



CHARLOTTE COUNTY

Community Development

Staff Report for: PD-26-02

Hearing Date: April 13, 2026/May 26, 2026

To: Planning and Zoning Board/Board of County Commissioners

From: Jie Shao, AICP, MCP, Planner, Principal (see attached Exhibit 1 for professional qualifications)

Regarding: A request to amend the Zoning Atlas

Part 1 – General Information

Applicant: KL WP Village LLC, by its Manager, The Kolter Group LLC, 105 NE 1st Street, Delray Beach, FL 33444

Agent: Pape-Dawson Consulting Engineers LLC, 200 NW Loop 410, San Antonio, Texas, 78212

Owner(s): KL WP Village LLC, 105 NE 1st Street, Delray Beach, FL 33444
Murdock Village Community Redevelopment Agency, 18500 Murdock Circle, Port Charlotte, FL 33948

Request: A privately initiated request to amend the Charlotte County Zoning Atlas from Planned Development (PD) to PD. This amendment constitutes a major modification to Ordinance Number 2025-007 by revising the adopted PD condition “e)xi)” to modify the conditions governing drive-through uses.

Location: **Commission District IV:** The subject property includes multiple parcels and is generally located north of El Jobean Road (SR 776), south of Seymour Avenue, east of the Como Waterway, and west of Collingswood Boulevard, within the boundary of the Murdock Village Community Redevelopment Area (CRA), and in the Port Charlotte area.

Land Area: The subject property contains a total of 154.93± acres.

Public Notice: Public Notice has been given as required by Charlotte County Code, Section 3-9-10; subsections (d) Published Notice; (e) Mailed Notice (1,000-foot Mailed Notice Map); and (f) Posted Notice.

Part 2 - Analysis and Conclusion

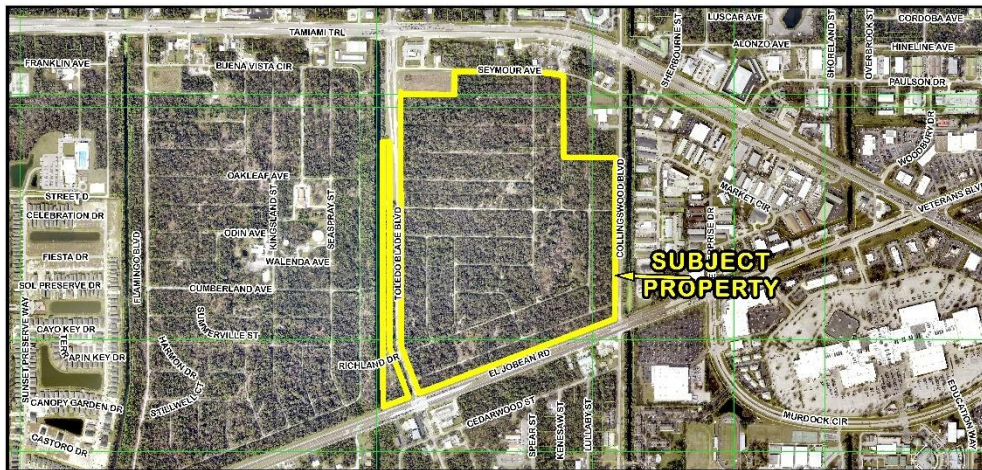
Request

The applicant, KL WP Village LLC, by its Manager, The Kolter Group LLC, is requesting an amendment to the adopted PD condition “e)xi)” as established in Ordinance Number 2025-007 (Attachment 1).

The subject property includes multiple parcels and is generally located north of El Jobean Road (SR 776), south of Seymour Avenue, east of the Como Waterway, and west of Collingswood Boulevard, within the boundary of the Murdock Village Community Redevelopment Area (CRA), in the Port Charlotte area, and in Commission District IV. It contains a total of approximately 154.93 acres.



PD-26-02 Area Image (Mid-Range)



PD-26-02 Area Image

History of the Subject Property

On January 28, 2020, the Board of County Commissioners (Board) approved Ordinance Number 2020-008 (Attachment 2) to allow for the construction of a mixture of retail, entertainment, and hotel uses, including a water park, including:

- 2,000,000 square feet of commercial, retail, restaurant, destination entertainment, and accessory storage uses.
- Two hotels with conference centers, 500 keys total.
- Five hotels, 750 keys total.

- 45 acres for a water park.

Since the Board approved this PD rezoning in 2020, no Final Detail Site Plan has been submitted. The PD Concept Plan expired on January 28, 2021. On March 25, 2025, the Board approved Ordinance Number 2025-007 (Attachment 1) to amend the adopted PD Concept Plan, and its associated PD conditions; converting through the adopted equivalency matrix the previously approved 84,745.76 square feet of regional commercial uses to 350 units of single-family units and the previously approved 58,394.16 square feet of regional commercial uses to 320 multi-family units; in order to have a mixture of residential and commercial development up to:

- 670 residential units.
- 250,000 square feet of regional commercial uses.
- 150 keys of hotel use.
- 150,000 square feet of other commercial uses, including governmental uses.

On October 28, 2025, the Board approved Ordinance Number 2024-041 (Attachment 3) to revise development standards for townhomes by reducing the “minimum lot width” from 20 feet to 16 feet and the “minimum side yard abutting road” from 15 feet to ten feet.

Reason for this Request

The applicant, KL WP Village LLC, by its Manager, The Kolter Group LLC, is seeking this application to modify the conditions governing drive-through uses. Drive-through uses are permitted under the Commercial General (CG) zoning district without restrictions such as “all drive-through lanes shall only be accessed from an alley” and “drive-through uses shall not be located at intersections.”

The current restrictions prohibit drive-through uses on most outparcels located along El Jobean Road (SR 776) within this project. However, such uses are permitted on all portions of properties designated for commercial uses within the West Port PD project, which is located immediately to the west of the subject property. Additionally, drive-through uses are permitted for all properties along the southern side of SR 776 that are zoned CG.

Because no alleys are proposed within the West Port Village project, the applicant is requesting this amendment.

Surrounding Uses and Compatibility Issues

Existing land uses surrounding subject property consist of commercial and vacant commercial lands within Murdock Village across Seymour Avenue to the north, with a Future Land Use Map (FLUM) designation of Murdock Village Mixed Use (MVMU) and zoned Commercial General (CG); additional lands within Murdock Village to the west, with a FLUM designation of MVMU and zoned PD for a mixture of residential and commercial development up to 1,898 single-family dwelling units, 804 multi-family dwelling units, and 670,522 commercial square footage. There are vacant commercial lands across SR 776 (El Jobean Road) to the south, with a FLUM designation of Commercial (COM) and zoned CG; and commercial and industrial uses across Collingswood Boulevard and the Auburn Waterway to the east, with a FLUM designation of Low Intensity Industrial (LII) and zoned Industrial General (IG).

It is staff's professional opinion that the proposed removal of the two conditions governing drive-through uses is not contrary to the County's Comprehensive Plan and is consistent with the property owner's rights to equal opportunity, as provided to other properties zoned Commercial General (CG) within the County, and to establish such uses without additional restrictions. The proposed changes will not alter the intent of the project to create a mixed-use development, including residential, commercial, governmental uses, and affordable housing.

Furthermore, the term "public" will be removed from the existing condition stating that "stacking lanes shall not encroach on any public right-of-way," while the remainder of the condition will remain in effect to further ensure safety and prevent any interruption of the normal traffic flow.

Concurrency issues

- **Water and Sewer:** The proposed development will be served by Charlotte County Utilities. The approved development rights for this property remain unchanged as a result of this application.
- **Traffic:** Traffic impacts will remain the same because the approved development rights for this property remain unchanged.
- **Schools:** The approved development rights for this property remain unchanged; therefore, there will be no increase or decrease in the student population as a result of the proposed changes.

PD Concept Plan

No revisions to the approved General PD Concept Plan as established in Ordinance Number 2025-007 (Attachment 1) are proposed for this application.

Conclusion

It is staff's professional opinion that this major modification to the existing PD, to amend the adopted PD condition e)xi), as shown in Exhibit "A," is not contrary to the County's Comprehensive Plan.

Part 3 – Summary and Recommendation

Staff Summary:

Based upon the analysis and conclusions set forth herein, in staff's professional opinion, the application (Application No. PD-26-02) is generally consistent, as conditioned, with Charlotte County's Comprehensive Plan, Charlotte County's Code of Laws and Ordinances and other applicable guidelines.

The Planning and Zoning Board recommendation on April 13, 2026:

*A motion to forward application No. PD-26-02 to the Board of County Commissioners with a recommendation of **Approval with amended PD condition e)xi)**, based on the findings and analysis in the staff report dated March 21, 2026, Charlotte County's Comprehensive Plan, and the evidence and testimony presented at the public hearing before the Planning and Zoning Board.*

Part 4: Research and Findings

1. **2050 Framework Map Designation:** Community Redevelopment Area (CRA) (FLUM Map #2 - 2050 Framework)
2. **2030 Service Area Delineation:** In the Urban Service Area
3. **Existing Land Use on the Site:** There are some single-family homes and other improvements on the existing West Port PD site, and the proposed expansion area is currently vacant. (see attached Site Image)
4. **Existing Future Land Use and Zoning Designations:**
(see attached Future Land Use Map and Zoning Map.)

FLUM:	Development Standards:
Murdock Village Mixed Use (MVMU)	<p>Maximum Development Total development within the MVMU shall be limited to 3,023,882 square feet of commercial uses, 538 multi-family dwelling units and 2,744 single-family dwelling units, provided that these uses and development totals may be modified in accordance with the MVMU Equivalency Matrix, provided in FLU Section A-6. Table A-7, Murdock Village Mixed Use Densities/Intensities, provides additional development parameters for the primary use areas located within MVMU. The maximum residential density shall not exceed 5,800 dwelling units total.</p> <p>General Range of Uses Within the MVMU classification, the County shall allow a combination of residential, retail commercial, hotels/motels, medical, office, office showroom, educational, recreational, entertainment, and institutional facilities in order to encourage long-term sustainable development. Manufactured homes are prohibited within the MVMU. The following types of uses are permitted in MVMU:</p> <p><i>Neighborhood Residential:</i></p> <ol style="list-style-type: none"> a. MVMU may include distinct interconnected, multi-generational, residential neighborhoods. b. Residential neighborhoods may feature easy access to a network of open space which may include bicycle/pedestrian facilities, greenways and blueways. c. Assisted Living Facilities shall be permitted within areas designated as Neighborhood Residential. d. Non-residential land uses located within areas designated as Neighborhood Residential shall be designed and developed to protect the integrity of the surrounding residential land uses. e. Internal Commercial sites shall only be built within the Neighborhood Residential areas to provide for local daily convenience goods, retail, professional, office showrooms, healthcare, personal and business services. f. Both single-use and multi-use development sites can be located within Internal Commercial areas. g. Medium- to high-density residential will be permitted in areas designated as Neighborhood Residential. <p><i>General Commercial:</i> General Commercial is intended for activities predominately connected with the sale, rental and distribution of products or performance of services. Healthcare, hotels, assisted living facilities, and offices can also be located within these areas.</p> <ol style="list-style-type: none"> a. Medium to high density residential shall be permitted in these areas. b. Multi-use development on a single parcel shall be compatible with surrounding land uses.

Community Commercial: Community Commercial is intended to provide for daily and lifestyle needs and services for the residents of Murdock Village, as well as the residents of the general community. Uses may include general retail, offices, hotels/motels, professional services, residential, healthcare, assisted living facilities, restaurants, and business services.

Office Showroom: Office Showroom is intended for activities that diversify the economic base of the community and are limited to light fabrication, service, printing, storage and packaging uses which will not have nuisance impacts on adjacent uses from dust, odor, noise, vibration, or glare to adjacent uses. Office Showroom shall be designed and developed to protect the integrity of any surrounding residential land uses.

University/College Campus: University/College Campus is intended to provide educational and residential opportunities in an urban, rather than suburban campus. Uses allowed include buildings for academic, administrative, dormitories and support services; parking garages and surface parking lots; and other uses customarily part of a university/college campus. Such campus areas should be integrated with adjacent uses to facilitate pedestrian access, minimize parking requirements, and to protect the integrity of the surrounding land uses.

Maximum Density/Intensity

FLU Table A-7: Murdock Village Mixed Use Densities/Intensities			
Land Use Area	Type	Maximum Density /Acre	Maximum Intensity (FAR)
Neighborhood Residential	Single Family	3-6	
	Multi-family	6-15	
Internal Commercial	Non-residential		2.0
Community Commercial	Residential	6-15	3.0
	Non-residential		
General Commercial	Residential	Up to 15	3.0
	Non-residential		
Office Showroom	Non-residential	N/A	2.0
University/College Campus	Non-residential	N/A	4.0
Primary and Secondary Education Facilities	Non-residential	N/A	4.0

Zoning:	Development Standards:
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Planned Development (PD)	<p>The purpose and intent of this district is to provide flexibility and to encourage concentrated, energy-efficient land development, and to provide opportunities to impose conditions to ensure that the proposed development is consistent and compatible with the surrounding neighborhood.</p> <p><u>Minimum lot and yard requirements.</u> Internal lot and yard requirements shall be established through the PD rezoning process. Unless otherwise approved by the BCC or provided in section 3-9-45.1, no structure shall be located closer to the peripheral property line of the PD than twenty-five (25) feet or as required by section 3-9-88, "Waterfront property," as the same may be amended, whichever is greater.</p> <p><u>Maximum height of structures.</u> The maximum height for structures shall be established through the PD rezoning process.</p> <p><u>Open space.</u> Unless otherwise approved by the BCC or as provided in section 3-9-45.1, a minimum of twenty (20) percent of the entire PD parcel or phase shall be retained as open space.</p> <ul style="list-style-type: none"> <u>Internal circulation.</u> All streets shall be designed to provide safe, efficient and convenient access to land uses within the development and to roadways adjacent to the
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development. In addition to vehicular thoroughfares, functional pedestrian and bicycle-path systems are required in accordance with the county's land development regulations.

Table 1

5. Proposed Future Land Use and Zoning Designations:

(see attached Future Land Use Map and Zoning Map.)

FLUM:	Development Standards:
<p>No Change Murdock Village Mixed Use (MVMU)</p>	<p>Maximum Development Total development within the MVMU shall be limited to 3,023,882 square feet of commercial uses, 538 multi-family dwelling units and 2,744 single-family dwelling units, provided that these uses and development totals may be modified in accordance with the MVMU Equivalency Matrix, provided in FLU Section A-6. Table A-7, Murdock Village Mixed Use Densities/Intensities, provides additional development parameters for the primary use areas located within MVMU. The maximum residential density shall not exceed 5,800 dwelling units total.</p> <p>General Range of Uses Within the MVMU classification, the County shall allow a combination of residential, retail commercial, hotels/motels, medical, office, office showroom, educational, recreational, entertainment, and institutional facilities in order to encourage long-term sustainable development. Manufactured homes are prohibited within the MVMU. The following types of uses are permitted in MVMU:</p> <p><i>Neighborhood Residential:</i></p> <ul style="list-style-type: none"> a. MVMU may include distinct interconnected, multi-generational, residential neighborhoods. b. Residential neighborhoods may feature easy access to a network of open space which may include bicycle/pedestrian facilities, greenways and blueways. c. Assisted Living Facilities shall be permitted within areas designated as Neighborhood Residential. d. Non-residential land uses located within areas designated as Neighborhood Residential shall be designed and developed to protect the integrity of the surrounding residential land uses. e. Internal Commercial sites shall only be built within the Neighborhood Residential areas to provide for local daily convenience goods, retail, professional, office showrooms, healthcare, personal and business services. f. Both single-use and multi-use development sites can be located within Internal Commercial areas. g. Medium- to high-density residential will be permitted in areas designated as Neighborhood Residential. <p><i>General Commercial:</i> General Commercial is intended for activities predominately connected with the sale, rental and distribution of products or performance of services. Healthcare, hotels, assisted living facilities, and offices can also be located within these areas.</p> <ul style="list-style-type: none"> a. Medium to high density residential shall be permitted in these areas. b. Multi-use development on a single parcel shall be compatible with surrounding land uses. <p><i>Community Commercial:</i> Community Commercial is intended to provide for daily and lifestyle needs and services for the residents of Murdock Village, as well as the residents of the general community. Uses may include general retail, offices, hotels/motels, professional services, residential, healthcare, assisted living facilities, restaurants, and business services.</p> <p><i>Office Showroom:</i> Office Showroom is intended for activities that diversify the economic base of the community and are limited to light fabrication, service, printing, storage and packaging uses which will not have nuisance impacts on adjacent uses from dust, odor, noise, vibration,</p>

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Zoning:	Development Standards:
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Planned Development (PD)

The purpose and intent of this district is to provide flexibility and to encourage concentrated, energy-efficient land development, and to provide opportunities to impose conditions to ensure that the proposed development is consistent and compatible with the surrounding neighborhood.

Minimum lot and yard requirements. Internal lot and yard requirements shall be established through the PD rezoning process. Unless otherwise approved by the BCC or provided in section 3-9-45.1, no structure shall be located closer to the peripheral property line of the PD than twenty-five (25) feet or as required by section 3-9-88, "Waterfront property," as the same may be amended, whichever is greater.

Maximum height of structures. The maximum height for structures shall be established through the PD rezoning process.

Open space. Unless otherwise approved by the BCC or as provided in section 3-9-45.1, a minimum of twenty (20) percent of the entire PD parcel or phase shall be retained as open space.

Internal circulation. All streets shall be designed to provide safe, efficient and convenient access to land uses within the development and to roadways adjacent to the development. In addition to vehicular thoroughfares, functional pedestrian and bicycle-path systems are required in accordance with the county's land development regulations.

Table 2

6. Surrounding Land Uses and their Future Land Use and Zoning Designations:

Direction:	Existing Land Use:	FLUM Designation:	Zoning District Designation:
North	Vacant commercial Improved commercial Forest, parks, recreational areas US 41 Improved commercial	Murdock Village Mixed Use (MVMU) Commercial (COM)	Residential Single-family 3.5 (RSF-3.5) Commercial General (CG)
East	Forest, parks, recreational areas Utility Approved commercial development via Ordinance number 2020-008	Murdock Village Mixed Use (MVMU)	Residential Multi-family 10 (RMF-10) Residential Single-family 3.5 (RSF-3.5) Commercial General (CG) Planned Development (PD)
South	Vacant commercial Improved commercial Warehousing, distribution terminals, Motor vehicle sales Forest, parks, recreational areas	Medium Density Residential (MDR) Commercial (COM)	Planned Development (PD) Commercial General (CG)
West	Vacant commercial Vacant residential Single-family homes Acreage not classified as Agricultural Forest, parks, recreational areas	Commercial (COM) Low Density Residential (LDR) Medium Density Residential (MDR)	Commercial General (CG) Planned Development (PD) Residential Single-family 3.5 (RSF-3.5)

Table 3

7. Buildout Calculations (square footage or density):

The proposed changes do not involve any development rights.

8. Is subject property in a Community, Special Planning Area or Overlay District?Yes

The subject property is located within the Murdock Village Community Redevelopment Area.

9. Is subject property located adjacent to existing or proposed Federal, State, or County wildlife management areas, parks, preserves or reserves?Yes

The existing West Port project area completely surrounds North County Regional Park. (SPAM Maps, #35, #74 and #75)

10. Is the proposed land use designation consistent with the provisions of the:

a. Charlotte Harbor Aquatic Preserves Management Plan? (SPAM Map #36)

The subject property is located outside the boundary of the Charlotte Harbor Aquatic Preserves.

b. Lemon Bay Aquatic Preserve Management Plan? (SPAM Map #36)

The subject property is located outside the boundary of the Lemon Bay Aquatic Preserve.

11. Does subject property contain archaeological or historic resources? (SPAM Map #3, #27 & #53) According to the Florida Master Site File, the subject site does not contain any historic structures, nor is it designated as an archaeological site.

12. Are there wetlands on the property? The proposed changes do not involve any development rights.

a. Number of acres of Category I: N/A.

b. Number of acres of Category II: N/A.

13. Natural Resources:

- a. **Significant natural resources or critical habitat for endangered species:** N/A
- b. **Possible impacts to groundwater, surface water, wetlands or other significant natural resources:** N/A.
- c. Is subject property in the **Watershed Overlay District?** (FLUM Map #4)No
- d. Is subject property in the **Surface Water Protection Overlay District?** (FLUM Map #5).....No
- e. Is subject property in the **Prime Aquifer Recharge Area?** (FLUM Map #6)No
- f. Is subject property in a **Wellhead Protection Area?** (FLUM Map #7).....No

14. Coastal Planning:

- a. Is the subject site within the **Coastal Planning Area?** (FLUM Map #13)..... Yes
Subject Property is located within Zone 2 and Zone 3 of the Coastal Planning Area.
- b. Could the proposed changes impact beach accessibility? No
- c. Could the proposed change affect other waterfront access? No
- d. Flood Zone: The subject property is mostly located within Flood Zone "X", which is an area determined to be outside of the 0.2 percent annual chance flood. A small portion of subject property is located within Flood Zone "9AE", which is an area determined with a determined base flood elevation of nine feet. (per FEMA Codes)
- e. Storm Surge Evacuation Zone: The site is located within Evacuation Zone "B".
- f. Is the subject site within the Coastal High Hazard Area? (FLUM Map #14) No
- g. Could the proposed changes impact evacuation times? No

15. Charlotte County Facilities and Services:

- a. Nearest Park: **North Charlotte Regional Park**, (SPAM Map #74)
Address: 1185 O'Donnell Boulevard, Port Charlotte
Distance:.....immediately adjacent to subject property
- b. Nearest Police Station:..... **District 2 Charlotte County Sheriff's Office** (SPAM Map #25)
Address: 3280 Tamiami Trail, Port Charlotte
Distance:.....approximately 4.95 miles to the east of subject property
- c. Nearest Fire/EMS Station: **Charlotte County Fire Station No. 2** (SPAM Map #21)
Address: 1493 Collingswood Boulevard, Port Charlotte
Distance:.....approximately 1.37 miles to the east of subject property
Response Time:.....approximate response time is 4-6 minutes (SPAM Map #39)
- d. Nearest Library:..... **Mid-County Regional Library** (SPAM Map #73)
Address: 2050 Forrest Nelson Boulevard, Port Charlotte
Distance:.....approximately 3.15 miles to the southeast of subject property
- e. Nearest Hospital: **Fawcett Memorial Hospital** (SPAM Map #24)
Address: 21298 Olean Boulevard, Port Charlotte
Distance:.....approximately 4.82 miles to the east of subject property
- f. Nearest Emergency Shelter: **Murdock Middle School** (SPAM Map #21)
Address: 17325 Mariner Way, Port Charlotte
Distance:.....approximately 0.83 miles to the southeast of subject property
- g. Public School Attendance Boundary:

1. Elementary School:..... **Meadow Park Elementary School** (SFAM Map #1)
Address:..... 750 Essex Avenue, Port Charlotte
Distance:approximately 3.39 miles to the southeast of subject property
2. Middle School:..... **Murdock Middle School** (SFAM Map #2)
Address:..... 17325 Mariner Way, Port Charlotte
Distance:approximately 0.83 miles to the southeast of subject property
3. High School:..... **Port Charlotte High School** (SFAM Map #3)
Address:..... 18200 Cochran Boulevard, Port Charlotte
Distance:approximately 1.35 miles to the southeast of subject property

16. Concurrency:

- a. **Roads Level of Service:**..... Traffic impacts will remain the same because the approved development rights for this property remain unchanged.
- b. **Potable Water Level of Service:**
 1. *Provider's Name:* Charlotte County Utilities (SPAM Map #83)
 2. *Analysis:* N/A.
- c. **Sanitary Sewage Level of Service:**
 1. *Provider's Name:* Charlotte County Utilities (SPAM Map #84)
 2. *Analysis:* N/A.
- d. **Park and Recreation Level of Service:**
 1. *Level of Service:* **Adopted Level of Service is 16 Park, Recreation & Open Space points (16 PROS points) per 1,000 population.**
 2. *Analysis:*..... **A 2009 analysis shows that the County currently has 17.2 PROS points per 1,000 population.**
- e. **Schools:**..... The proposed major modification to the approved PD conditions shall not increase or decrease the approved residential development rights. Therefore, the student population shall not be changed as a result of this application.
 1. *Refuse Collector:*..... **Waste Management Inc. of Florida or another provider**
 2. *Solid Waste Provider:* **Public Works Dept. - Municipal Solid Waste Management**
 3. *Level of Service:* Zemel Road landfill currently has capacity to dispose of 4.6 million cubic yards of waste. The landfill has a projected remaining lifespan to the year 2027. An estimated 170 acres for future disposal cells will provide disposal capacity beyond the year 2050.
 - Solid Waste (Landfill) 5.0 pounds per day per equivalent fulltime resident
 - Solid Waste (Recycle) 2.2 pounds per day per equivalent fulltime resident
- f. **Drainage: Level of Service:**

New arterials: flood free in the 100-year rainfall event.

New and improved collectors: not less than one lane of traffic in each direction above the design high water elevation from a 25-year, 24-hour rainfall.

New local residential streets: designed and constructed with the pavement centerline at or above the design high water elevation resulting from a 5-year, 24-hour rainfall.

Storm-water management facilities: in all new subdivisions manage a 25-year, 24-hour rainfall.

New parking facilities: maximum temporary detention depth of nine inches (9”) resulting from a 5-year, 24-hour rainfall.

New development on existing platted lots (except single-family, duplex, and triplex dwellings): on-site storm-water management for a 25-year, 24-hour rainfall.

Analysis: The SW Florida Water Management District and the Community Development Department review storm-water management plans on a project specific basis.

17. Capital Improvements Program:

Are any updates to the CIP required because of this petition?..... No

18. Intergovernmental Coordination:

Does this amendment require comments from, or coordination with, adjacent governments or other governmental agencies?..... No.

19. Has a public hearing been held on this property within the last year?Yes, public hearings were held both on March 25, 2025, and October 28, 2025 to amend the existing PD.

20. 2050 Comprehensive Plan: Goals, Objectives, and Policies that may be relevant to the proposed amendment:

Various goals, objectives, and policies set forth in the County’s Comprehensive Plan as analyzed above.

Part 5 – Approval Criteria

21. Standards for Rezoning Approval: For the rezoning of land, the final action of the Board shall be made after giving due consideration to the following criteria:

a. Would the proposed change be consistent with the Comprehensive Plan?

Finding: The proposed changes only involve revisions to the requirements for drive-through uses and will not increase or decrease the already approved development rights for the subject property. Therefore, the proposed changes shall not be contrary to the County’s Comprehensive Plan, and the intent of the Murdock Village CRA.

b. The existing land use pattern in adjacent areas:

Finding: The lands around the subject property are mostly vacant. To the north, most of the site is adjacent to vacant lands within the Murdock Village Community Redevelopment Area (CRA). To the east, across Toledo Blade, the site is adjacent to vacant lands also within the Murdock Village CRA with a PD zoning via Ordinance 2020-008, and across the East Fork Waterway, there is the Charlotte County Fairground. Across El Jobean Road (SR 776), to the south, there are some improved commercial and vacant for commercial and residential development. Further to the southwest of the property, there are Charlotte Sports Park and the Tippecanoe Environmental Park. To the west, the site is adjacent to vacant platted residential lots. Across Biscayne Drive, to the west, there is improved commercial called MRT Lawn & Garden Center.

c. The capacity of public facilities and services, including but not limited to schools, roads, recreational facilities, wastewater treatment, water supply, and storm-water drainage facilities:

Finding: The purpose of the proposed changes is to amend the approved PD condition “e)xi)” to modify the conditions governing drive-through uses. The proposal shall not increase or decrease the approved residential development rights for the subject property, so student populations are not expected to change as a result of this major modification to an existing PD. There shall be no impacts on public facilities and services as a result of the proposed changes.

d. Would the proposed change adversely influence living conditions or property values in adjacent areas?

