



CHARLOTTE COUNTY

Community Development

Staff Report for: PD-22-00003

Hearing Date: March 13, 2023/March 28, 2023

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: Kolter Group Acquisitions, LLC, 105 NE 1st Street, Delray Beach, FL 33444

Agent: Morris Engineering & Consulting, LLC, 6997 Professional Pkwy. E, Ste. B, Sarasota, FL 34240

Owner(s): Multiple owners. However, the following property owners' properties are subject to the proposed changes:
Murdock Village Community Redevelopment Agency, 18500 Murdock Circle, Port Charlotte, FL 33948
Charlotte County School Board, 1455 Education Way, Port Charlotte, FL 33948
Kolter Group Acquisitions, LLC, 105 NE 1st Street, Delray Beach, FL 33444

Request: A privately initiated request to amend the Charlotte County Zoning Atlas from Planned Development (PD)(434.68± acres), Residential Single-family 3.5 (RSF-3.5), Residential Multi-family 10 (RMF-10), Office, Medical, and Institutional (OMI) and Commercial General (CG) to PD. This is a major modification to the existing PD, Ordinance Number 2021-024 (Attachment A), in order to add additional 196.14± acres located directly to the east of the development and have a mixture of residential and commercial development; and also adopt a General PD Concept Plan.

Location: **Commission District IV:** The subject property is generally located south of Franklin Avenue, north of El Jobean Road (SR 776), east of the Crestview Waterway, and west of Toledo Blade Boulevard, in the Port Charlotte area, within the Murdock Village Community Redevelopment Area (CRA), and in Commission District IV.

Land Area: The subject property contains a total of 630.82± acres.

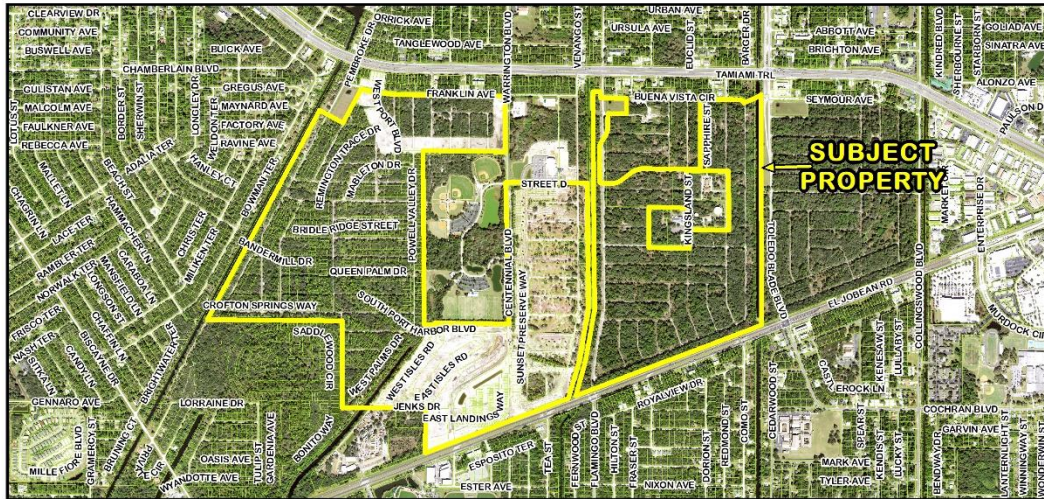
Public Notice: Public Notice has been given as required by Charlotte County Code, Section 3-9-10; subsections (d) Published Notice; (e) Mailed Notice (see 1,000-foot Buffer Map); and (f) Posted Notice.

Part 2 - Analysis and Conclusion

Analysis:

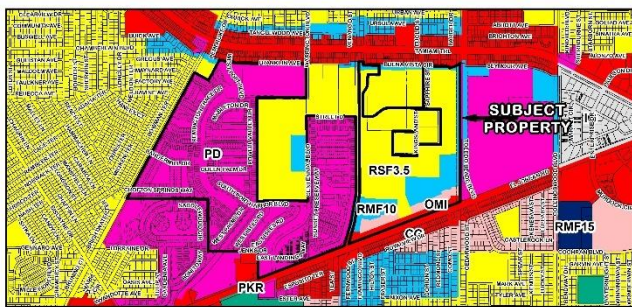
Current Request and History of the Subject Property

The subject property is generally located south of Franklin Avenue, north of El Jobean Road (SR 776), east of the Crestview Waterway, and west of Toledo Blade Boulevard, in the Port Charlotte area, within the Murdock Village Community Redevelopment Area (CRA) and in Commission District IV. It contains a total of approximately 630.82 acres.

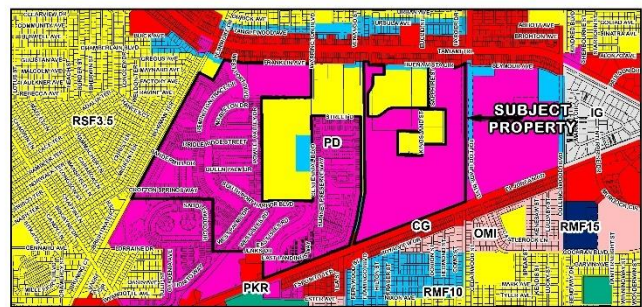


PD-22-00003 Area Image

The applicant, Kolter Group Acquisitions, LLC is requesting a major modification to the existing West Port PD, Ordinance Number 2021-024 (Attachment A). The purpose of this major modification to the existing PD is to add additional 196.14± acres located directly to the east of the development and have a mixture of residential and commercial development for the entire site; and also adopt a General PD Concept Plan.



PD-22-00003 Existing Zoning Designations



PD-22-00003 Proposed Zoning Designations

Approved Planned Development (PD) Rezoning

In 2017, the applicant, Private Equity Group, LLC, applied for a rezoning for approximately 434.68 acres of the subject property from Residential Multi-family 10 (RMF-10), Residential Single-family 3.5 (RSF-3.5), and Commercial General (CG) to Planned Development (PD) in order to have 2,400 residential units, 2,010 of which are single-family dwelling units and 390 of which are multi-family units, and with 300,000 square feet of regional commercial space. On December 12, 2017, the Board of County Commissioners (Board) approved this rezoning via Ordinance Number 2017-056 (Attachment B).

In late 2019, the property owner, West Port, LLC, applied for a major modification to the approved PD in order to:

- Revise the spine road configuration.
- Increase the number of model homes allowed.
- Reduce some dimensional standards for Townhouse development lots.
- Reduce the required minimum parking for internal amenities such as clubhouses.
- Reduce the required minimum rear setback for accessory uses.
- Reduce the number of and renaming the development tracts.
- Revise the multimodal connection points to North Charlotte Regional Park.
- Revise the local roadway cross-section.

On May 12, 2020, the Board approved this application via Ordinance Number 2020-019 (Attachment C).

In April 2021, the applicant requested a major modification of an existing Planned Development (PD), Ordinance Number 2020-019 (Attachment C), in order to add development standards for multi-family for ten units per building located within Tract J and a portion of Tract A, and to update the total development rights/entitlements via the Murdock Village Equivalency Matrix adopted in the County's Comprehensive Plan. On June 22, 2021, the Board approved this application via Ordinance Number 2021-024 (Attachment A).

Approved Final Detail Site Plans, & Final Plats for the Existing West Port PD

As of today, 1,438 dwelling units of single-family, 504 dwelling units of multi-family and 7,610 square feet of an amenity center, on the existing West Port PD site, have been approved by the Board via the Final Detail Site Review process.

On November 24, 2020, Final Plat (Attachment D: FP-19-11-15) for a subdivision to be named, The Cove at West Port Phase 1A, consisting of 48 residential lots and a Developer's Agreement and surety to cover the construction of the plat infrastructure, was approved by the Board.

On November 24, 2020, Final Plat (Attachment E: FP-19-11-16) for a subdivision to be named, The Hammocks at West Port Phase 1, consisting of 110 residential lots and a Developer's Agreement and surety to cover the construction of the plat infrastructure, was approved by the Board.

On June 22, 2021 (Attachment F: FP-19-11-16) for a subdivision to be named, Isles at West Port Phase II, including 44 lots, a right-of-way tract (R) and Tract A (an Access, Drainage, and Utility Area), was approved by the Board.

On July 13, 2021, Final Plat (Attachment G: FP-19-11-16) for a subdivision to be named, The Hammocks at West Port Phase 2, consisting of 106 residential lots, a right-of-way tract (R), and Tracts A & B which are Drainage Areas, was approved by the Board.

On November 23, 2021, Final Plat (Attachment H: PF-21-01-01) for a subdivision to be named, Landings at West Port Phase 1, consisting of 82 single-family lots and 4 tracts, was approved by the Board.

On November 23, 2021, Final Plat (Attachment I: FP-21-01-02) for a subdivision to be named, Palms at West Port, consisting of 147 residential lots and 4 tracts, was approved by the Board.

On January 25, 2022, Final Plat (Attachment J: FP-21-01-03) for a subdivision to be named Cove at West Port Phase IB, consisting of 129 Single Family lots, was approved by the Board.

On April 26, 2022, Final Plat (Attachment K: FP-21-07-15) for a subdivision to be named, Palms at West Port, consisting of 147 residential lots and 4 tracts (this is a replat of Tract C of the Landings Phase 1 Plat), was approved by the Board.

On May 24, 2022, Final Plat (Attachment L: FP-21-01-04) for a subdivision to be named, Cove at West Port Phase 2 and 3, consisting of 180 residential lots which will include a mix of single family attached and single family detached homes and a Developer's Agreement approval to address certain obligations by the applicant and the County in connection with the construction of the improvements for this development, was approved by the Board.

On May 24, 2022, Final Plat (Attachment M: FP-21-03-08) for a developer's agreement and replatting a portion of the previously approved Final Plat for West Port for a subdivision to be named, Cove at West Port Phase 4, consisting of 149 lots, was approved by the Board.

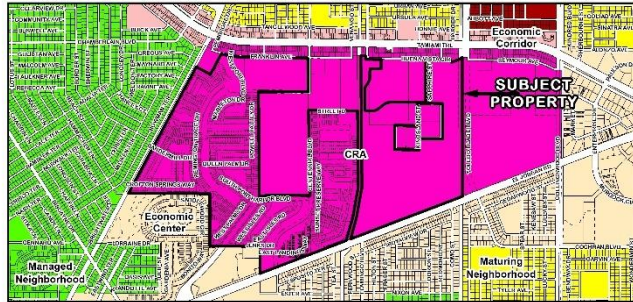
On June 14, 2022, Final Plat (Attachment N: FP-21-07-16) for replatting a subdivision to be named, Palms at West Port 1A, consisting of 125 lots, four right-of-way tracts (R-2, R-3, R-4, & R-5), and Tracts E, G, & H. Tracts G and H are Drainage/Open Space/Access Areas, a Developer's Agreement and surety to cover the construction of the plat infrastructure, was approved by the Board.

On June 14, 2022, Final Plat (Attachment O: FP-21-09-17) for a subdivision to be named Hammocks at West Port Phases III and IV to revise The Hammocks at West Port and The Isles at West Port preliminary plats, was approved by the Board. This proposed revision includes modification to the southern portion of Hammocks Phase III and a new expansion referred to as Hammocks Phase IV. The total number of lots associated with this revision is 113 and includes a Public CDD Right-of-Way Tract R and Tracts A, B, & C. Tracts A & B are Drainage/Open Space/Access Areas and Tract C is a Drainage/Open Space Area. They also seek approval of a Developer's Agreement and surety to cover the construction of the plat infrastructure.

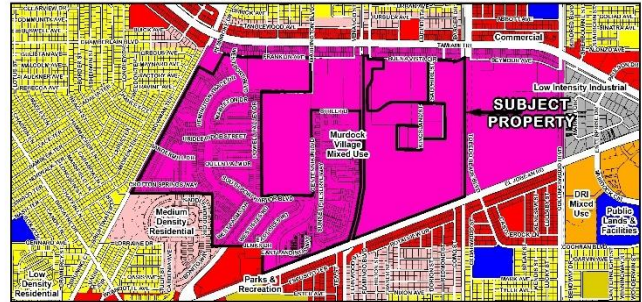
On October 25, 2022, Final Plat (Attachment P: FP-19-11-16) for all of Tract C of Hammocks at West Port Phase I (Plat Book 24, Pages 8A through 8J), a residential subdivision to be named, Hammocks at West Port Phase IIIB, consisting of 61 lots, two right-of-way tracts, and Tract A, was approved by the Board.

Consistency with the County's Comprehensive Plan

The subject property is part of the Murdock Village Community Redevelopment Area (CRA) as depicted on Charlotte 2050 FLUM Series Map #2: 2050 Framework. This CRA was created in 2003 to address conditions of blight that included an inadequate street layout, faulty lot layout, outdated density patterns, and the deterioration of site improvements.



PD-22-00003 Framework



PD-22-00003 FLUM Designations

The County also created a specific Future Land Use Map (FLUM) designation of the Murdock Village Mixed Use (MVMU) for properties located within the Murdock Village CRA in order to facilitate its redevelopment as a mixed-use community. The MVMU FLUM designation was developed to “encourage a mix of residential, retail commercial, medical, office, office showroom, public, educational, recreational, and institutional redevelopment.” It allows “a combination of residential, retail commercial, medical, office, office showroom, educational, recreational, and institutional facilities in order to encourage long-term sustainable development” and contemplates a variety of use areas such as Neighborhood Residential for both single- and multi-family residential development, Town Center for higher intensity regional commercial and multi-family residential development, General Commercial for commercial and multi-family residential development, and Community Commercial for commercial development.

The approved PD and its associated PD Concept Plan and conditions allow development of Neighborhood Residential and General Commercial use areas. As mentioned before, this application, if approved, will add additional 196.14± acres located directly to the east to the development and have a mixture of residential and commercial development with the entire subject property, and also adopt a General PD Concept Plan.

It is staff’s professional opinion that the proposed major modification is consistent with various goals, objectives, and policies set forth in the County’s Comprehensive Plan such as “*focused locations of regional commercial and employment uses*” that “*will be encouraged to change and redevelop over time into economically vibrant, walkable, mixed use centers with unique and identifiable character.*” The proposed changes are also supported by FLU Policy 1.1.1: Planning Principles, which states: “*These Planning Principles shall guide the creation of land use policy and development regulations within Charlotte County and shall be implemented through the policies contained in this Charlotte 2050 Comprehensive Plan (Plan). These principles shall include:*

- *Promoting urban development and redevelopment.*
- *Encouraging distinctive, attractive, mixed use communities with a strong sense of place.*
- *Creating a range of housing opportunities and choices.”*

Surrounding Uses and Compatibility Issues

The existing West Port PD completely surrounds the North Charlotte Regional Park to the east, north and south. The expansion area is located to the east of the existing West Port site. Across Franklin Avenue, to the north, and across Toledo Blade Boulevard, to the east, additional vacant lands are located within the Murdock Village CRA. To the southwest, there are lands zoned PD for residential development up to

400 units. To the south, there are the Charlotte County Fairground and some vacant commercial lands. To the west, there are platted residential lots across the Crestwood Waterway.

The proposed changes will:

- Increase the development area from 434.68± acres to 630.82± acres.
- Decrease single-family dwelling units from 2,010 to 1,898.
- Increase multi-family dwelling units from 705 to 804.
- Increase commercial space from 246,639.59 square feet to 670,522 square feet.

For the proposed expansion area, the proposed additional commercial uses will be generally located along US 41 and SR 776, which are the major thoroughfares within the County. The proposed PD condition “m” requires a natural buffer 60 feet in width as measured from the lot line along the multi-family portion of the frontage abutting SR 776 and 25 feet in width as measured from the lot line along the commercial/retail portion of the frontage abutting SR 776 to not only protect the future residents within this development, but also protect surrounding residential neighborhood and minimize any potential negative impacts, such as noise and view from major roadways.

It is staff’s professional opinion that the proposed revisions to the existing PD shall not have any detrimental impacts on surrounding residential uses.

Concurrency issues

- *Water and Sewer:* The proposed development will be served by Charlotte County Utilities. The Charlotte County Utilities retains sufficient capacity to serve the proposed development.
- *Traffic:* After reviewing the applicant’s submitted West Port Expansion Traffic Impact Study, prepared by Florida Transportation Engineering, Inc., dated February 2023 and signed March 2, 2023, the Charlotte County Public Works Department Engineering Section has concluded and concurred with the conclusion of the report that: *“as part of the project, the developers have reconstructed Centennial Blvd from SR 776 and US 41. In addition, the developers are planning to extend Flamingo Blvd from SR 776 to US 41 as a four-lane roadway. The proposed extension will create the north leg for the intersection of SR 776 at Flamingo Blvd. This will trigger the need to prepare Intersection Control Evaluation (ICE) for the modified intersection. The ICE analysis will be developed after concurrence from the County and FDOT on the assumptions and conclusions in this report.*

The roadway LOS analysis indicates that all the surrounding roadways are currently operating with LOS D or better. and they will continue to do so in the future with the proposed project. except for SR 776 which will deteriorate to a LOS F at the background conditions. The analysis indicates that the access management along SR 776 currently meets the required standards for its posted speed limit and will continue to do so with the proposed driveways. Similarly, the proposed driveways along Flamingo Blvd and Toledo Blade Blvd will meet the County’s required spacing, Except for the spacing between Seymour Avenue and US 41, which is an existing condition.

Along US 41, the access management spacing requirements for a Class 3 roadway are met, except for the spacing between Centennial Blvd and Flamingo Blvd, and the spacing between Toledo Blade Blvd and the full median opening serving the Shell gas station as well as with the connection at Como Street. These are conditions that are existing and will remain in the Buildout scenario.

For the future scenario in 2027, the trips generated by the proposed development will satisfy the volume requirements for signalization of both intersections of US 41 at Centennial Blvd and Flamingo Blvd. As signalized conditions, both intersections will operate with acceptable LOS. However, the intersections will not meet access management spacing requirements for both intersections to be signalized. Since signalizing these intersections will require to be further analysis for other intersection West Port Expansion control strategies as part of FDOT's ICE process. (sic) It is recommended to include the analysis of these intersections in the ICE process."

