. HOGG, P.E., VICE PRESIDENT

ENVIRONMENTAL ENGINEER:
N/A ENVIRONMENTAL SERVICES

LANDSCAPE ARCHITECT:
N/A

SOILS ENGINEER:
TIMOTHY L. HARRIS, P.E.
STEVE R. HOGG, P.E., P.A.M., DIRECTOR

WATER RESOURCES ENGINEER:
TERRY R. HOGG, P.E., VICE PRESIDENT

STRUCTURAL ENGINEER:
JAMES R. HOGG, P.E., VICE PRESIDENT

ENVIRONMENTAL ENGINEER:
N/A ENVIRONMENTAL SERVICES

LANDSCAPE ARCHITECT:
N/A

INDEX OF SHEETS

SHEET	TITLE
1	COVER
2	AERIAL
3	PD CONCEPT PLAN

BANKS
ENGINEERING

Professional Engineers, Planners, & Land Surveyors
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4151 TAMMAM TRAIL - BLDG 5 UNIT 501
PORT CHARLOTTE, FLORIDA 33052

ENGINEERING LICENSE / EB 8489
SURVEY LICENSE / LS 6690



THIS FORM HAS BEEN
DULY SIGNED AND
SEALED BY TROTT & KEN-
NEDY ON THE DATE
ADJACENT TO THE SEAL.
PRINTED COPIES OF THIS
DECLARATION ARE NOT
CONSIDERED SIGNED AND
SEALED AND THE
SIGNATURE MUST BE
VERIFIED ON ANY
ELECTRONIC COPIES.

Digitally signed
by Todd R Rebol
Date:

2025.01.16

07:58:59 -05'00'

TOOD R. REBOL, P.E.
FL LIC #54243

[illegible]

EAST BOUND S.R. 778

REVIEWED FOR CODE
COMPLIANCE
DRC-25-011

S. ACCESS ROAD



SUBJECT
PARCEL

BURLINGTON AVENUE

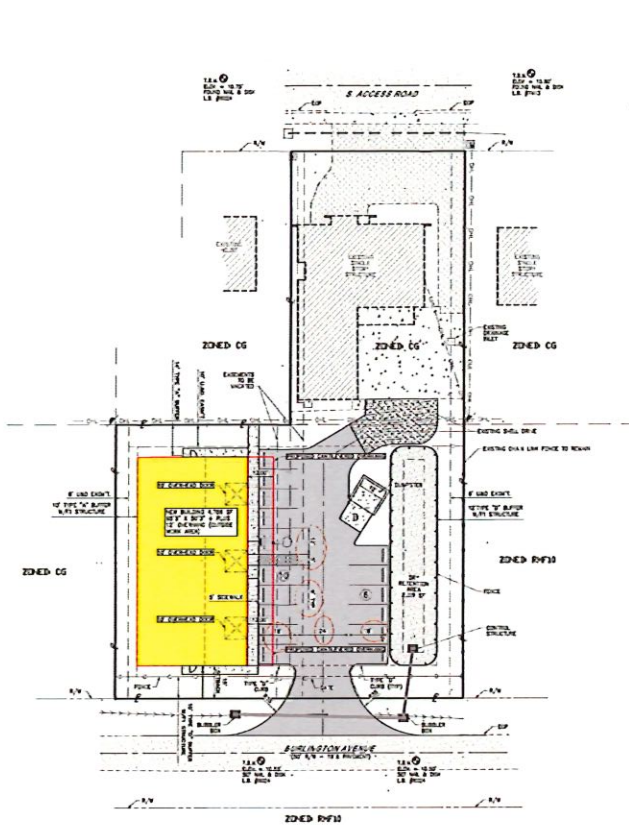
TRUEX PREFERRED CONSTRUCTION, LLC
201 S. HIGGS ROAD
CHARLOTTE, N.C. 28203
PHONE: 817-775-0888

