

DRAFT

ORDINANCE NUMBER 2025 -

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3184, FLORIDA STATUTES, AMENDING THE COUNTY'S COMPREHENSIVE PLAN BY AMENDING CHARLOTTE COUNTY FLUM SERIES MAP #1: 2030 FUTURE LAND USE FROM AGRICULTURE (AG) TO MINERAL RESOURCE EXTRACTION (MRE); FOR PROPERTY LOCATED AT 42811 NEAL ROAD AND 3300, 3440, 3450, AND 3460 SR 31, IN THE PUNTA GORDA AREA AND WITHIN THE EAST COUNTY AREA; CONTAINING 308.01± ACRES; CHARLOTTE COUNTY, FLORIDA, COMMISSION DISTRICT I; PETITION PAL-24-07; APPLICANT, BLUEGRASS LAND & MINE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR TRANSMITTAL OF ADOPTED ORDINANCE.

RECITALS

WHEREAS, applicant, Bluegrass Land & Mine ("Applicant"), filed Petition PAL-24-07, seeking a large scale plan amendment to the County's Comprehensive Plan by amending Charlotte County FLUM Series Map #1: 2030 Future Land Use from Agriculture (AG) to Mineral Resource Extraction (MRE), for property located at 42811 Neal Road and 3300, 3440, 3450, and 3460 SR 31, in the Punta Gorda area and within the East County area, containing 308.01 acres more or less ("Property"), which is owned by Brevard-Harbor Edge LLC, whose address is 6140 Dovecote Lane, Memphis, TN 38120, and Williams Farms Partnership, whose address is 7622 Ashton Road, Islandton, SC 29929; and the Property is more particularly described in Exhibit "A" attached hereto; and

WHEREAS, on February 10, 2025, Petition PAL-24-07 was heard before 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, Petition

PAL-24-07 was found to be consistent with the County's Comprehensive Plan and the P&Z Board recommended approval for transmittal of Petition PAL-24-07 to the Florida Department of Commerce and other state agencies for review; and

WHEREAS, in a public hearing held on Tuesday, June 10, 2025, the Board of County Commissioners of Charlotte County, Florida ("Board") reviewed plan amendment Petition PAL-24-07 and, based on the findings and analysis provided by County Staff regarding the amendment and the evidence presented to the Board, approved transmittal of Petition PAL-24-07 to the Florida Department of Commerce and other state agencies for review and comment; and

WHEREAS, Petition PAL-24-07 was transmitted to the Florida Department of Commerce and other state agencies for review and comment; and

WHEREAS, the comments received by the reviewing agencies, if any, have been considered and addressed by the Applicant and incorporated into the findings and analysis provided by County Staff; and

WHEREAS, after due consideration regarding Petition PAL-24-07 in a public hearing held on _____, 2025, and based on the findings and analysis presented to the Board, the Board finds that the proposed amendment is consistent with the County's Comprehensive Plan, and that the requirements of Chapter 163, Florida Statutes, as they relate to the Petition have been met, and that it is in the best interests of the County and its citizens to approve Petition PAL-24-07.

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

58 Section 1. Approval. Petition PAL-24-07 requesting a large scale plan
59 amendment to the County's Comprehensive Plan by amending Charlotte County FLUM
60 Series Map #1: 2030 Future Land Use, from AG to MRE, for property located at 42811
61 Neal Road, and 3300, 3440, 3450, and 3460 SR 31, in the Punta Gorda area and within the
62 East County area, containing 308.01 acres more or less, Charlotte County, Florida,
63 Commission District I, and more particularly described in Exhibit "A" attached hereto and by
64 this reference incorporated herein, is hereby approved.

65 Section 2. Effective date. The effective date of this plan amendment, if the
66 amendment is not timely challenged, shall be 31 days after the state land planning agency
67 notifies the local government that the plan amendment package is complete. If timely
68 challenged, this amendment shall become effective on the date the state land planning
69 agency or the Administration Commission enters a final order determining this adopted
70 amendment to be in compliance. No development orders, development permits, or land
71 uses dependent on this amendment may be issued or commence before its effective date.

72 Section 3. Transmittal. County Staff is hereby directed to forward a copy of
73 this Ordinance and its attachments to the Florida Department of Commerce, 107 East
74 Madison Street, Tallahassee, FL 32399-4120, and to the Executive Director, Southwest
75 Florida Regional Planning Council, 1400 Colonial Boulevard, Suite 1, Fort Myers, FL
76 33907.

PASSED AND DULY ADOPTED this _____ day of _____, 2025.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