Finding: The proposed changes will not increase or decrease the permitted development rights. Therefore, the proposed revisions to the approved PD condition “e)xi)” to modify the conditions governing drive-through uses shall not adversely influence living conditions or property values in adjacent area.

e. Would the proposed change affect public safety?

Finding: Public safety should not be affected by the proposed changes.

Attachment 1
Ordinance Number 2025-007

CHG
BCC

ROGER D. EATON, CHARLOTTE COUNTY CLERK OF
CIRCUIT COURT
PAGE: 31
INSTA #: 3509143 Doc Type: GOV
Recorded: 03/26/2025 at 02:07 PM
Rec. Fee: RECORDING \$265.00

ORDINANCE
NUMBER 2025 -007

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AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM PLANNED DEVELOPMENT (PD) TO PD; A MAJOR MODIFICATION TO THE EXISTING PD, ORDINANCE NUMBER 2020-008, THE ADOPTED PD CONCEPT PLAN, AND ITS ASSOCIATED PD CONDITIONS; CONVERTING THROUGH THE ADOPTED EQUIVALENCY MATRIX PREVIOUSLY APPROVED 84,745.76 SQUARE FEET OF REGIONAL COMMERCIAL USES TO 350 UNITS OF SINGLE-FAMILY UNITS AND PREVIOUSLY APPROVED 58,394.16 SQUARE FEET OF REGIONAL COMMERCIAL USES TO 320 MULTI-FAMILY UNITS, IN ORDER TO HAVE A MIXTURE OF RESIDENTIAL AND COMMERCIAL DEVELOPMENT UP TO 670 RESIDENTIAL UNITS, 250,000 SQUARE FEET OF REGIONAL COMMERCIAL USES, 150 KEYS OF HOTEL USES, AND 150,000 SQUARE FEET OF OTHER COMMERCIAL USES FOR GOVERNMENTAL USES; ADOPTING A GENERAL PD CONCEPT PLAN; FOR MULTIPLE PARCELS, GENERALLY LOCATED NORTH OF EL JOBEAN ROAD (SR 776), SOUTH OF SEYMOUR AVENUE, EAST OF THE COMO WATERWAY, AND WEST OF COLLINGSWOOD BOULEVARD, WITHIN THE BOUNDARY OF THE MURDOCK VILLAGE COMMUNITY REDEVELOPMENT AREA, IN THE PORT CHARLOTTE AREA; CONTAINING 154.93± ACRES; COMMISSION DISTRICT IV, CHARLOTTE COUNTY, FLORIDA; PETITION NUMBER PD-24-17; APPLICANT, KOLTER GROUP ACQUISITIONS, LLC; PROVIDING AN EFFECTIVE DATE.

RECITALS

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WHEREAS, in a public hearing held on Tuesday, March 25, 2025, the Board of County Commissioners of Charlotte County, Florida ("Board") reviewed Petition PD-24-17, submitted by applicant, Kolter Group Acquisitions, LLC ("Applicant"), which requested a rezoning from Planned Development (PD) to PD; a major modification to the existing PD (Ordinance Number 2020-008), the adopted PD Concept Plan, and its associated PD conditions; converting through the adopted equivalency matrix previously approved 84,745.76 square feet of

MIN

40 regional commercial uses to 350 units of single-family units and previously
41 approved 58,394.16 square feet of regional commercial uses to 320 multi-family
42 units, in order to have a mixture of residential and commercial development up to
43 670 residential units, 250,000 square feet of regional commercial uses, 150 keys
44 of hotel uses, and 150,000 square feet of other commercial uses for
45 governmental uses; adopting a General PD Concept Plan; for multiple parcels,
46 generally located north of El Jobean Road (SR 776), south of Seymour Avenue,
47 east of the Como Waterway, and west of Collingswood Boulevard, within the
48 boundary of the Murdock Village Community Redevelopment Area; in the Port
49 Charlotte area; containing 154.93± acres; Commission District IV; and more
50 particularly described in Exhibit "A" attached hereto ("Property"); and

51 WHEREAS, Petition PD-24-17 was heard by the Charlotte County
52 Planning and Zoning Board ("P&Z Board") and, based on the findings and
53 analysis provided by County Staff and the evidence presented to the P&Z Board,
54 the P&Z Board recommended approval on February 10, 2025; and

55 WHEREAS, after due consideration, based on the findings and
56 analysis provided by County Staff and the evidence presented to it, the Board
57 finds that approval of Petition PD-24-17 is consistent with the County's
58 Comprehensive Plan, and that it meets the requirements for rezoning and
59 adopting the associated General PD Concept Plan; and

60 WHEREAS, the Board finds that approval of Petition PD-24-17 to
61 rezone the Property from PD to PD is in the best interests of the County.

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

64 SECTION 1. The following petition, made by applicant,
65 Kolter Group Acquisitions, LLC, for an amendment to the Charlotte County
66 Zoning Atlas is hereby approved subject to the conditions contained in the
67 attached Exhibit "B":

68 Petition PD-24-17 requesting rezoning from Planned
69 Development (PD) to PD; a major modification to the
70 existing PD (Ordinance Number 2020-008), the
71 adopted PD Concept Plan, and its associated PD
72 conditions; converting through the adopted
73 equivalency matrix previously approved 84,745.76
74 square feet of regional commercial uses to 350 units
75 of single-family units and previously approved
76 58,394.16 square feet of regional commercial uses to
77 320 multi-family units, in order to have a mixture of
78 residential and commercial development up to 670
79 residential units, 250,000 square feet of regional
80 commercial uses, 150 keys of hotel uses, and
81 150,000 square feet of other commercial uses for
82 governmental uses; adopting a General PD Concept
83 Plan; for multiple parcels, generally located north of El
84 Jobean Road (SR 776), south of Seymour Avenue,
85 east of the Como Waterway, and west of
86 Collingswood Boulevard, within the boundary of the
87 Murdock Village Community Redevelopment Area; in
88 the Port Charlotte area; containing 154.93± acres;
89 Commission District IV, Charlotte County, Florida, and
90 more particularly described in Exhibit "A" attached
91 hereto.

92
93 SECTION 2. That the zoning for this property shall run with the
94 property and shall apply to any subsequent owners, heirs and assigns.

95 SECTION 3. This Ordinance shall take effect upon filing in the
96 Office of the Secretary of State, State of Florida.

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

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: Joseph M. Tiseo, Chairman

SEAL

ATTEST:

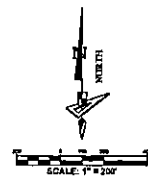
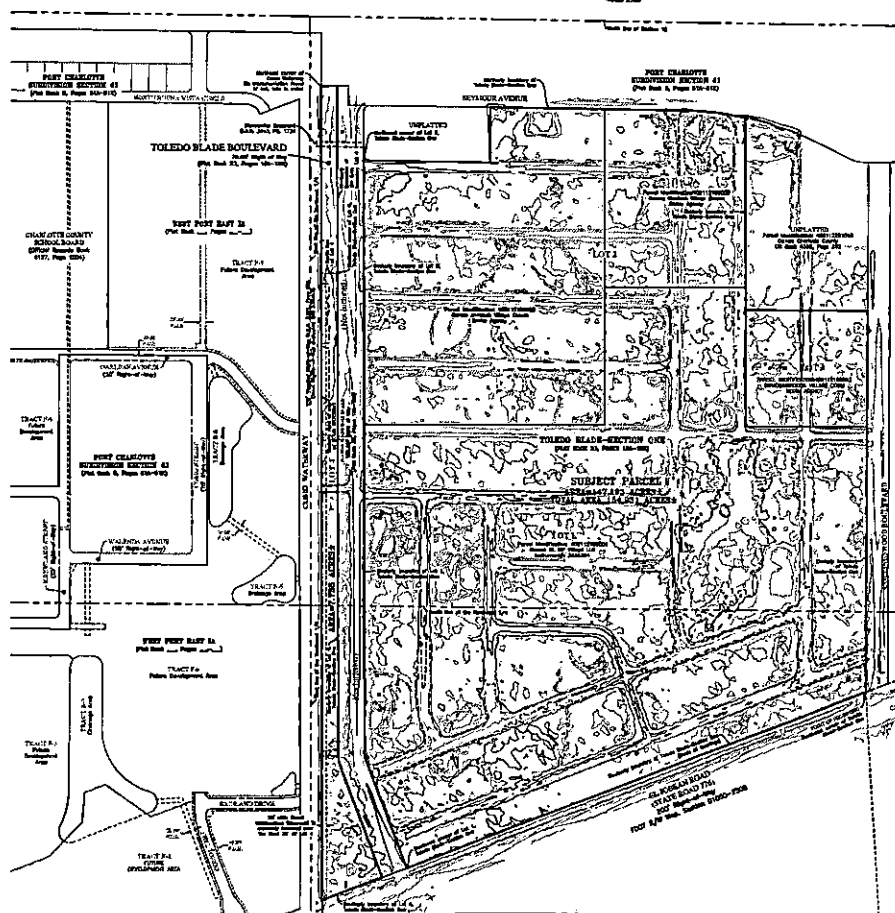
Roger D. Eaton, Clerk of the Circuit Court
and Ex-Officio Clerk of the
Board of County Commissioners

By: Kimberly Wells
Deputy Clerk

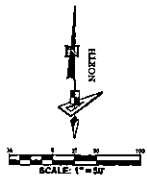
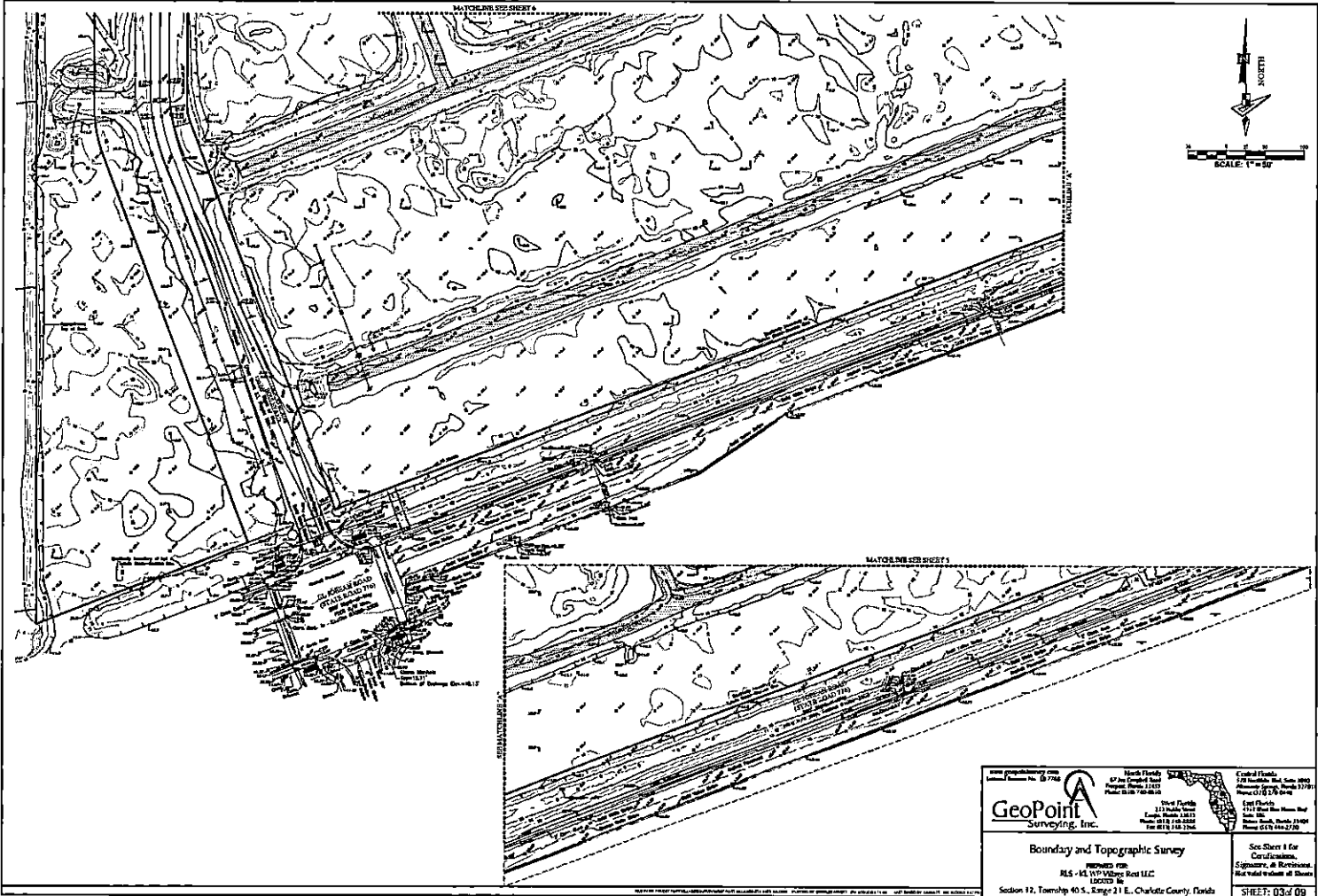
APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: Janette S. Knowlton
Janette S. Knowlton, County Attorney
LR2024-0853

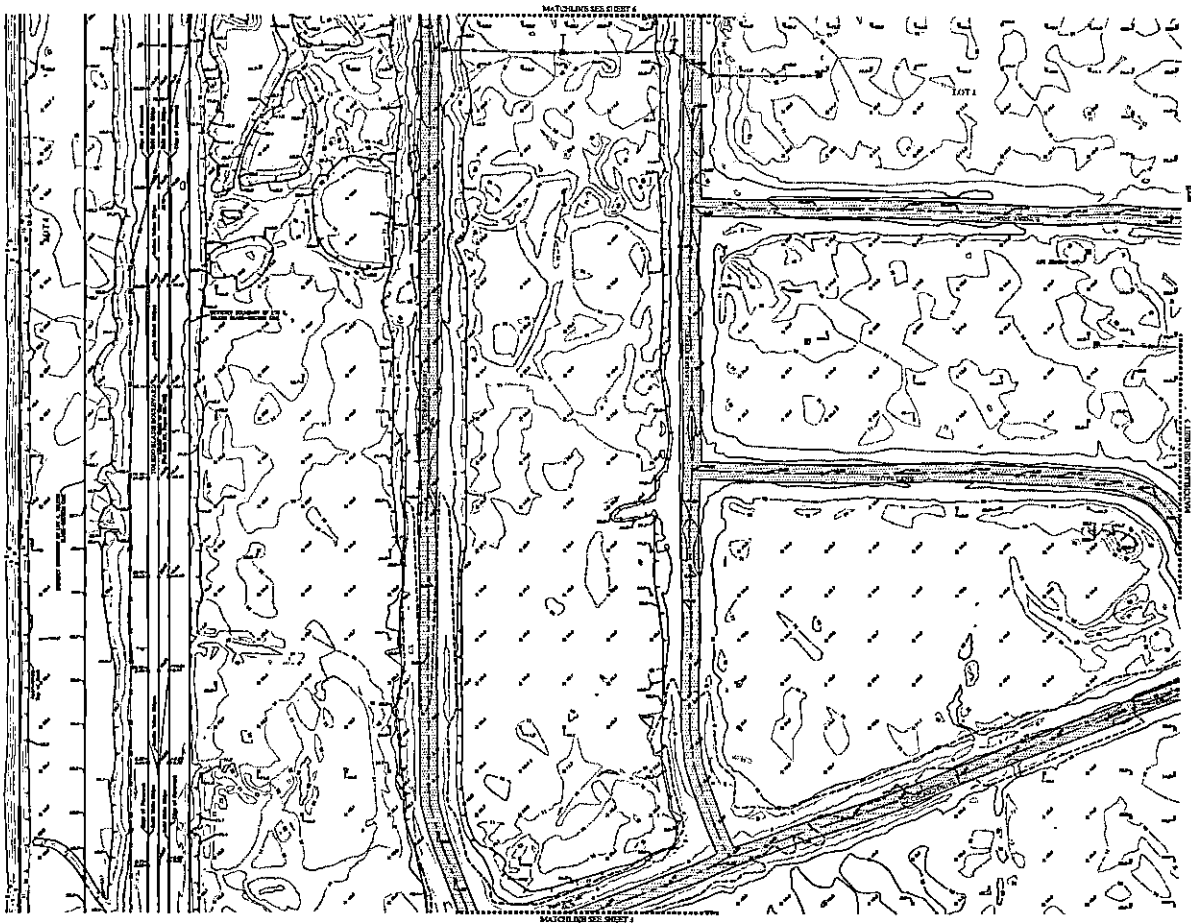
KNW



www.geopointinc.com 	North Florida 47 W. Oakleaf Blvd Tallahassee, FL 32310 Phone: 904.875.6224	Central Florida 122 N. Florida Blvd., Suite 1540 Orlando, Florida 32812 Phone: 407.270.2144	Boundary and Topographic Survey PREPARED FOR: RES - KLP VCHgr Real LLC LICENSE # 16	See Sheet 1 for Contourlines, Spot heights, & Reinforcing Not used unless all shown
	West Florida 2111 N. Dale Street Tampa, Florida 33613 Phone: 813.214.2123 Fax: 813.214.2100	East Florida 1111 East New Haven Road Ft. Lauderdale, Florida 33304 Phone: 954.911.2722		



<p>www.geopointinc.com License # 03 7784</p> <p>GeoPoint Surveying, Inc.</p>		<p>North Florida 4700 W. US Highway 90 Panama City, FL 32404 Phone: 904.764.4828</p> <p>West Florida 3115 South 30th Tampa, Florida 33629 Phone: 813.878.2222 Fax: 813.878.1244</p> <p>Central Florida 3700 University Blvd., Suite 2000 Orlando, FL 32817 Phone: 407.878.8747</p> <p>East Florida 1111 South West 11th Street Ft. Lauderdale, Florida 33304 Phone: 954.344.2728</p>
<p>Boundary and Topographic Survey</p> <p>PROJECT NO: MS - 44, 1st 1/2 Sec. 11-C</p> <p>LOCATED IN: Section 12, Township 40 S., Range 21 E., Charlotte County, Florida</p>		<p>See Sheet 4 for Certification, Signature, & Return Fee and Return of Sheets</p> <p>SHEET: 03-d-09</p>



www.geopoint.com
 47 W. Campbell Blvd
 Raleigh, North Carolina 27617
 Phone: 919.748.0118

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 Surveying, Inc.

North Florida
 47 W. Campbell Blvd
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 Phone: 919.748.0118

South Florida
 211 South Blvd
 Tampa, Florida 33610
 Phone: 813.248.4334
 Fax: 813.248.2842

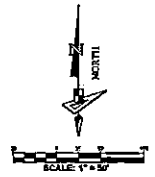
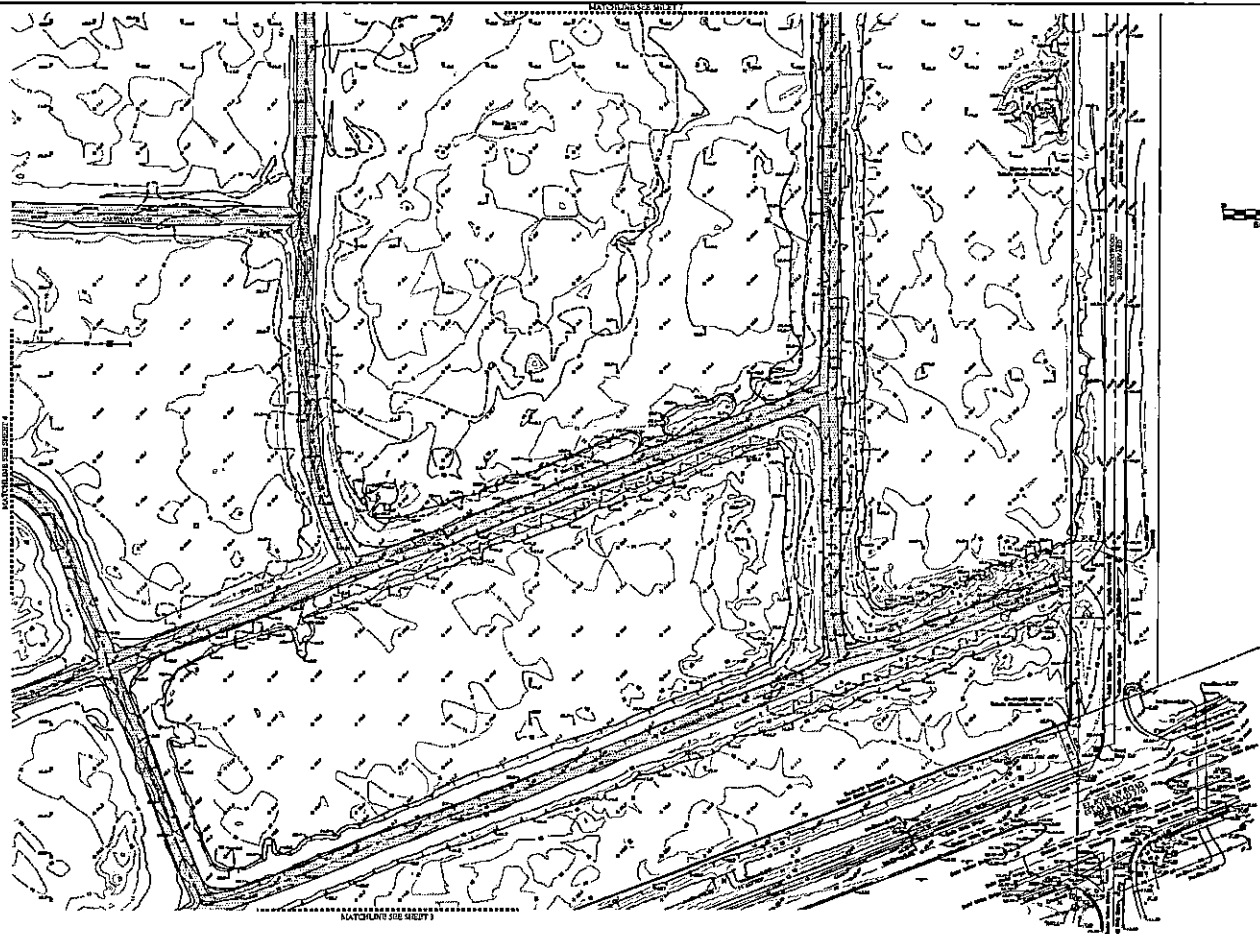
Central Florida
 222 Northside Blvd., Suite 300
 Altamonte Springs, Florida 32714
 Phone: 407.877.0000

East Florida
 1111 West New Haven Blvd
 Suite 104
 Panama Beach, Florida 32413
 Phone: 904.874.0200

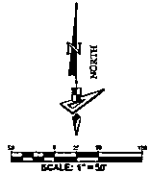
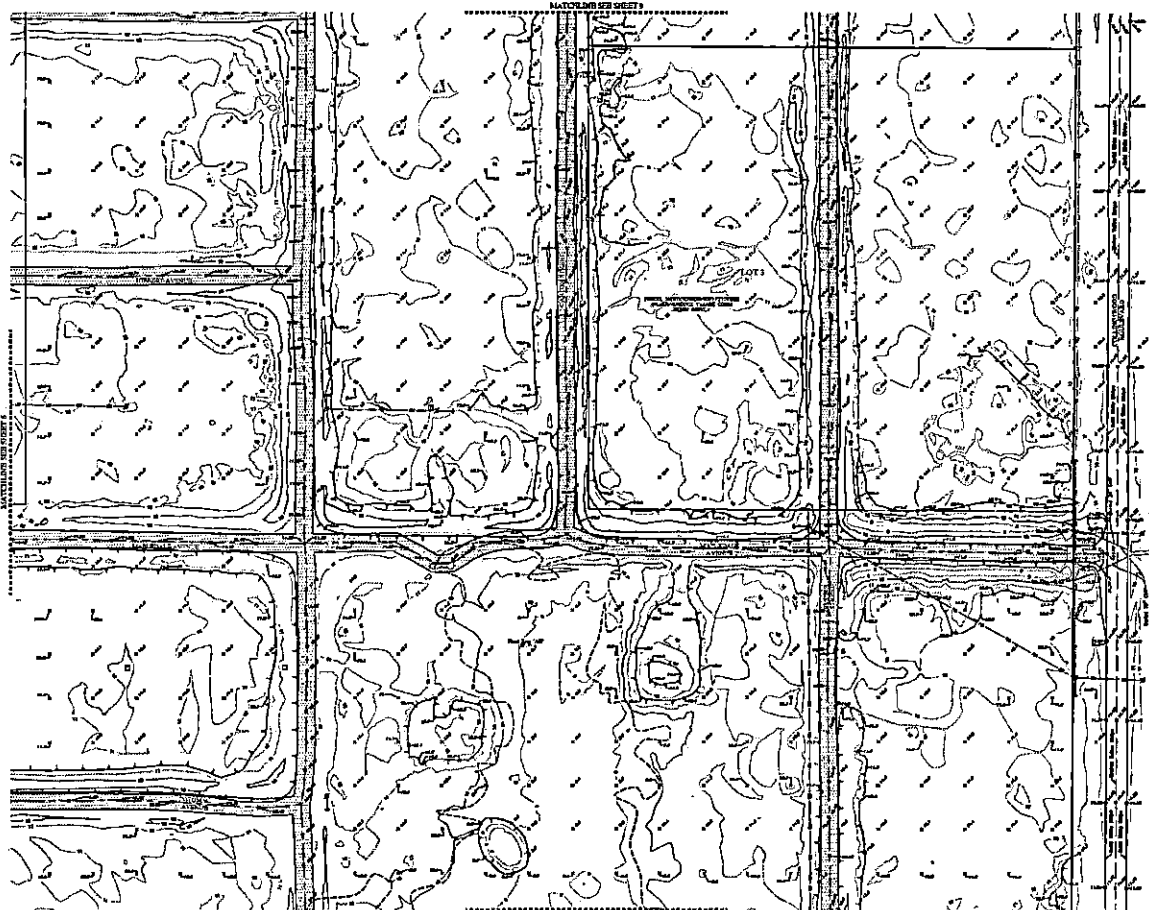
Boundary and Topographic Survey
 PREPARED FOR:
 BLS - 101 107 MILLERS BOAT LLC
 LICENSED TO:
 Section 12, Township 40 S., Range 21 E., Charlotte County, Florida

See Sheet 1 for
 Certification,
 Signature, & Seal/Stamp.
 Not valid without 20 Sheets

SHEET: 04 of 09



<p>www.geopointinc.com PLS 13 7963 GeoPoint Surveying, Inc.</p>	<p>Florida Florida PLS 13 7963 PLS 13 7963 PLS 13 7963</p>	<p>Central Florida PLS 13 7963 PLS 13 7963 PLS 13 7963</p>	<p>Boundary and Topographic Survey PLS 13 7963 PLS 13 7963 Section 12, Township 40 S., Range 21 E., Charlotte County, Florida</p>	<p>See Sheet 1 for Certification Signature, & Registration No. 13 7963 SHEET: 05 of 09</p>
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 North Florida
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 Offices Under 1500
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GeoPoint
 Surveying, Inc.