NO. EXEMPTION TO SOL. PERMITS (LAND REQUIREMENTS ONLY)	
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Professional Engineers, Planners, & Land Surveyors
Surveying & Planning Division
11415 Sunset Trail, Suite 100, N.E.
Fort Lauderdale, FL 33308
PHONE: 954-551-1188
WWW.BANKSENG.COM

TODD B. BANKS, P.E.
LICENSE NO. 10008

AERIAL TRUEX EXPANSION LOT CHARLOTTE COUNTY, FLORIDA					
COMPILED BY 10-10-11	PROJECT 470	DRAWN BY 10	DESIGNED BY 10	REVIEWED BY 10	SHEET 2



SITE DATA TABLE

PROPERTY SIZE AREA	6.46 ACRES
EXISTING ZONING	CG, R/FM
PROPOSED ZONING	PLANNED DEVELOPMENT (PD)
PROPOSED USE	INDUSTRIAL



LAND USE BREAKDOWN

TOTAL PD LOTS	6.46 AC	(100.0%)
BUILDING AREA	6.17 AC	(95.5%)
IMPROVEMENT AREA	6.18 AC	(95.6%)
STORMWATER MANAGEMENT AREA	6.18 AC	(95.6%)
COMMON OPEN AREA	6.18 AC	(95.6%)

LANDSCAPING

ALL LANDSCAPING REQUIREMENTS ARE SUBJECT TO BE APPROVED BY THE BOARD OF COMMISSIONERS. THE BOARD OF COMMISSIONERS SHALL HAVE THE FINAL SAY IN ALL MATTERS RELATING TO THE LANDSCAPING.

FLOOD ZONE

ZONE 1

PARKING REQUIREMENTS

PARKING REQUIRED: 1 SP. PER 100 SQ. FT. OF BUILDING AREA.
PARKING PROVIDED: 18 SPACES TOTAL INCLUDING 8 HANDICAP SPACES.

OPEN SPACE

REQUIRED: 0.5 AC PER 100,000 SQ. FT. OF DEVELOPMENT.

PROVIDED: 0.5 AC PER 100,000 SQ. FT. OF DEVELOPMENT.

OPEN HABITAT AREA

NO EXISTING OPEN HABITAT AREA IS WITHIN THE PROPERTY. THE PROPOSED DEVELOPMENT IS PROPOSED TO BE SITED FOR THE PROJECT.

PROPOSED DEVELOPMENT STANDARDS

AREA	6.46 AC
MIN. YARD REQUIREMENTS	10 FT.
FRONT	10 FT.
SIDE (STREET)	10 FT.
REAR (STREET)	10 FT.
SIDE OR REAR (EXISTING WATER)	20 FT.
REAR (WATER)	20 FT.
MIN. SETBACK	10 FT.
MIN. SETBACK (BUILDING)	10 FT.
MIN. SETBACK (FENCE)	10 FT.

PLANNED DEVELOPMENT NOTES

1. THE PLANNED DEVELOPMENT IS PROPOSED TO BE SITED FOR THE PROJECT.

TRUAX PREFERRED CONSTRUCTION, LLC
2001 S. BOWEN ROAD
TALLAHASSEE, FL 32304
PHONE: 904-475-0000

NO.	DESCRIPTION	DATE
1	REVISION	10/10/2013
2	REVISION	10/10/2013
3	REVISION	10/10/2013
4	REVISION	10/10/2013
5	REVISION	10/10/2013
6	REVISION	10/10/2013
7	REVISION	10/10/2013
8	REVISION	10/10/2013
9	REVISION	10/10/2013
10	REVISION	10/10/2013

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PHONE: (904) 475-1100
FAX: (904) 475-1101
WWW.BANKSENG.COM

TERRY B. BROWN, P.E.
REGISTERED PROFESSIONAL ENGINEER
NO. 10000

PD CONCEPT PLAN TRUAX EXPANSION LOT CHARLOTTE COUNTY, FLORIDA					
COMPUTER DATE	PROJECT	DRAWN BY	DESIGNED BY	REVIEWED BY	SHEET
10/10/2013	4700	100	100	100	3