In addition, a revised up-to-date Traffic Impact Study will need to be submitted at the time of Final Detail Site Plan Review stage for any proposed future construction. The County reserves rights to place additional conditions or requirements during the Final Detail Site Plan Review process, and the applicant will be responsible for any site related improvements required to mitigate impacts resulting from the proposed development.

- *School:* The existing West Port PD site property has been issued an exemption from school concurrency. A letter from the Charlotte County School Board's attorney, dated March 17, 2017, states that Murdock Village "is exempt from school concurrency requirements to the extent of 3,098 residential units in the aggregate". The letter further states that it is "confirmation that the school district has determined that residential development is exempt from school concurrency requirements". The property subject to this PD rezoning, including the existing West Port PD area and the proposed expansion area, is located within the boundary of the Murdock Village CRA. On October 11, 2022, this PD rezoning application was emailed to the Charlotte County School Board by the applicant for the Planning review.

PD Concept Plan

The General PD Concept Plan associated with this PD rezoning was submitted for Site Plan Review. The petition number is DRC-22-00097. A recommendation letter was issued on February 28, 2023. (Attachment Q).

Conclusion

It is staff's professional opinion that this major modification to an existing PD with the recommended conditions stated below is consistent with the Murdock Village Mixed Use (MVMU) FLUM category, and various goals, objectives, and policies set forth in the County's Comprehensive Plan.

Conditions

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

- a) Total development entitlements shall include:

Project Summary

Area	—434.68 <u>630.82±</u> acres
Residential Uses	
Single-family	—2,010 <u>1,898</u> units
Multi-family	705 <u>804</u> units
Total residential	2,715 <u>2,702</u> units
Commercial Uses	
Regional commercial space (retail/service)	146,639.59 <u>620,522</u> square feet
Regional commercial space (hotel <u>medical offices</u>)	100,000 <u>50,000</u> square feet
Total commercial space	246,639.59 <u>670,522</u> square feet

- b) Land use categories within this PD shall be considered Neighborhood Residential and General Commercial, as established in the Murdock Village Mixed Use Future Land Use Map designation contained in Charlotte 2050 FLU Appendix I. Development tracts “A” through “H”, as depicted on the PD Concept Plan (Attachment 1: West Port General Planned Development Concept Plan) submitted by the applicant, prepared by Morris Engineering and Consulting, LLC, dated ~~January 7, 2019~~ March 6, 2023, shall be designated Neighborhood Residential. Development tracts “J” ~~and~~ “K”, “P”, “Q”, and “S” as depicted on the West Port General PD Concept Plan submitted by the applicant, prepared by Morris Engineering and Consulting, LLC, dated ~~January 7, 2019~~ March 6, 2023, shall be designated General Commercial. Tract R shall be designated Neighborhood Residential for single-family, Tract “U” shall be designated General Commercial for medical offices, and Tract “T” shall be designated General Commercial for apartments as depicted on the West Port General PD Concept Plan.
- c) Development entitlements may be increased in one land use category and concurrently reduced in another land use category, as more specifically described in the Murdock Village Equivalency Matrix adopted in Charlotte 2050 FLU Appendix I. All applications for Final Detail Site Approval shall include calculations supporting any proposed exchanges using the Equivalency Matrix, together with a running total of remaining entitlements.
- d) Development on the subject property shall occur as generally illustrated on the PD Concept Plan (Attachment 1: West Port General Planned Development Concept Plan) submitted by the applicant, prepared by Morris Engineering and Consulting, LLC, dated ~~January 7, 2019~~ March 6, 2023, except such modifications as may be required to meet the conditions of the PD zoning district. In addition, the Site Plan Review (Petition No. ~~DRC-17-00060~~ 22-00097) conditions/comments of approval according to the letter dated ~~October 2, 2017~~ February 28, 2023, and signed by Shaun Cullinan, Charlotte County Zoning Official, are required to be met.
- e) No development activity shall occur prior to Final Detail Site Plan approval for each phase of the development.
- f) Single-family and multi-family residential uses may be developed within the areas designated Neighborhood Residential. Commercial and multi-family residential uses may be developed within the areas designated General Commercial. Emergency and essential services uses may be developed within both.
- g) The following uses may be permitted:
- i) Amphitheater.
 - ii) Animal hospital.
 - iii) Art, dance, music, photo studio or gallery.
 - iv) Auditorium, convention center, performing arts center.
 - v) Bank, financial services.
 - vi) Bar, cocktail lounge, nightclub, tavern.
 - vii) Business services.
 - viii) Clubhouse, community center.
 - ix) Cluster housing.
 - x) Community garden.
 - xi) Day care center, child.
 - xii) Drug store, pharmacy.
 - xiii) Dry cleaner.
 - xiv) Emergency services.
 - xv) Essential services (see Section 3-9-71 essential services.).
 - xvi) Fences or walls, which may be permitted prior to the principal uses and structures.
 - xvii) Gas station.
 - xviii) General offices.

- xix) General retail sales and services (see Section 3-9-61, accessory outdoor retail sales, display, and storage).
 - xx) Hotel, motel, inn.
 - xxi) Laundromat.
 - xxii) Liquor, package store.
 - xxiii) Medical or dental office, clinic.
 - xxiv) Mini-warehouses or storage facilities, but not bulk storage of flammable liquids.
 - xxv) Minor home occupation.
 - xxvi) Model home, with the total number of model homes allowed equal to ten or ten percent of the lots depicted on the preliminary plat, whichever is greater.
 - xxvii) Motor vehicle wash.
 - xxviii) Multi-family residential buildings, including duplex and triplex buildings and townhomes.
 - xxix) Noncommercial vehicle rental.
 - xxx) Outdoor market or exhibition space.
 - xxxi) Paid or public parking lot, garage, structure.
 - xxxii) Private off-site parking.
 - xxxiii) Personal services.
 - xxxiv) Place of worship (see Section 3-9-82, places of worship).
 - xxxv) Post office.
 - xxxvi) Private club.
 - xxxvii) Professional services.
 - xxxviii) Recreation, indoor.
 - xxxix) Recreation, outdoor.
 - xl) Restaurant.
 - xli) Sales center.
 - xl ii) Single-family attached homes.
 - xl iii) Single-family detached homes, which may have a guest suite that is structurally attached, with or without cooking facilities.
 - xl iv) Uses and structures which are customarily accessory and clearly incidental to primary uses and structures.
 - xl v) Hospital.
 - xl vi) Laboratories, class 1, 2, 3.
- h) 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 homeowners' association.
- i) Roadways, sidewalks, and multi-use paths within the subject property shall be developed consistent with the cross-sections as depicted on the PD General Concept Plan submitted by the applicant, prepared by Morris Engineering and Consulting, LLC, dated ~~January 7, 2019~~ March 6, 2023. The sidewalk along El Jobean Road (SR 776) shall match the existing five-foot sidewalk in width and placement.
- j) The development must use potable water and sanitary sewer utilities. The potable water and sanitary sewer lines must be connected to the site before any certificates of occupancy shall be issued. A Developers Agreement for the extension of potable water and sanitary sewer lines must be approved by the Board of County Commissioners prior to the Final Site Plan Review application for the first phase of development.
- k) The following development standards shall be applied:

Use	Single-family detached	Single-family attached	Multi-family	Townhomes	Commercial	Residential Amenities	Multi-family for ten units per building
-----	------------------------	------------------------	--------------	-----------	------------	-----------------------	---

							located in Tract J and portion of Tract A illustrated in Attachment 2
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	1.5/unit
Minimum lot size (s.f.)	4,000	3,200	7,500	2,000	12,000	None	1,400/unit
Minimum lot width (ft.)	40	35	80	16	100	None	14/unit
Minimum front yard (ft.)	20	20	20	20	15	20	20/unit
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	10/20 between residential buildings
Minimum side yard abutting road (ft.)	15	15	15	10	10	15	10/building
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	10/building
Minimum rear yard abutting road (ft.)	15	15	15	15	10	15	15/building
Minimum rear yard abutting water (ft.)	15	15	15	15	20	15	15/building
Maximum building height (ft.)	38	38	60	38	60	38	35/building
Maximum lot coverage (%)	65	70	45	75	55	65	65/unit

Accessory structure setbacks	Same as principal structure, except that provided there is at least 15 feet between the rear property line and the natural water line when adjoining water, the rear setback may be reduced to 5
-------------------------------------	--

- l) A unified landscaping theme shall be used within each development pod. All landscaping shall be installed in accordance with Section 3-9-100: Buffers, Landscaping, and Tree Requirements of the County Code. A partnership with the Cooperative Extension Service of the University of Florida to interact with the Florida Yards and Neighborhoods program is encouraged.
- m) A 25-foot perimeter setback for the entire PD site is not required. However, for the proposed expansion area, it is required to provide a natural buffer 60 feet in width as measured from the lot line along the multi-family portion of the frontage abutting SR 776 and 25 feet in width as measured from the lot line along the commercial/retail portion of the frontage abutting SR 776. This buffer may be reduced along the commercial/retail portion of the plan as needed to accommodate for driveway access.
- n) The following other buffer requirements, as established in Section 3-9-100, shall be applied:

Proposed Use	Abutting Use			
	Single-family	Multi-family	Commercial	Right-of-way
Single-family	None	None	None	None
Multi-family	Type A	None	None	Perimeter buffer
Commercial	Type C	Type C	None	Perimeter buffer

- o) The five percent open space/habitat reservation is not required, nor is the payment in lieu of reservation, provided that each residential development pod provides at least 20 percent open space.
- p) All commercial development shall comply with the requirements of Article XXIV: Commercial Design Standards, of the County Code.
- q) The developer shall minimize impervious surfaces within the development wherever practicable.
- r) The developer shall work together with the Florida Department of Transportation (FDOT) and the County Public Works Department in order to address any proposed intersection improvements related to the West Port Development as identified in the West Port Expansion Traffic Impact Study prepared by Florida Transportation Engineering, Inc. and dated November 2022, revised February 2023 and signed March 2, 2023.

Attachment 1
West Port
General Planned Development
Concept Plan

PLANNED DEVELOPMENT CONCEPT PLAN for

West Port (AMENDMENT)

A PLANNED DEVELOPMENT COMMUNITY

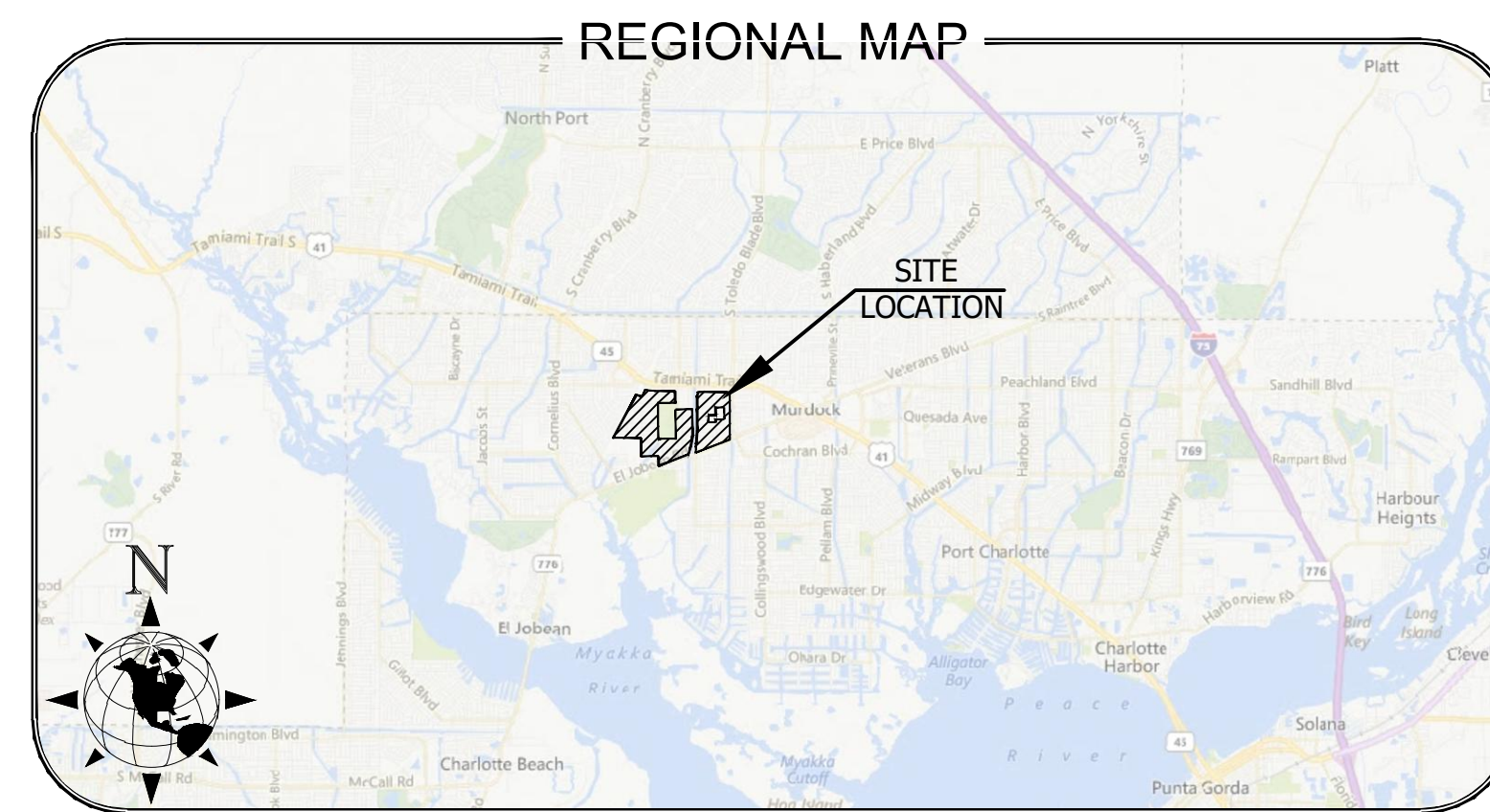
EL JOBEAN & FLAMINGO BLVD.
SECTION 12, TOWNSHIP 40 SOUTH, RANGE 21 EAST
PORT CHARLOTTE, FLORIDA
PID: 402112251001

A DEVELOPMENT BY KOLTER ACQUISITIONS GROUP

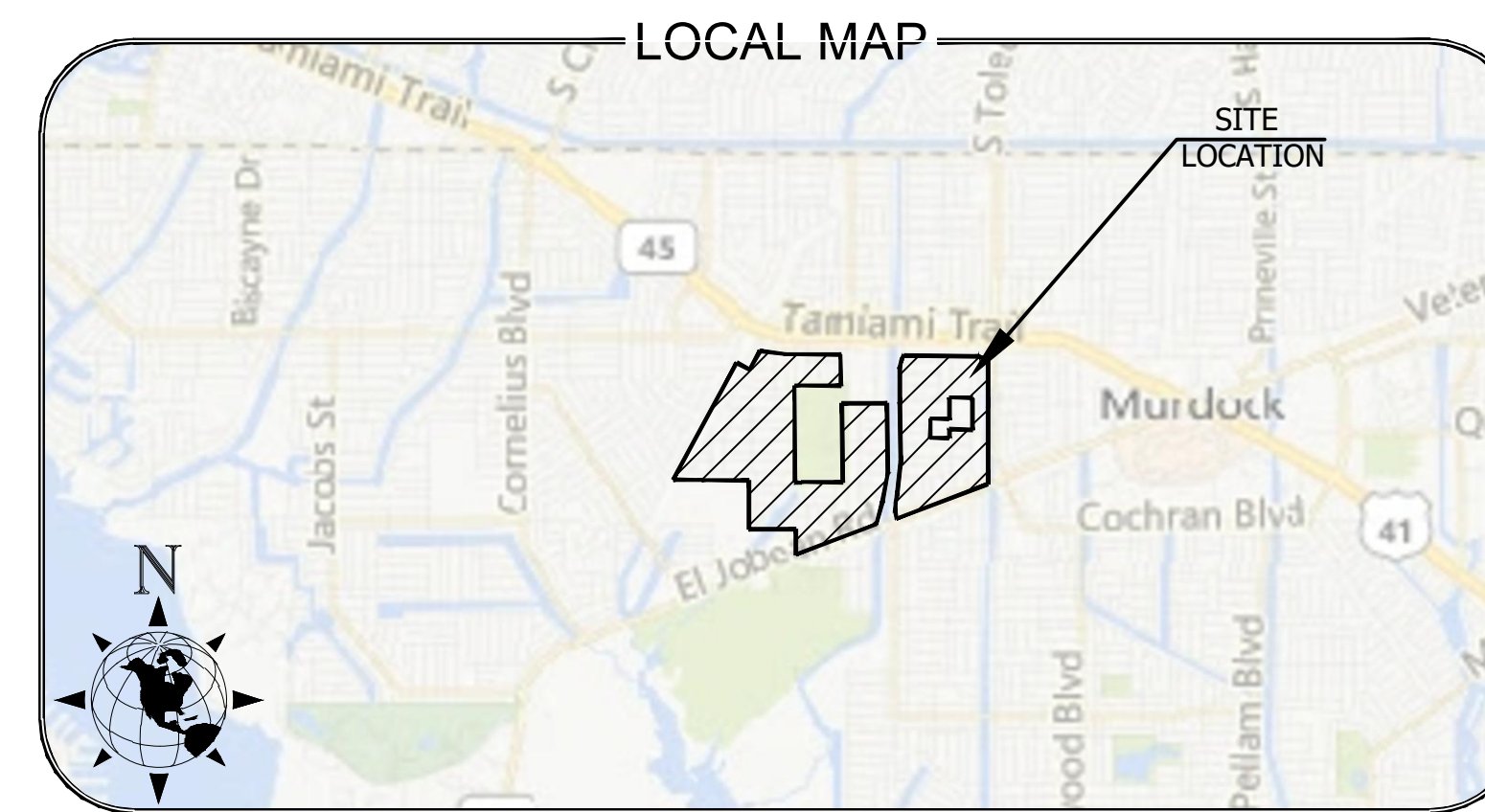
14025 Riveredge Dr., #175
Tampa, Florida 33637