West Florida
 315 South Street
 Tampa, Florida 33602
 Phone 813 251-2222
 Fax 813 251-2262

Central Florida
 215 Woodloch Blvd., Suite 1000
 Orlando, Florida 32804
 Phone 407 251-2262

East Florida
 1411 Woodloch Home Bldg
 Ft. Lauderdale, Florida 33304
 Phone 954 564-7200

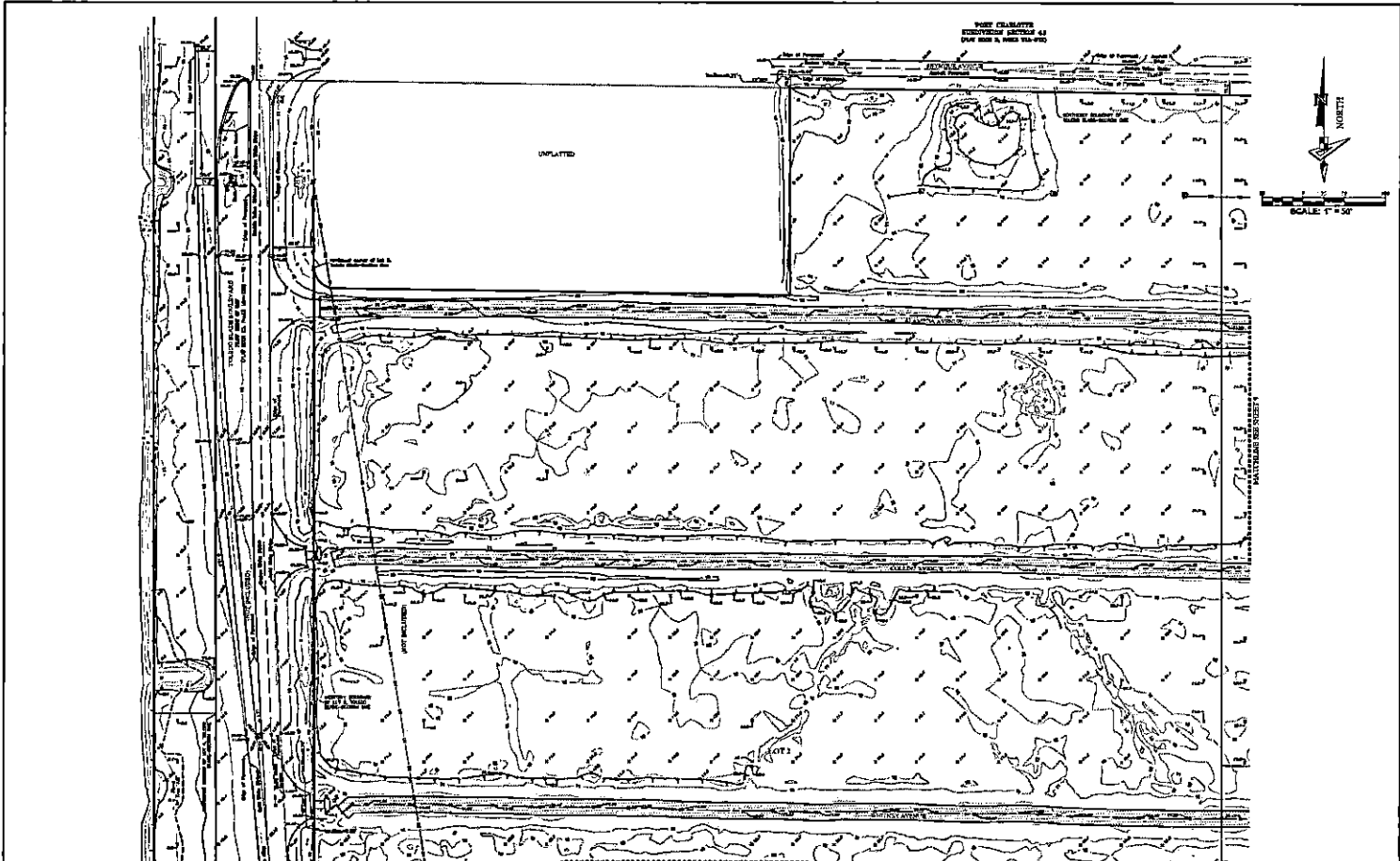
Boundary and Topographic Survey

PROJECT #101
 RLS - RT WP Village Rest LLC
 6600712 01

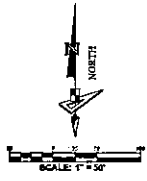
Section 12, Township 40 S., Range 21 E., Charlotte County Florida

See Sheet 1 for
 Certificate,
 Signature, & Notarization.
 Not valid without all sheets.

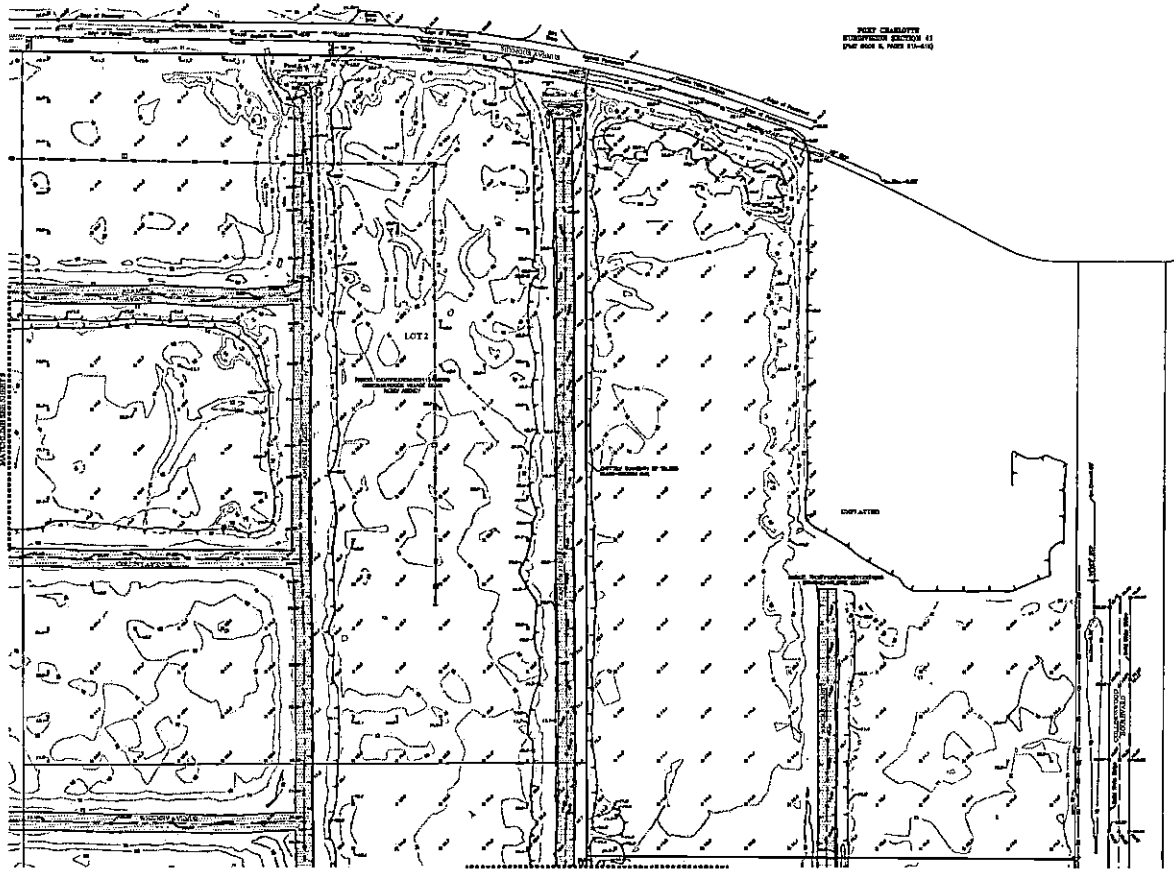
SHEET: 07 of 09



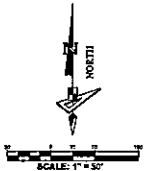
THIS SURVEY
 REPRESENTS SECTION 42
 OF THE 21ST RANGE



<p>Professional Seal License No. 61794 GeoPoint Surveying, Inc.</p>	<p>North Florida 47 So. Campbell Blvd. Tallahassee, Florida 32310 Phone: (904) 748-0226</p>	<p>Central Florida 112 South St. John's Ave. Orlando, Florida 32801 Phone: (407) 763-0168</p>	<p>Boundary and Topographic Survey PREPARED FOR: BLS - B.L. SURVEYING AND LLC LICENSE NO. 160210 Section 12, Township 30 S., Range 21 E., Charlotte County, Florida</p>	<p>See Sheet 1 for Certification, Signature, & Remarks. Not valid in case of Survey SHEET: 08 of 09</p>
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NEED CHARLOTTE
 IMPROVEMENT SECTION 11
 (Part of Sec. 8, T21S-R1E)



<p>www.geopoint.com GeoPoint Surveying, Inc.</p>	<p>North Florida 6700 W. Campbell Road Jacksonville, Florida 32217 Phone: 904.734.0215</p>	<p>Central Florida 327 Hamilton Blvd., Suite 1000 Altamonte Springs, Florida 32714 Phone: 407.579.8242</p>	<p>Boundary and Topographic Survey PREPARED FOR: RLS - KL WSP Vantage Real LLC LOCATED IN: Section 12, Township 40 S., Range 21 E., Charlotte County, Florida</p>	<p>See Sheet 1 for Contourlines, Signature, & Revisions. Not valid without all Sheets SHEET: 09 of 09</p>
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PD Conditions for Application PD-24-17 Revisions to PD Conditions as Established in Ordinance Number 2020-008

Recommended Conditions of Approval:

Entitlements: 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 entitlements:

Project Summary

<u>Area</u>	<u>154.93± Acres</u>
 <u>Residential Uses</u>	
Single Family	350 Units
Multi-Family	220 Units
Multi-Family (Affordable)	100 Units
<u>Total Residential</u>	<u>670 Units</u>
 <u>Commercial Uses</u>	
Regional commercial space (retail/service)	250,000 square feet
<u>Total Commercial Space</u>	<u>250,000 square feet</u>
 <u>Regional commercial space (hotel)</u>	
	<u>150 keys</u>
 <u>Governmental Use</u>	
	<u>150,000 square feet</u>

a)

- i) As established in the Preliminary Decision of Determination of Vested Rights for Murdock Village, dated March 25, 2009 and effective as final April 9, 2009, the initial development entitlements granted include:
 - (1) 432,434.00 square feet of Regional commercial space
 - (2) 802,396.94 square feet of Other commercial space
- ~~ii) As established in the Agreement for Purchase and Sale between the Murdock Village Community Redevelopment Agency and Lost Lagoon Development LLLP, dated October 24, 2017, the final development entitlements include:

 - (1) 2,000,000 square feet of commercial, retail, restaurant, destination entertainment, and accessory storage uses.
 - (2) Two conference centers.
 - (3) Hotels totaling 1,250 keys.
 - (4) 45 acres for a water park.~~
- iii) Entitlements established in the Agreement for Purchase and Sale may be considered Regional Commercial, Community Commercial, or General Commercial, as established according to the Murdock Village Equivalency Matrix included in Section 6 of Charlotte 2050 FLU Appendix I: Land Use Guide. Specific uses shall be classified as follows:



- ~~(1) Commercial uses may be considered Community Commercial or General Commercial.~~
- ~~(2) Retail uses may be considered Community Commercial or General Commercial.~~
- ~~(3) Restaurant uses may be considered Community Commercial or General Commercial.~~
- ~~(4) Destination entertainment uses may be considered Regional Commercial only.~~
- ~~(5) Accessory storage uses may be considered Community Commercial or General Commercial.~~
- ~~(6) Hotels with conference centers may be considered Regional Commercial only.~~
- ~~(7) Other hotels may be considered Community Commercial or General Commercial.~~
- ~~(8) Water park uses, including offices, maintenance areas, and other "back-of-house" uses, may be considered Regional Commercial only.~~

~~iv)ii) Initial/Approved development entitlements may be increased in one land use category and concurrently reduced in another land use category to achieve the final development entitlements according to the Murdock Village Equivalency Matrix included in Section 6 of Charlotte 2050 FLU Appendix I: Land Use Guide through the procedure established in Article XXVI: Vested Rights of the Charlotte County Code of Laws and Ordinances (County Code). All applications for Preliminary/Final Detail Site Plan Approval shall include calculations supporting any proposed exchanges using the Equivalency Matrix, together with a running total of remaining entitlements.~~

~~v) Commercial use types shall not exceed the following maximums:~~

- ~~(1) Regional Commercial uses shall not exceed 1,200,000 square feet gross leasable area.~~
- ~~(2) Community Commercial uses shall not exceed 400,000 square feet gross leaseable area.~~
- ~~(3) Other Commercial uses shall not exceed 2,291,448 square feet gross leasable area.~~

~~vi) Uses established within a hotel structure or site such as restaurants, bars, limited retail, or personal services including spas or salons shall be considered accessory uses of the hotel and be included in the hotel's development entitlements, not as separate commercial uses.~~

~~b) Land use categories within this Planned Development shall be considered General Commercial, Community Commercial, or Regional Commercial, as established in the Murdock Village Mixed Use Future Land Use Map designation contained in FLU Appendix I.~~

Development and Phasing:

~~e)b) Development on the subject property shall occur as generally illustrated on the General Planned Development Concept Plan (Attachment 1: Planned Development Concept Plan for West Port Village) submitted by the applicant, prepared by Morris Engineering & Consulting, LLC/Banks Engineering, dated January 28, 2019/January 24, 2025, except such modifications as may be required to meet the conditions of the Planned Development zoning district. In addition, the Site Plan Review (Petition No. DRC-18-0004624-234) conditions/comments of approval according to the letter dated February 43, 2019/2025, and signed by Shaun Cullinan, Charlotte County Zoning Official, are required to be met. Such General PD Concept Plan shall be valid until a Final Detail Site Plan is approved per Section 3-9-45, Planned Development (PD).~~

~~d)c) No development activity shall occur prior to Final Detail Site Plan approval for each phase of the development. A request for Final Detail Site Plan approval will be placed on the Board of County Commissioner's consent agenda.~~

e)d) _____ This Planned Development may be developed in phases, and a phase may consist of one building or of multiple buildings and structures. Each phase shall ~~shall~~ may submit a concept plan for review through the Site Plan Review process.

f) ~~Each phase shall submit the following as part of its Preliminary Site Plan approval:~~

- ~~i) Anticipated land uses within the conceptual plan boundaries, including entitlements used.~~
- ~~ii) Tract boundaries, where applicable.~~
- ~~iii) Conceptual design of the vehicular, pedestrian, and bicycle transportation networks, including designation of street types as established in Condition "p".~~
- ~~iv) Landscaping plans.~~
- ~~v) Parking studies.~~
- ~~vi) Lighting plans.~~
- ~~vii) Signage plans.~~
- ~~viii) Utility layouts.~~
- ~~ix) Stormwater management plans.~~
- ~~x) Any additional details deemed necessary.~~

Uses:

g)e) _____ The following uses may be permitted:

- ~~i) Amphitheater~~Animal hospital.
- ii) Art, dance, music, photo studio or gallery.
- iii) Auditorium, convention center, performing arts center.
- iv) Bank, financial services.
- v) Bar, cocktail lounge, nightclub, tavern.
- vi) Boat, travel trailer and motor vehicle sales, including recreational vehicles and campers, provided that the use is showroom-only and no vehicles are stored on-site.
- ~~vii) Business services.~~
- ~~viii) Clubhouse, community center.~~
- ~~vii)ix) Cluster housing.~~
- ~~viii)x) Day care center, child.~~
- ~~ix)xi) Drive-through uses, subject to the following conditions:~~
 - (1) All drive-through lanes shall only be accessed from an alley.
 - (2) Stacking lanes shall not encroach on any public right-of-way.
 - (3) Drive-through uses shall not be located at intersections.
- ~~x)xii) Drug store, pharmacy.~~
- ~~xi)xiii) Dry cleaner.~~
- ~~xii)xiv) Emergency services.~~
- ~~xiii)xv) Essential services (see Section 3-9-71, essential services.).~~
- ~~xiv)xvi) Fences or walls, which may be permitted prior to the principal uses and structures.~~
- ~~xv) Gas stations, subject to the following conditions:~~
 - (1) Pumps must be placed behind or to the side of the primary structure.
 - (2) If located at an intersection, the primary structure must be placed at the property corner abutting the intersection.
 - (3)xvii) All street frontages of the primary structure must have customer entrances.

- ~~xvi)~~xviii) _____ General offices.
- ~~xvii)~~xix) General retail sales and services (see Section 3-9-61, accessory outdoor retail sales, display, and storage).
- xx) Government uses and facilities.
- xxi) Hospital.
- ~~xviii)~~xxii) _____ Hotel, motel, inn.
- xxiii) Laboratories, class 1, 2, 3.
- xxiv) Laundromat.
- ~~xix)~~xxv) Liquor, package store.
- xxvi) Medical or dental office, clinic.
- xxvii) Model homes.
- xxviii) Motor vehicle wash.
- xxix) Multi-family residential buildings, including duplex, triplex, and townhomes.
- ~~xx)~~xxx) Noncommercial vehicle rental.
- ~~xxi)~~xxxii) Outdoor market or exhibition space, including but not limited to 4H-type exhibitions.
- ~~xxii)~~xxxiii) _____ Paid or public parking lot, garage, structure.
- ~~xxiii)~~xxxiv) _____ Private off-site parking.
- ~~xxiv)~~xxxv) _____ Personal services.
- xxxvi) Place of worship, the minimum property size for such use is two acres.
- xxxvii) Post office.
- xxxviii) Private club.
- ~~xxv)~~xxxix) _____ Professional services.
- ~~xxvi)~~xl) _____ Recreation, indoor.
- ~~xxvii)~~xli) _____ Recreation, outdoor.
- xlii) Restaurant.
- xliii) Single-family attached homes.
- ~~xxviii)~~xliiii) _____ Single-family detached homes, which may have a guest suite that is structurally attached, with or without cooking facilities.
- ~~xxix)~~—Uses and structures which are customarily accessory and clearly incidental to primary uses and structures, including but not limited to the following:
 - (1) _____ Infrastructure associated with alternative energy production for the development, including as part of parking lot landscaping consistent with condition “vv”.
 - (2) _____ Telecommunications facilities for the internal operations of the development, including management, maintenance, and similar activities.
 - (3) _____ Vehicle fueling, repair, and washing facilities for use by the internal operations of the development. These facilities shall not be open to the general public.
- ~~xxx)~~xliiv) Water park with a recreational vehicle park as an accessory use subject to the following conditions:
 - (1) This use shall contain no more than 20 recreational vehicle sites at no more than one location within this Planned Development.
 - (2) Development standards:

Minimum site area (s.f.)	3,000
Minimum site width (ft.)	40
Minimum setbacks (ft.)	

Park:	
Outer boundary	25
Abutting water	20
Sites:	
Street sides	10
Interior sides	5
Maximum percent coverage	
Park	60
Sites	40
Maximum height (ft.)	
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~~(3) Each site shall be connected to public potable water and sanitary systems. If recreational vehicle sites are to be provided to recreational vehicles that have no bath or toilet facilities, then those sites shall be located not more than 200 feet from approved shower and toilet facilities.~~

~~(4) The park shall have an appropriate fire protection plan and appropriate base facilities for fighting fire, approved by Charlotte County Fire/EMS.~~

~~h) Vertical mixed use of permitted uses shall be allowed, provided that the design, form, and size limitations established in these conditions are followed.~~

Streets and Circulation:

~~i)f) All new development shall have access to an improved public street, private street, recorded easement, or alley or be part of a common fire access plan. A private access easement that provides the opportunity for a future street connection shall not be considered a driveway for the purpose of determining access.~~

~~j)g) Streets shall be designed to prioritize the ease of pedestrian and bicycle movement and safety, and to encourage slower vehicular operating speeds.~~

~~k)h) Unless otherwise established by these conditions, all roadways within the subject property shall be constructed to Charlotte County standards. All private roadways shall be required to be maintained by the developer, and subsequently, a property owners association, Community Development District or a similar entity.~~

~~l)i) Road surfaces may be constructed of alternative materials such as pavers, subject to approval by the County Engineer and Charlotte County Fire/EMS and, if intended to be publicly dedicated, a maintenance agreement with the County.~~

~~m) A variety of curb types may be used, subject to approval by the County Engineer, including vertical or ribbon curbs, subject to stormwater needs, or mountable curbs where necessary for fire access.~~

~~n) Streets shall be classified according to the following types:~~

~~i) Perimeter Streets: Existing streets bounding the perimeter of the site, including El Jobean Road (SR 776), Toledo Blade Boulevard, and Collingswood Boulevard.~~

~~ii) Primary Streets: Streets that provide connections from the Secondary and Local Streets to the Perimeter Streets.~~

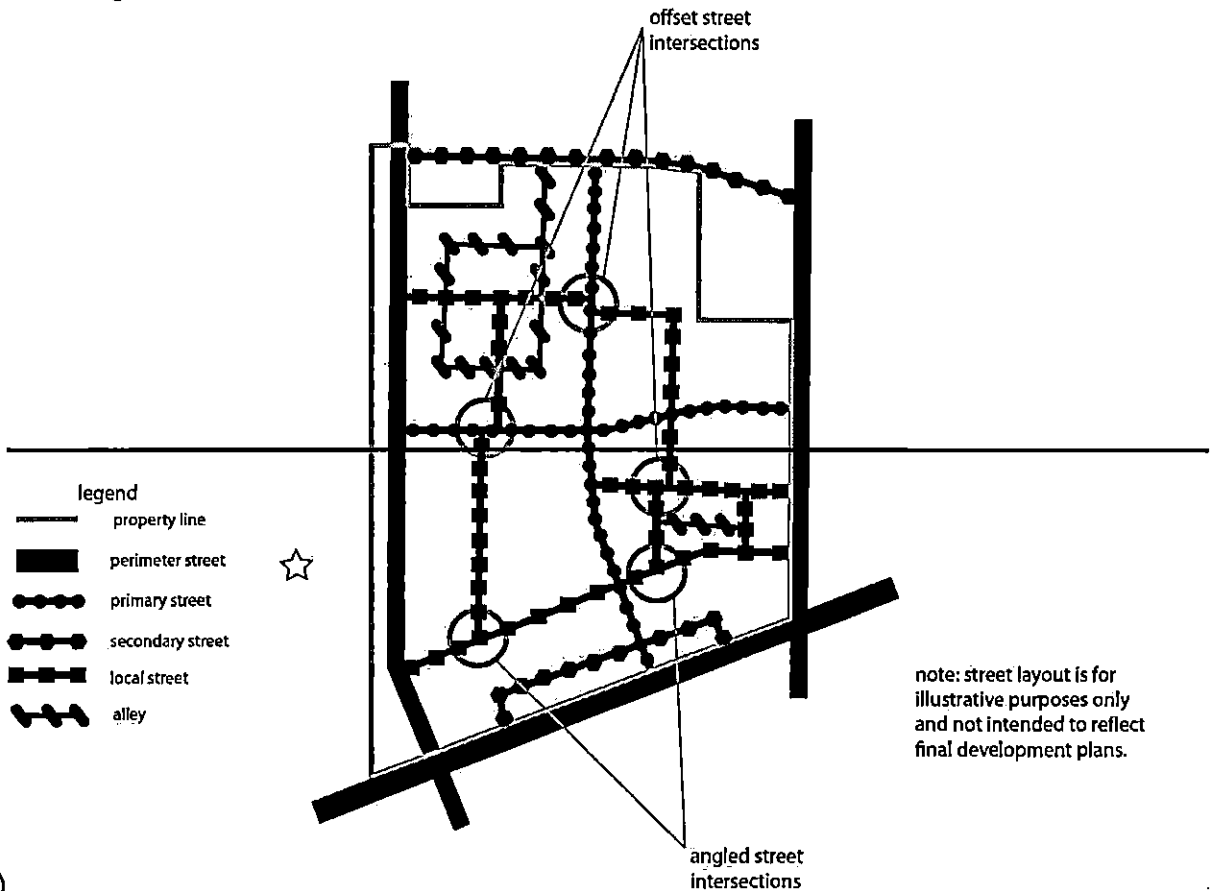
~~iii) Secondary Streets: Streets that provide access to commercial, workplace, and mixed use properties. Existing Seymour Avenue, or as it may be realigned or renamed, shall be considered a Secondary Street.~~

iv) ~~Local Streets: Streets that provide access to businesses and entertainment uses. These streets are intended to maintain low vehicle speeds and facilitate pedestrian and bicycle movements.~~

~~(1) Angled roadways and offset intersections are acceptable on Local Streets.~~

~~(2) Local streets should be laid out in a connected network. The use of cul-de-sacs should be minimized.~~

~~(3)j) Driveway access is not limited, but alley access and shared driveways are encouraged.~~



v)k)

~~Alleys: Alleys provide rear access to sites for parking access, refuse collection, utilities, and other services.~~

~~(1) The use of alleys is encouraged.~~

~~(2) Alley access points are permitted only onto Secondary Streets and Local Streets.~~

~~(3) Fire access shall not be required for alley design where adequate emergency service access exists along another street frontage.~~

o)l) Traffic calming solutions appropriate to each street type shall may be undertaken in the project to lower vehicular speeds and ensure a safe and comfortable environment for pedestrians, bicyclists, community electric vehicles, golf carts, and all road uses. All traffic calming solutions must be approved by the County Engineer. Acceptable traffic calming solutions include, but are not limited to:

- i) Roundabouts designed according to the criteria set forth in the latest edition of "Roundabouts, an Informational Guide," published by the Federal Highway Administration.
- ii) Centerline offsets.
- iii) Street trees.
- iv) Intersection control.
- v) Bump-outs.
- vi) Parking offsets.
- vii) Roadway curvature.
- viii) Low design speeds.
- ix) Other urban design approaches.

x) ~~Speed humps are not an acceptable traffic calming solution.~~

~~Right-of-way lines may intersect without a radius.~~

Blocks:

~~All block dimensions shall be measured from curb to curb. Right of way widths shall not be included in the measurement of block widths or depths.~~

~~Unless otherwise stated, block dimensions shall not exceed 660 feet by 400 feet and block depth to width ratios shall not exceed 1 to 4.~~

~~On sites 15 acres or larger, the site may contain one block with a maximum dimension of 660 feet by 660 feet for every 30 acres.~~

~~All sites shall have an internal circulation system connecting the blocks, forming an interconnected, grid-like system. This system may be made up of publicly dedicated rights-of-way, private streets, or a combination of both.~~

~~When a block dimension exceeds 660 feet, a mid-block pedestrian plaza shall be provided, allowing access to the opposite side of the block. This pedestrian plaza does not need to be placed at the exact mid point of the block, but shall be located no nearer any end of the block than one-third of the block dimension.~~

~~Contiguous green spaces are not subject to the block length requirements, but if the green space is longer than 150 feet it must include a pedestrian walkway with shared bicycle use as a mid-block connection every 150 feet.~~

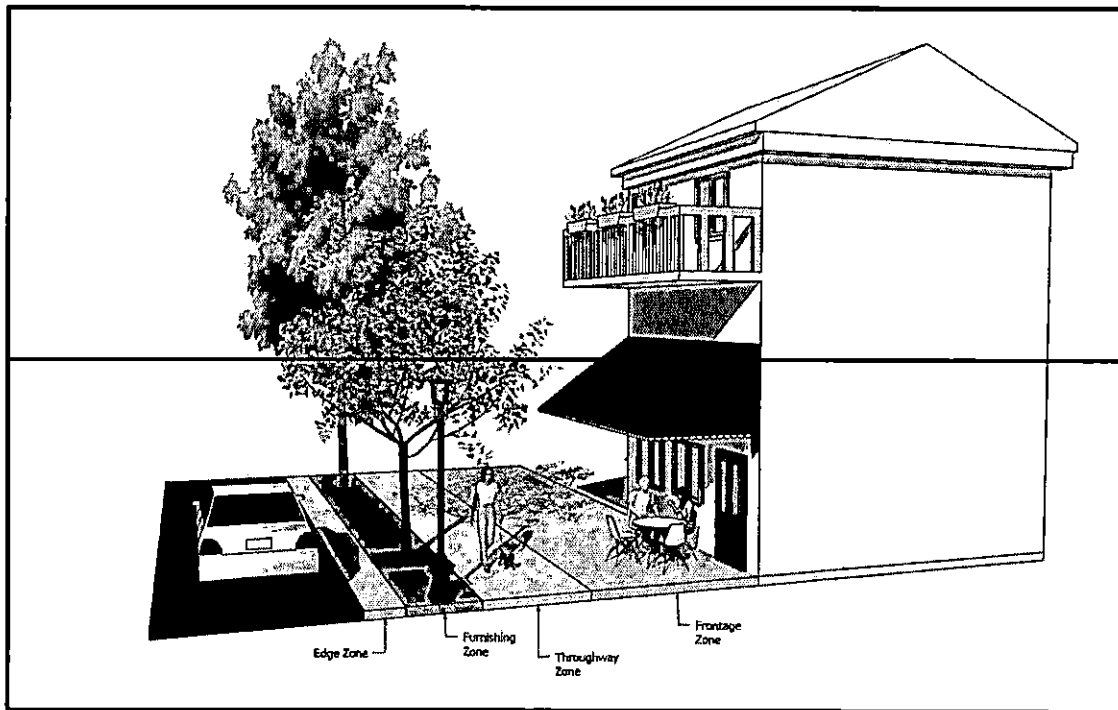
x) ~~The water park site shall be exempt from any maximum block size standards.~~

p)m) ~~Sidewalks or landscaped rights-of-way may be used for commercial or entertainment activities including, but not limited to, musical entertainment, sidewalk dining, sidewalk sales, display of merchandise, or temporary festivals.~~

q) ~~Sidewalk element zones are established as follows:~~

Zone	Required	Minimum Width (ft.)	Location	Purpose	Uses
Edge	∇	2	Closest to curb	Prevent damage by parking or passing cars to streetscape elements	Must be clear of permanent obstructions.
Furnishing	N	4	Between Edge and Throughway zones	Provide a buffer between pedestrians and vehicles	Public uses such as landscaping, street furniture, public signage, and street lighting.