DRAFT

By: _____
Joseph M. Tiseo, Chairman

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

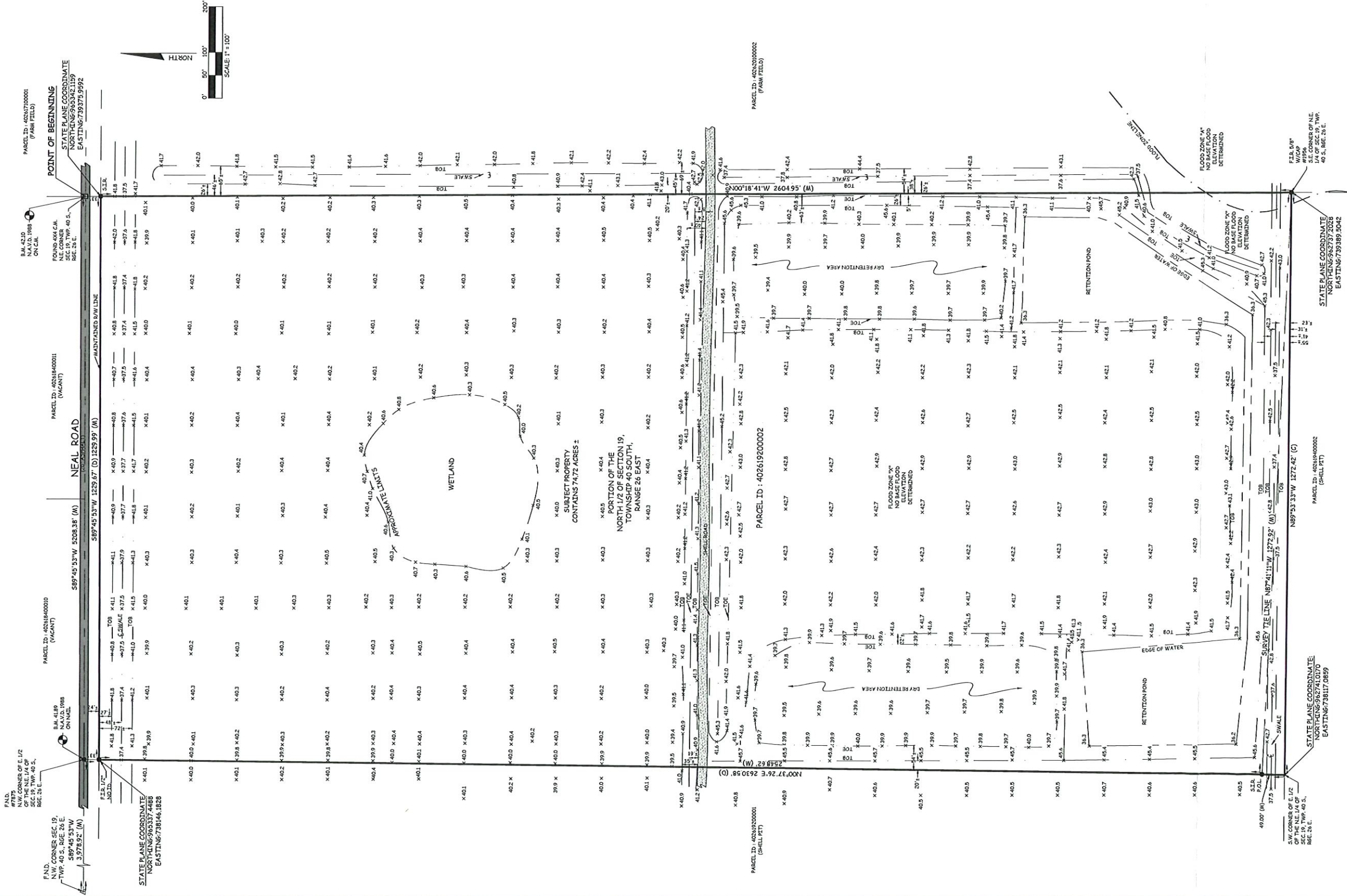
DRAFT

By: _____
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

DRAFT

By: _____
Janette S. Knowlton, County Attorney
LR2024-0937

[illegible]

SURVEY NOTES:
 PER H&M FLOOD MAP ZONE "A5 SHOWN", BASE FLOOD ELEVATION "A5 SHOWN", COMMUNITY
 PANEL #120041, PANEL C01236, DATE PRINTED 12-15-22.
 ELEVATIONS ARE BASED ON N.A.S.D. 1988.
 DISTANCES ARE BASED ON COMMUNITY #A5, M. 016, CL. 18.72 N.A.S.D. 1988.
 BEARINGS ARE BASED ON BEED DATA.
 ALL DISTANCES AND ELEVATIONS ARE EXPRESSED IN DECIMAL FEET.
 SYMBOLS DEPICTED ON THESE SHEETS ARE NOT TO SCALE AND FOR INFORMATIONAL PURPOSES ONLY.
 UNDESIGNED, UNCONSTRUCTED UTILITIES AND NON PERMANENT IMPROVEMENTS HAVE NOT BEEN
 LOCATED.
 STATE PLANE COORDINATES OBTAINED BY USE OF 69.2, THOUGH THE FLORIDA PERMANENT
 SURVEILLANCE NETWORK (FPN) AND ARE BASED ON FLORIDA WEST 83-03(1) DATUM IN DECIMAL

LEGAL DESCRIPTION:
A PORTION OF SECTION 19, TOWNSHIP 40 SOUTH, RANGE 28 EAST, CHARLOTTE COUNTY, FLORIDA,
BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 19, THENCE
389'45.96'W, ALONG THE NORTH LINE OF SAID SECTION 19, A DISTANCE
1229'65.71', THENCE S007°28'W, A DISTANCE OF 2430.58 FEET TO SOUTHLINE
OF THE NORTH ONE HALF OF SAID SECTION 19, THENCE S89°33'E, ALONG THE
SOUTHLINE OF THE NORTH ONE HALF OF SAID SECTION 19, A DISTANCE OF
1229'65.71', TO THE POINT OF BEGINNING OF SAID 50' OF SAID SECTION 19,
SECTION 19, THENCE NORTH 23°W, ALONG THE EAST LINE OF SAID SECTION 19, A
DISTANCE OF 2637.89 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT:
MAINTAINED RIGHT OF WAY FOR NEAR ROAD

REVISION:	DATE:

BOUNDARY & TOPOGRAPHIC SURVEY

EXHIBIT

"A" Total: 2 Pages

Gen³
LAND SURVEYING INC.

info@gen3survey.com
(941) 629-6801 L.B. # B460

23-1992

BOUNDARY AND TOPOGRAPHIC SURVEY CERTIFIED TO:
SOUTHWEST ENGINEERING AND DESIGN