UTILITY SERVICE PROVIDERS

WATER: CHARLOTTE COUNTY UTILITIES	25550 HARBORVIEW RD. SUITE 1 PORT CHARLOTTE, FL 33980 PHONE: (941) 764-4300
SEWER: CHARLOTTE COUNTY UTILITIES	25550 HARBORVIEW RD. SUITE 1 PORT CHARLOTTE, FL 33980 PHONE: (941) 764-4300
ELECTRIC: FLORIDA POWER AND LIGHT	2245 MURPHY CT. NORTH PORT, FL 34289 PHONE: (800) 375-8490
PHONE: CENTURYLINK	4195 KINGS HIGHWAY PORT CHARLOTTE, FL 33980 PHONE: (941) 637-5141
CABLE: COMCAST	2226 EDGEWATER DRIVE PORT CHARLOTTE, FL 33980 PHONE: (941) 625-6000
FIRE PROTECTION ADMIN: CHARLOTTE COUNTY FIRE/EMS	26571 AIRPORT RD. PUNTA GORDA, FL 33982 PHONE: (941) 833-5600
SOLID WASTE DISPOSAL: WASTE MANAGEMENT	25515 OLD LANDFILL ROAD PORT CHARLOTTE, FL 33980 PHONE: (941) 629-1106



REGIONAL MAP
CHARLOTTE COUNTY, FLORIDA



LOCAL MAP
SECTION 12, TOWNSHIP 40 SOUTH, RANGE 21 EAST
CHARLOTTE COUNTY, FLORIDA

INDEX OF SHEETS

SHEET	TITLE
1	COVER (PD)
2	AERIAL SITE PLAN
3	PLANNED DEVELOPMENT CONCEPT PLAN
4	PROPOSED INTERSECTION UPDATES
5	PLANNED DEVELOPMENT CONCEPT PLAN DETAILS

PROJECT CONTACTS

ENGINEER:
MATTHEW J. MORRIS P.E.
MORRIS ENGINEERING & CONSULTING, LLC
6997 PROFESSIONAL PARKWAY EAST, SUITE B
SARASOTA, FLORIDA 34240
941-444-6644
www.morrisengineering.net

SURVEYOR:
GEOPOINT SURVEYING, INC.
1403 EAST 5th AVENUE
TAMPA, FLORIDA 33605
813-249-8888
davidw@geopointsurvey.com

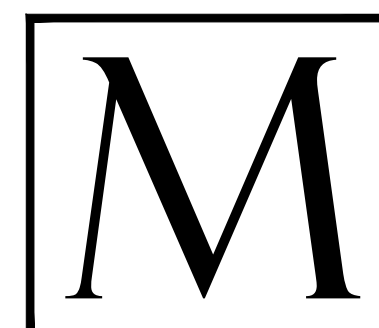
APPLICANT:
KOLTER ACQUISITIONS GROUP, LLC
701 SOUTH OLIVE AVENUE, SUITE 104
WEST PALM BEACH, FLORIDA 33401
561-515-4450

SITE INFORMATION

PROPERTY AREA: 196.14 THIS SITE
434.68 EXISTING
630.82 TOTAL ACRES

CURRENT ZONING: PD

PROPOSED USE: COMMERCIAL, RESIDENTIAL

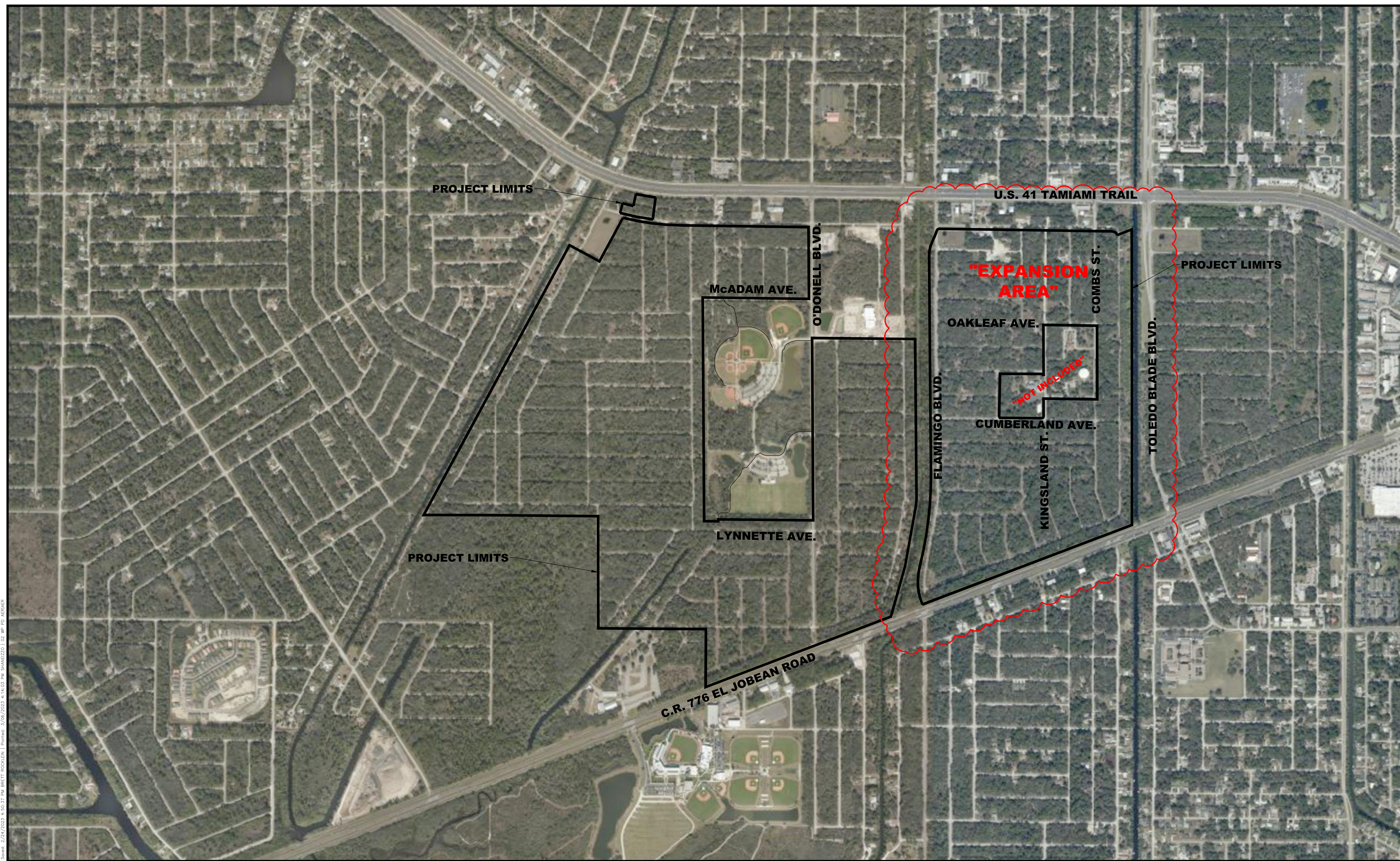


PREPARED BY
MORRIS ENGINEERING AND CONSULTING, LLC
Civil Engineering and Land Development Consulting
6997 Professional Parkway East, Suite B, Sarasota, Florida 34240 C.A.28780 941-444-6644 www.morrisengineering.net

REVISIONS

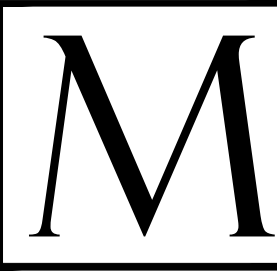
NO.	DATE	DESCRIPTION	BY
-	-	-	-

MATTHEW J. MORRIS
FL LICENSE NO. 68434



Saved: 2/24/2023 4:50:37 PM BRETT ROCKLEN | Plot: 3/26/2023 4:14:03 PM SHANEZIO | 02 WP PD #EJACR
 C:\Users\BRETT.MORRIS\OneDrive\Documents\Projects\WestPort\02 WP PD #EJACR.dwg

NO.	DATE	REVISION DESCRIPTION	BY


MORRIS ENGINEERING AND CONSULTING, LLC
 Civil Engineering and Land Development Consulting
6997 Professional Parkway East, Suite B, Lakewood Ranch, Florida 34240 C.A.28780 941-444-6644 www.morrisengineering.net

DATE	2022/04/26
PROJECT	WESTPORT-PD
DRAWING	03 WP PD CP
DRAWN	CHECKED
	MJM

AERIAL SITE PLAN
West Port
 CHARLOTTE COUNTY, FLORIDA

SCALE	1" = 500'
SEC-TWP-RNG	10,11,14-40S-21E
SHEET	OF
2	5

MATTHEW J. MORRIS
 FL LICENSE NO. 68434

PROJECT LIMITS

HWY 41 (TAMIAMI TRAIL)

TRACT "N"

TRACT "G"

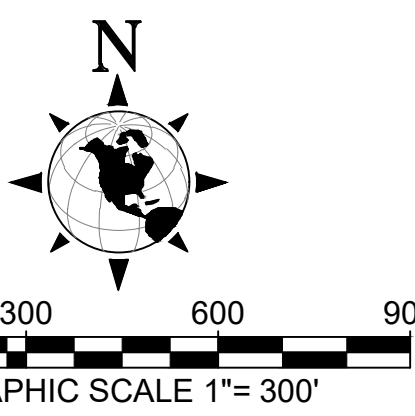
COUNTY RECREATIONAL AND AQUATIC CENTER

NOT INCLUDED

COMMERCIAL/RESIDENTIAL 28.78 ACRES

TRACT "P"

RIGHT-IN / RIGHT-OUT ACCESS



TRACT "D"

TRACT "E"

NORTH CHARLOTTE CO. REGIONAL PARK

FULL ACCESS

SCHOOL BOARD PROPERTY 40.48 ACRES

TRACT "Q"

FULL ACCESS

TRACT "D"

TRACT "E"

PROPOSED MULTI-MODAL PATH

WEST PORT CROSSINGS (FKA CASTLE AVE)

WEST PORT CROSSINGS

EBEN-EZER HAITIAN BAPTIST CHURCH "NOT INCLUDED"

PROJECT LIMITS

TRACT "D"

TRACT "E"

FULL ACCESS

TRACT "R"

SINGLE FAMILY 109.98 ACRES

RIGHT-IN / RIGHT-OUT ACCESS

TRACT "D"

TRACT "E"

TRACT "H"

TRACT "H"

TRACT "R"

TRACT "U"

TRACT "D"

TRACT "E"

TRACT "B"

TRACT "H"

TRACT "R"

TRACT "T"

PROJECT LIMITS

TRACT "C"

TRACT "B"

TRACT "A"

TRACT "S"

TRACT "T"

A TYPE A BUFFER
REQUIRED PLANT UNITS PER 100 FEET:
(2) CANOPY TREES, (1) ACCENT/UNDERSTORY TREE, (10) SHRUBS

C TYPE C BUFFER
REQUIRED PLANT UNITS PER 100 FEET:
(3) CANOPY TREES, (1) ACCENT/UNDERSTORY TREE, (15) SHRUBS

PB PERIMETER BUFFER
LANDSCAPE STRIP AT LEAST 8-FEET IN WIDTH (UNLESS OTHERWISE ALLOWED BY CODE)
SEE SECTION 3-9-100.2 FOR SPECIFIC PLANTING REQUIREMENTS PER APPLICATION.

NB NO BUFFER

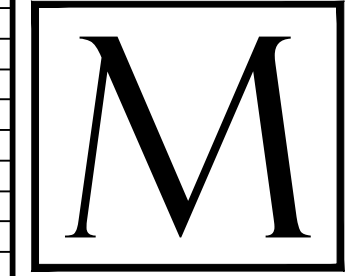
BUFFERS PER SECTION 3-9-100

LANDSCAPE BUFFERS WILL BE ADJUSTED ACCORDING TO THE USE PROPOSED AT TIME OF FINAL SITE PLAN APPROVAL. IF USES ARE CONVERTED FROM THE ONE NOTED ON THIS CONCEPT PLAN, A MAJOR MODIFICATION WILL NOT BE REQUIRED.

Proposed Use	Abutting Use			
	Single-family	Multi-family	Commercial	Right-of-way
Single-family	None	None	None	None
Multi-family	Type A	None	None	Perimeter buffer
Commercial	Type C	Type C	None	Perimeter buffer

NOTE:

AT THE TIME OF THIS PD PLAN MODIFICATION, THE BUFFERS FOR THE WEST PORT DEVELOPMENT WEST OF FLAMINGO WATERWAY ARE ALREADY APPROVED UNDER A FINAL SITE PLAN APPLICATION, AND THE FINAL SITE PLAN APPROVAL SHALL GOVERN.