					Private uses such as temporary signage and sidewalk dining.
Throughway	Y	6	Between Furnishing and Frontage	Provide unobstructed passage for pedestrians	Must be clear of permanent obstructions.
Frontage	N	0	Between Throughway and building facade	Provide outdoor accessory uses for primary uses fronting the street. May be partially or entirely outside of the right-of-way.	Private uses such as street furniture, temporary signage, merchant displays, and sidewalk dining.



Parking:

- r) ~~Parking in relation to the principal entrance of a use shall be provided according to the following standards:~~
 - i) ~~All parking must be within 1,200 feet of the principal entrance of the use served.~~
 - ii) ~~No more than 50 percent of the required parking may be located more than 600 feet away from the principal entrance of the use served~~
 - iii) ~~On-street parking may be included, provided that the on-street spaces are located within 600 feet of the principal entrance of the use served.~~

- ~~iv) Parking for the water park is exempt from these conditions, provided that all parking for the water park is located on the same parcel as the water park following Final Site Plan approval or any modifications thereto.~~
- ~~sn) Required parking shall be provided according to Section 3-9-79, Off-street parking and loading facilities, or through a parking study acceptable to the County. Such studies shall include considerations such as a joint parking and shared parking agreements, prepared to the satisfaction of the County Attorney, between two or more property owners establishing how parking areas will be shared, interconnected, how bicycle parking may be provided to reduce the number of automobile spaces, and how parking spaces used for electric vehicles, compact cars, motorcycles, golf carts or similar forms of transportation may be counted towards the minimum required amount of parking. On street, parallel parking in front of residential structures may be permitted. Residential buildings located along an alley may utilize their parking from the alley or the roadway as may be designed with individual tracts.~~
- ~~to) Parking lots may be used for temporary events such as outdoor seating, where applicable, provided that such temporary use does not result in a reduction of usable parking spaces to fewer than the minimum required parking for the site as established by Section 3-9-79, Off-street parking and loading facilities, or a parking study prepared in accordance with County regulations condition "u".~~
- ~~up) _____ Consolidated driveways are encouraged, with cross-access agreements between adjacent parking areas.~~
- ~~v) Driveways shall have a 15-foot radius.~~
- ~~w)g) _____ Parking spaces other than handicapped-accessible spaces may be a pervious material, approved by the County Engineer.~~
- ~~r) _____ Parking areas designated for limited use or overflow, such as for special events, may be grass or gravel.~~
- ~~x)s) _____ Dedicated spaces for electric vehicle charging may be placed within the residential and commercial areas.~~

Site and Building Design:

- ~~y)t) All development shall connect to public potable water and sanitary sewer service.~~
- ~~z) An applicant for a new phase shall include a Design and Development Standards (DDS) manual with the application for Site Plan Review. Alternatively, the applicant may choose to conform to the adopted DDS manual of an immediately adjacent phase. The DDS manual shall include an architectural pattern book prepared by a licensed architect, establishing the required architectural details for all structures within the phase. The costs of preparing the DDS manual shall be borne by the applicant.~~
- ~~aa) Lots:~~
 - ~~i) There shall be no minimum lot size.~~
 - ~~ii) There shall be no maximum lot coverage.~~
 - ~~iii) Setbacks are established based upon the street frontage of the lot, according to the street types established in Condition "p", and the following standards:~~
 - ~~(1) There are no required minimum setbacks along any lot line except along Perimeter streets, where there shall be a minimum setback of 10 feet.~~
 - ~~(2) The following maximum setbacks shall be required:~~

Street Type	Front	Side	Rear
Perimeter	20	20	None

Primary	15	40	20
Secondary	15	40	20
Local	40	40	20
Alley	N/A	None	None

The following development standards shall be applied:

<u>Use</u>	<u>Single-family detached</u>	<u>Single-family attached</u>	<u>Multi-family</u>	<u>Townhomes</u>	<u>Commercial</u>	<u>Amenities</u>
<u>Required Parking (spaces)</u>	<u>2/unit</u>	<u>2/unit</u>	<u>As Section 3-9-79</u>	<u>2/unit</u>	<u>As Section 3-9-79</u>	<u>One-half that required by Section 3-9-79</u>
<u>Minimum lot size (s.f.)</u>	<u>4,000</u>	<u>3,200</u>	<u>7,500</u>	<u>2,000</u>	<u>12,000</u>	<u>None</u>
<u>Minimum lot width (ft.)</u>	<u>40</u>	<u>35</u>	<u>80</u>	<u>20</u>	<u>100</u>	<u>None</u>
<u>Minimum front yard (ft.)</u>	<u>20</u>	<u>20</u>	<u>20</u>	<u>20</u>	<u>15</u>	<u>20</u>
<u>Minimum interior side yard (ft.)</u>	<u>5</u>	<u>5 exterior 0 interior</u>	<u>Half building height, not less than 7.5</u>	<u>5 exterior 0 interior</u>	<u>0</u>	<u>Half building height, not less than 7.5</u>
<u>Minimum side yard abutting road (ft.)</u>	<u>15</u>	<u>15</u>	<u>15</u>	<u>15</u>	<u>10</u>	<u>15</u>
<u>Minimum interior rear yard (ft.)</u>	<u>10</u>	<u>10</u>	<u>Half building height, not less than 7.5</u>	<u>10</u>	<u>10</u>	<u>Half building height, not less than 7.5</u>
<u>Minimum rear yard abutting road or alley (ft.)</u>	<u>15</u>	<u>15</u>	<u>15</u>	<u>15</u>	<u>10</u>	<u>15</u>
<u>Minimum rear yard abutting water (ft.)</u>	<u>15</u>	<u>15</u>	<u>15</u>	<u>15</u>	<u>20</u>	<u>15</u>
<u>Maximum building height (ft.)</u>	<u>38</u>	<u>38</u>	<u>60</u>	<u>38</u>	<u>60</u>	<u>38</u>
<u>Maximum lot coverage (%)</u>	<u>65</u>	<u>70</u>	<u>45</u>	<u>75</u>	<u>55</u>	<u>65</u>
<u>Accessory structure setbacks</u>	<u>Same as principal structure, except that provided there is at least 15 feet between the rear property line and the top of bank when adjoining water, the rear setback may be reduced to 5</u>					

bb)u) Building height:

- i) Maximum building heights shall be as noted in table above 450 feet.

v) All non-residential and multi-family development except for affordable housing is subject to the provisions of Chapter 3-5, Article XXIV, Commercial Design Standards, of the Charlotte County Code, as may be amended. In addition, at a minimum, each primary facade shall incorporate a minimum of five design treatments. All other requirements in Chapter 3-5, Article XXIV, Commercial Design Standards, of the Charlotte County Code shall apply.

ii) ~~Alternative structures, including rides or structures within the water park, may reach a maximum height of 170 feet.~~

ce) ~~Building orientation:~~

i) ~~No building shall have its rear facade facing a Perimeter Street. Facades facing Perimeter Streets shall be considered side or front facades and be designed with customer entrances and architectural features consistent with side or front facades. Along Collingswood Boulevard, buildings may have its rear facade face the street, provided that a Type "D" buffer with a wall, as defined in Section 3-9-100, is installed along the right-of-way.~~

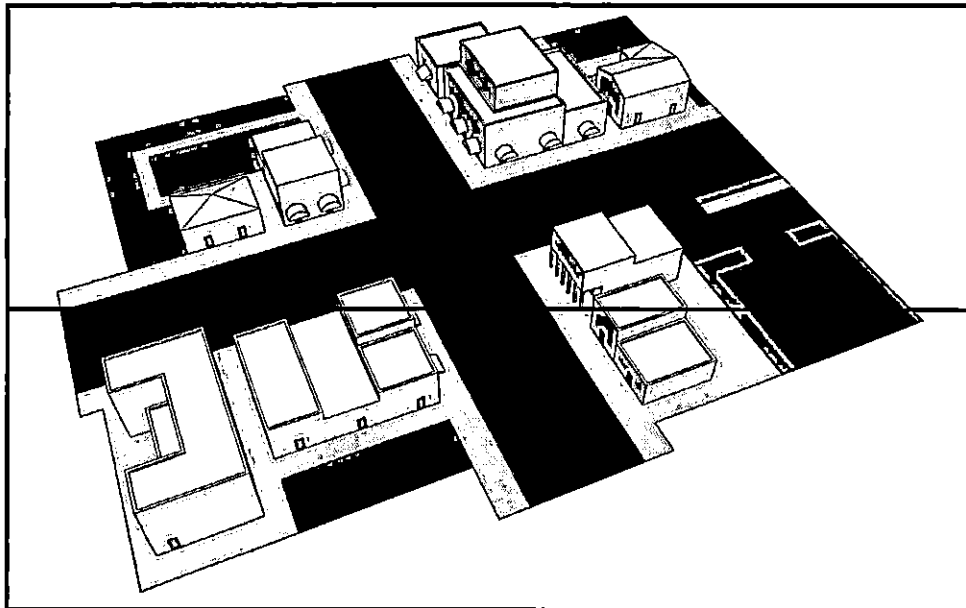
ii) ~~Building orientation along streets shall be designed to reinforce a sense of consistent streetscape.~~

iii) ~~Buildings shall be aligned with neighboring buildings in order to reinforce the street edge. Landscaping may be used to reinforce this line.~~

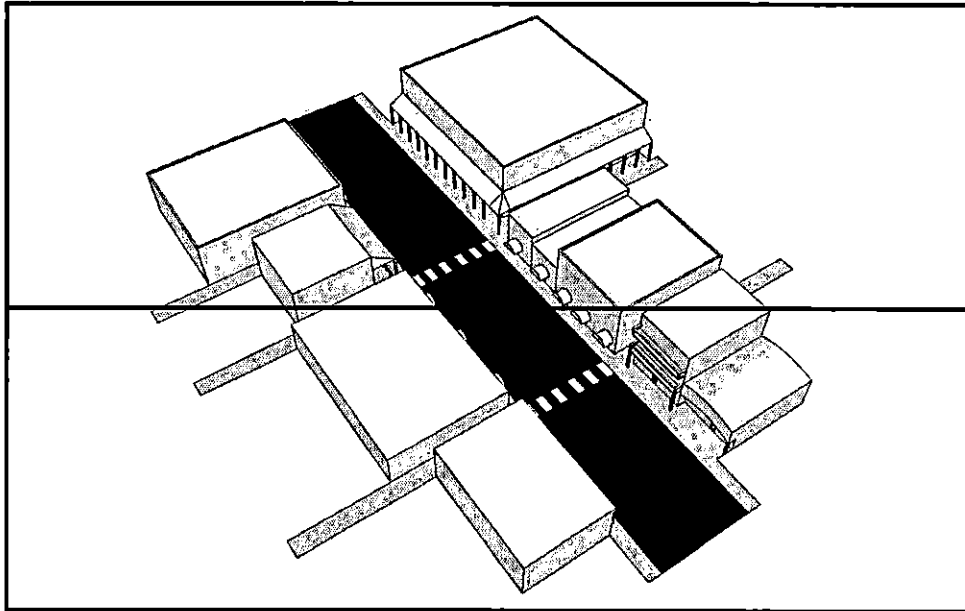
iv) ~~Buildings shall always be oriented so that the main entrances and windows are parallel to the street that serves the subject property. Main entrances shall be clearly identifiable from the street.~~

v) ~~When a phase involves more than one building, including proposed outparcel buildings, all primary and outparcel buildings shall be arranged and grouped so that their primary orientation complements the adjacent existing development and does one of the following:~~

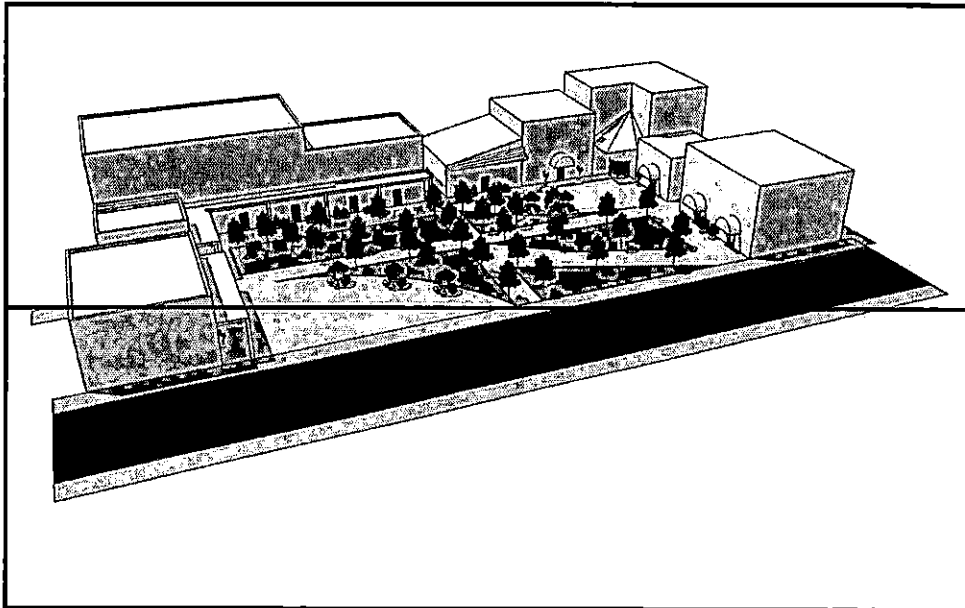
~~(1) Frames the corner of an adjacent street intersection.~~



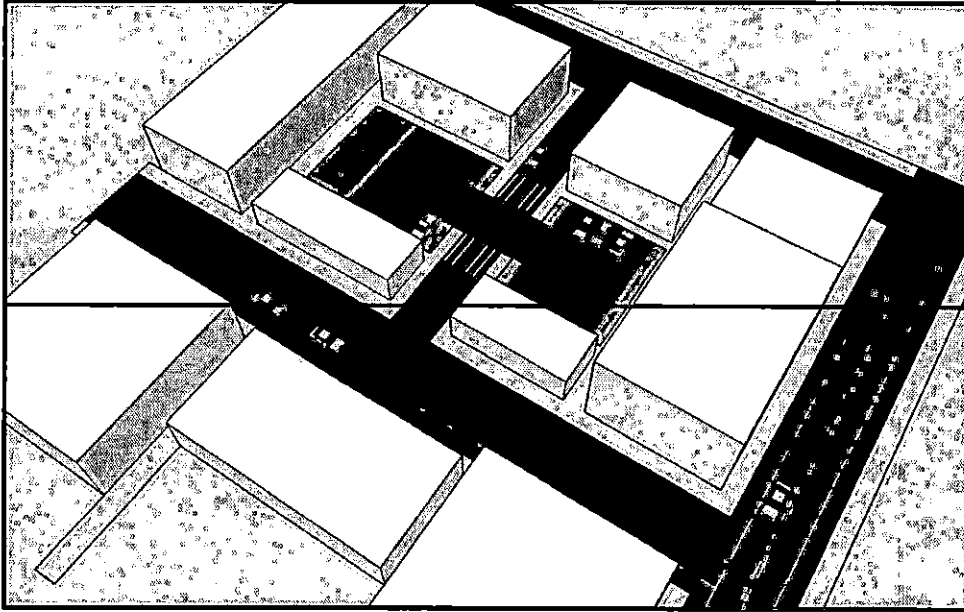
(2) Frames and encloses a "main street" pedestrian and vehicle access corridor within the phase.



(3) Frames and encloses on at least three sides public spaces or other site amenities.



~~(4) Frames a parking area where the buildings face the outer edge of the parcel.~~



- ~~vi) Corner lots shall place as much building mass near the intersection as possible to help anchor the lot and take advantage of high visibility.~~
- ~~vii) Buildings may front along a pedestrian plaza in place of fronting along a street. Any building located at the corner of a street and a pedestrian plaza shall include a public entrance along the street facade, even if the main entrance faces the pedestrian plaza.~~
- ~~viii) Buildings within the water park, as established through Final Site Plan approval, are exempt from these conditions.~~
- ~~dd) Roofs:~~
 - ~~i) Rooflines and roof features shall be consistent with the building's mass and scale.~~
 - ~~ii) To the maximum extent possible, all rooftop equipment shall be concealed from public view in a manner consistent with the architectural design of the building.~~
 - ~~iii) Mansard and shed roofs are prohibited.~~
 - ~~iv) Buildings with sloped roofs shall include dormers and gables along the front to maintain a prominent facade, when feasible.~~
 - ~~v) Buildings with sloped roofs shall provide roof overhangs.~~
- ~~ee) Refuse storage and dumpsters shall be enclosed from view, with a minimum six-foot high stockade fence or masonry wall and gate, or located within a concealing structure, except those that are placed on-site for construction purposes or are located on an alley.~~

- ~~ff) To the extent practicable, loading areas will be screened by buildings or other acceptable design solutions.~~
- ~~gg) Commercial outdoor displays of merchandise shall be permitted as an accessory use within the Frontage zone as established in Condition "v", subject to the following conditions:

 - ~~i) Such displays are only permitted during hours when the business is open.~~
 - ~~ii) Merchandise shall be stored indoors at night or be located within a secured area not located on the sidewalk or in front of the building.~~~~
- ~~hh) Utility easements shall generally be provided along all front and side lot lines, adjacent to the road right of way. They may be provided along other side and rear lot lines as deemed necessary for utility mains.

 - ~~ii) Where practical, gravity sewer lines should be located within a single street lane to minimize road closures in the event of repair activities. Manholes for those lines should be located in the center of the driving lane to allow vehicles to avoid them.~~~~
- ~~jj) All phases shall submit a lighting plan that meets the standards of Section 3-5-512.~~
- ~~kk) All phases shall submit a signage plan that meets the standards of Section 3-9-85 except as detailed below, which shall supersede the general standards.

 - ~~i) Monument signs are required.~~
 - ~~ii) Signs within a phase shall maintain a consistent design.~~~~

Landscaping:

- ~~ll) Each phase shall be developed with a unified landscaping theme.~~
- w)
- ~~mm) All development within a phase shall be designed in a manner that takes advantage of the presence of existing heritage trees by including them as focal points within the development.~~
- ~~nn) Large canopy trees shall not be planted or located within eight feet of any potable water or sanitary sewer mains except where approved special provisions for root impacts are incorporated.~~
- ~~oo) Low Impact Development design criteria shall be used in the development and construction of all stormwater management facilities subject to approval by the County Engineer and the Southwest Florida Water Management District.~~
- ~~pp) The area between a building's facade and the sidewalk should be landscaped with a balance of hardscape and softscape or be designed for activating uses such as sidewalk dining or street furniture.~~
- ~~qq) Landscaped areas should be configured as usable open space for the enjoyment of tenants, employees, and the public to the extent practicable rather than solely as visual buffers.~~
- ~~rr) Landscaped buffers shall not generally be required to separate lots, uses, or areas. Screening elements may be used to screen parking areas and to screen service yards, dumpsters, and other similar areas from public view.~~
- ~~ss) Landscaping requirements may be met by plantings in containers, or with contributions to landscaping in the right of way or in adjacent civic space.~~
- ~~tt) Parking lot landscaping shall meet the standards of Section 3-9-100.2 except as detailed below, which shall supersede the general standards:

 - ~~i) Trees may be contained in tree wells or other arrangements as long as trees have sufficient non-compacted soil for healthy growth or are of a species that grows well in compacted soil.~~
 - ~~ii) Earthen berms are prohibited.~~
 - ~~iii) Landscape areas are not required to have curbs.~~~~

iv) ~~Landscape islands may be combined as a component of a stormwater management plan.~~

v) ~~Landscape islands may be omitted for solar panel installations or other shading structures of equal or greater coverage.~~

x) Alternative landscaping designs for parking areas may be approved if they meet the intent of Section 3-9-100.2 and this Planned Development. Such alternative designs shall be reviewed as part of the Site Plan Review process, and approved as part of the Final Detail Site Plan by the Board on its consent agenda.

y) The five percent open space/habitat reservation is not required, nor is the payment in lieu of reservation, provided that each development tract provides at least 20 percent open space.

z) A 25-foot perimeter setback for the entire PD site is not required except for portion of the property located along SR 776.

The following standards shall apply to the 25-foot buffer for commercial/retail development on parcels abutting SR 776:

<u>Buffer</u>	<u>Depth</u>	<u>Supplemental Landscaping</u>	<u>Signs per Section 3-9-85</u>
<u>Area 1 (the area immediately adjacent to SR 776)</u>	<u>15 feet</u>	<u>Accent trees and canopy trees shall be allowed.</u>	<u>Permitted</u>
<u>Area 2</u>	<u>5 feet</u>	<u>Accent trees and canopy trees shall be allowed. Perimeter hedge row shall be a minimum height of 36 inches upon planting.</u>	<u>Not permitted</u>

1. Removal of all exotic and invasive vegetation is required in Area 1 and Area 2. All vegetation shall be retained in Area 1 during construction until installation of any building roof structures has commenced.

2. Preservation of existing native trees if applicable shall be required, except as provided below.

3. Accent trees and canopy trees shall be incorporated with the existing native trees to achieve the equivalent of Type B buffer, including three canopy trees and one accent/understory tree per 100 linear feet. Perimeter hedge row (the minimum maintained height of 48 inches) to form a continuous, solid visual screen within one (1) year of planting shall be required.

4. Tree points are subject to the County code, section 3-9-100.3: Tree requirements.

5. Tree removal is subject to the County code, section 3-9-100.3: Tree requirements, except that:

- All trees less than eight inches DBH and palms less than 12 inches DBH, may be removed from Area 1.
- All trees may be removed from Area 2.
- Tree permits are required for removal of any trees with equal or greater than four-inch caliper and any palm with equal or greater than six (6) feet of clear trunk.

6. A tree barrier, which is used to prevent damage to tree root systems, shall be placed at grade and at the boundary of Area 1 ~~for the~~ for the duration of construction of the project.

However, the tree barrier shall be installed after consultation with county staff so that the tree barrier will not impact the existing tree root systems.

aa) Regarding the school concurrency issues:

- i) If the school concurrency process is still required under a valid interlocal agreement, prior to Final Detail Site Plan or Final Plat approval for any residential development for any Phases, the applicant/property owner must obtain a School Concurrency Availability Determination Letter (SCADL) from Charlotte County Public Schools (CCPS) indicating that sufficient capacity exists or has been accounted for through a binding and enforceable agreement with CCPS to address school concurrency.
- ii) If an agreement is required, the terms of both agreements shall be incorporated into the Planned Development Final Detail Site Plan approval and shall not constitute a major modification.

Attachment 1
Planned Development Concept Plan
for West Port Village

vi)



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

March 26, 2025

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

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. 2025-007, which was filed in this office on March 26, 2025.

Sincerely,

Alexandra Leijon
Administrative Code and Register Director

AL/dp



Ticket# 3954818-1
BCC Pg 2
5 x 11.5
Submitted by: Kimberly Sargent
Publish: 03/10/2025
163352 3954820

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

Before the undersigned authority personally appeared Jill Kelli Di Benedetto, 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)

03/10/25

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.

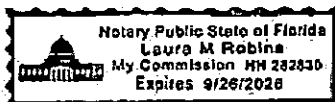
Jill Kelli Di Benedetto

(Signature of Affiant)

Sworn and subscribed before me this 10th day of March, 2025

Laura M Robins

(Signature of Notary Public)



Personally known OR Produced Identification

CRIME

CCSO: Impaired driver had kids in the car

FRANK DIFIORE
Staff Writer



Desimone Jr.

PUNTA GORDA — Authorities arrested a man for allegedly driving while impaired with two children in his car. Thomas Henry Desimone Jr., 38, was charged with one count of driving under the influence and two counts of child neglect without great harm.

One witness said Desimone stopped at a house and picked up a second child, after his vehicle rear-ended another car. The Punta Gorda Police Department received a call at 3:41 p.m. on March 2, reporting a reckless driver near Pompano Terrace and Shreve Street. The caller said that she had nearly been side-swiped by a minivan. She followed the minivan when it seemed to drive irregularly, and she later saw rear-end another vehicle. The rear-ended vehicle left "on their own accord," according to the report, as did the minivan. The caller also reported seeing a child

in the minivan. The minivan driver then stopped at another house, still being followed, and picked up another child before driving again. Police located a minivan matching the caller's description and stopped the driver on Tamiami Trail. According to the report, police observed two children in the car without age-appropriate car seats. The driver, identified as Desimone, allegedly had slurred speech and slow movement. Police did not report the smell of alcohol in the car. Desimone admitted to the rear-end crash, stating both parties had agreed not to contact law enforcement as it was a minor crash, according to the police report. He agreed to several field sobriety tests, after allegedly saying he was on a prescription medication. The name of the medication was redacted in the report, per state law. According to the report, Desimone failed three tests for sobriety and officers

chose to place him under arrest. During that search, two prescription bottles were found in his pocket as well as a black vape pen. One bottle was empty, while another had two white pills inside. The items were placed back in Desimone's pockets as he was put in the back of a patrol car. He was then left alone in the car while police consulted with Charlotte County Jail staff about medical clearance. When medical personnel arrived at the scene, police found Desimone with the black vape pen in his mouth and the white pills gone. After noting that his eyes had contracted, the suspect was transported to a hospital for medical clearance and treatment. At the hospital, Desimone allegedly consented to a blood sample for substance testing. Due to the move to Port Charlotte, a Charlotte County Sheriff's Office deputy had to be summoned to read him the implied consent form. PGPD also reviewed

internal video footage from the patrol vehicle, where they saw Desimone moving his handcuffed arms to be able to put the vape pen in his mouth. While it was not seen on video, the report also alleges that the video includes the sound of packaging being opened. Police later took Desimone to the county jail, but he was sent back to the hospital for medical clearance again when it appeared that he had trouble walking unaided. He was taken to Charlotte County Jail on Monday. At the time of his arrest, Desimone was on probation for a previous non-contact plea on charges of grand theft, criminal mischief, and driving with a suspended license. He was subsequently charged with two counts of probation violation and is currently being held without bond. Desimone's next court appearance is scheduled for April 7.