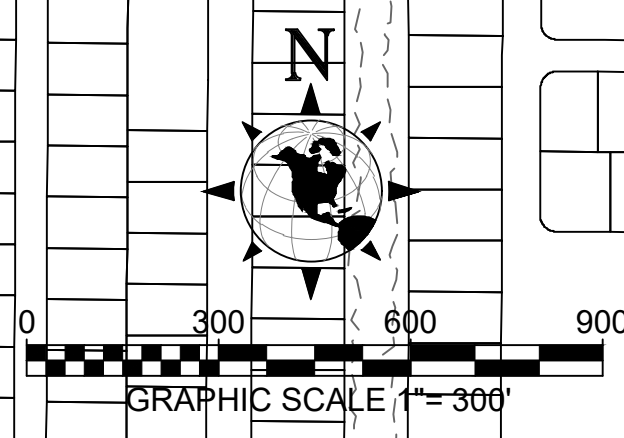
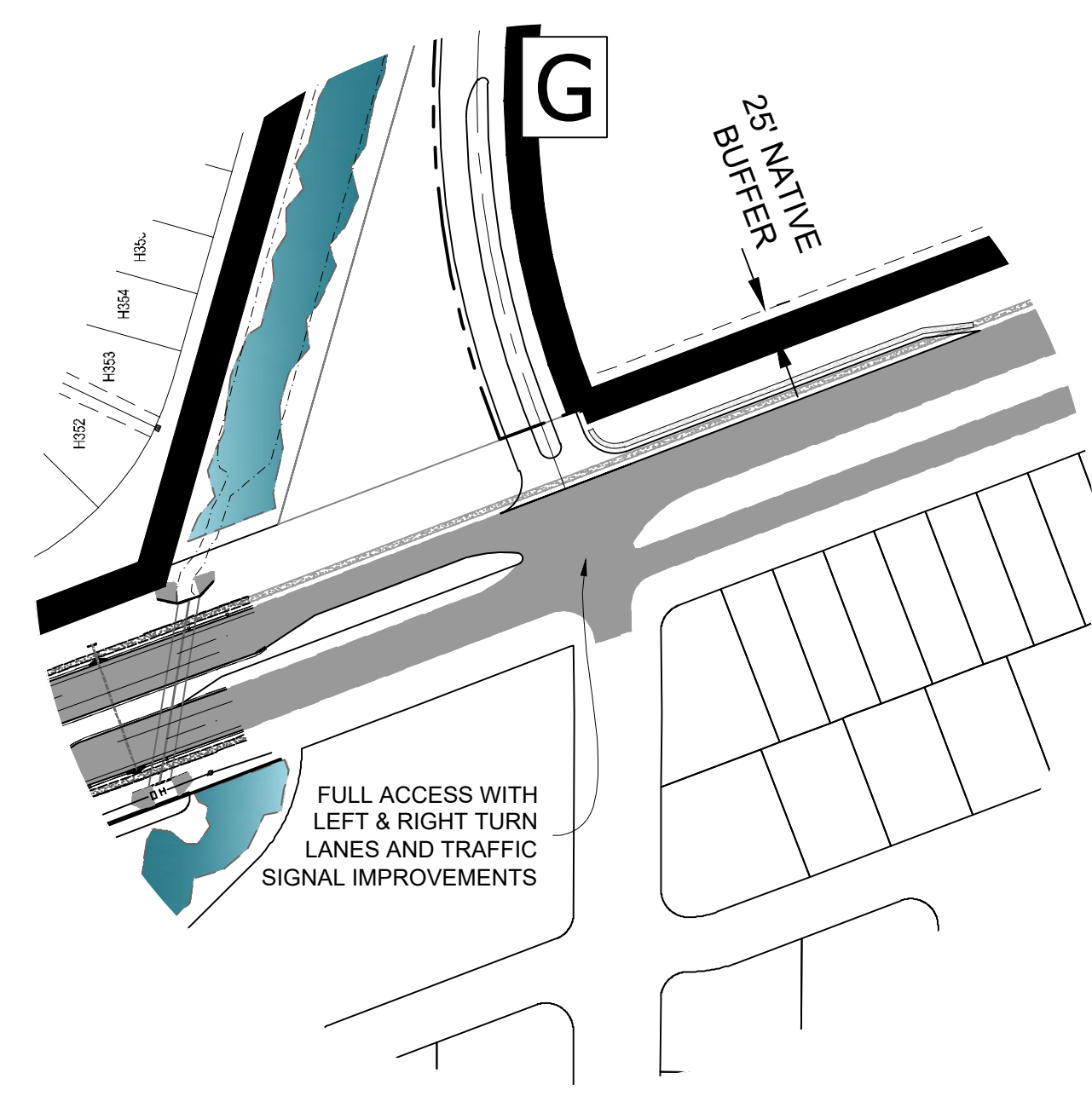
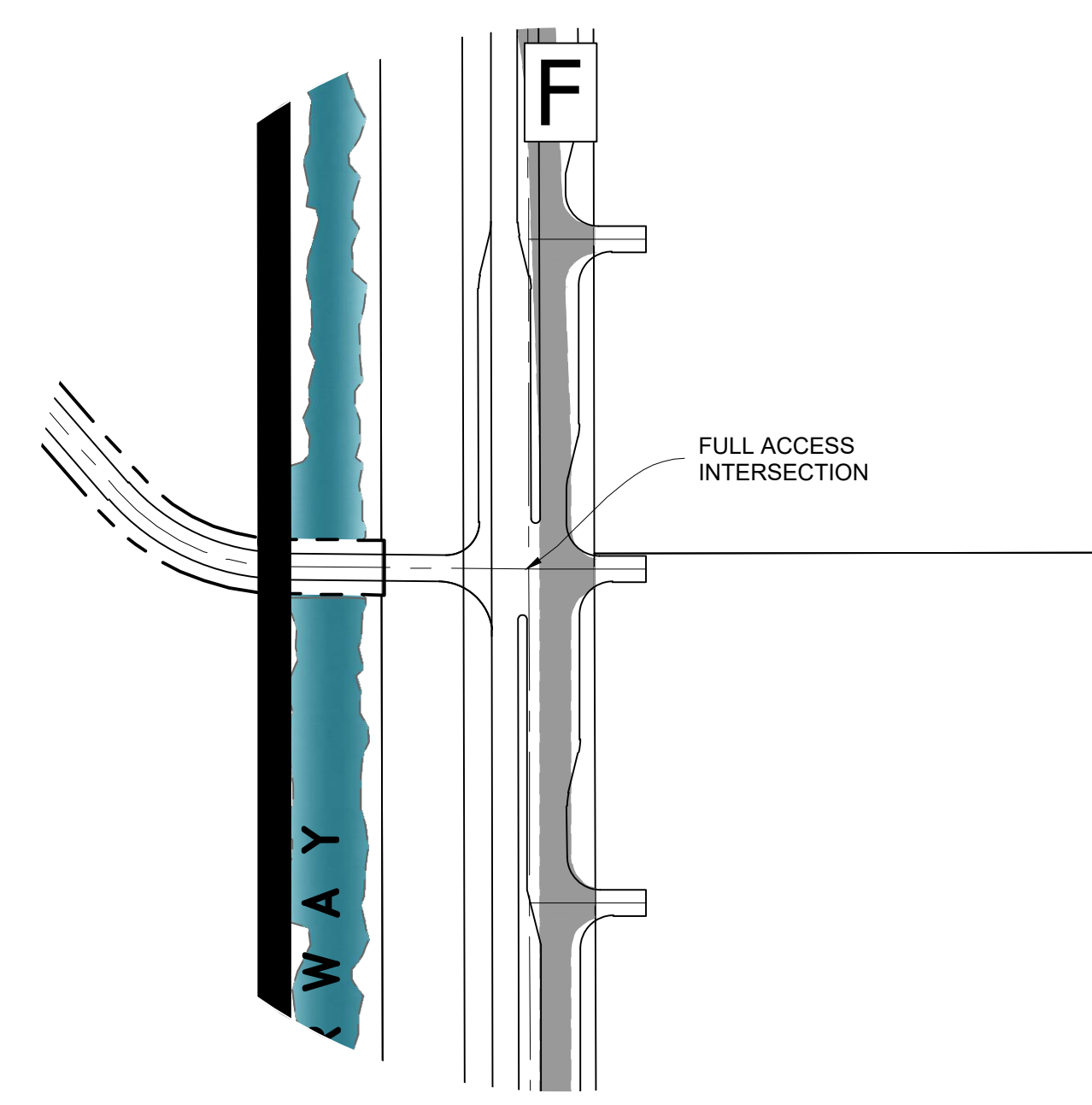
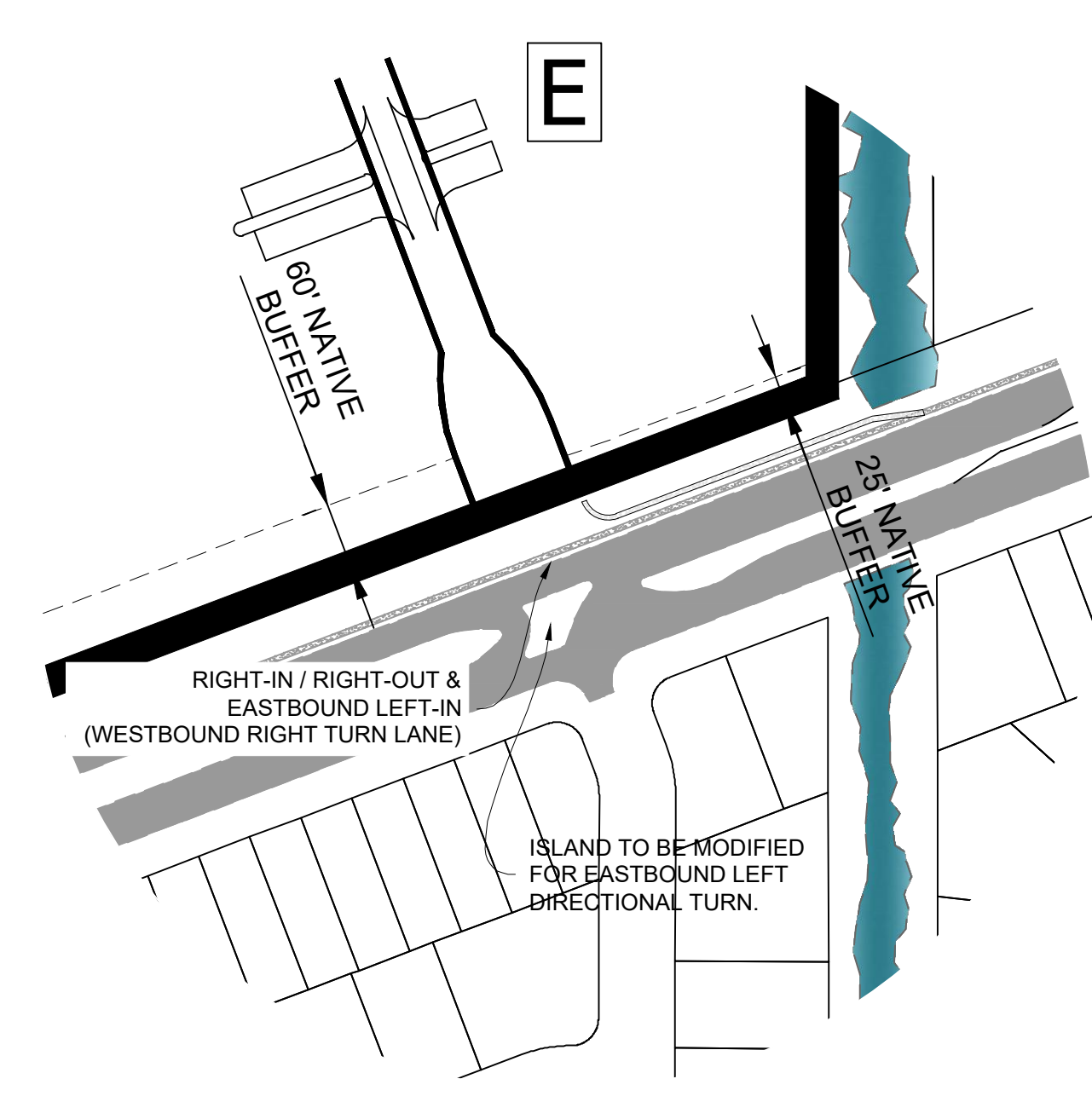
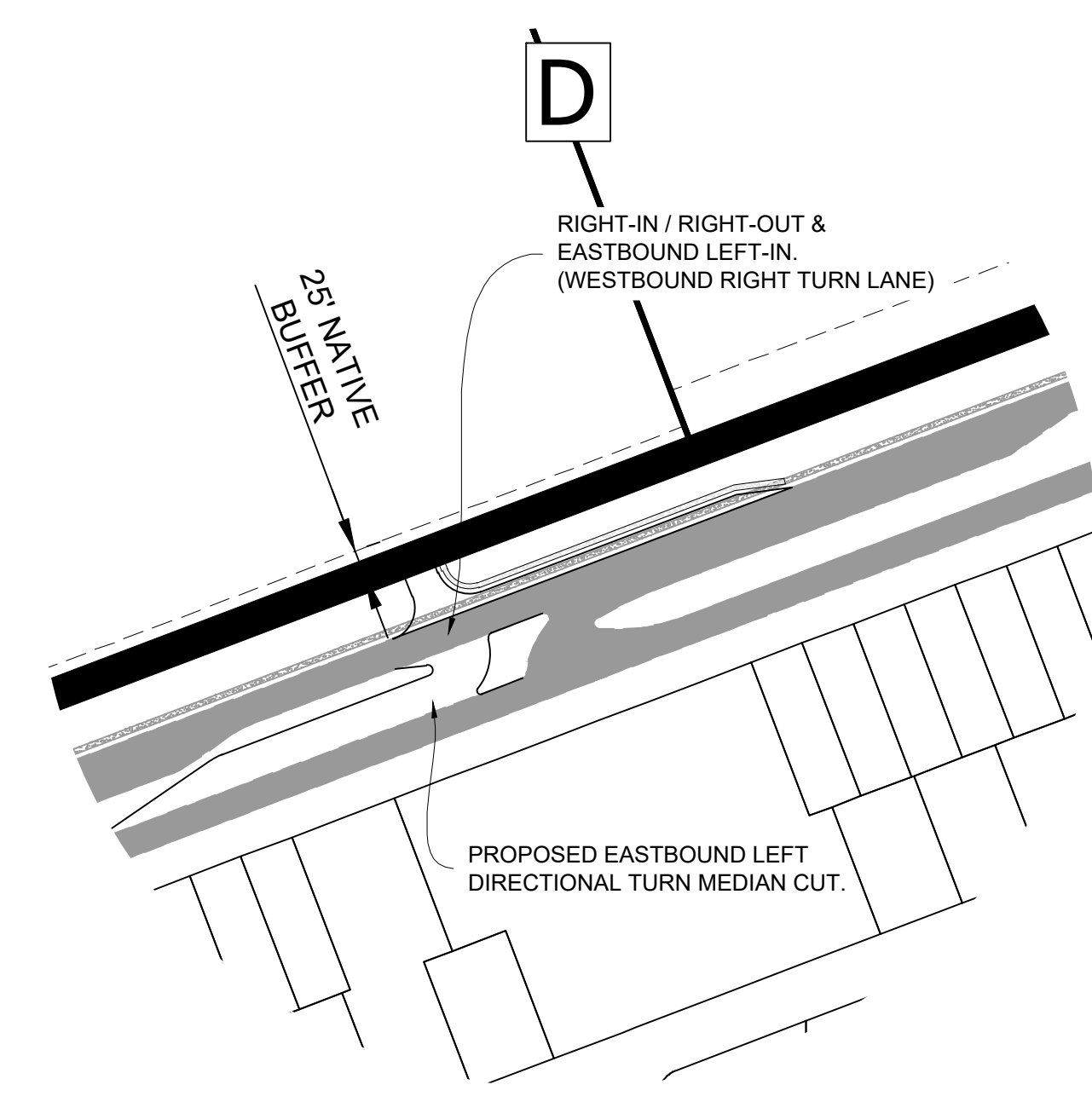
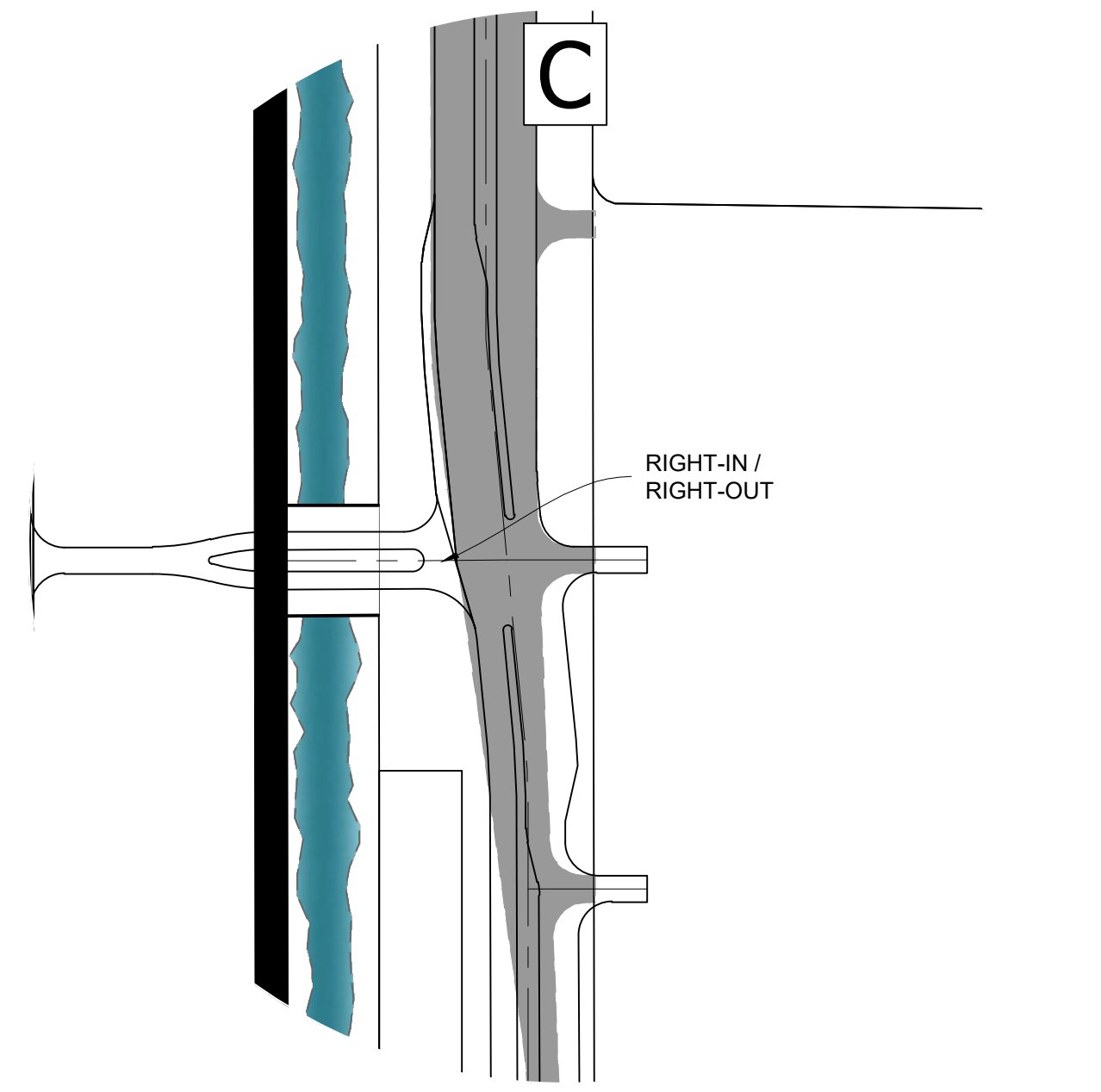
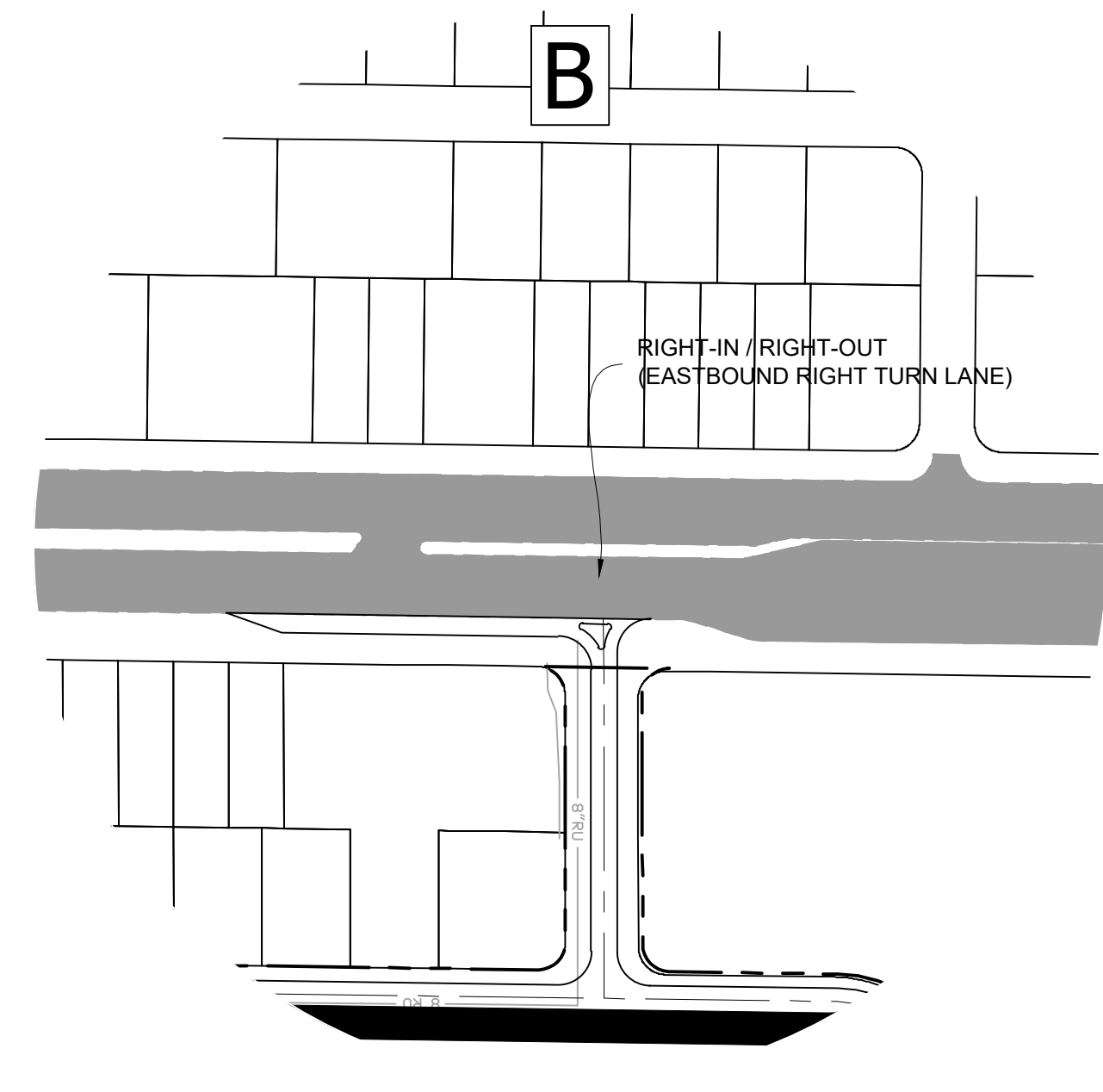
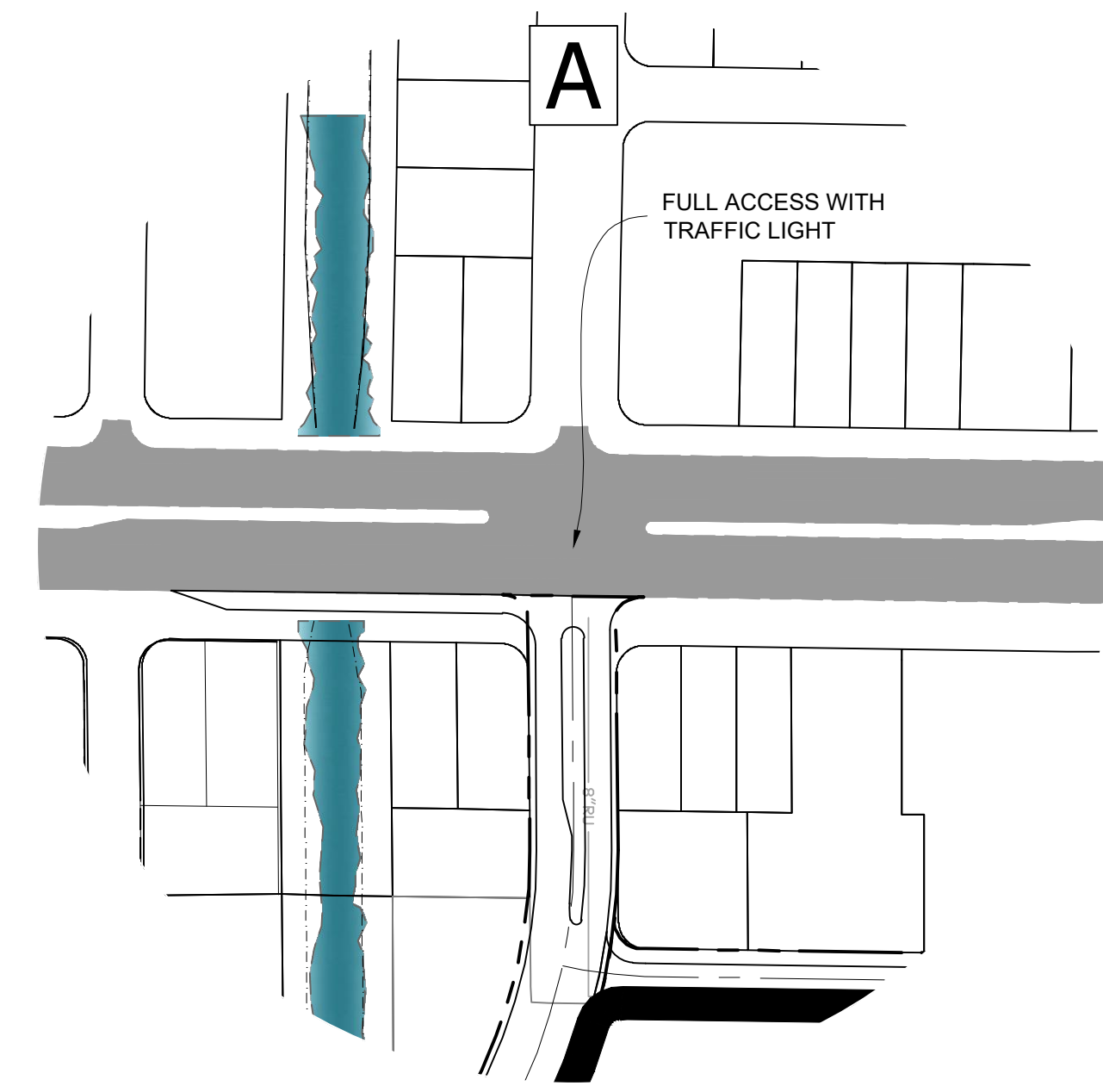
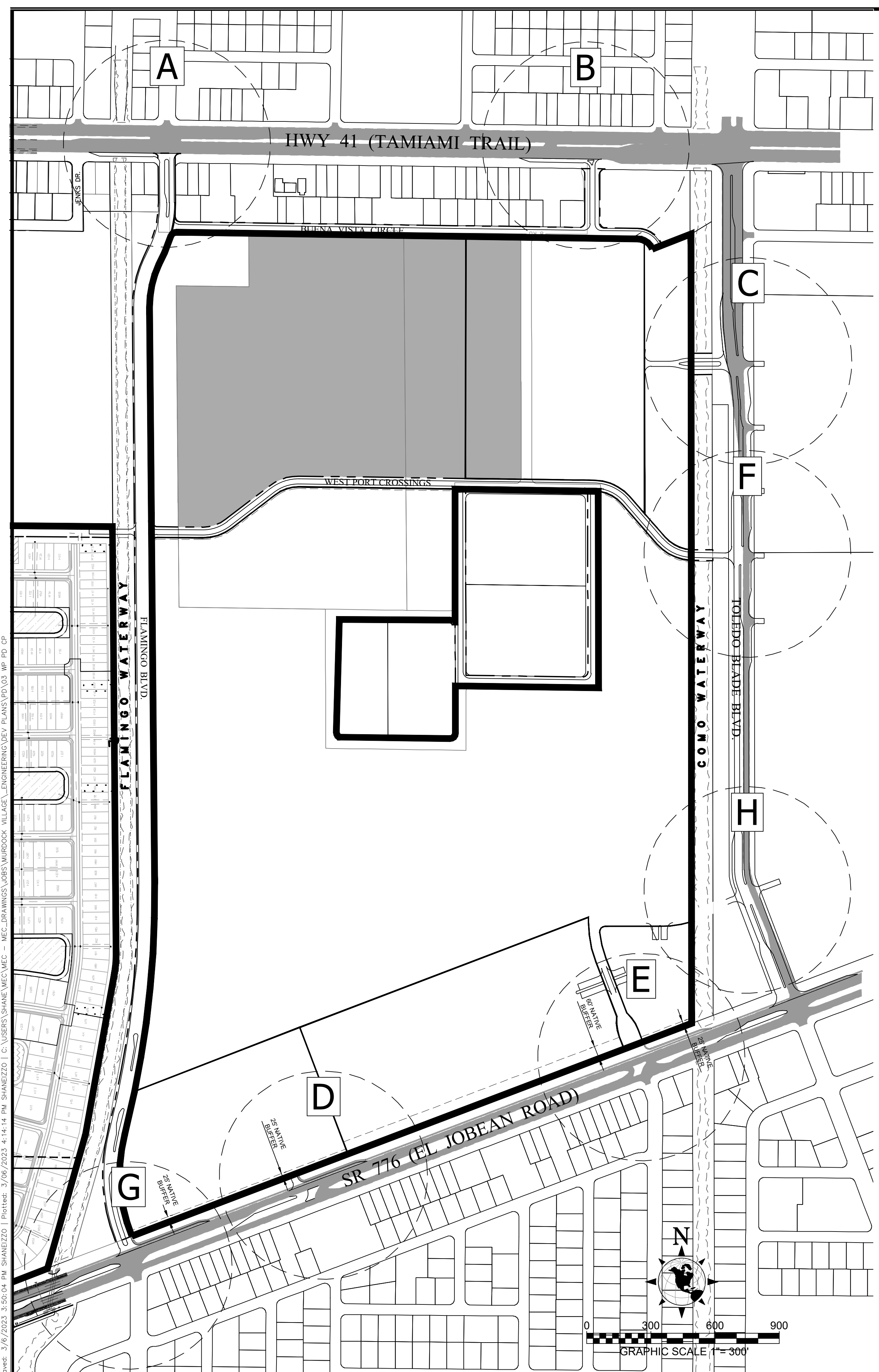
MORRIS ENGINEERING AND CONSULTING, LLC
Civil Engineering and Land Development Consulting
6997 Professional Parkway East, Suite B, Lakewood Ranch, Florida 34204 C.A.28780 941-444-6644 www.morrisengineering.net