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17940 Toledo Blade Blvd., Port Charlotte

Annette Neumann, D.D. Board Certified Family Medicine

POLICE BEAT

Charlotte County Sheriff's Office reported the following arrests:

- Jennifer Monice Tyson, 37, 25100 block of Nocturne Lane, Punta Gorda. Charge: failure to appear. Bond: none.
- Cynthia Elizabeth Halye, 37, 400 block of Carahena St., Punta Gorda. Charge: battery. Bond: none.
- Shamane Brendyn Green, 31, 24100 block of Beatrix Blvd., Port Charlotte. Charges: DUI, refusal to accept or sign summons, refusal to accept testing after license suspended, possession of drug paraphernalia, possession of marijuana less than 20 grams, knowingly driving while license suspended. Bond: \$15,500.
- Daniel Lyn Fuller, 43, 4300 block of Eaglet Road, Port Charlotte. Charges: two counts of violation of probation release. Bond: none.
- Richard Lee Patterson III, 28, 2200 block of Lake-shore Circle, Port Charlotte. Charge: failure to appear. Bond: none.
- Ronald Allen Baugher, 52, 21900 block of Catherine Ave., Port Charlotte. Charges: fleeing or eluding law enforcement, resisting officer without violence. Bond: none.
- Michael Ray Gray, 57, 3100 block of Tolcan Terrace, North Port. Charge: DUI. Bond: \$750.
- Shawn Anthony Rice, 40, 3200 block of Smith St., Englewood. Charge: out-of-county warrant. Bond: none.
- Kyle Dean Dunda, 24, of Tampa. Charges: possession of a controlled substance, possession of drug paraphernalia. Bond: none.
- Timothy Joseph Raymond, 26, 100 block of Charlotte St., Punta Gorda. Charge: possession of a controlled substance. Bond: none.
- James Edward Wutke, 61, homeless of Port Charlotte. Charge: trespassing. Bond: \$10,000.
- Ashly Lynn Huffman, 36, 12200 block of Malta Ave., Port Charlotte. Charge: DUI. Bond: \$500.
- Justin Thomas Blosser, 36, 21300 block of Hepner Ave., Port Charlotte. Charge: resisting officer without violence, knowingly driving while license suspended. Bond: none.
- Johnny Junior Sanchez, 43, 18500 block of Ebb Ave., Port Charlotte. Charges: possession of a controlled substance, possession of drug paraphernalia, violation of probation. Bond: none.

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, DEVELOPMENTS 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 ON PROPOSALS AND PETITIONS AS DESCRIBED BELOW WILL BE CONDUCTED BY THE BOARD OF COUNTY COMMISSIONERS AT A REGULAR MEETING ON TUESDAY, MARCH 25, 2025, AT 2:00 P.M. 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, 1850 MURDOCK CIRCLE, PORT CHARLOTTE, FLORIDA. THE BOARD IS NOT SOUND 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/boards-committees/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 941-764-4903 AND MENTION THE PETITION NUMBER OF THE MATTER YOU WISH TO DISCUSS.

- PETITIONS LAND USE REGULATORY AGENDA**
- PAL-24-07** Legislative Commission District I
Pursuant to Section 163.318(4)(3), Florida Statutes, transmit to the Florida Department of Commerce and other State agencies for review and comment a Large Scale Plan Amendment to 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, 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; Petition No. PAL-24-07; Applicant: Bluegrass Land & Mines; providing an effective date.
- PD-24-17** Quasi-Judicial Commission District IV
An Ordinance, pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Planned Development (PD) to PD. This is a major modification amending Ordinance Number 2020-008, the adopted PD Concept Plan, and its associated PD Conforming uses; converting through the adopted equity matrix approved 8,474.79 square feet of regional commercial uses to 350 units of single-family units and approved 58,394.16 square feet of regional commercial uses to 320 multi-family units, in order to have a mixture of residential and commercial development up to 670 residential units, 250,000 square feet of regional commercial uses, 150 keys of hotel uses, and 150,000 square feet of other commercial uses for governmental uses; adopting a General PD Concept Plan; for multiple parcels, generally located north of El Jobean Road (SR 776), south of Seymour Avenue, east of the Como Waterway, and west of Collingswood Boulevard, within the boundary of the Murdock Village Community Redevelopment Area; in the Port Charlotte area; containing 154.93 acres; Commission District IV; Petition No. PD-24-17; Applicant: Kolter Group Acquisitions, LLC; providing an effective date.
- TCF-24-03** Legislative Commission District IV
Pursuant to Section 163.318(4)(3), Florida Statutes, an application to transmit a Large Scale Plan Amendment (Text Amendment) to the Department of Commerce and other State agencies for review and comment to amend Future Land Use (FLU) Appendix VII: Compact Growth Mixed Use Master Development Plan by revising Section I: West County Town Center, specifically: 1) changing the name of Section I from "West County Town Center" to "Harbor Village"; 2) amending the total acreage of this project from 1,187e to 1,174.14a acres; amending a) 1.A: Base Residential Density to decrease the base density from 1.831 units to 1.790 units; b) 1.B: Maximum Residential Density to reduce the residential development rights from 3,960 units to 3,475 units; c) 1.C: to rename and amend "Maximum Floor Area Ratio" to "Maximum Commercial and Light Industrial Intensity"; d) 1.D: to remove "Residential Conversion Easement" and replace with "Uses Permitted Within Area A. As Shown on Figure I-C, Above"; and e) 1.E: Master Development Plan to adopt a new Master Land Use Plan/Patent Book; for properties generally located southeast of McCall Road (SR 776) and southwest of the Myakka River, in the West County area; Petition No. TCF-24-03; Applicant: Maranda Homes LLC, of Florida; providing an effective date.
- PAL-24-04** Legislative Commission District IV
Pursuant to Section 163.318(4)(3), Florida Statutes, transmit a Large Scale Plan Amendment to the Florida Department of Commerce and other State agencies for review and comment; the amendment request is to 1) amend Charlotte County FLUM Series Map #1: 2030 Future Land Use from Compact Growth Mixed Use (CGMU)(1,081.75e acres) and Preservation (PR)(92.39e acres) to CGMU (1,010.62e acres) and PR (163.45e acres) in order to allow for a mixture of residential up to 3,475 units (a reduction of 485 units), commercial and light industrial uses up to 1,400,000 square feet (a reduction of 109,807 square feet); increasing the base density from 1.831 units or 1,790 units with an approved PD ordinance restricting development on Area A as identified on Figure I-A under Section 1 of FLM Appendix VII: Compact Growth Mixed Use Master Development Plan to low impact recreational uses/passive recreational uses; 2) amend Charlotte County FLUM Series Map #1: 2030 Framework, from Agricultural/Rural to Emerging Neighborhood for 28.01e acres of properties and 99.13e acres of properties from Emerging Neighborhood to Agricultural/Rural; and 3) amend Charlotte County FLUM Series Map #1: 2030 Service Area Delimitation, to extend the Urban Service Area boundary to include 28.01e acres of properties and to concurrently remove 99.13e acres of properties from the Urban Service Area; for properties generally located southeast of McCall Road (SR 776) and southwest of the Myakka River, in the West County area, containing 1,174.14a acres; Commission District IV; Petition No. PAL-24-04; Applicant: Maranda Homes LLC, of Florida; providing an effective date.
- SHOULD ANY 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 nondiscrimination policy involves every aspect of the County's functions, including access to and participation in meetings, programs and activities. FM Sound Enhancement Units for the Hearing Impaired are available at the Front Security Desk, Building A of the Murdock Administration Complex. Anyone needing other reasonable accommodation or auxiliary aids and services please contact our office at 941.764.4191, TDD/TTY 941.743.1234, or by email to David.Lyles@CharlotteCountyFL.gov.
- Published: March 10, 2025



Attachment 2
Ordinance Number 2020-008

CHG
BCE

FILED WITH THE DEPARTMENT OF STATE : January 29, 2020



ORDINANCE
NUMBER 2020 - 008

CHARLOTTE COUNTY CLERK OF CIRCUIT COURT
OR BOOK: 4533 PAGE 917 PAGE 1 OF 20
IISTR # 2781844 Doc Type: GOV
Recorded 1/30/2020 at 10:05 AM
Rec Fee RECORDING \$171.50
Cashier By: CARLEIEG

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AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM RESIDENTIAL MULTI-FAMILY 10 (RMF-10), RESIDENTIAL SINGLE-FAMILY 3.5 (RSF-3.5), OFFICE MEDICAL INSTITUTIONAL (OMI), AND COMMERCIAL GENERAL (CG) TO PLANNED DEVELOPMENT (PD), FOR PROPERTY BOUND BY SEYMOUR AVENUE TO THE NORTH, COLLINGSWOOD BOULEVARD TO THE EAST, EL JOBEAN ROAD (SR 776) TO THE SOUTH, AND THE COMO WATERWAY TO THE WEST, IN THE PORT CHARLOTTE AREA, CONTAINING 153.46 ACRES MORE OR LESS AND INCLUDING RIGHTS OF WAY FOR TOLEDO BLADE BOULEVARD AND THE COMO WATERWAY, FOR A TOTAL OF 173.31 ACRES MORE OR LESS; COMMISSION DISTRICT IV, CHARLOTTE COUNTY, FLORIDA; PETITION Z-18-07-35; APPLICANT, LOST LAGOON DEVELOPMENT, LLLP; PROVIDING AN EFFECTIVE DATE.

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RECITALS

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WHEREAS, in a public hearing held on Tuesday, January 28, 2020, the Board of County Commissioners of Charlotte County, Florida ("Board") reviewed Petition Z-18-07-35, submitted by applicant, Lost Lagoon Development, LLLP ("Applicant"), which requested a rezoning from Residential Multi-family 10 (RMF-10), Residential Single-family 3.5 (RSF-3.5), Office Medical Institutional (OMI), and Commercial General (CG) to Planned Development (PD) for property owned by Murdock Village Community Redevelopment Agency, whose address is 18500 Murdock Circle, Port Charlotte, Florida 33948, and described as property bound by Seymour Avenue to the north, Collingswood Boulevard to the east, El Jobean Road (SR 776) to the south, and the Como Waterway to the west, in the Port Charlotte area, containing 153.46 acres more or less and including rights of way for Toledo Blade Boulevard and the Como Waterway, for

MIN
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35 a total of 173.31 acres more or less; Commission District IV, Charlotte County,
36 Florida, and more particularly described in Exhibit "A" which is attached hereto
37 and provided herein ("Property"); and

38 WHEREAS, the Applicant seeks a rezoning from Residential Multi-
39 family 10 (RMF-10), Residential Single-family 3.5 (RSF-3.5), Office Medical
40 Institutional (OMI), and Commercial General (CG) to Planned Development (PD)
41 in order to allow for the construction of a mixture of retail, entertainment, and
42 hotel uses, including a water park, on the Property; and

43 WHEREAS, Petition Z-18-07-35 has previously been heard by the
44 Charlotte County Planning and Zoning Board ("P&Z Board") and, based on the
45 findings and analysis provided by County Staff and the evidence presented to the
46 P&Z Board, has been recommended for approval on January 13, 2020; and

47 WHEREAS, after due consideration, based on the findings and
48 analysis provided by County Staff and the evidence presented to it, the Board
49 has found that approval of Petition Z-18-07-35 is consistent with the County's
50 Comprehensive Plan, and that it meets the requirements for the granting of a
51 rezone; and

52 WHEREAS, based on the above findings, the Board has
53 determined it to be in the best interests of the County to rezone the subject
54 property from Residential Multi-family 10 (RMF-10), Residential Single-family 3.5
55 (RSF-3.5), Office Medical Institutional (OMI), and Commercial General (CG) to
56 Planned Development (PD).

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

59 SECTION 1. The following petition, made by applicant, Lost Lagoon
60 Development, LLLP, for an amendment to the Charlotte County Zoning Atlas is
61 hereby approved subject to the conditions contained in the attached Exhibit "B":

62 Petition Z-18-07-35 requesting rezoning from
63 Residential Multi-family 10 (RMF-10), Residential
64 Single-family 3.5 (RSF-3.5), Office Medical
65 Institutional (OMI), and Commercial General (CG) to
66 Planned Development (PD) for property bound by
67 Seymour Avenue to the north, Collingswood
68 Boulevard to the east, El Jobean Road (SR 776) to
69 the south, and the Como Waterway to the west, in the
70 Port Charlotte area, containing 153.46 acres more or
71 less and including rights of way for Toledo Blade
72 Boulevard and the Como Waterway, for a total of
73 173.31 acres more or less; Commission District IV,
74 Charlotte County, Florida, and more particularly
75 described in Exhibit "A".
76

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

79 SECTION 3. This Ordinance shall take effect upon filing in the Office
80 of the Secretary of State, State of Florida.

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83 [SIGNATURE PAGE FOLLOWS]

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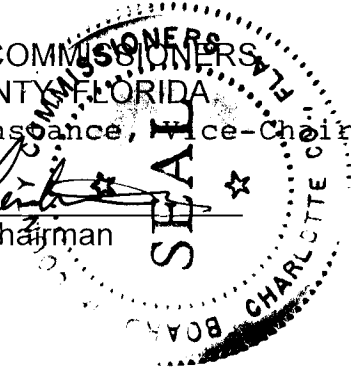
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PASSED AND DULY ADOPTED this 28th day of January, 2020.


BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA
Christopher G. Constance, Vice-Chair
By: *Christopher G. Constance*
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: *Michelle DiBernardino*
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: *Janette S. Knowlton*
Janette S. Knowlton, County Attorney
 LR2018-0534

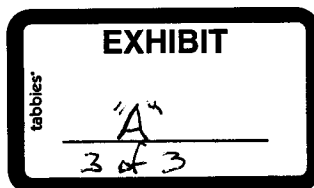
Description: Overall Plat Boundary

A tract or parcel of land lying in Section 12, Township 40 South, Range 21 East, which tract or parcel is more particularly described as follows:

Commencing at the Southeast corner of said Section 12, thence N03°28'25"W a distance of 2307.82 feet to a point on the northerly right of way (ROW) line of State Road 776 (El Jobean Road)(200 foot Public ROW) and the Point of Beginning.

From said Point of Beginning, thence N00°16'35"E a distance of 1733.67 feet; thence N89°43'25"W a distance of 559.48 feet; thence N00°07'03"W a distance of 879.36 feet to a point of curvature; said point also being on the south right of way line of Seymour Avenue (50 foot Public ROW); thence along the arc of a non-tangent curve to the left for a length of 292.38 feet, having a radius of 1509.86 feet, (delta of 11°05'42") (chord bearing of N83°39'11"W) (chord length of 291.92 feet) to a point of tangency; thence N89°12'05"W along said south right of way line for a distance of 880.80 feet; thence S00°07'03"E a distance of 250.00 feet; thence N89°12'05"W a distance of 555.40 feet to a point of curvature; thence along the arc of a curve to the right for a length of 38.87 feet, having a radius of 25.00 feet, (delta of 89°05'02") (chord bearing of N44°39'34"W) (chord length of 35.07 feet) to a point of cusp; thence N00°07'03"W a distance of 199.99 feet to a point of curvature; thence along the arc of a curve to the right for a length of 39.67 feet, having a radius of 25.00 feet, (delta of 90°54'58") (chord bearing of N45°20'26"E) (chord length of 23.37 feet) to a point of cusp; thence N89°12'05"W a distance of 94.41 feet; thence N00°07'03"W for a distance of 89.49 feet; thence S89°52'57"W for a distance of 125.00 feet; thence S59°09'38"W for a distance of 117.42; thence S00°07'03"E for a distance of 3684.69 feet to a point on said northerly right of way line of State Road 776; thence along said right of way line N69°10'05"E for a distance of 2773.46 feet to the Point of Beginning.

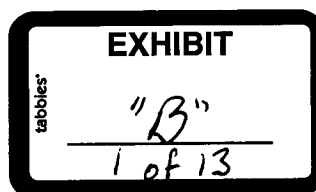
Containing 173.31 acres, more or less.



Conditions of Approval:

Entitlements:

- a) Development entitlements:
 - i) As established in the Preliminary Decision of Determination of Vested Rights for Murdock Village, dated March 25, 2009 and effective as final April 9, 2009, the initial development entitlements granted include:
 - (1) 432,434.00 square feet of Regional commercial space
 - (2) 802,396.94 square feet of Other commercial space
 - ii) As established in the Agreement for Purchase and Sale between the Murdock Village Community Redevelopment Agency and Lost Lagoon Development LLLP, dated October 24, 2017, the final development entitlements include:
 - (1) 2,000,000 square feet of commercial, retail, restaurant, destination entertainment, and accessory storage uses.
 - (2) Two conference centers.
 - (3) Hotels totaling 1,250 keys.
 - (4) 45 acres for a water park.
 - iii) Entitlements established in the Agreement for Purchase and Sale may be considered Regional Commercial, Community Commercial, or General Commercial, as established according to the Murdock Village Equivalency Matrix included in Section 6 of Charlotte 2050 FLU Appendix I: Land Use Guide. Specific uses shall be classified as follows:
 - (1) Commercial uses may be considered Community Commercial or General Commercial.
 - (2) Retail uses may be considered Community Commercial or General Commercial.
 - (3) Restaurant uses may be considered Community Commercial or General Commercial.
 - (4) Destination entertainment uses may be considered Regional Commercial only.
 - (5) Accessory storage uses may be considered Community Commercial or General Commercial.
 - (6) Hotels with conference centers may be considered Regional Commercial only.
 - (7) Other hotels may be considered Community Commercial or General Commercial.
 - (8) Water park uses, including offices, maintenance areas, and other "back of house" uses, may be considered Regional Commercial only.
 - iv) Initial development entitlements may be increased in one land use category and concurrently reduced in another land use category to achieve the final development entitlements according to the Murdock Village Equivalency Matrix included in Section 6 of Charlotte 2050 FLU Appendix I: Land Use Guide through the procedure established in Article XXVI: Vested Rights of the Charlotte County Code of Laws and Ordinances (County Code). All applications for Preliminary Site Plan Approval shall include calculations supporting any proposed exchanges using the Equivalency Matrix, together with a running total of remaining entitlements.
 - v) Commercial use types shall not exceed the following maximums:
 - (1) Regional Commercial uses shall not exceed 1,200,000 square feet gross leasable area.



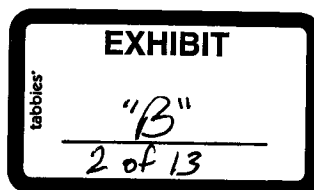
- (2) Community Commercial uses shall not exceed 400,000 square feet gross leaseable area.
- (3) Other Commercial uses shall not exceed 2,291,448 square feet gross leaseable area.
- vi) Uses established within a hotel structure or site such as restaurants, bars, limited retail, or personal services including spas or salons shall be considered accessory uses of the hotel and be included in the hotel's development entitlements, not as separate commercial uses.
- b) Land use categories within this Planned Development shall be considered General Commercial, Community Commercial, or Regional Commercial, as established in the Murdock Village Mixed Use Future Land Use Map designation contained in FLU Appendix I.

Development and Phasing:

- c) Development on the subject property shall occur as generally illustrated on the Planned Development Concept Plan submitted by the applicant, prepared by Banks Engineering, dated January 28, 2019, except such modifications as may be required to meet the conditions of the Planned Development zoning district. In addition, the Site Plan Review (Petition No. DRC-18-00046) conditions of approval according to the letter dated February 4, 2019, and signed by Shaun Cullinan, Charlotte County Zoning Official, are required to be met.
- d) No development activity shall occur prior to Final Site Plan approval.
- e) This Planned Development may be developed in phases, and a phase may consist of one building or of multiple buildings and structures. Each phase shall submit a concept plan for review through the Site Plan Review process.
- f) Each phase shall submit the following as part of its Preliminary Site Plan approval:
 - i) Anticipated land uses within the conceptual plan boundaries, including entitlements used.
 - ii) Tract boundaries, where applicable.
 - iii) Conceptual design of the vehicular, pedestrian, and bicycle transportation networks, including designation of street types as established in Condition "p".
 - iv) Landscaping plans.
 - v) Parking studies.
 - vi) Lighting plans.
 - vii) Signage plans.
 - viii) Utility layouts.
 - ix) Stormwater management plans.
 - x) Any additional details deemed necessary.

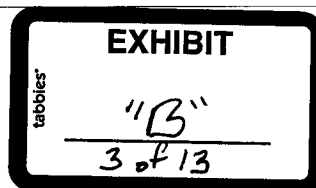
Uses:

- g) The following uses may be permitted:
 - i) Amphitheater.
 - ii) Art, dance, music, photo studio or gallery.
 - iii) Auditorium, convention center, performing arts center.
 - iv) Bank, financial services.
 - v) Bar, cocktail lounge, nightclub, tavern.
 - vi) Boat, travel trailer and motor vehicle sales, including recreational vehicles and campers, provided that the use is showroom-only and no vehicles are stored on-site.



- vii) Business services.
- viii) Day care center, child.
- ix) Drive-through uses, subject to the following conditions:
 - (1) All drive-through lanes shall only be accessed from an alley.
 - (2) Stacking lanes shall not encroach on any public right-of-way.
 - (3) Drive-through uses shall not be located at intersections.
- x) Drug store, pharmacy.
- xi) Dry cleaner.
- xii) Emergency services.
- xiii) Essential services (see Section 3-9-71, essential services.).
- xiv) Fences or walls, which may be permitted prior to the principal uses and structures.
- xv) Gas stations, subject to the following conditions:
 - (1) Pumps must be placed behind or to the side of the primary structure.
 - (2) If located at an intersection, the primary structure must be placed at the property corner abutting the intersection.
 - (3) All street frontages of the primary structure must have customer entrances.
- xvi) General offices.
- xvii) General retail sales and services (see Section 3-9-61, accessory outdoor retail sales, display, and storage).
- xviii) Hotel, motel, inn.
- xix) Liquor, package store.
- xx) Noncommercial vehicle rental.
- xxi) Outdoor market or exhibition space, including but not limited to 4H-type exhibitions.
- xxii) Paid or public parking lot, garage, structure.
- xxiii) Private off-site parking.
- xxiv) Personal services.
- xxv) Professional services.
- xxvi) Recreation, indoor.
- xxvii) Recreation, outdoor.
- xxviii) Restaurant.
- xxix) Uses and structures which are customarily accessory and clearly incidental to primary uses and structures, including but not limited to the following:
 - (1) Infrastructure associated with alternative energy production for the development, including as part of parking lot landscaping consistent with condition "vv".
 - (2) Telecommunications facilities for the internal operations of the development, including management, maintenance, and similar activities.
 - (3) Vehicle fueling, repair, and washing facilities for use by the internal operations of the development. These facilities shall not be open to the general public.
- xxx) Water park with a recreational vehicle park as an accessory use subject to the following conditions:
 - (1) This use shall contain no more than 20 recreational vehicle sites at no more than one location within this Planned Development.
 - (2) Development standards:

Minimum site area (s.f.)	3,000
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Minimum site width (ft.)	40
Minimum setbacks (ft.)	
Park:	
Outer boundary	25
Abutting water	20
Sites:	
Street sides	10
Interior sides	5
Maximum percent coverage	
Park	60
Sites	40
Maximum height (ft.)	38

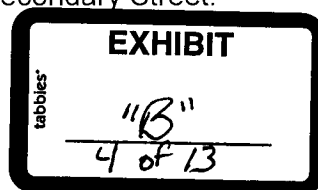
(3) Each site shall be connected to public potable water and sanitary systems. If recreational vehicle sites are to be provided to recreational vehicles that have no bath or toilet facilities, then those sites shall be located not more than 200 feet from approved shower and toilet facilities.

(4) The park shall have an appropriate fire protection plan and appropriate base facilities for fighting fire, approved by Charlotte County Fire/EMS.

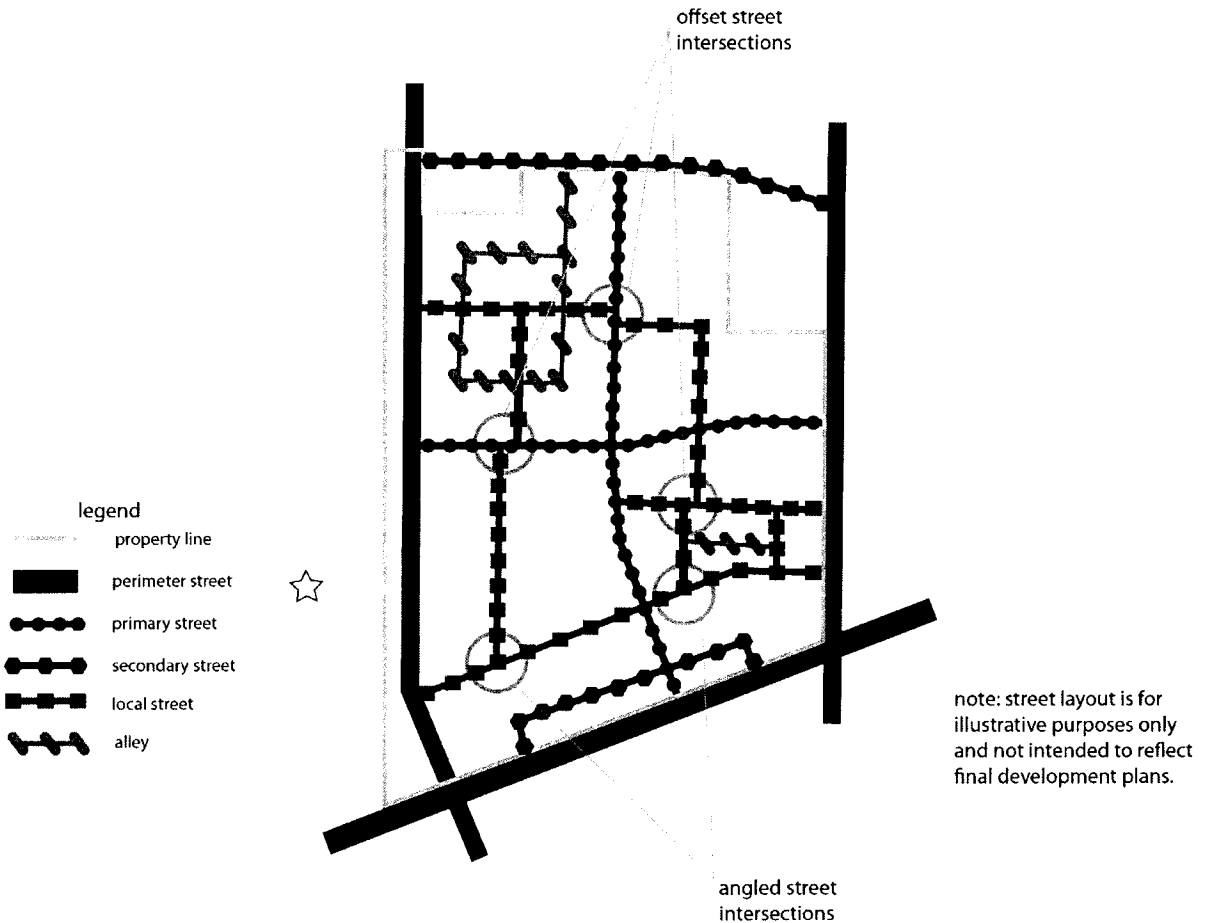
h) Vertical mixed use of permitted uses shall be allowed, provided that the design, form, and size limitations established in these conditions are followed.

Streets and Circulation:

- i) All new development shall have access to an improved public street, private street, recorded easement, or alley or be part of a common fire access plan. A private access easement that provides the opportunity for a future street connection shall not be considered a driveway for the purpose of determining access.
- j) Streets shall be designed to prioritize the ease of pedestrian and bicycle movement and safety, and to encourage slower vehicular operating speeds.
- k) Unless otherwise established by these conditions, all roadways within the subject property shall be constructed to Charlotte County standards. All private roadways shall be required to be maintained by the developer, and subsequently, a property owners association.
- l) Road surfaces may be constructed of alternative materials such as pavers, subject to approval by the County Engineer and Charlotte County Fire/EMS and, if intended to be publicly dedicated, a maintenance agreement with the County.
- m) A variety of curb types may be used, subject to approval by the County Engineer, including vertical or ribbon curbs, subject to stormwater needs, or mountable curbs where necessary for fire access.
- n) Streets shall be classified according to the following types:
 - i) Perimeter Streets: Existing streets bounding the perimeter of the site, including El Jobean Road (SR 776), Toledo Blade Boulevard, and Collingswood Boulevard.
 - ii) Primary Streets: Streets that provide connections from the Secondary and Local Streets to the Perimeter Streets.
 - iii) Secondary Streets: Streets that provide access to commercial, workplace, and mixed-use properties. Existing Seymour Avenue, or as it may be realigned or renamed, shall be considered a Secondary Street.



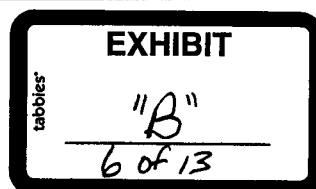
- iv) Local Streets: Streets that provide access to businesses and entertainment uses. These streets are intended to maintain low vehicle speeds and facilitate pedestrian and bicycle movements.
- (1) Angled roadways and offset intersections are acceptable on Local Streets.
 - (2) Local streets should be laid out in a connected network. The use of cul-de-sacs should be minimized.
 - (3) Driveway access is not limited, but alley access and shared driveways are encouraged.



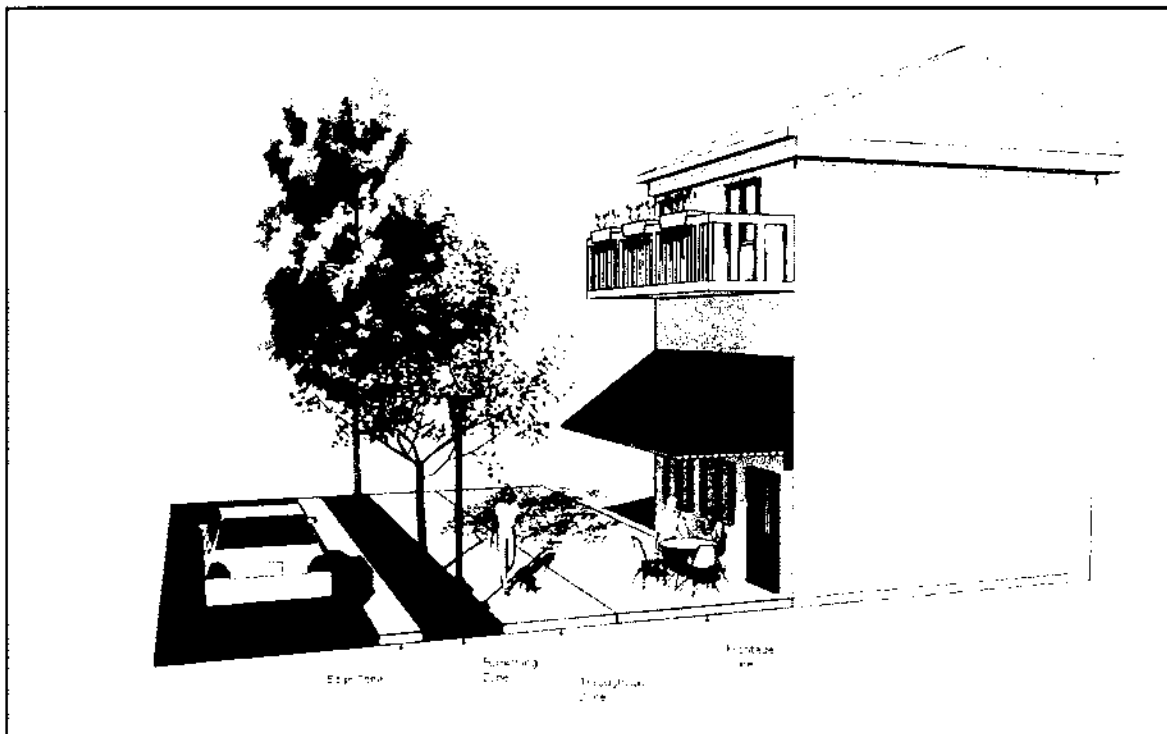
- v) Alleys: Alleys provide rear access to sites for parking access, refuse collection, utilities, and other services.
- (1) The use of alleys is encouraged.
 - (2) Alley access points are permitted only onto Secondary Streets and Local Streets.
 - (3) Fire access shall not be required for alley design where adequate emergency service access exists along another street frontage.
- o) Traffic calming appropriate to each street type shall be undertaken in the project to lower vehicular speeds and ensure a safe and comfortable environment for pedestrians, bicyclists, community electric vehicles, and all road uses. All traffic calming solutions must be approved by the County Engineer. Acceptable traffic calming solutions include, but are not limited to:

- i) Roundabouts designed according to the criteria set forth in the latest edition of "Roundabouts, an Informational Guide," published by the Federal Highway Administration.
 - ii) Centerline offsets.
 - iii) Street trees.
 - iv) Intersection control.
 - v) Bump-outs.
 - vi) Parking offsets.
 - vii) Roadway curvature.
 - viii) Low design speeds.
 - ix) Other urban design approaches.
 - x) Speed humps are not an acceptable traffic calming solution.
- p) Right-of-way lines may intersect without a radius.
- q) Blocks:
- i) All block dimensions shall be measured from curb to curb. Right of way widths shall not be included in the measurement of block widths or depths.
 - ii) Unless otherwise stated, block dimensions shall not exceed 660 feet by 400 feet and block depth-to-width ratios shall not exceed 1 to 4.
 - iii) On sites 15 acres or larger, the site may contain one block with a maximum dimension of 660 feet by 660 feet for every 30 acres.
 - iv) All sites shall have an internal circulation system connecting the blocks, forming an interconnected, grid-like system. This system may be made up of publicly-dedicated rights of way, private streets, or a combination of both.
 - v) When a block dimension exceeds 660 feet, a mid-block pedestrian plaza shall be provided, allowing access to the opposite side of the block. This pedestrian plaza does not need to be placed at the exact mid-point of the block, but shall be located no nearer any end of the block than one-third of the block dimension.
 - vi) Contiguous green spaces are not subject to the block length requirements, but if the green space is longer than 150 feet it must include a pedestrian walkway with shared bicycle use as a mid-block connection every 150 feet.
 - vii) The water park site shall be exempt from any maximum block size standards.
- r) Sidewalks or landscaped rights-of-way may be used for commercial or entertainment activities including, but not limited to, musical entertainment, sidewalk dining, sidewalk sales, display of merchandise, or temporary festivals.
- s) Sidewalk element zones are established as follows:

Zone	Required	Minimum Width (ft.)	Location	Purpose	Uses
Edge	Y	2	Closest to curb	Prevent damage by parking or passing cars to streetscape elements	Must be clear of permanent obstructions.
Furnishing	N	4	Between Edge and	Provide a buffer between	Public uses such as

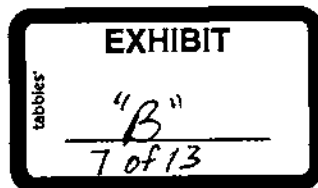


			Throughway zones	pedestrians and vehicles	landscaping, street furniture, public signage, and street lighting. Private uses such as temporary signage and sidewalk dining.
Throughway	Y	6	Between Furnishing and Frontage	Provide unobstructed passage for pedestrians	Must be clear of permanent obstructions.
Frontage	N	0	Between Throughway and building facade	Provide outdoor accessory uses for primary uses fronting the street. May be partially or entirely outside of the right-of-way.	Private uses such as street furniture, temporary signage, merchant displays, and sidewalk dining.



Parking:

- t) Parking in relation to the principal entrance of a use shall be provided according to the following standards:

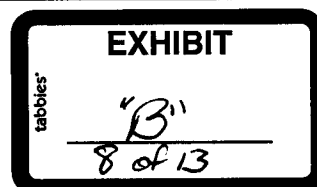


- i) All parking must be within 1,200 feet of the principal entrance of the use served.
- ii) No more than 50 percent of the required parking may be located more than 600 feet away from the principal entrance of the use served
- iii) On-street parking may be included, provided that the on-street spaces are located within 600 feet of the principal entrance of the use served.
- iv) Parking for the water park is exempt from these conditions, provided that all parking for the water park is located on the same parcel as the water park following Final Site Plan approval or any modifications thereto.
- u) Required parking shall be provided according to Section 3-9-79, Off-street parking and loading facilities, or through a parking study acceptable to the County. Such studies shall include considerations such as a joint parking agreement, prepared to the satisfaction of the County Attorney, between two or more property owners establishing how parking areas will be shared, how bicycle parking may be provided to reduce the number of automobile spaces, and how parking spaces used for electric vehicles, motorcycles, or similar forms of transportation may be counted towards the minimum required amount of parking.
- v) Parking lots may be used for temporary events such as outdoor seating, where applicable, provided that such temporary use does not result in a reduction of usable parking spaces to fewer than the minimum required parking for the site as established by Section 3-9-79, Off-street parking and loading facilities, or a parking study prepared in accordance with Condition "u".
- w) Consolidated driveways are encouraged, with cross-access agreements between adjacent parking areas.
- x) Driveways shall have a 15-foot radius.
- y) Parking spaces other than handicapped-accessible spaces may be a pervious material, approved by the County Engineer.
- z) Parking areas designated for limited use or overflow, such as for special events, may be grass or gravel.

Site and Building Design:

- aa) All development shall connect to public potable water and sanitary sewer service.
- bb) An applicant for a new phase shall include a Design and Development Standards (DDS) manual with the application for Site Plan Review. Alternatively, the applicant may choose to conform to the adopted DDS manual of an immediately adjacent phase. The DDS manual shall include an architectural pattern book prepared by a licensed architect, establishing the required architectural details for all structures within the phase. The costs of preparing the DDS manual shall be borne by the applicant.
- cc) Lots:
 - i) There shall be no minimum lot size.
 - ii) There shall be no maximum lot coverage.
 - iii) Setbacks are established based upon the street frontage of the lot, according to the street types established in Condition "p", and the following standards:
 - (1) There are no required minimum setbacks along any lot line except along Perimeter streets, where there shall be a minimum setback of 10 feet.
 - (2) The following maximum setbacks shall be required:

Street Type	Front	Side	Rear
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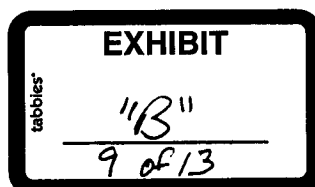
Perimeter	20	20	None
Primary	15	10	20
Secondary	15	10	20
Local	10	10	20
Alley	N/A	None	None

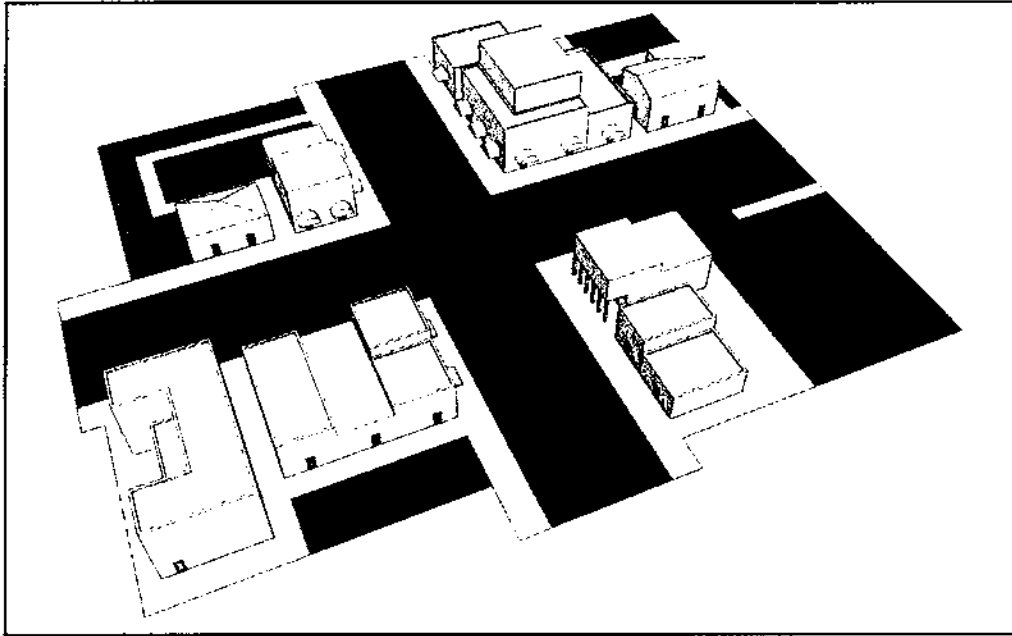
dd) Building height:

- i) Maximum building heights shall be 150 feet.
- ii) Alternative structures, including rides or structures within the water park, may reach a maximum height of 170 feet.

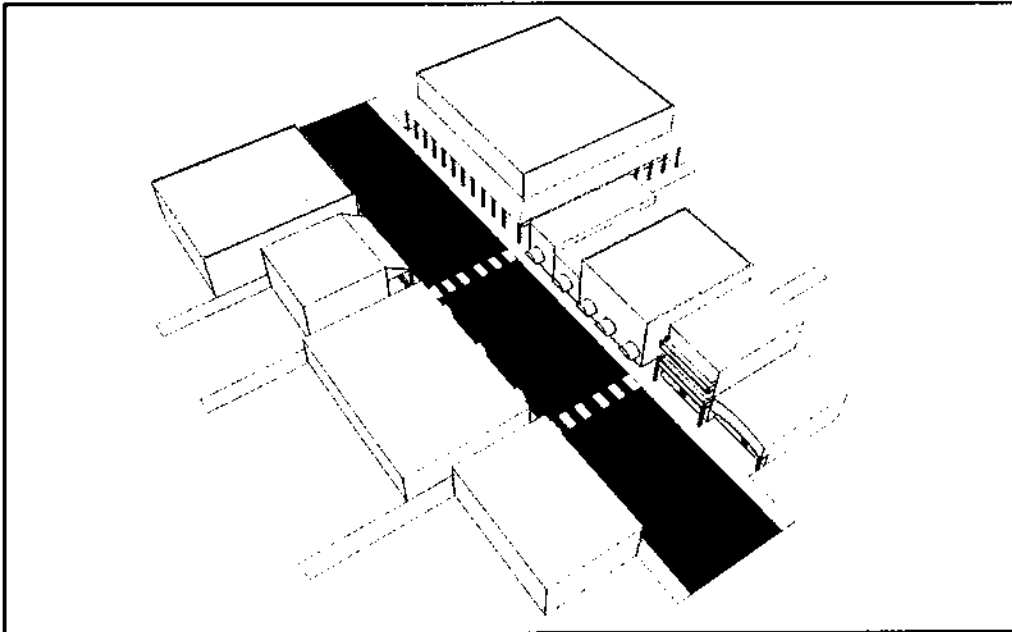
ee) Building orientation:

- i) No building shall have its rear facade facing a Perimeter Street. Facades facing Perimeter Streets shall be considered side or front facades and be designed with customer entrances and architectural features consistent with side or front facades. Along Collingswood Boulevard, buildings may have its rear facade face the street, provided that a Type "D" buffer with a wall, as defined in Section 3-9-100, is installed along the right of way.
- ii) Building orientation along streets shall be designed to reinforce a sense of consistent streetscape.
- iii) Buildings shall be aligned with neighboring buildings in order to reinforce the street edge. Landscaping may be used to reinforce this line.
- iv) Buildings shall always be oriented so that the main entrances and windows are parallel to the street that serves the subject property. Main entrances shall be clearly identifiable from the street.
- v) When a phase involves more than one building, including proposed outparcel buildings, all primary and outparcel buildings shall be arranged and grouped so that their primary orientation complements the adjacent existing development and does one of the following:
 - (1) Frames the corner of an adjacent street intersection.

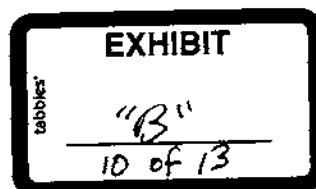


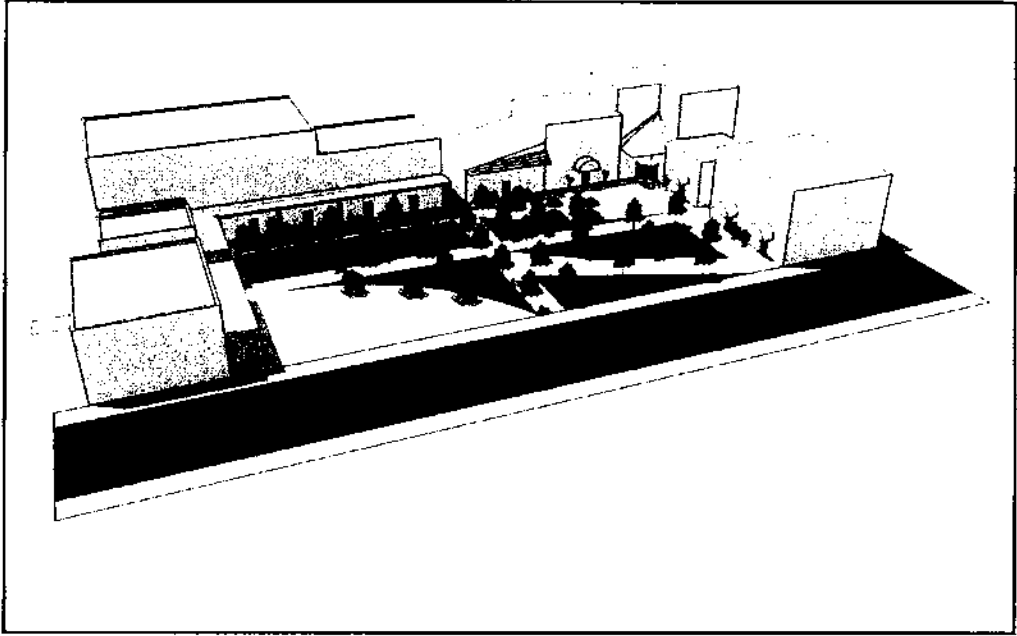


(2) Frames and encloses a "main street" pedestrian and vehicle access corridor within the phase.



(3) Frames and encloses on at least three sides public spaces or other site amenities.





(4) Frames a parking area where the buildings face the outer edge of the parcel.

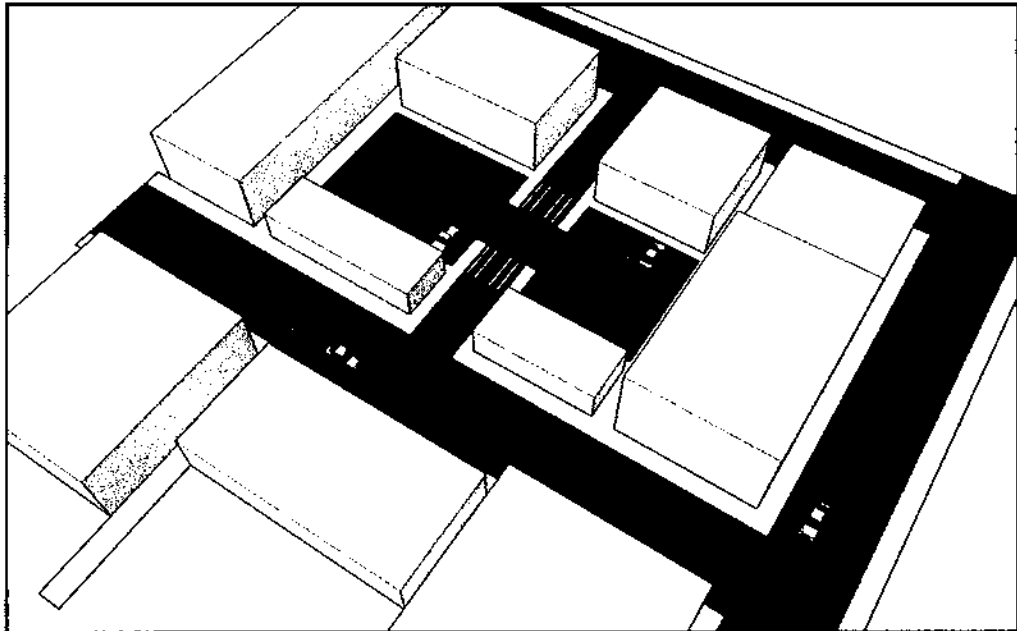
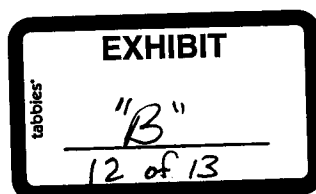


EXHIBIT
"B"
11 of 13

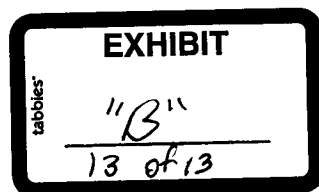
- vi) Corner lots shall place as much building mass near the intersection as possible to help anchor the lot and take advantage of high visibility.
 - vii) Buildings may front along a pedestrian plaza in place of fronting along a street. Any building located at the corner of a street and a pedestrian plaza shall include a public entrance along the street facade, even if the main entrance faces the pedestrian plaza.
 - viii) Buildings within the water park, as established through Final Site Plan approval, are exempt from these conditions.
- ff) Roofs:
- i) Rooflines and roof features shall be consistent with the building's mass and scale.
 - ii) To the maximum extent possible, all rooftop equipment shall be concealed from public view in a manner consistent with the architectural design of the building.
 - iii) Mansard and shed roofs are prohibited.
 - iv) Buildings with sloped roofs shall include dormers and gables along the front to maintain a prominent facade, when feasible.
 - v) Buildings with sloped roofs shall provide roof overhangs.
- gg) Refuse storage and dumpsters shall be enclosed from view, with a minimum six-foot high stockade fence or masonry wall and gate, or located within a concealing structure, except those that are placed on-site for construction purposes or are located on an alley.
- hh) To the extent practicable, loading areas will be screened by buildings or other acceptable design solutions.
- ii) Commercial outdoor displays of merchandise shall be permitted as an accessory use within the Frontage zone as established in Condition "v", subject to the following conditions:
- i) Such displays are only permitted during hours when the business is open.
 - ii) Merchandise shall be stored indoors at night or be located within a secured area not located on the sidewalk or in front of the building.
- jj) Utility easements shall generally be provided along all front and side lot lines, adjacent to the road right of way. They may be provided along other side and rear lot lines as deemed necessary for utility mains.
- kk) Where practical, gravity sewer lines should be located within a single street lane to minimize road closures in the event of repair activities. Manholes for those lines should be located in the center of the driving lane to allow vehicles to avoid them.
- ll) All phases shall submit a lighting plan that meets the standards of Section 3-5-512.
- mm) All phases shall submit a signage plan that meets the standards of Section 3-9-85 except as detailed below, which shall supersede the general standards.
- i) Monument signs are required.
 - ii) Signs within a phase shall maintain a consistent design.

Landscaping:

- nn) Each phase shall be developed with a unified landscaping theme.
- oo) All development within a phase shall be designed in a manner that takes advantage of the presence of existing heritage trees by including them as focal points within the development.
- pp) Large canopy trees shall not be planted or located within eight feet of any potable water or sanitary sewer mains except where approved special provisions for root impacts are incorporated.



- qq) Low Impact Development design criteria shall be used in the development and construction of all stormwater management facilities subject to approval by the County Engineer and the Southwest Florida Water Management District.
- rr) The area between a building's facade and the sidewalk should be landscaped with a balance of hardscape and softscape or be designed for activating uses such as sidewalk dining or street furniture.
- ss) Landscaped areas should be configured as usable open space for the enjoyment of tenants, employees, and the public to the extent practicable rather than solely as visual buffers.
- tt) Landscaped buffers shall not generally be required to separate lots, uses, or areas. Screening elements may be used to screen parking areas and to screen service yards, dumpsters, and other similar areas from public view.
- uu) Landscaping requirements may be met by plantings in containers, or with contributions to landscaping in the right-of-way or in adjacent civic space.
- vv) Parking lot landscaping shall meet the standards of Section 3-9-100.2 except as detailed below, which shall supersede the general standards:
 - i) Trees may be contained in tree wells or other arrangements as long as trees have sufficient non-compacted soil for healthy growth or are of a species that grows well in compacted soil.
 - ii) Earthen berms are prohibited.
 - iii) Landscape areas are not required to have curbs.
 - iv) Landscape islands may be combined as a component of a stormwater management plan.
 - v) Landscape islands may be omitted for solar panel installations or other shading structures of equal or greater coverage.
 - vi) Alternative landscaping designs for parking areas may be approved if they meet the intent of Section 3-9-100.2 and this Planned Development. Such alternative designs shall be reviewed as part of the Site Plan Review process.





FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

January 29, 2020

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

Attention: Ms. Michelle DiBerardino

Dear Mr. Eaton:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Charlotte County Ordinance No. 2020-008, which was filed in this office on January 29, 2020.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb



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

Before the undersigned authority personally appeared **Melinda Dickinson**, who on oath says that she is an employee of the Sun Newspapers, a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a **Legal Notice** was published in said newspaper in the issues of:

01/13/2020

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 Dickinson
(Signature of Affiant)

Sworn and subscribed before me this 13th
day of January, 2020.

Donna Marie King
(Signature of Notary Public)

Personally known X OR ___ Produced
Identification



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, DEVELOPMENTS 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 ON PROPOSALS AND PETITIONS AS DESCRIBED BELOW WILL BE CONDUCTED BY THE BOARD OF COUNTY COMMISSIONERS AT A REGULAR MEETING ON **TUESDAY, January 28, 2020, at 2:00 P.M.** 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, 18500 MURDOCK 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/Pages/BCC-meeting-agendas.aspx](http://www.charlottecountyfl.gov/Pages/BCC-meeting-agendas.aspx)

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 941-764-4903 AND MENTION THE PETITION NUMBER OF THE MATTER YOU WISH TO DISCUSS.