DATE 2022/04/26
PROJECT WESTPORT-PD
DRAWING 03 WP PD CP
DRAWN CHECKED MJM

PLANNED DEVELOPMENT CONCEPT PLAN
West Port
CHARLOTTE COUNTY, FLORIDA

SCALE 1" = 300'
SEC-TWP-RNG 10,11,14-40S-21E
SHEET 3 OF 5
MATTHEW J. MORRIS
FL LICENSE NO. 68434

NO.	DATE	REVISION DESCRIPTION	BY



NO.	DATE	REVISION DESCRIPTION	BY

M MORRIS ENGINEERING AND CONSULTING, LLC
 Civil Engineering and Land Development Consulting
 6997 Professional Parkway East, Suite B, Lakewood Ranch, Florida 34240 C.A.28780 941-444-6644 www.morrisengineering.net

DATE	2022/04/26
PROJECT	WESTPORT-PD
DRAWING	03 WP PD CP
DRAWN	CHECKED
	MJM

PLANNED DEVELOPMENT CONCEPT PLAN
West Port
 CHARLOTTE COUNTY, FLORIDA

SCALE
 1" = 50'
 SEC-TWP-RNG
 10,11,14-40S-21E
 SHEET 4 OF 5
 MATTHEW J. MORRIS
 FL LICENSE NO. 68434

SITE DATA TABLE:
 PROPERTY AREA: 630.82 ACRES
 CURRENT ZONING & LAND USE: PLANNED DEVELOPMENT (PD)

LAND USE BREAKDOWN:
 PROPERTY AREA: 630.82 ACRES
 OFFSITE ROADWAY AREA EXPANSION: 9.35 ACRES
 STORMWATER MANAGEMENT AREA (SWMA): 45.52 ACRES
 PUBLIC R.O.W. AREA: 32.33 ACRES

FLOOD ZONE:
 PARCEL LESS IN FLOOD ZONES: X, 8AE AND 9AE
 FEMA FLOOD MAP(S): 12015C0043G DATED 12/15/2022

DENSITY:
 ZONING: PD 2,702 DWELLING UNITS (COMBINATION OF SINGLE FAMILY AND MULTI FAMILY UNITS)
 DENSITY: NUMBER DWELLING UNITS / PROPERTY AREA
 2,702 UNITS / 630.82 ACRES
 4.28 UNITS PER ACRE

PARKING REQUIREMENTS:
 SINGLE FAMILY RESIDENTIAL & SINGLE FAMILY ATTACHED VILLAS REQUIRED: 2.0 SPACES PER DWELLING UNIT

MULTI FAMILY AREAS:
 PARKING FOR THE PROJECT MULTI FAMILY AREAS WILL BE DETERMINED AND PROVIDED ONSITE AT THE TIME OF FINAL DETAIL SITE PLAN APPROVAL PER CHARLOTTE COUNTY LAND DEVELOPMENT REGULATIONS SEC. 3-9-79 AND/OR CURRENT APPROVALS.

AMENITY AREAS:
 PARKING FOR THE PROJECT AMENITY AREA WILL BE ONE HALF THAT REQUIRED BY SECTION 3-9-79 PER CHARLOTTE COUNTY LAND DEVELOPMENT REGULATIONS.

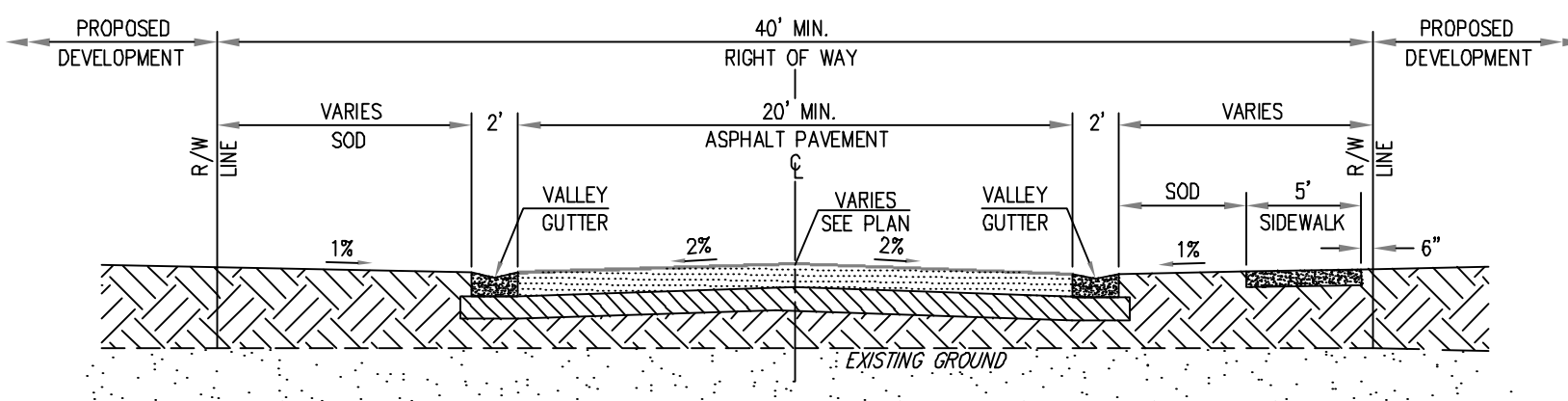
OPEN SPACE:
 EACH DEVELOPMENT TRACT SHALL PROVIDE 20% OPEN SPACE WITHIN THE TRACT AT THE TIME OF THE TRACTS FINAL SITE PLAN APPROVAL. OPEN SPACE MAY CONSIST OF STORMWATER MANAGEMENT AREAS, AMENITY AREA, COMMON OPEN AREAS, BUFFERS AND OTHER LANDSCAPING FEATURES.

NO OPEN SPACE REQUIREMENT IS PROPOSED TO BE PROVIDED FOR PUBLIC RIGHTS OF WAY.

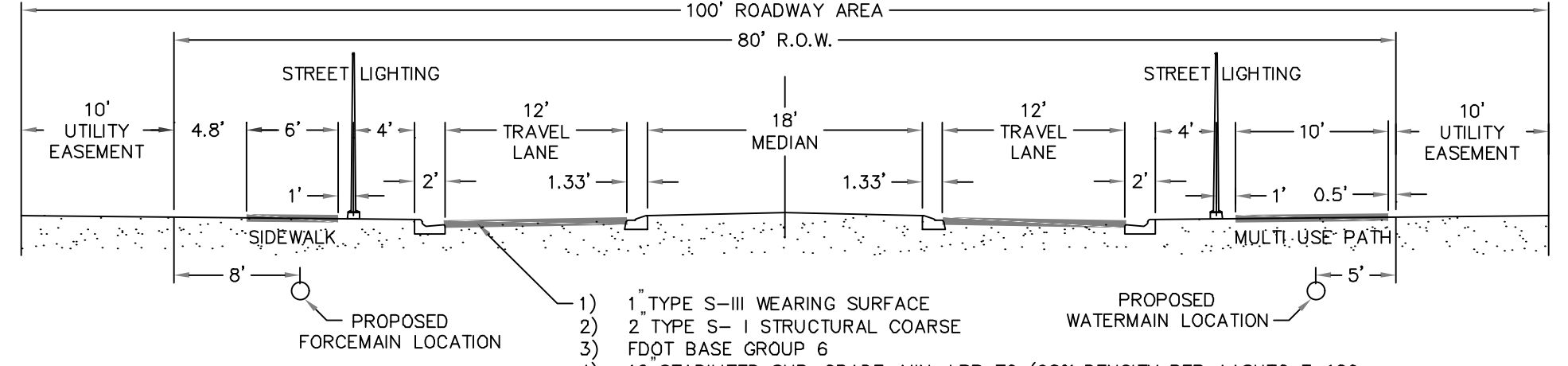
- PD CONCEPT PLAN NOTES:**
- ALL TRACT LINES SHOWN ARE PRELIMINARY AND MAY BE CHANGED DUE TO MARKET CONDITIONS, DESIGN CONSTRAINTS OR PERMITTING REQUIREMENT AT FINAL DETAIL SITE PLAN APPROVAL.
 - WHERE A LANDSCAPE BUFFER IS REQUIRED, DEVELOPER SHALL WORK WITH COUNTY STAFF TO DETERMINE IF EXISTING TREES & VEGETATION MEET BUFFER REQUIREMENTS AND DETERMINE WHAT ADDITIONAL TREES WILL BE REQUIRED TO MEET COUNTY LANDSCAPE BUFFER MINIMUM REQUIREMENTS.
 - PROPOSED PROJECT SHALL BE SERVICED BY CENTRAL WATER & SEWER.
 - ROADWAYS DEPICTED ON PD CONCEPT PLAN ARE PROPOSED TO BE PUBLIC, INTERIOR TRACT AND ROADWAYS WILL BE DESIGNATED PUBLIC OR PRIVATE AT THE TIME OF PROPOSED DEVELOPMENT OF EACH TRACT.
 - TRACTS PROPOSED FOR RESIDENTIAL USES ARE SINGLE FAMILY DETACHED, SINGLE FAMILY ATTACHED, TOWNHOMES, MULTI-FAMILY AND COMMERCIAL WILL BE DEVELOPED IN ACCORDANCE WITH PROPOSED PD DEVELOPMENT STANDARDS.
 - TRACTS PROPOSED FOR COMMERCIAL USE AND WILL BE DEVELOPED IN ACCORDANCE WITH REQUIREMENTS WITHIN THE COMMERCIAL GENERAL (CG) ZONING DISTRICT (SECTION 3-9-42) IN THE CHARLOTTE COUNTY LAND DEVELOPMENT REGULATIONS.
 - SINCE PROPERTY WAS PREVIOUSLY DEVELOPED AS A RESIDENTIAL/COMMERCIAL SUBDIVISION AND PROPOSED PROJECT IS CONSIDERED REDEVELOPMENT, NO OPEN HABITAT SPACE AREA OR OPEN HABITAT SPACE IS PROPOSED FOR THIS PROJECT TRACTS AND ROADWAYS AREAS.)
 - PD SETBACK FOR THIS PROJECT IS PROPOSED TO BE EXCLUDED.
 - SIDEWALK ALONG EL JOBEAN ROAD (S.R. 776) FRONTAGE IS PROPOSED TO BE 5 FEET WIDE, TO MATCH EXISTING SIDEWALK.
 - STORMWATER MANAGEMENT AREAS DEPICTED ON PD CONCEPT PLAN ARE PROPOSED TO BE SHARED BY ROADWAY AREA AND TRACT DEVELOPMENTS.
 - LANDSCAPING WILL FOLLOW THE STANDARDS IN PD CONDITIONS L), M) AND N).