PETITIONS

LAND USE PUBLIC HEARING AGENDA

Z-18-07-35

Quasi-Judicial

Commission District IV

An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Residential Multi-family 10 (RMF-10), Residential Single-family 3.5 (RSF-3.5), Office Medical Institutional (OMI), and Commercial General (CG) to Planned Development (PD), for property bound by Seymour Avenue to the north, Collingswood Boulevard to the east, El Jobean Road (SR 776) to the south, and the Como Waterway to the west, in the Port Charlotte area, containing 153.46± acres and including rights of way for Toledo Blade Boulevard and the Como Waterway, for a total of 173.31± acres; Commission District IV; Petition No. Z-18-07-35; Applicant: Lost Lagoon Development, LLLP; providing an effective date.

SHOULD ANY 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 nondiscrimination policy involves every aspect of the County's functions, including access to and participation in meetings, programs and activities. FM Sound Enhancement Units for the Hearing Impaired are available at the Front Security Desk, Building A of the Murdock Administration Complex. Anyone needing other reasonable accommodation or auxiliary aids and services please contact our office at 941.764.4191, TDD/TTY 941.743.1234, or by email to David.Lyles@CharlotteCountyFL.gov.

Publish: January 13, 2020



adno=3731181-1

Attachment 3
Ordinance Number 2024-041

CHA
BCC

ORDINANCE
NUMBER 2025 - 041

ROGER D. EATON, CHARLOTTE COUNTY CLERK OF
CIRCUIT COURT
PAGE: 14
INSTR #: 3582735 Doc Type: GOV
Recorded: 10/29/2025 at 03:44 PM
Rec. Fee: RECORDING \$120.50

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AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM PLANNED DEVELOPMENT (PD) TO PD; A MAJOR MODIFICATION AMENDING ORDINANCE NUMBER 2025-007, TO REVISE DEVELOPMENT STANDARDS FOR TOWNHOMES BY REDUCING THE "MINIMUM LOT WIDTH" FROM 20 FEET TO 16 FEET AND THE "MINIMUM SIDE YARD ABUTTING ROAD" FROM 15 FEET TO 10 FEET; FOR MULTIPLE PARCELS, GENERALLY LOCATED NORTH OF EL JOBEAN ROAD (SR 776), SOUTH OF SEYMOUR AVENUE, EAST OF THE COMO WATERWAY, AND WEST OF COLLINGSWOOD BOULEVARD, WITHIN THE BOUNDARY OF THE MURDOCK VILLAGE COMMUNITY REDEVELOPMENT AREA (CRA); IN THE PORT CHARLOTTE AREA, CONTAINING 154.93± ACRES; COMMISSION DISTRICT IV; PETITION NO. PD-25-08; APPLICANT: KL JAK WP, LLC; PROVIDING AN EFFECTIVE DATE.

RECITALS

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WHEREAS, in a public hearing held on Tuesday, October 28, 2025, the Board of County Commissioners of Charlotte County, Florida ("Board") reviewed Petition PD-25-08, submitted by applicant, KL JAK WP, LLC ("Applicant"), which requested a rezoning from Planned Development (PD) to PD; a major modification to the existing PD (Ordinance Number 2025-007) to revise development standards for townhomes by reducing the "minimum lot width" from 20 feet to 16 feet and the "minimum side yard abutting road" from 15 feet to 10 feet; for multiple parcels, generally located north of El Jobean Road (SR 776), south of Seymour Avenue, east of the Como Waterway, and west of Collingswood Boulevard, within the boundary of the Murdock Village Community Redevelopment Area (CRA), in the Port Charlotte area, containing 154.93±

MMJ

36 acres; Commission District IV; and more particularly described in Exhibit "A"
37 attached hereto ("Property"); and

38 WHEREAS, Petition PD-25-08 was heard by the Charlotte County
39 Planning and Zoning Board ("P&Z Board") and, based on the findings and
40 analysis provided by County Staff and the evidence presented to the P&Z Board,
41 the P&Z Board recommended approval on September 8, 2025; and

42 WHEREAS, after due consideration, based on the findings and
43 analysis provided by County Staff and the evidence presented to it, the Board
44 finds that approval of Petition PD-25-08 is consistent with the County's
45 Comprehensive Plan, and that it meets the requirements for rezoning; and

46 WHEREAS, based on the above findings, the Board finds that the
47 Petition satisfies the requirements of Section 125.66, F.S. and that it is in the
48 best interests of the County and its citizens to approve Petition PD-25-08.

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

51 SECTION 1. The following petition, made by applicant,
52 KL JAK WP, LLC for an amendment to the Charlotte County Zoning Atlas is
53 hereby approved subject to the conditions contained in the attached Exhibit "B":

54 Petition PD-25-08 requesting rezoning from Planned
55 Development (PD) to PD; a major modification to the
56 existing PD (Ordinance Number 2025-007), to revise
57 development standards for townhomes by reducing
58 the "minimum lot width" from 20 feet to 16 feet and
59 the "minimum side yard abutting road" from 15 feet to
60 10 feet; for multiple parcels, generally located north of
61 El Jobean Road (SR 776), south of Seymour Avenue,
62 east of the Como Waterway, and west of
63 Collingswood Boulevard, within the boundary of the

64 Murdock Village Community Redevelopment Area
65 (CRA), in the Port Charlotte area; containing 154.93±
66 acres; Commission District IV, Charlotte County,
67 Florida, and more particularly described in Exhibit "A"
68 attached hereto.

69
70 SECTION 2. That the zoning for this property shall run with the
71 property and shall apply to any subsequent owners, heirs and assigns.

72 SECTION 3. This Ordinance shall take effect upon filing in the
73 Office of the Secretary of State, State of Florida.

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[SIGNATURE PAGE FOLLOWS]

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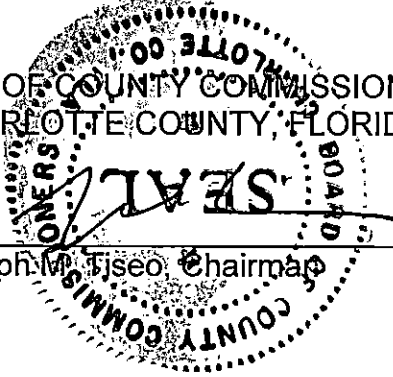
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PASSED AND DULY ADOPTED this 28th day of October, 2025.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: Joseph M. Tjseo, Chairman

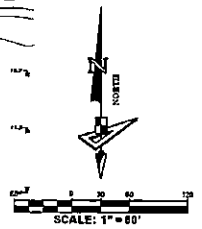
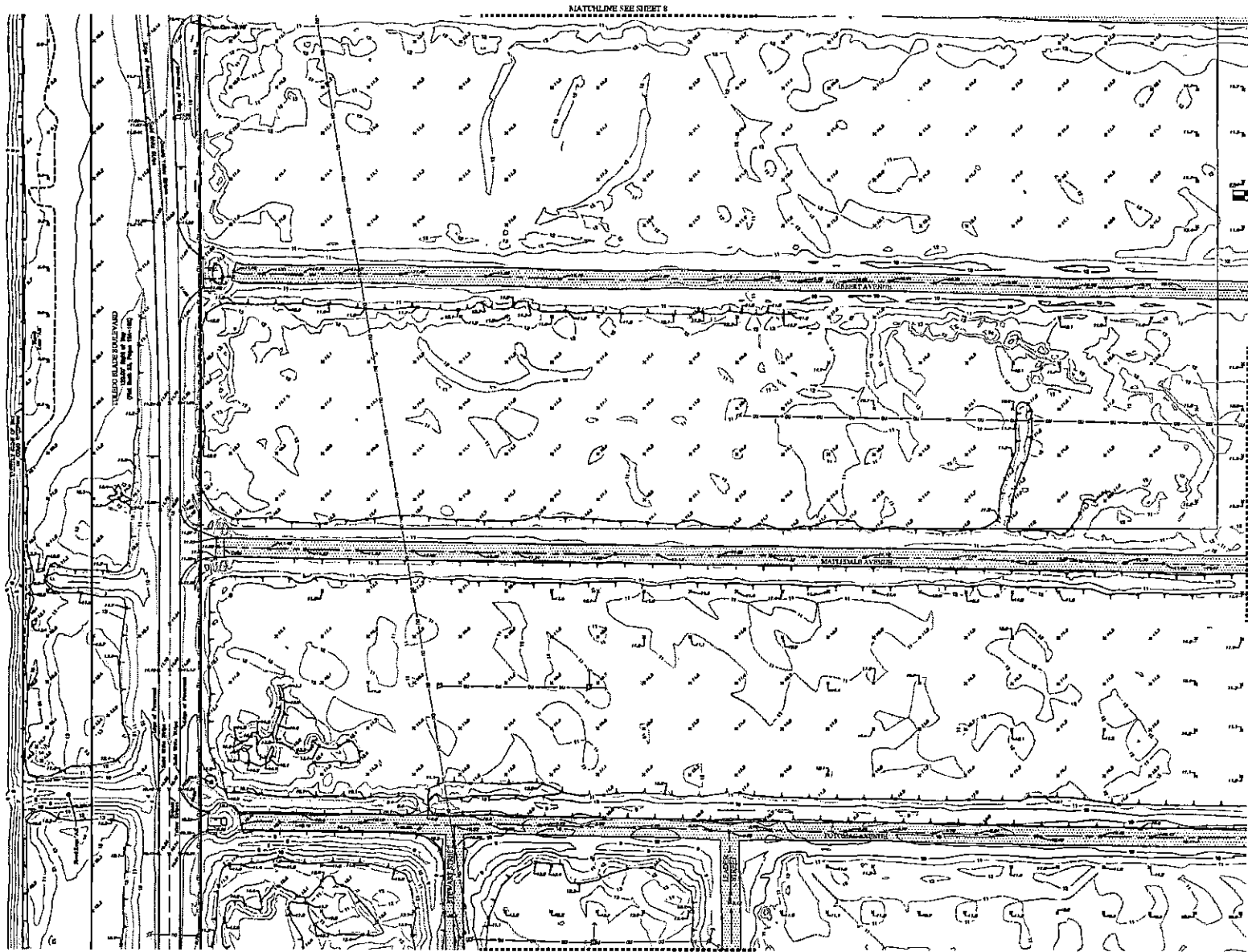


ATTEST:
Roger D. Eaton, Clerk of the Circuit Court
and Ex-Officio Clerk of the
Board of County Commissioners

By: Kimberly Haden
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: Janette S. Knowlton
Janette S. Knowlton, County Attorney
LR2025-0705
KNW



www.geopointsurvey.com
 Licensed Survey No. 15,775-8

GeoPoint
 Surveying, Inc.

North Florida
 67 1st Campbell Road
 Fernand, Florida 32519
 Phone: (904) 745-0810

West Florida
 2113 Hubbs Street
 Tampa, Florida 33619
 Phone: (813) 248-2883
 Fax: (813) 248-2285



Central Florida
 528 Northside Blvd Suite 1040
 Alamosa, Florida 32701
 Phone: (321) 270-0640

East Florida
 4152 West Blue Haven Blvd
 Suite 101
 Brevard Beach, Florida 32904
 Phone: (561) 444-2770

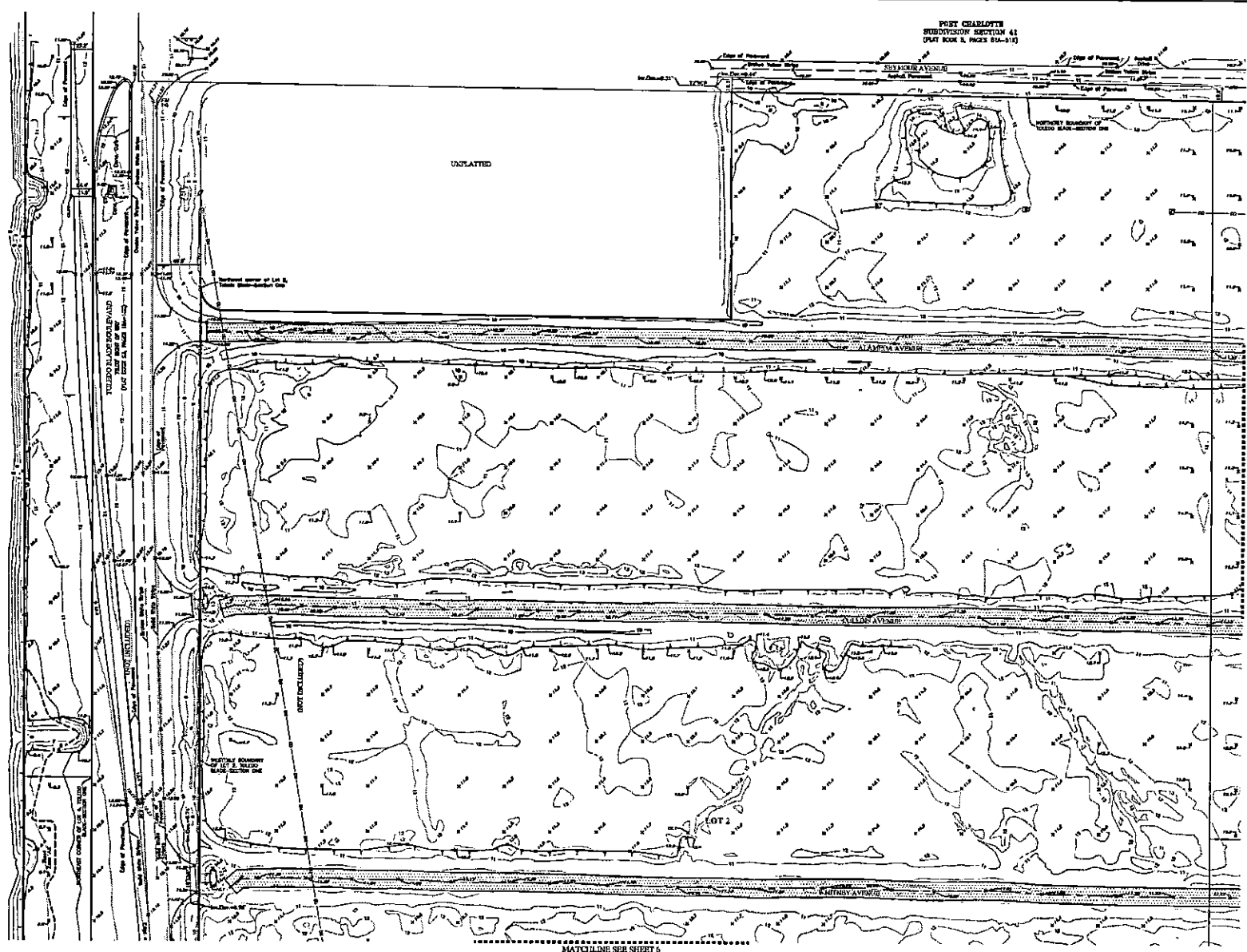
Boundary and Topographic Survey

PREPARED FOR:
 RLS - KL WP Village Rest LLC
 LOCATED IN:
 Section 12, Township 40 S., Range 21 E., Charlotte County, Florida

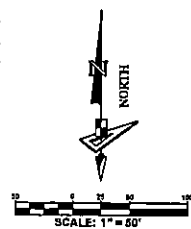
See Sheet 1 for
 Certifications,
 Signature, & Revisions.
 Not valid without all sheets

SHEET: 06 of 09

ALL RIGHTS RESERVED. THIS DOCUMENT IS THE PROPERTY OF GEOPOINT SURVEYING, INC. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM. WITHOUT PERMISSION IN WRITING FROM GEOPOINT SURVEYING, INC.



POST CEDARHURST
SUBDIVISION SECTION 41
(PLAT BOOK 2, PAGES 814-815)



www.geopointsurvey.com
 67 W. Campbell Road
 Fort Pierce, Florida 34939
 Phone: (888) 745-0410

GeoPoint
 Surveying, Inc.

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 67 W. Campbell Road
 Fort Pierce, Florida 34939
 Phone: (888) 745-0410

West Florida
 211 Lough Street
 Tampa, Florida 33615
 Phone: (813) 248-8889
 Fax: (813) 248-2288

Central Florida
 528 Northside Blvd, Suite 1040
 Altamonte Springs, Florida 32701
 Phone: (321) 270-0410

East Florida
 412 West Star Home Blvd.
 Suite 103
 Sevierville, Florida 34404
 Phone: (888) 444-3720

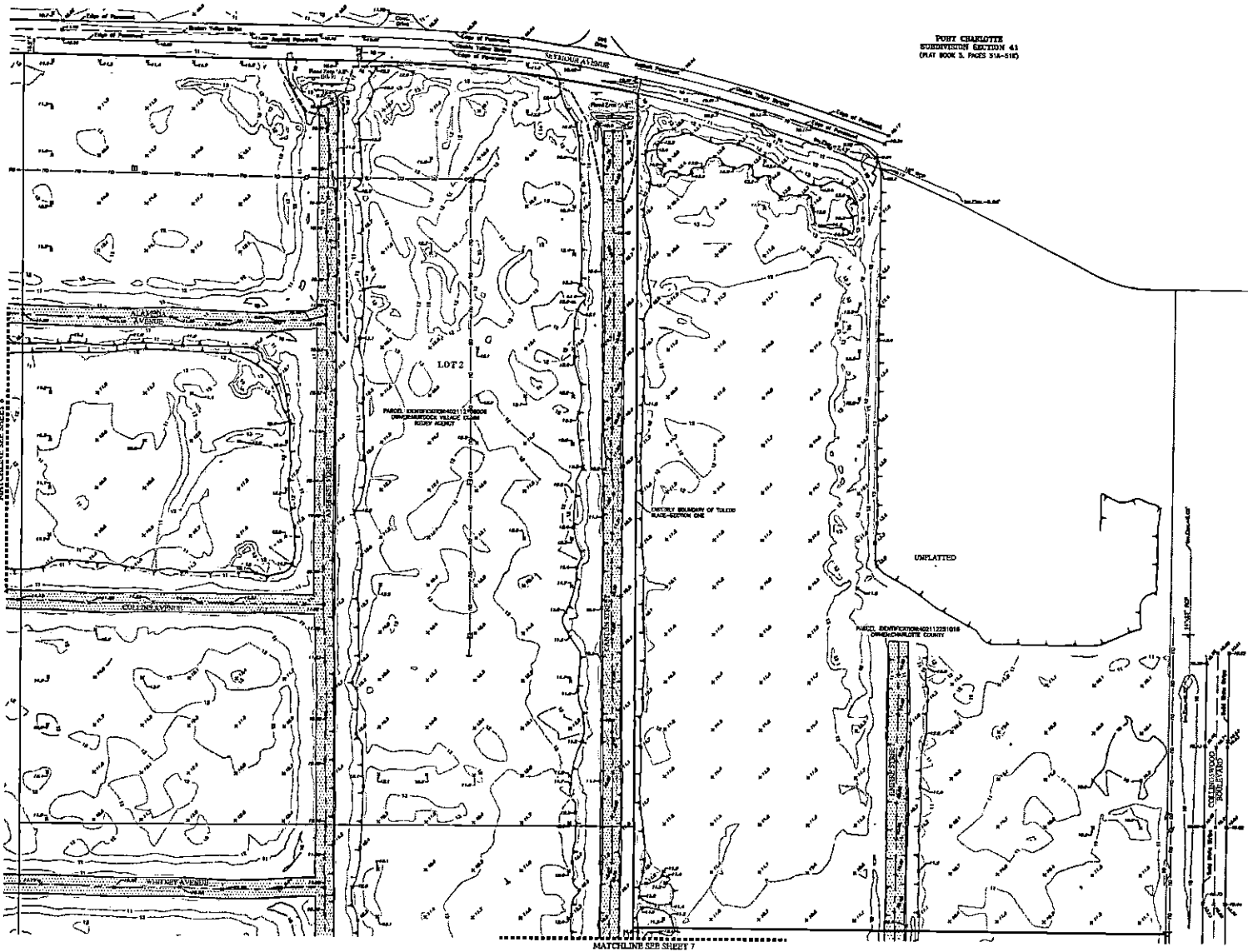
Boundary and Topographic Survey

PREPARED FOR:
 RLS - KL WP Village Real LLC
 LOCATED INC
 Section 12, Township 40 S., Range 21 E., Charlotte County, Florida

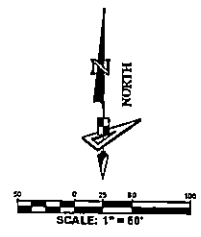
See Sheet 1 for
 Certifications,
 Signature, & Revisions.
 Not valid without all sheets

SHEET: 08 of 09

FILED BY: [unreadable] DATE: [unreadable] TIME: [unreadable] OFFICE: [unreadable]



PORT CHARLOTTE
SUBDIVISION SECTION 41
(PLAT BOOK 2, PAGES 318-319)



MATCHLINE SEE SHEET 6

MATCHLINE SEE SHEET 7

www.geopointsurvey.com
16000 Business Blvd #27708
Tampa, Florida 33613
Phone: (813) 740-0610

GeoPoint
Surveying, Inc.

North Florida
6720 Cayfield Road
Ft. Myers, Florida 33919
Phone: (813) 740-0610

West Florida
2113 Oakdale Street
Tampa, Florida 33619
Phone: (813) 246-6288
Fax: (813) 246-2266

Central Florida
328 Northside Blvd., Suite 3030
Altamonte Springs, Florida 32701
Phone: (321) 270-0440

East Florida
1152 West Lake Howell Blvd
Suite 105
Kissimmee, Florida 34746
Phone: (351) 444-2720

Boundary and Topographic Survey

PREPARED FOR:
RLS - RL VILLAGE RES LLC
LOCATED IN:
Section 12, Township 40 S., Range 21 E., Charlotte County, Florida

See Sheet 1 for
Certifications,
Signatures, & Revisions.
Not valid without all sheets

Application PD-25-08

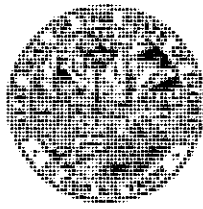
Revisions to PD Conditions as Established in Ordinance Number 2025-007

The following development standards shall be applied:

Use	Single-family detached	Single-family attached	Multi-family	Townhomes	Commercial	Amenities
Required Parking (spaces)	2/unit	2/unit	As Section 3-9-79	2/unit	As Section 3-9-79	One-half that required by Section 3-9-79
Minimum lot size (s.f.)	4,000	3,200	7,500	2,000	12,000	None
Minimum lot width (ft.)	40	35	80	20 <u>16</u>	100	None
Minimum front yard (ft.)	20	20	20	20	15	20
Minimum interior side yard (ft.)	5	5 exterior 0 interior	Half building height, not less than 7.5	5 exterior 0 interior	0	Half building height, not less than 7.5
Minimum side yard abutting road (ft.)	15	15	15	45 <u>10</u>	10	15
Minimum interior rear yard (ft.)	10	10	Half building height, not less than 7.5	10	10	Half building height, not less than 7.5
Minimum rear yard abutting road or alley (ft.)	15	15	15	15	10	15
Minimum rear yard abutting water (ft.)	15	15	15	15	20	15
Maximum building height (ft.)	38	38	60	38	60	38
Maximum lot coverage (%)	65	70	45	75	55	65
Accessory structure setbacks	Same as principal structure, except that provided there is at least 15 feet between the rear property line and the top of bank when adjoining water, the rear setback may be reduced to 5					

All other PD conditions as established in Ordinance Number 2025-007 shall apply to this development.





FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

October 29, 2025

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

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. 2025-041, which was filed in this office on October 28, 2025.

Sincerely,

Alexandra Leijon
Administrative Code and Register Director

AL/dp



Ticket# 3972590-1
BCC Page 1
5x11.5
Submitted by: Kimberly Sargent
Publish: 10/12/25
163352 3972595

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

Before the undersigned authority personally appeared Amber Douglas, 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)

10/12/25

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.

(Signature of Affiant)

Sworn and subscribed before me this 13th day of
October, 2025

(Signature of Notary Public)



Personally known OR Produced Identification

EDUCATION

Education Foundation gets \$100K pledge

Suncoast Credit Union made annual pledge to Future-Ready program following successful pilot year

STAFF REPORT

SARASOTA — To continue its decade-long partnership with the Education Foundation of Sarasota County, Suncoast Credit Union has reaffirmed its dedication to local education. In a news release, the

Foundation announced an annual pledge of \$100,000 to support the Future-Ready program after its pilot year showed promising outcomes.

"The Education Foundation is so appreciative of this investment and all the ways it will directly impact students, teachers, families, and the community," EFSC President/CEO Jennifer Vigne stated in a news release.

For students, the funds will strengthen Future-Ready Scholars, which empowers high school students with personalized

coaching and mentorship.

It will also expand Resiliency Success Coaching, which provides at-risk students with the tools and one-on-one support to overcome personal and academic challenges, stay on track for graduation and plan for life after high school.

For educators, the allocation bolsters the Foundation's Educator Enrichment programs, which provide opportunities for teachers to foster peer collaboration, leadership and innovation in the classroom.

The programs also emphasize teacher well-being to ensure educators are empowered to drive student success.

According to the news release, community partnerships will benefit from the funds and support PLANit Sarasota, the Local College Access Network.

The initiative unites youth-serving organizations, businesses, philanthropic partners and local government in the shared mission of improving access to postsecondary education and career opportunities.

Funding for family engagement will help provide workshops and resources to help families understand and navigate the academic pathways available to their children.

"Founded by teachers and guided ever since by a deep commitment to education, Suncoast Credit Union has stood beside Florida's students and educators for decades," Vigne said. "Their support in Sarasota is a powerful reminder of the difference a community-rooted partner can make in helping futures flourish."

SARASOTA COUNTY SCHOOLS



Superintendent Terry Connor advocating for the school tax during Thursday's Coffee with Connor at Shannon Staub Library in North Port in 2024.

Winning in community engagement

Sarasota County Schools Superintendent Terry Connor earns honor in national competition

CHLOE NELSON Staff Writer

SARASOTA — The National Association of School Superintendents has awarded Terry Connor, the superintendent of Sarasota County Schools, the 2025 Instruction Award.

The honor highlights leaders who prioritize instructional excellence, equity and innovation to close achievement gaps and ensure every student has access to high-quality learning, according to a news release.

NASS is a national nonprofit that offers resources and networking to superintendents, including awarding excellence in various categories each year.

NASS said Connor earned the national recognition for his "unwavering focus on instructional improvement," citing his leadership in implementing evidence-based teaching practices, rigorous curriculum alignment and professional learning models that strengthen teaching capacity and improve student outcomes.

Connor's approach centers on "equity and access," said NASS, one that has worked to ensure instruction meets the diverse needs of students, with "particular attention" to historically underserved groups.

"His work in Sarasota exemplifies how strong leadership ensures students not only achieve academically but also graduate prepared for a rapidly

changing world," said Theresa Daem, founder of NASS.

Connor was also thanked for his leadership in expanding career readiness opportunities.

"Instruction is at the heart of everything we do," Connor said in a news release. "Our responsibility is to ensure that every classroom offers the highest quality learning experiences. This award reflects the hard work of our teachers and the resilience of our students."

SCHOOL DISTRICT OF DESOTO COUNTY

EmPOWERing educators

About \$8,000 will assist with STEM Teacher innovation

STAFF REPORT

ARCADIA — DeSoto County Education Foundation has received a grant for nearly \$8,000 to help with STEM Teacher Innovation.

According to a news release from the foundation and Florida Power & Light Company, the \$7,981.15 is called the EmPOWERing STEM Educators grant.

"This statewide initiative strengthens math and science instruction through peer-to-peer collaboration and classroom innovation," the news release states.

The program helps teachers learn about "effective, standards-aligned instructional strategies," and assists with "practical implementation of innovative approaches" in their classrooms, it noted. It is a way for other educators to share best practices with teachers, it noted.

"The support from FPL allows us to invest directly in our educators' professional growth and sends a strong message that their work matters," DeSoto County Education Foundation Executive Director Jodie DeLoach stated in the news release. "When teachers feel valued and are given meaningful opportunities to collaborate and innovate, it not



PHOTO PROVIDED

From left, Francesa Anderson, assistant director of Instructional Services, DCSB; Kristie Jones, director of Instructional Services, DCSB; Susan Flaherty, teacher, DCSB; Irene Carbo, board member, DCEF; Jodie DeLoach, executive director, DCEF; Devany Iglesias, area manager, FPL; Jake Reynolds, deputy superintendent, DCSB; Jeff Wildt, math coach, DCSB; Oralia Ramirez, board chair, DCEF; Amanda Kirby, principal, Memorial Elementary School; Keill Dyal, teacher, DCSB; Courtney Gammad, board member, DCEF.

only improves instruction—it helps us retain great teachers in our classrooms."

The program is managed from the Consortium of Florida Education Foundations. FPL and the CFEF have invested more than \$600,000 in the initiative since 2018.

"For the last 100 years, FPL has been committed to powering strong communities. Our investment in STEM education is a way to spark innovation and opportunity for the next generation," FPL Education Outreach Senior Manager Sarah Marmion stated in the news release.

"By supporting our teachers through these grants, we're empowering them with the resources they need to inspire students and cultivate the problem-solvers and innovators of tomorrow."

Also available is the STEM Classroom Makeover grants that can provide \$50,000 for an educator to recreate their classrooms or learning environments with new technology.

"The program has helped Florida teachers create dynamic, interactive classrooms that make science, technology, engineering and mathematics more engaging for their students," the news release stated.

Those applications are open and more information on them is at FPL.com/Education.

"To learn more about how the DeSoto County Education Foundation supports teachers and fuels innovation in local classrooms — from educator grants to teacher recognition and classroom project funding — visit www.desotocountyeducationfoundation.com," it stated.

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, DEVELOPMENTS 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 ON PROPOSALS AND PETITIONS AS DESCRIBED BELOW WILL BE CONDUCTED BY THE BOARD OF COUNTY COMMISSIONERS AT A REGULAR MEETING ON TUESDAY, OCTOBER 14, 2025, AT 2:00 P.M. 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, 18500 MURDOCK 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/boards-committees/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 941-764-4903 AND MENTION THE PETITION NUMBER OF THE MATTER YOU WISH TO DISCUSS.

PETITION LAND USE REGULAR AGENDA PD-25-08

Quasi-Judicial

Commission District IV

An Ordinance, pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Planned Development (PD) to PD. This is a major modification amending Ordinance Number 2023-007 to revise development standards for townhomes by reducing the "minimum lot width" from 20 feet to 16 feet and the "minimum side yard setback road" from 15 feet to ten feet for townhomes for multiple parcels, generally located north of El Jobean Rd. (SR 776), south of Seymour Ave., east of the Como Waterway, and west of Gailwood Blvd., within the boundary of the Murdock Village Community Redevelopment Area; in the Port Charlotte area, containing 154.93± acres; Commission District IV; Petition No. PD-25-08; Applicant: KL JAK WP, LLC; providing an effective date.

TLDR-25-01 Revisions to Sections 3-7-32, 3-7-34, and Sections 3-7-185, 3-7-186, 3-7-188, & 3-7-189

Legislative

Countywide

An Ordinance of the Board of County Commissioners of Charlotte County, Florida, amending Charlotte County Code Chapter (Ch) 3-7: Subdivision Regulations; by 1) revising Article 8 in General Section (Sec.) 3-7-32: Application Process, Steps 8 & 9, 2) revising Sec. 3-7-34: Approval of the Final Plat, and 3) amending Article XI: Standard Forms to a.) replace Sec. 3-7-185: Certificate of Approval of County Commission with new Sec. 3-7-185: Certificate of Approval of Community Development Director, by delete Sec. 3-7-186: Certificate of Approval of Planning and Zoning Board and renumber the remaining subsections, and c) revise Sec. 3-7-188 (New Sec. 3-7-187): Certificate of Approval of County Engineer (Construction to be Bonded) and Sec. 3-7-189 (New Sec. 3-7-188): Certificate of Approval of County Engineer (Construction Complete) to remove the Planning and Zoning Board's responsibility; Application number: TLDR-25-01; Applicant: Charlotte County Board of County Commissioners; providing for inclusion in the Charlotte County Code; providing for conflict with other ordinances; providing for severability; and providing for an effective date.

SHOULD ANY 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 nondiscrimination policy involves every aspect of the County's functions, including access to and participation in meetings, programs and activities. FM Sound Enhancement Units for the Hearing Impaired are available at the Front Security Desk, Building A of the Mainland Administration Complex. Anyone needing other reasonable accommodation or auxiliary aids and services please contact our office at 941.764.4191, TDD/TTY 941.743.1234, or by email to David.Lykes@CharlotteCountyFL.gov.



**Exhibit “A”
Amendment to
adopted PD condition e)xi)**

Application PD-26-02
Revisions to PD Condition e)xi)
as Established in Ordinance Number 2025-007

Uses:

- e) The following uses may be permitted:
 - xi) Drive-through uses, subject to the following conditions:
 - ~~(1) All drive-through lanes shall only be accessed from an alley.~~
 - ~~(2)(1) _____ Stacking lanes shall not encroach on any public right-of-way.~~
 - ~~(3) Drive-through uses shall not be located at intersections.~~



CHARLOTTE COUNTY

Community Development

Qualifications of Jie Shao

Position: Principal Planner

Years with Charlotte County: 22

Position Summary & Experience: I have worked as a Planner for Charlotte County Community Development Department since January 2004. My main duties include reviewing and making recommendations on plan amendments, zoning map changes and text amendments to the County's Comprehensive Plan, and amendments to the County's Land Development Regulations. I prepare and present staff reports and recommend actions to the Planning and Zoning Board and the Board of County Commissioners.

I evaluate Site Plan Review applications specifically related to development within Development of Regional Impacts for consistency with the County's Comprehensive Plan and Development Orders. I review all development within the Planned Development zoning district. I review applications for establishment of Community Development Districts, applications under the Transfer Density Units (TDU) program and track all TDUs.

In addition, I created the US 41 Zoning District Overlay Code in 2004. I worked with the planning Advisory Committee to successfully create the Little Gasparilla Island Community Plan in 2007 and also created the Little Gasparilla Island Zoning District Overlay Code and the Bridgeless Barrier Island Zoning District in 2013. As a project manager, I successfully completed the US 17 Corridor Planning Study in 2009-2010. I served as a liaison for the South Gulf Cove Advisory Committee and the Little Gasparilla Island Advisory Committee in 2006-2009. I hosted roundtable meetings to solicit public's input. As a team member, I revised and rewrote the County's Land Development Regulations in 2013-2014. Further, I worked on the County's Comprehensive Plan rewrite in 2009-2010, and EAR-based amendments for the County's Comprehensive Plan in 2007, 2014, and 2022.

Education:

- September 1997 to December 2001
University of Cincinnati; Cincinnati, Ohio; Obtained a M.S. degree in Community Planning
- September 1986 to July 1990
Chongqing University China; Obtained a B.S. degree in Architecture

Professional Associations and Certifications:

- AICP, American Association of Certified Planners since 2017
- American Planning Association (APA), Member since 2004

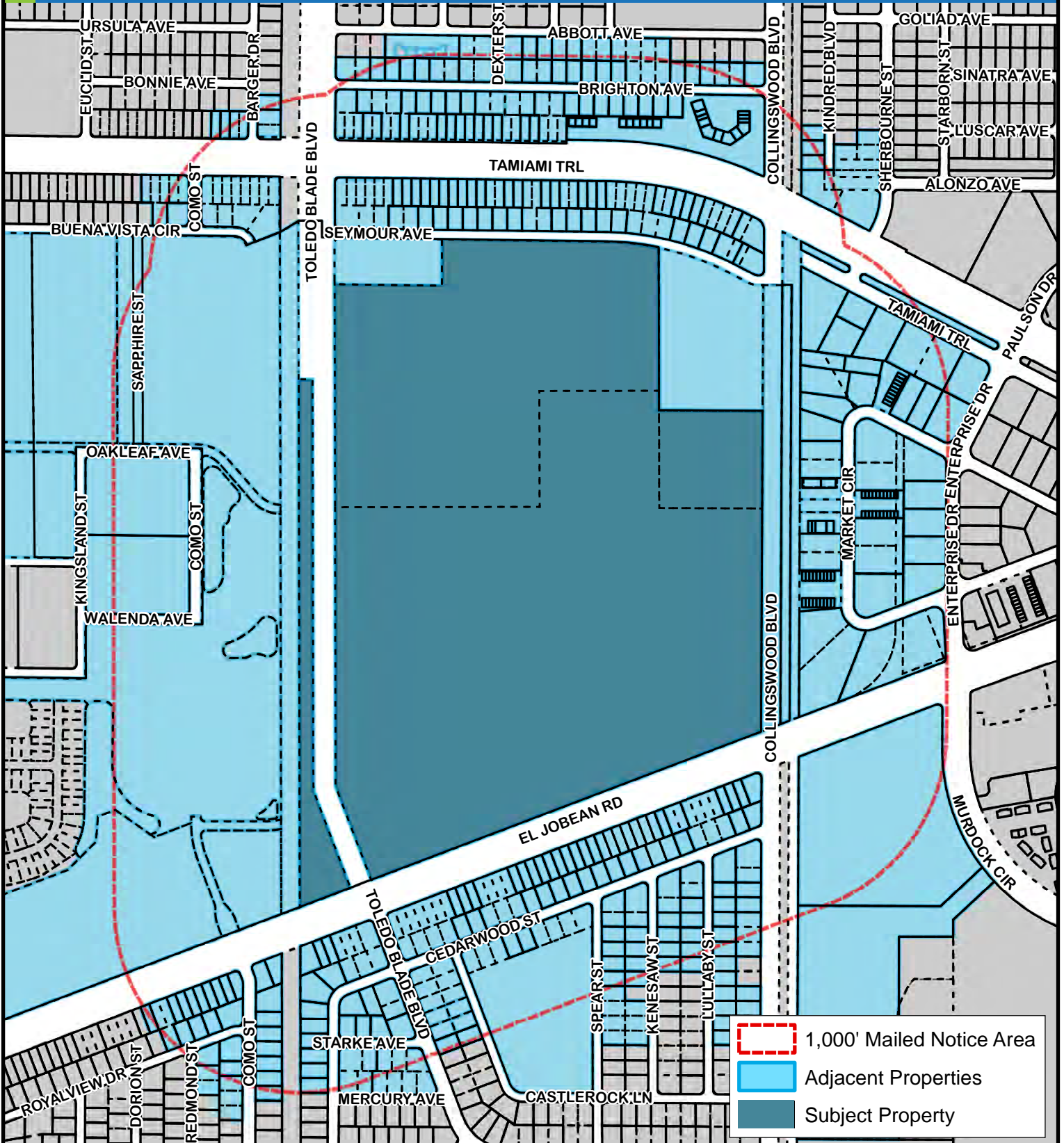
Related Past Experience:

- Planner, Architectural Graphics Designer, University Instructor in Architecture, Suzhou Planning Bureau/Institute of Urban Construction & Environmental Protection (1990-1994)

Exhibit 1

CHARLOTTE COUNTY

1,000' Foot Mailed Notice of PD-26-02



12/40/21 Mid-County



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CHARLOTTE COUNTY

Location Map for PD-26-02



CHARLOTTE COUNTY
Community Development

**SUBJECT
PROPERTY**



12/40/21 Mid-County



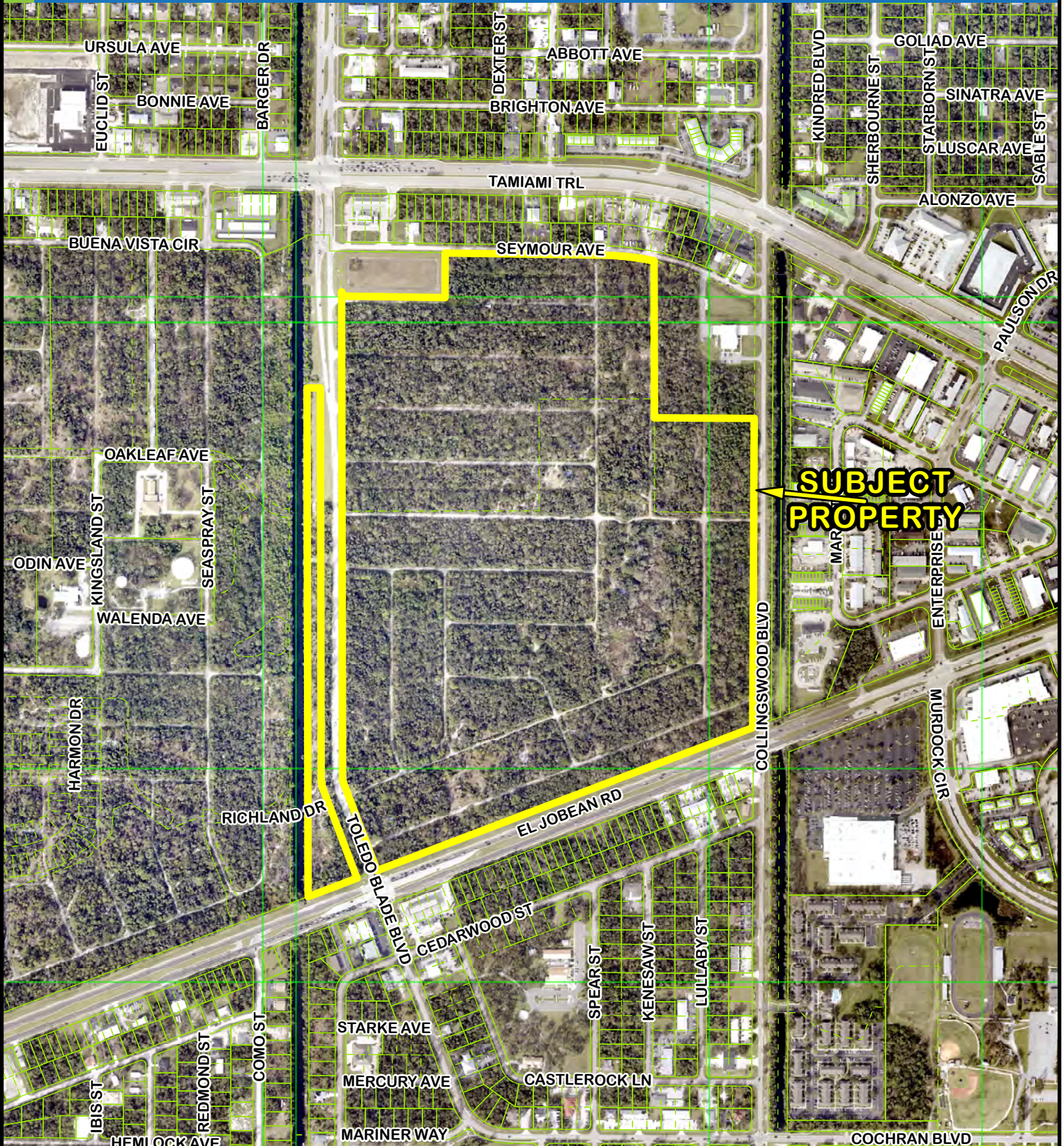
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Date Saved: 3/21/2026 2:34:24 PM By: Shaoj-#SR-32867

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CHARLOTTE COUNTY

Framework for PD-26-02



12/40/21 Mid-County



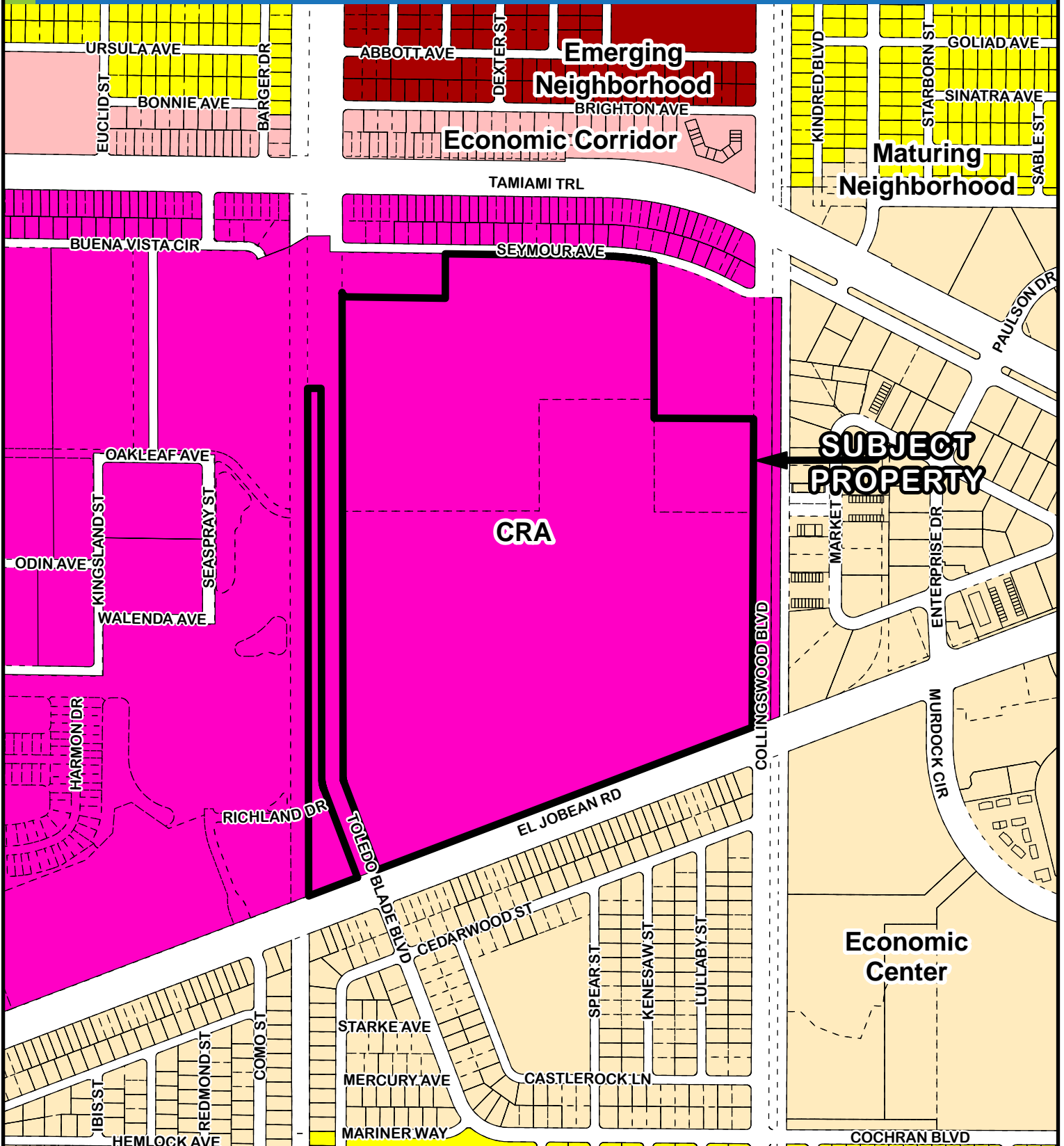
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 Date Saved: 3/21/2026 2:44:50 PM By: Shaoj-#SR-32867

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CHARLOTTE COUNTY

Framework for PD-26-02



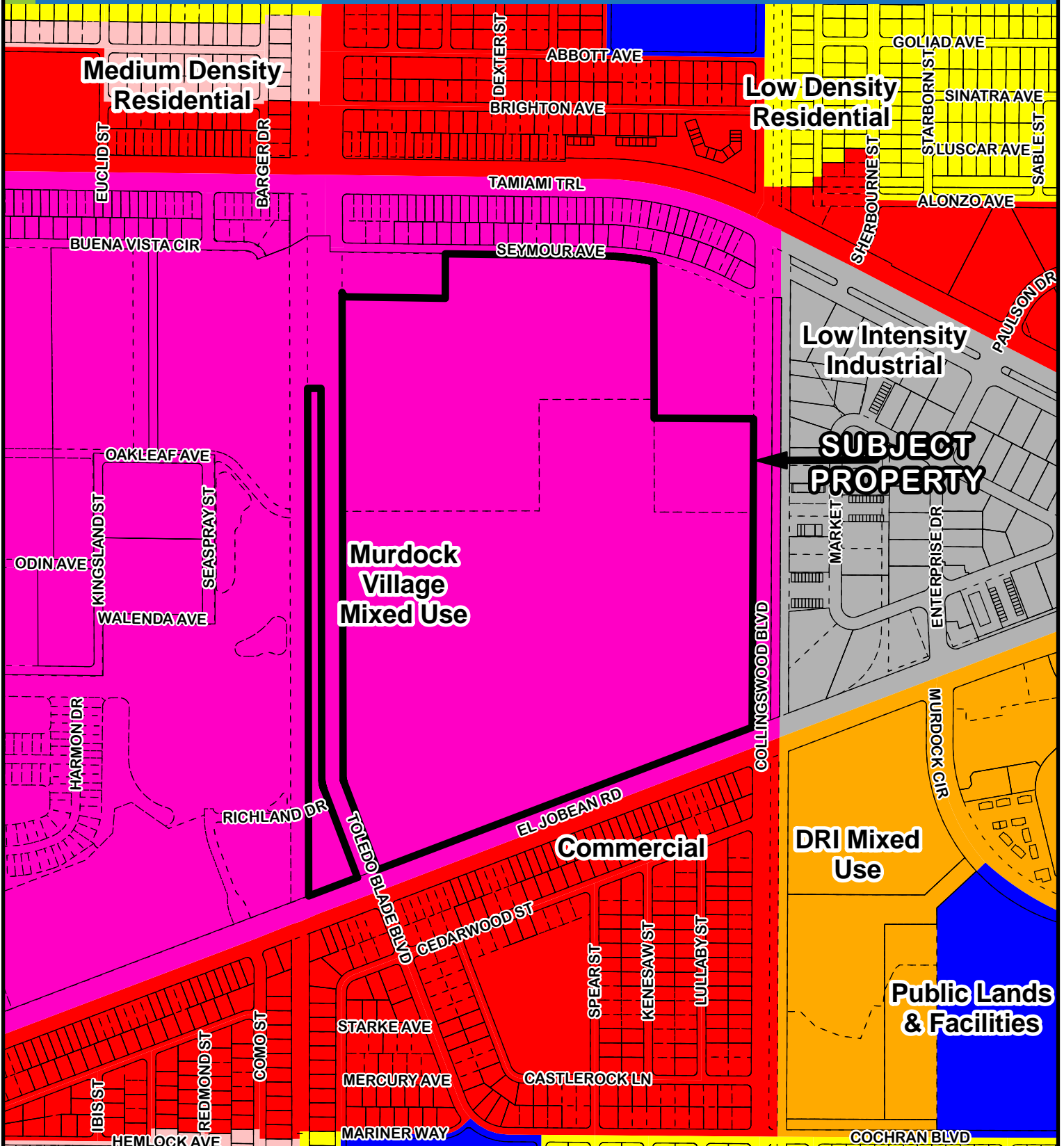
12/40/21 Mid-County



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CHARLOTTE COUNTY

FLUM Designations for PD-26-02



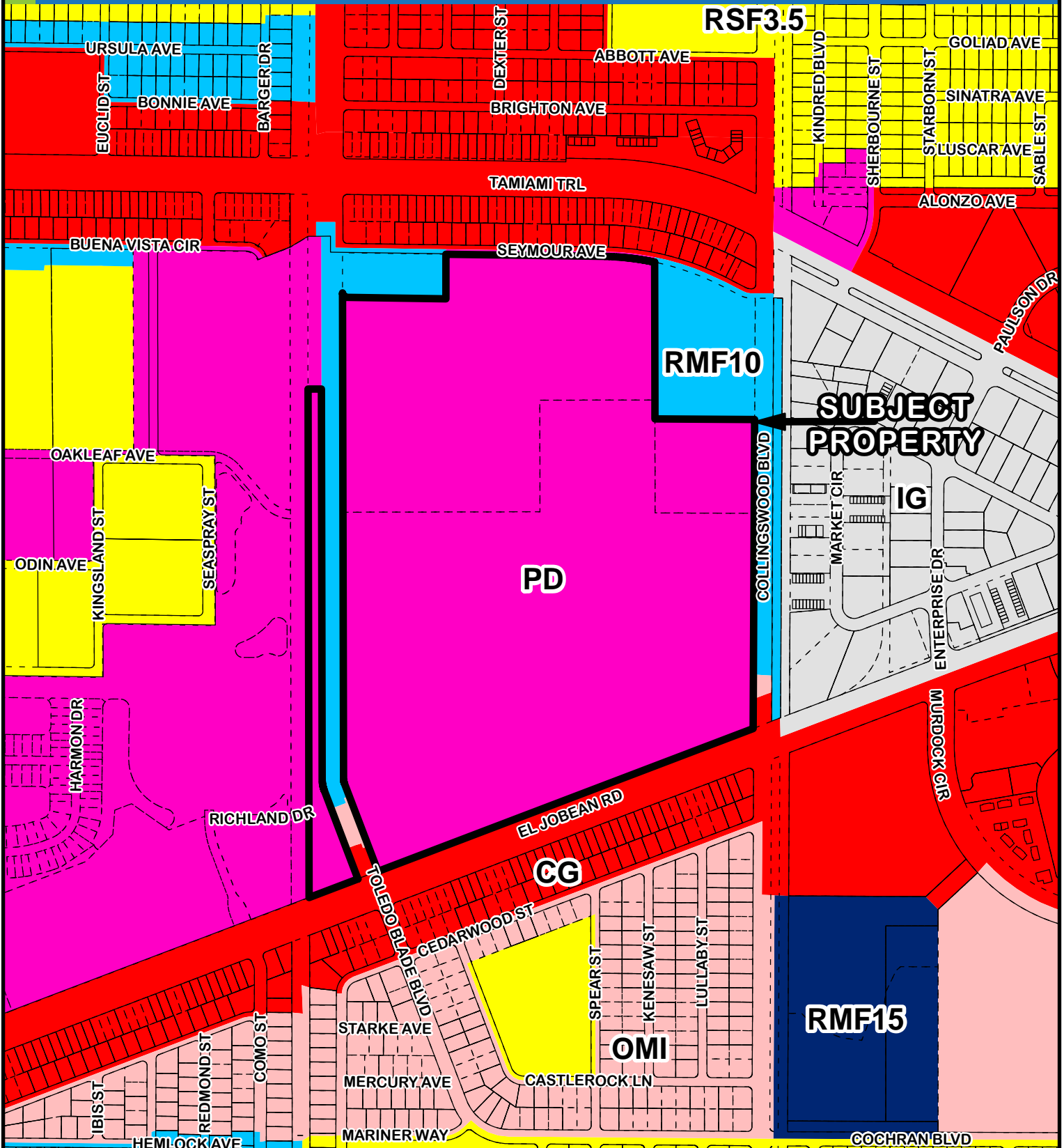
12/40/21 Mid-County



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CHARLOTTE COUNTY

Zoning Designations for PD-26-02



12/40/21 Mid-County



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