DEVELOPMENT STANDARDS:

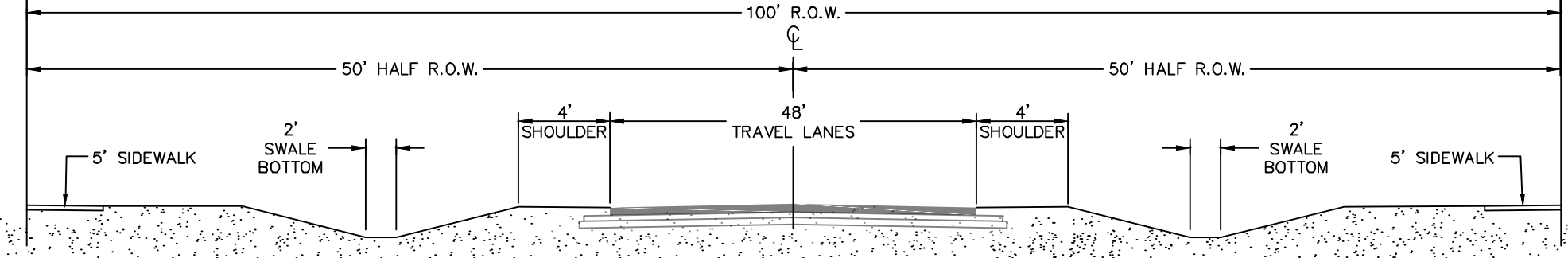
Use	Single-family detached	Single-family attached	Multi-family	Townhomes	Commercial	Residential Amenities	Multi-family for ten units per building located in Tract J and portion of Tract A illustrated in Attachment 2
Required Parking (spaces)	2/unit	2/unit	As Section 3-9-79	2/unit	As Section 3-9-79	One-half that required by Section 3-9-79	1.5/unit
Minimum lot size (s.f.)	4,000	3,200	7,500	2,000	12,000	None	1,400/unit
Minimum lot width (ft.)	40	35	80	16	100	None	14/unit
Minimum front yard (ft.)	20	20	20	20	15	20	20/unit
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	10/20 between residential buildings
Minimum side yard abutting road (ft.)	15	15	15	10	10	15	10/building
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	10/building
Minimum rear yard abutting road (ft.)	15	15	15	15	10	15	15/building
Minimum rear yard abutting water (ft.)	15	15	15	15	20	15	15/building
Maximum building height (ft.)	38	38	60	38	60	38	35/building
Maximum lot coverage (%)	65	70	45	75	55	65	65/unit
Accessory structure setbacks	Same as principal structure, except that provided there is at least 15 feet between the rear property line and the natural water line when adjoining water, the rear setback may be reduced to 5						



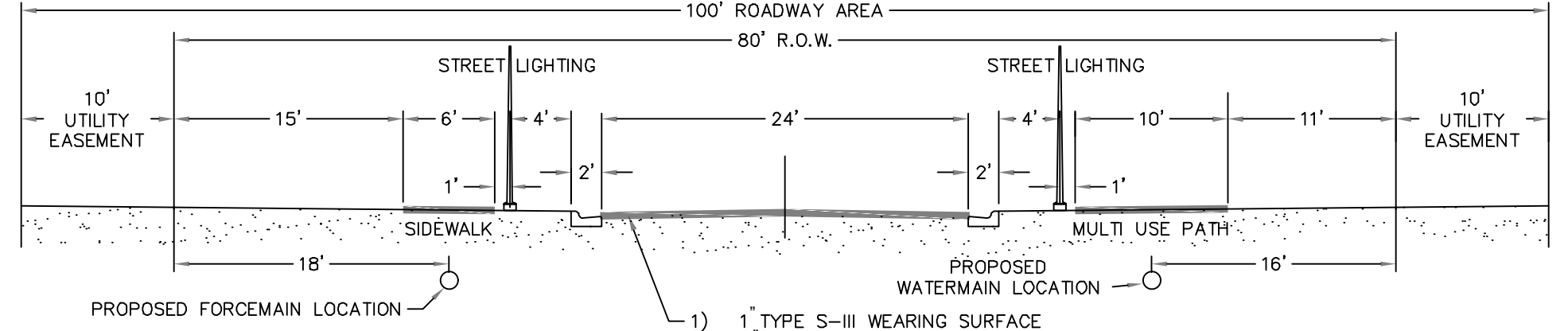
TYPICAL 40' MIN. LOCAL ROAD R.O.W. SECTION
N.T.S.



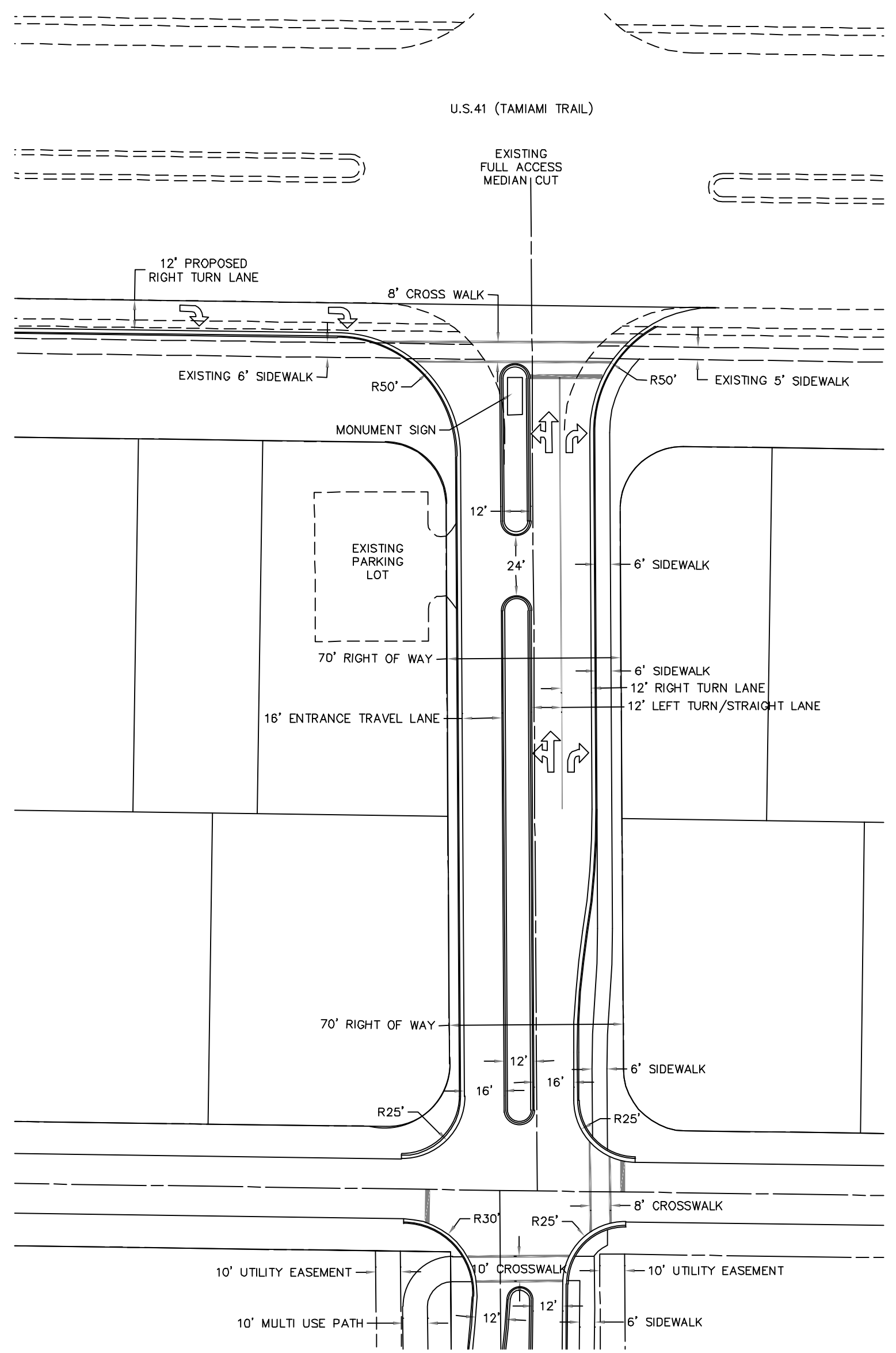
TYPICAL 100' ROADWAY AREA SECTION
(2) TRAVEL LANES - DIVIDED
SCALE: 1"=10'



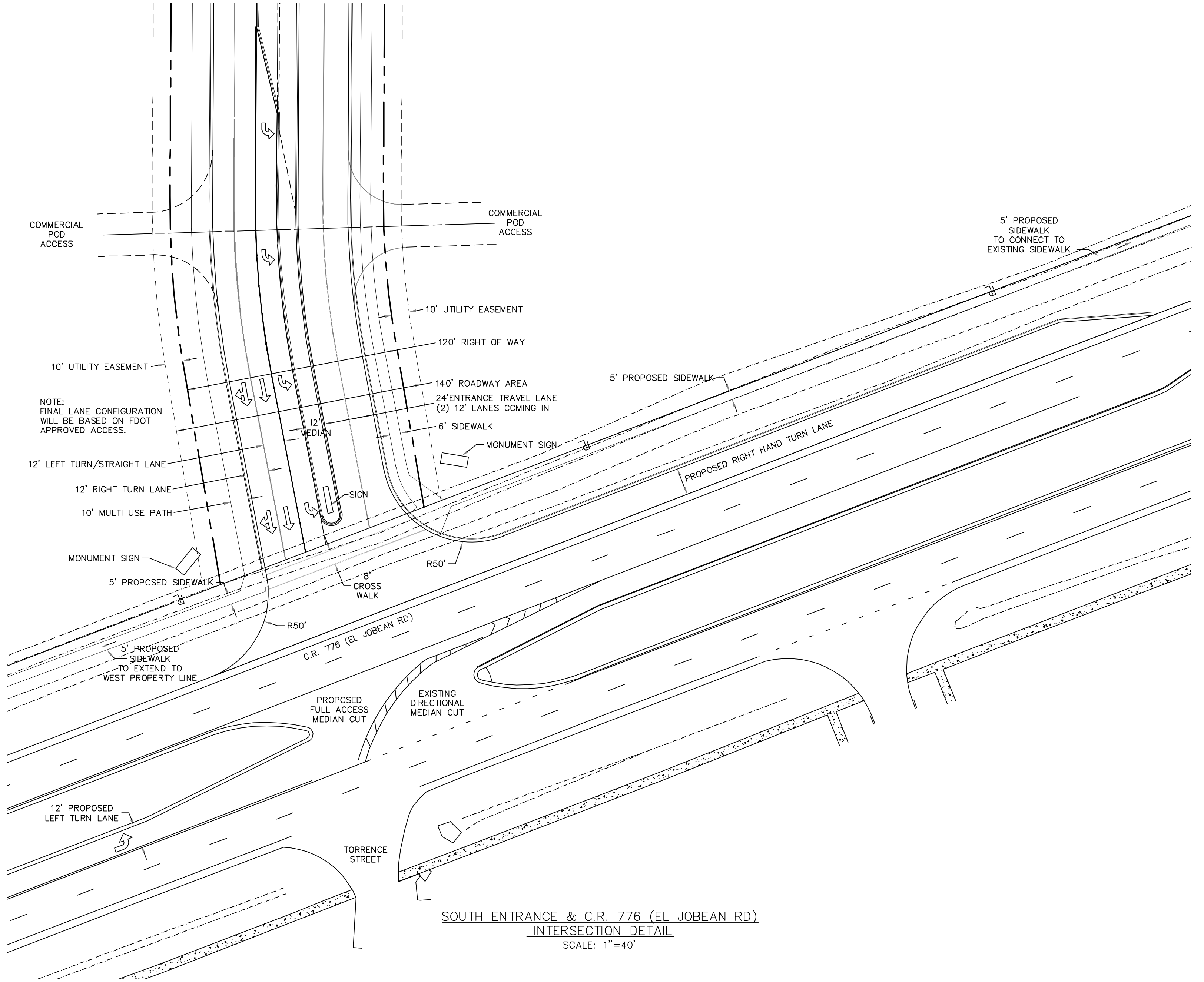
FLAMINGO BLVD.
(4) TRAVEL LANES - UNDIVIDED
SCALE: 1"=10'



TYPICAL 100' ROADWAY AREA SECTION
(2) TRAVEL LANES - UNDIVIDED
SCALE: 1"=10'



NORTH ENTRANCE U.S. 41
INTERSECTION DETAIL
SCALE: 1"=40'



SOUTH ENTRANCE & C.R. 776 (EL JOBEAN RD)
INTERSECTION DETAIL
SCALE: 1"=40'

NO.	DATE	REVISION DESCRIPTION	BY

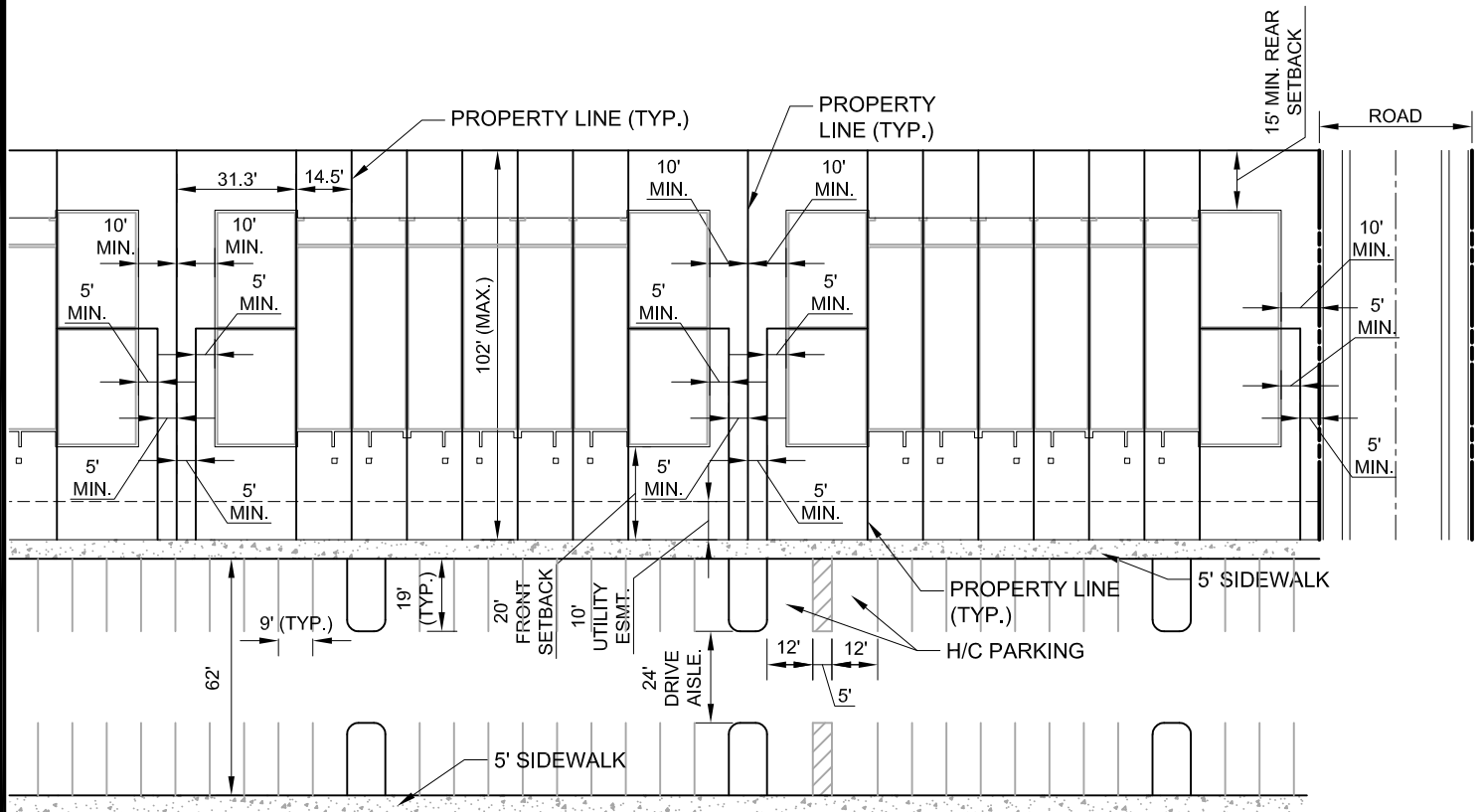
MORRIS ENGINEERING AND CONSULTING, LLC
 Civil Engineering and Land Development Consulting
 6997 Professional Parkway East, Suite B, Lakewood Ranch, Florida 34240 C.A.28780 941-444-6644 www.morrisengineering.net

DATE 2022/04/26
PROJECT WESTPORT-PD
DRAWING 03 WP PD CP
DRAWN MJM
CHECKED MJM

PLANNED DEVELOPMENT CONCEPT PLAN DETAILS
West Port
 CHARLOTTE COUNTY, FLORIDA

SCALE AS SHOWN
 SEC-TWP-RNG 10,11,14-40S-21E
 SHEET 5 OF 5
 MATTHEW J. MORRIS
 FL LICENSE NO. 68344

Attachment 2
Development Standards
for Multi-family for Ten Units Per Building



VISTA BUILDING



**MORRIS ENGINEERING
AND CONSULTING, LLC**

Civil Engineering and
Land Development Consulting
6997 Professional Parkway East, Suite B, Lakewood Ranch, Florida 34240
C.A.28780 941-444-6644 www.morrisengineering.net

DATE
11-30-20

PROJECT
WP-J

DRAWING
BSP

DRAWN
JM

CHECKED
MJM

Vista Building
WEST PORT PARCEL J
Charlotte County, Florida

SCALE
1"=50'

SEC.-TSP.-RNG.
-36S-18E

SHEET OF

1 **1**

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-22-00003) 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 proposed recommendation on March 13, 2023:

*A motion to forward application No. PD-22-00003 to the Board of County Commissioners with a recommendation of **Approval with conditions "a" through "r"/Denial**, based on the findings and analysis in the staff report dated March 6, 2023, 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.

General Commercial: 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.

- 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:
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.

	<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 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:
No Change 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"> MVMU may include distinct interconnected, multi-generational, residential neighborhoods. Residential neighborhoods may feature easy access to a network of open space which may include bicycle/pedestrian facilities, greenways and blueways. Assisted Living Facilities shall be permitted within areas designated as Neighborhood Residential. 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. 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. Both single-use and multi-use development sites can be located within Internal Commercial areas. Medium- to high-density residential will be permitted in areas designated as Neighborhood Residential.

General Commercial: 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.

- 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:
---------	------------------------

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.

	<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> <p><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 development. In addition to vehicular thoroughfares, functional pedestrian and bicycle-path systems are required in accordance with the county's land development regulations.</p>
--	---

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 rezoning will allow for a mixture of residential and commercial development. Specifically,

- Single-family dwelling units up to 1,898.
- Multi-family dwelling units up to 804.
- Commercial space up to 670,522 square feet

Item 2 as established in **FLU Policy 1.2.15: TDU Waivers** states that: “development within the Murdock Village Community Redevelopment Area (MVCRA) is exempt from any Transfer of Density Units policies in the Comprehensive Plan and from the Transfer of Density Units requirements of the Land Development Regulations.”

8. Is subject property in a Community, Special Planning Area or Overlay District?.....No
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?No
The existing West Port area completely surrounds North County Regional Park. (SPAM Maps, #52, #92 and #93)

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

a. Charlotte Harbor Aquatic Preserves Management Plan? (SPAM Map #53)
The subject property is located outside the boundary of the Charlotte Harbor Aquatic Preserves.

b. Lemon Bay Aquatic Preserve Management Plan? (SPAM Map #53)
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, #44 & #70) 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? No for the proposed expansion area.

a. Number of acres of Category I: None for the proposed expansion area.

b. Number of acres of Category II: None for the proposed expansion area.

13. Natural Resources:

a. Significant natural resources or critical habitat for endangered species: Yes. A protected species assessment prepared by Ian Vincent & Associates, dated January 2022 states that “*search of available online resources revealed that the subject property is located within an 18.6-mile radius designated as Core Foraging Area of several wood stork (Mycteria americana) nesting colonies. Each of the documented colonies appears to be greater than 4 miles from the subject property. Under current regulations, the proximity of the off-site nesting colonies is not likely to affect the future development of the subject property.*

Search of available online resources revealed that the subject property is located within the Consultation Area of the Florida scrub jay (Aphelocoma coerulescens). However, review of the Charlotte County Natural Resources Department Florida Scrub Jay Territory Search Database revealed that the subject property is not a scrub jay review area parcel. No evidence of utilization by the species was observed on the subject property. Therefore, the Florida scrub jay is not likely to affect the future development of the property.

Search of the Audubon Society Bald Eagle Nest Locator website revealed no nests within a one-mile radius of the subject property. No eagles or nests were observed on or around the subject property. Bald eagle should therefore not likely affect the future development of the subject property.

The subject parcel is located within the FWS Consultation Area of the Florida bonneted bat (Eumops floridanus). No evidence of utilization by the Florida bonneted bat was observed onsite during the site inspection. The Florida bonneted bat is therefore not likely to affect the future development of the subject property.

Search of available online resources did not reveal documentation of any other listed wildlife species currently utilizing the subject property. The subject site contains upland habitats which are being utilized by the gopher tortoise (Gopherus polyphemus). Ninety-five (95) potentially occupied gopher tortoise burrows were observed on the parcel. A 100% gopher tortoise survey and relocation permit

from the Florida Fish and Wildlife Conservation Commission will be required prior to development of the site if the gopher tortoise burrows cannot be avoided during construction.
 No other protected species or evidence of protected species utilization which would require permits from the FWC or FWS were observed onsite during the site inspection.”

- b. **Possible impacts to groundwater, surface water, wetlands or other significant natural resources:** None have been identified.
- 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 #92)
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 #42)
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 #38)
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 #91)
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 #41)
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 #38)
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:**.....After reviewing the applicant’s submitted West Port Expansion Traffic Impact Study, prepared by Florida Transportation Engineering, Inc., dated February 2023, the Charlotte County Public Works Department Engineering Section has concluded and concurred with the conclusion of the report that: *“as part of the project, the developers have reconstructed Centennial Blvd from SR 776 and US 41. In addition, the developers are planning to extend Flamingo Blvd from SR 776 to US 41 as a four-lane roadway. The proposed extension will create the north leg for the intersection of SR 776 at Flamingo Blvd. This will trigger the need to prepare Intersection Control Evaluation (ICE) for the modified intersection. The ICE analysis will be developed after concurrence from the County and FDOT on the assumptions and conclusions in this report.*

The roadway LOS analysis indicates that all the surrounding roadways are currently operating with LOS D or better. and they will continue to do so in the future with the proposed project. except for SR 776 which will deteriorate to a LOS F at the background conditions. The analysis indicates that the access management along SR 776 currently meets the required standards for its posted speed limit and will continue to do so with the proposed driveways. Similarly, the proposed driveways along Flamingo Blvd and Toledo Blade Blvd will meet the County’s required spacing, Except for the spacing between Seymour Avenue and US 41, which is an existing condition.

Along US 41, the access management spacing requirements for a Class 3 roadway are met, except for the spacing between Centennial Blvd and Flamingo Blvd, and the spacing between Toledo Blade Blvd and the full median opening serving the Shell gas station as well as with the connection at Como Street. These are conditions that are existing and will remain in the Buildout scenario.

For the future scenario in 2027, the trips generated by the proposed development will satisfy the volume requirements for signalization of both intersections of US 41 at Centennial Blvd and Flamingo Blvd. As signalized conditions, both intersections will operate with acceptable LOS. However, the intersections will not meet access management spacing requirements for both intersections to be signalized. Since signalizing these intersections will require to be further analysis for other intersection West Port Expansion control strategies as part of FDOT’s ICE process. It is recommended to include the analysis of these intersections in the ICE process.”

b. Potable Water Level of Service:

1. *Provider’s Name:* Charlotte County Utilities (SPAM Map #83)
2. *Analysis:* The subject property is located within the Charlotte County Utilities service area. Charlotte County Government Utilities Department Availability Request Form dated April 13, 2022 shows that the potable water, and reclaimed water are available for the subject property, and all services are available with a private developers agreement. The Charlotte County Utilities contains sufficient capacity to serve the proposed development.

c. Sanitary Sewage Level of Service:

1. *Provider's Name:* Charlotte County Utilities (SPAM Map #84)
2. *Analysis:* The subject property is located within the Charlotte County Utilities service area. Charlotte County Government Utilities Department Availability Request Form dated April 13, 2022 shows that the sewer is available for the subject property, and all services are available with a private developers agreement. The Charlotte County Utilities contains sufficient capacity to serve the proposed development.

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.
However, the advertisement of this application will be emailed to the City of Punta Gorda.

19. Has a public hearing been held on this property within the last year?No.

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 subject property, including the existing West Port Planned Development (PD) and the proposed expansion area located immediately to the east, is designated as Murdock Village Mixed Use (MVMU) on the 2030 Future Land Use Map. The purpose of this major modification to the existing PD, Ordinance Number 2021-024 is to add additional 196.14± acres located directly to the east to the development and have a mixture of residential and commercial development for the entire site, which is supported by and consistent with the Murdock Village Mixed Use (MVMU) Future Land Use Map designation for the subject property. Therefore, the proposed changes shall be consistent with 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 is the Tippecanoe Environmental Park, and there are some improved commercial and vacant and vacant lands for commercial and residential development. 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 existing West Port PD site property has been issued an exemption from school concurrency. A letter from the Charlotte County School Board’s attorney, dated March 17, 2017, states that Murdock Village “*is exempt from school concurrency requirements to the extent of 3,098 residential units in the aggregate*”. The letter further states that it is “*confirmation that the school district has determined that residential development is exempt from school concurrency requirements*”. The property subject to this PD rezoning, including the existing West Port PD area and the proposed expansion area, is located within the boundary of the Murdock Village CRA. On October 11, 2022, this PD rezoning application was emailed to the Charlotte County School Board by the applicant for the Planning review.

After reviewing the applicant's submitted West Port Expansion Traffic Impact Study, prepared by Florida Transportation Engineering, Inc., dated February 2023, the Charlotte County Public Works Department Engineering Section has concluded and concurred with the conclusion of the report that: *"as part of the project, the developers have reconstructed Centennial Blvd from SR 776 and US 41. In addition, the developers are planning to extend Flamingo Blvd from SR 776 to US 41 as a four-lane roadway. The proposed extension will create the north leg for the intersection of SR 776 at Flamingo Blvd. This will trigger the need to prepare Intersection Control Evaluation (ICE) for the modified intersection. The ICE analysis will be developed after concurrence from the County and FDOT on the assumptions and conclusions in this report.*

The roadway LOS analysis indicates that all the surrounding roadways are currently operating with LOS D or better. and they will continue to do so in the future with the proposed project. except for SR 776 which will deteriorate to a LOS F at the background conditions. The analysis indicates that the access management along SR 776 currently meets the required standards for its posted speed limit and will continue to do so with the proposed driveways. Similarly, the proposed driveways along Flamingo Blvd and Toledo Blade Blvd will meet the County's required spacing, Except for the spacing between Seymour Avenue and US 41, which is an existing condition.

Along US 41, the access management spacing requirements for a Class 3 roadway are met, except for the spacing between Centennial Blvd and Flamingo Blvd, and the spacing between Toledo Blade Blvd and the full median opening serving the Shell gas station as well as with the connection at Como Street. These are conditions that are existing and will remain in the Buildout scenario.

For the future scenario in 2027, the trips generated by the proposed development will satisfy the volume requirements for signalization of both intersections of US 41 at Centennial Blvd and Flamingo Blvd. As signalized conditions, both intersections will operate with acceptable LOS. However, the intersections will not meet access management spacing requirements for both intersections to be signalized. Since signalizing these intersections will require to be further analysis for other intersection West Port Expansion control strategies as part of FDOT's ICE process. It is recommended to include the analysis of these intersections in the ICE process."

In addition, a revised up-to-date Traffic Impact Study will need to be submitted at the time of Final Detail Site Plan Review stage for any proposed future construction. The County reserves rights to place additional conditions or requirements during the Final Detail Site Plan Review process, and the applicant will be responsible for any site related improvements required to mitigate impacts resulting from the proposed development.

The proposed development will be served by Charlotte County Utilities. The Charlotte County Utilities retains sufficient capacity to serve the proposed development.

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

Finding: The proposed changes will:

- Increase the development area from 434.68± acres to 630.82± acres.
- Decrease single-family dwelling units from 2,010 to 1,898.
- Increase multi-family dwelling units from 705 to 804.
- Increase commercial space from 246,639.59 square feet to 670,522 square feet.

For the proposed expansion area, the proposed additional commercial uses will be generally located along US 41 and SR 776, which are the major thoroughfares within the County. In addition, the proposed PD rezoning allows the County to place sufficient conditions to minimize any negative impacts on surrounding properties. For example, the proposed PD condition "m" requires a natural buffer 60 feet in width as measured from the lot line along the multi-family

portion of the frontage abutting SR 776 and 25 feet in width as measured from the lot line along the commercial/retail portion of the frontage abutting SR 776 to not only protect the future residents within this development, but also protect surrounding residential neighborhood and minimize any potential negative impacts, such as noise and view from major roadways Therefore, it is staff's professional opinion that the proposed development 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 A
Ordinance Number 2021-024

CHG
BCC

ORDINANCE
NUMBER 2021 - 004

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM PLANNED DEVELOPMENT (PD) TO PLANNED DEVELOPMENT (PD); A MAJOR MODIFICATION TO THE EXISTING PLANNED DEVELOPMENT (PD), ORDINANCE NUMBER 2020-019, TO ADD DEVELOPMENT STANDARDS FOR MULTI-FAMILY FOR TEN UNITS PER BUILDING LOCATED WITHIN TRACT J AND A PORTION OF TRACT A, AND TO UPDATE TOTAL DEVELOPMENT ENTITLEMENTS VIA THE MURDOCK VILLAGE EQUIVALENCY MATRIX ADOPTED IN THE COUNTY'S COMPREHENSIVE PLAN; FOR PROPERTY LOCATED SOUTH OF FRANKLIN AVENUE, NORTH OF EL JOBEAN ROAD (SR 776), EAST OF THE CRESTVIEW WATERWAY, AND WEST OF THE FLAMINGO WATERWAY, IN THE PORT CHARLOTTE AREA AND WITHIN THE MURDOCK VILLAGE COMMUNITY REDEVELOPMENT AREA (CRA), CONTAINING 434.68 ACRES MORE OR LESS; COMMISSION DISTRICT IV, CHARLOTTE COUNTY, FLORIDA; PETITION PD-21-00003; APPLICANT, KL JAK WP, LLC; PROVIDING AN EFFECTIVE DATE.

RECITALS

25
26
27
28
29
30
31
32
33
34
35

WHEREAS, in a public hearing held on Tuesday, June 22, 2021, the Board of County Commissioners of Charlotte County, Florida ("Board") reviewed Petition PD-21-00003, submitted by applicant, KL JAK WP, LLC ("Applicant"), which requested a rezoning from Planned Development (PD) to Planned Development (PD) on 434.68 acres more or less of property owned by Applicant, whose address is 14025 Riveredge Drive, #175, Tampa, Florida 33637, and described as property located south of Franklin Avenue, north of El Jobean Road (SR 776), east of the Crestview Waterway, and west of the Flamingo Waterway, in the Port Charlotte area and within the Murdock Village Community Redevelopment Area (CRA), in Commission District IV, Charlotte

CHARLOTTE COUNTY CLERK OF CIRCUIT COURT
OR BOOK: 4791 PAGE 1200 PAGE: 1 OF 17
INSTR # 2963168 Doc Type: GOV
Recorded: 6/23/2021 at 4:29 PM
Rec. Fee: RECORDING \$146.00
Cashier By: JOANC

MIN

36 County, Florida, and more particularly described in Exhibit "A" which is attached
37 hereto and provided herein ("Property"); and

38 WHEREAS, the Property was originally rezoned from Residential
39 Multi-family 10 (RMF-10), Residential Single-family 3.5 (RSF-3.5), and
40 Commercial General (CG) to Planned Development (PD) on December 12, 2017,
41 pursuant to Ordinance Number 2017-056, along with a PD Concept Plan, to
42 allow for development of 2,400 residential units, 2,010 of which are single-family
43 dwelling units and 390 of which are multi-family units, and with 300,000 square
44 feet of regional commercial space; and

45 WHEREAS, subsequent to the adoption of Ordinance Number
46 2017-056 and the associated PD Concept Plan, the Board, on May 12, 2020,
47 adopted Ordinance Number 2020-019, which approved a major modification to
48 the PD; and

49 WHEREAS, at this time, the Applicant seeks a rezoning from
50 Planned Development (PD) to Planned Development (PD), which is a major
51 modification to the existing Planned Development (PD) and its associated
52 Planned Development (PD) conditions, in order to add development standards
53 for multi-family for ten units per building located within Tract J and a portion of
54 Tract A, and to update total development entitlements via the Murdock Village
55 Equivalency Matrix adopted in the County's Comprehensive Plan; and

56 WHEREAS, Petition PD-21-00003 has previously been heard by
57 the Charlotte County Planning and Zoning Board ("P&Z Board") and, based on

58 the findings and analysis provided by County Staff and the evidence presented to
59 the P&Z Board, has been recommended for approval on May 10, 2021; and

60 WHEREAS, after due consideration, based on the findings and
61 analysis provided by County Staff and the evidence presented to it, the Board
62 has found that approval of Petition PD-21-00003 is consistent with the County's
63 Comprehensive Plan, and that it meets the requirements for the granting of a
64 rezone; and

65 WHEREAS, based on the above findings, the Board has
66 determined it to be in the best interests of the County to rezone the subject
67 property from Planned Development (PD) to Planned Development (PD).

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

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


73 Petition PD-21-00003 requesting rezoning from
74 Planned Development (PD) to Planned Development
75 (PD) for property located south of Franklin Avenue,
76 north of El Jobean Road (SR 776), east of the
77 Crestview Waterway, and west of the Flamingo
78 Waterway, in the Port Charlotte area and within the
79 Murdock Village Community Redevelopment Area
80 (CRA), containing 434.68 acres more or less;
81 Commission District IV, Charlotte County, Florida, and
82 more particularly described in Exhibit "A".

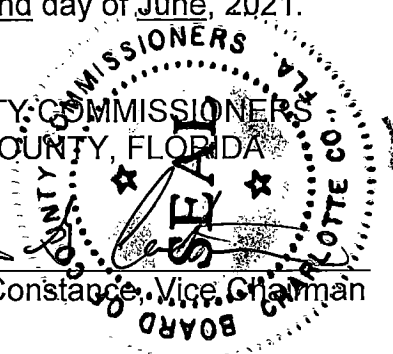
83
84 SECTION 2. That the zoning for this property shall run with the
85 property and shall apply to any subsequent owners, heirs and assigns.

109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159

PASSED AND DULY ADOPTED this 22nd day of June, 2021.


BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: 
Christopher G. Constance, Vice Chairman

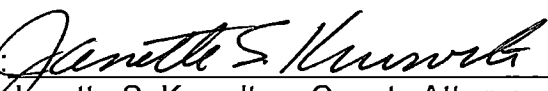



ATTEST:

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

By: 
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: 
Janette S. Knowlton, County Attorney
 LR2021-0369

(PARCEL 1)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF CHARLOTTE, LYING IN SECTIONS 11 AND 14, TOWNSHIP 40 SOUTH, RANGE 21 EAST, BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 11, TOWNSHIP 40 SOUTH, RANGE 21 EAST; THENCE N.00°29'34"W. ALONG THE EAST LINE OF SAID SECTION 11 FOR 273.88 FEET TO A POINT INTERSECTING THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 776 (EL JOBEAN ROAD); THENCE S.69°10'05"W. ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 776 FOR 408.28 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE S.69°10'05"W. ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 776 FOR 1936.31 FEET; THENCE N.60°49'55"W. FOR 19.28 FEET; THENCE N.10°49'55"W. FOR 76.18 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 450.00 FEET, DELTA ANGLE OF 11°13'21" CHORD BEARING OF N.05°13'15"W. AND A CHORD DISTANCE OF 88.00 FEET; THENCE ALONG THE ARC OF SAID CURVE, FOR 88.14 FEET; THENCE N.00°23'26"E. FOR 356.51 FEET; THENCE N.89°31'55"W. FOR 10.00 FEET; TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 460.00 FEET, DELTA ANGLE OF 58°48'17", CHORD BEARING OF N.29°43'02"E. AND A CHORD DISTANCE OF 451.66 FEET; THENCE ALONG THE ARC OF SAID CURVE FOR 472.11; THENCE N.59°07'10"E. FOR 533.04 FEET; TO THE BEGINNING OF CURVE TO THE LEFT HAVING A RADIUS OF 540.00 FEET, DELTA ANGLE OF 39°41'39", CHORD BEARING OF N.39°16'21"E. AND A CHORD DISTANCE OF 366.67 FEET; THENCE ALONG THE ARC OF SAID CURVE FOR 374.11 FEET; THENCE S.70°34'29"E. FOR 796.84 FEET; THENCE S.88°49'17"E. FOR 338.25 FEET; THENCE S.15°49'23"W. FOR 537.95 FEET; TO THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 776 AND THE POINT OF BEGINNING.

BEARINGS ARE BASED ON "THE STATE PLANE COORDINATE SYSTEM" FLORIDA ZONE WEST, NORTH AMERICAN DATUM OF 1983 (2011 ADJUSTMENT-EPOCH 2010) AND WERE DERIVED FROM THE FLORIDA PERMANENT REFERENCE NETWORK SITE CODE "PNTA", IN U.S. FEET WHEREIN THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 776 BEARS S.69°10'05"W.

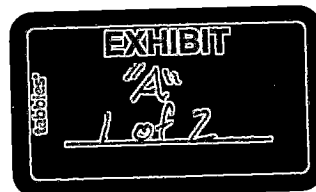
AND

(PARCEL 2)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF CHARLOTTE, LYING IN SECTIONS 11 AND 14, TOWNSHIP 40 SOUTH, RANGE 21 EAST, BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 11, TOWNSHIP 40 SOUTH, RANGE 21 EAST; THENCE N.00°29'34"W. ALONG THE EAST LINE OF SAID SECTION 11 FOR 273.88 FEET TO A POINT INTERSECTING THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 776 (EL JOBEAN ROAD); THENCE S.69°10'05"W. ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 776 FOR 2476.13 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE S.69°10'05"W. ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 776 FOR 403.69 FEET; THENCE N.00°23'26"E. ALONG THE EASTERLY LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3445, PAGES 1013-1016 AND OFFICIAL RECORDS BOOK 4137, PAGES 1224-1227 FOR



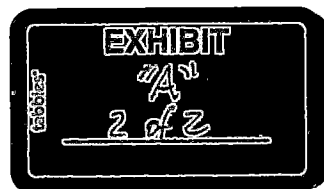
722.47 FEET; THENCE S.89°31'55"31'55"E. FOR 358.60 FEET; THENCE S.00°23'26"W. FOR 356.65 FEET; TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 550.00, DELTA ANGLE OF 11°13'21", CHORD BEARING OF S.05°13'15" AND A CHORD DISTANCE OF 107.56 FEET; THENCE ALONG THE ARC OF SAID CURVE, FOR 107.73; THENCE S.10°49'55"E. FOR 93.82 FEET; THENCE S.29°10'05"W. FOR 22.98 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 776 AND THE POINT OF BEGINNING, BEARINGS ARE BASED ON "THE STATE PLANE COORDINATE SYSTEM" FLORIDA ZONE WEST, NORTH AMERICAN DATUM OF 1983 (2011 ADJUSTMENT - EPOCH 2010) AND WERE DERIVED FROM THE FLORIDA PERMANENT REFERENCE NETWORK SITE CODE "PNTA", IN U.S. FEET WHEREIN THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 776 BEARS S.69°10'05"W.

(PARCEL 3)

A TRACT OR PARCEL OF LAND LYING IN SECTIONS 10, 11 AND 14, TOWNSHIP 40 SOUTH, RANGE 21 EAST, WHICH TRACT OR PARCEL IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 11, THENCE N.00°20'34"W. ALONG THE EAST SECTION LINE OF SAID SECTION 11 A DISTANCE OF 273.88 FEET TO A POINT INTERSECTING THE NORTHERLY RIGHT OF WAY LINE OF STATE ROAD 776 (EL JOBEAN ROAD); THENCE S.69°10'05"W. ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 408.28 FEET TO THE POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING, THENCE CONTINUE ALONG SAID RIGHT OF WAY LINE S.69°10'05"W. A DISTANCE OF 2471.54 FEET; THENCE N.00°23'26"E. A DISTANCE OF 722.47 FEET; THENCE N.89°31'55"W. A DISTANCE OF 1344.56 FEET; THENCE N.00°03'10"W. A DISTANCE OF 1398.83 FEET; THENCE N.89°25'56"W. A DISTANCE OF 1341.43 FEET; THENCE N.89°51'49"W. A DISTANCE OF 833.89 FEET; THENCE N.28°21'55"E. A DISTANCE OF 3827.13 FEET; THENCE S.61°38'05"E. A DISTANCE OF 425.01 FEET; THENCE N.28°21'55"E. A DISTANCE OF 617.50 FEET TO THE SOUTH RIGHT OF WAY LINE OF FRANKLIN AVENUE (50 FOOT PUBLIC RIGHT OF WAY) AND TO A POINT OF CURVAURE OF A NON-TANGENT CURVE TO THE LEFT; THENCE ALONG THE ARC OF SAID CURVE AND RIGHT OF WAY LINE FOR A LENGTH OF 740.64 FEET, HAVING A RADIUS OF 3241.113 FEET (DELTA/CENTRAL ANGLE 13°05'34") (CHORD BEARING OF S.82°39'25"E. (CHORD LENGTH OF 739.03 FEET) TO A POINT OF TANGENCY, THENCE S.89°12'12"E ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 1581.87 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY RIGHT OF WAY LINE OF O'DONNELL Boulevard (70 FOOT PUBLIC RIGHT OF WAY); THENCE S.00°20'51"E. ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 894.20 FEET TO A POINT OF INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF MCADAM AVENUE (50 FOOT PUBLIC RIGHT OF WAY); THENCE N.89°16'58"W. ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 1325.20 FEET; THENCE S.00°20'37"E. TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF SAID MCADAM AVENUE A DISTANCE OF 49.99 FEET ALSO BEING THE NORTHWEST CORNER OF THE NORTH CHARLOTTE REGIONAL PARK; THENCE ALONG SAID NORTH CHARLOTTE REGIONAL PARK BOUNDARY THE NEXT SIX COURSES: 1) S.00°20'37"E., 2743.15 FEET; 2) S.89°26'25"E., 175.00 FEET; 3) N.00°09'56"E. 24.73 FEET; 4) S.89°27'08"E., 1185.09 FEET; 5) N.00°20'51"W., 2275.62 FEET; 6) S.89°27'00"E., 1285.98 FEET; THENCE S.00°30'25"E. LEAVING SAID BOUNDARY A DISTANCE OF 2002.10 FEET TO A POINT OF CURVATURE, THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT FOR A LENGTH OF 74.84 FEET, HAVING A RADIUS OF 400.00 FEET, (DELTA/CENTRAL ANGLE OF 10°43'12") (CHORD BEARING OF S.04°51'11"W.) (CHORD LENGTH OF 74.73 FEET) TO A POINT OF TANGENCY, THENCE S.10°12'47"W. A DISTANCE OF 775.34 FEET; THENCE S.15°49'23"W. A DISTANCE OF 650.60 FEET TO A POINT ON SAID RIGHT OF WAY LINE OF STATE ROAD 776 AND THE POINT OF BEGINNING.



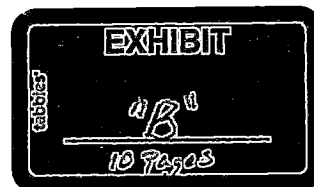
**PD Conditions for Application PD-21-00003
Revisions to PD Conditions Established in
Ordinance Number 2020-019**

a) Total development entitlements shall include:

Project Summary

Area	434.68± acres
Residential Uses	
Single-family	2,010 units
Multi-family	390 <u>705</u> units
Total residential	2,400 <u>2,715</u> units
Commercial Uses	
Regional commercial space (retail/service)	200,000 <u>146,639.59</u> square feet
Regional commercial space (hotel)	100,000 square feet
Total commercial space	300,000 <u>246,639.59</u> square feet

- b) Land use categories within this PD shall be considered Neighborhood Residential and General Commercial, as established in the Murdock Village Mixed Use Future Land Use Map designation contained in Charlotte 2050 FLU Appendix I. Development tracts "A" through "H", as depicted on the PD Concept Plan (Attachment 1: West Port Planned Development Concept Plan) submitted by the applicant, prepared by Morris Engineering and Consulting, LLC, dated January 7, ~~2020~~2019, shall be designated Neighborhood Residential. Development tracts "J" and "K", as depicted on the PD Concept Plan submitted by the applicant, prepared by Morris Engineering and Consulting, LLC, dated January 7, 2020, shall be designated General Commercial.
- c) Development entitlements may be increased in one land use category and concurrently reduced in another land use category, as more specifically described in the Murdock Village Equivalency Matrix adopted in Charlotte 2050 FLU Appendix I. All applications for Final Detail Site Approval shall include calculations supporting any proposed exchanges using the Equivalency Matrix, together with a running total of remaining entitlements.
- d) Development on the subject property shall occur as generally illustrated on the PD Concept Plan (Attachment 1: West Port Planned Development Concept Plan) submitted by the applicant, prepared by ~~Banks Engineering~~ Morris Engineering and Consulting, LLC, dated January 7, ~~2020~~2019, except such modifications as may be required to meet the conditions of the PD zoning district. In addition, the Site Plan Review (Petition No. DRC-17-00060) conditions of approval according to the letter dated October 2, 2017, and signed by Shaun Cullinan, Charlotte County Zoning Official, are required to be met.
- e) No development activity shall occur prior to Final Site Plan approval.
- f) Single-family and multi-family residential uses may be developed within the areas designated Neighborhood Residential. Commercial and multi-family residential uses may be developed within the areas designated General Commercial. Emergency and essential services uses may be developed within both.
- g) The following uses may be permitted:
- i) Amphitheater.
 - ii) Animal hospital.
 - iii) Art, dance, music, photo studio or gallery.
 - iv) Auditorium, convention center, performing arts center.
 - v) Bank, financial services.
 - vi) Bar, cocktail lounge, nightclub, tavern.



- vii) Business services.
 - viii) Clubhouse, community center.
 - ix) Cluster housing.
 - x) Community garden.
 - xi) Day care center, child.
 - xii) Drug store, pharmacy.
 - xiii) Dry cleaner.
 - xiv) Emergency services.
 - xv) Essential services (see Section 3-9-71 essential services.).
 - xvi) Fences or walls, which may be permitted prior to the principal uses and structures.
 - xvii) Gas station.
 - xviii) General offices.
 - xix) General retail sales and services (see Section 3-9-61, accessory outdoor retail sales, display, and storage).
 - xx) Hotel, motel, inn.
 - xxi) Laundromat.
 - xxii) Liquor, package store.
 - xxiii) Medical or dental office, clinic.
 - xxiv) Mini-warehouses or storage facilities, but not bulk storage of flammable liquids.
 - xxv) Minor home occupation.
 - xxvi) Model home, with the total number of model homes allowed equal to ten or ten percent of the lots depicted on the preliminary plat, whichever is greater.
 - xxvii) Motor vehicle wash.
 - xxviii) Multi-family residential buildings, including duplex and triplex buildings and townhomes.
 - xxix) Noncommercial vehicle rental.
 - xxx) Outdoor market or exhibition space.
 - xxxi) Paid or public parking lot, garage, structure.
 - xxxii) Private off-site parking.
 - xxxiii) Personal services.
 - xxxiv) Place of worship (see Section 3-9-82, places of worship).
 - xxxv) Post office.
 - xxxvi) Private club.
 - xxxvii) Professional services.
 - xxxviii) Recreation, indoor.
 - xxxix) Recreation, outdoor.
 - xl) Restaurant.
 - xli) Sales center.
 - xl ii) Single-family attached homes.
 - xl iii) Single-family detached homes, which may have a guest suite that is structurally attached, with or without cooking facilities.
 - xl iv) Uses and structures which are customarily accessory and clearly incidental to primary uses and structures.
- h) 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 homeowners' association.
- i) Roadways, sidewalks, and multi-use paths within the subject property shall be developed consistent with the cross-sections as depicted on the PD Concept Plan submitted by the applicant, prepared by Morris Engineering and Consulting, LLC, dated January 7, 20202019. The sidewalk along El Jobean Road (SR 776) shall match the existing five-foot sidewalk in width and placement.

j) The development must use potable water and sanitary sewer utilities. The potable water and sanitary sewer lines must be connected to the site before any certificates of occupancy shall be issued. A Developers Agreement for the extension of potable water and sanitary sewer lines must be approved by the Board of County Commissioners prior to the Final Site Plan Review application for the first phase of development.

k) The following development standards shall be applied:

Use	Single-family detached	Single-family attached	Multi-family	Townhomes	Commercial	Residential Amenities	<u>Multi-family for ten units per building located in Tract J and portion of Tract A illustrated in Attachment 2</u>
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	<u>1.5/unit</u>
Minimum lot size (s.f.)	4,000	3,200	7,500	2,000	12,000	None	<u>1,400/unit</u>
Minimum lot width (ft.)	40	35	80	16	100	None	<u>14/unit</u>
Minimum front yard (ft.)	20	20	20	20	15	20	<u>20/unit</u>
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	<u>10/20 between residential buildings</u>
Minimum side yard abutting road (ft.)	15	15	15	10	10	15	<u>10/building</u>
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	<u>10/building</u>
Minimum rear yard abutting	15	15	15	15	10	15	<u>15/building</u>

road (ft.)							
Minimum rear yard abutting water (ft.)	15	15	15	15	20	15	<u>15/building</u>
Maximum building height (ft.)	38	38	60	38	60	38	<u>35/building</u>
Maximum lot coverage (%)	65	70	45	75	55	65	<u>65/unit</u>
Accessory structure setbacks	Same as principal structure, except that provided there is at least 15 feet between the rear property line and the natural water line when adjoining water, the rear setback may be reduced to 5						

- l) A unified landscaping theme shall be used within each development pod. All landscaping shall be installed in accordance with Section 3-9-100: Buffers, Landscaping, and Tree Requirements of the County Code. A partnership with the Cooperative Extension Service of the University of Florida to interact with the Florida Yards and Neighborhoods program is encouraged.
- m) A 25-foot perimeter setback for the entire PD site is not required.
- n) The following other buffer requirements, as established in Section 3-9-100, shall be applied:

Proposed Use	Abutting Use			
	Single-family	Multi-family	Commercial	Right-of-way
Single-family	None	None	None	None
Multi-family	Type A	None	None	Perimeter buffer
Commercial	Type C	Type C	None	Perimeter buffer

- o) The five percent open space/habitat reservation is not required, nor is the payment in lieu of reservation, provided that each residential development pod provides at least 20 percent open space.
- p) All commercial development shall comply with the requirements of Article XXIV: Commercial Design Standards, of the County Code.
- q) The developer shall minimize impervious surfaces within the development wherever practicable.

Attachment 1
West Port
Planned Development Concept Plan

PLANNED DEVELOPMENT CONCEPT PLAN for

West Port

A PLANNED DEVELOPMENT COMMUNITY

ODONELL BLVD. AND MCADAM AVENUE
SECTION 10,11,14, TOWNSHIP 40 SOUTH, RANGE 21 EAST
PORT CHARLOTTE, FLORIDA
FD: 402112291019 & 402111233014

A DEVELOPMENT BY
KL West Port, LLC
14225 Riveridge Dr., #175
Tampa, Florida 33637

UTILITY SERVICE PROVIDERS

WATER
CHARLOTTE COUNTY UTILITIES
2620 HANSON BLVD. SUITE 1
PORT CHARLOTTE, FL 33909
PHONE: (813) 744-1200

SEWER
CHARLOTTE COUNTY UTILITIES
2620 HANSON BLVD. SUITE 1
PORT CHARLOTTE, FL 33909
PHONE: (813) 744-1200

ELECTRIC
FLORIDA POWER AND LIGHT
2241 MURPHY CT.
WOODHURST, FL 34789
PHONE: (888) 375-6880

PHONE
CENTURYLINK
4155 KING'S HIGHWAY
PORT CHARLOTTE, FL 33980
PHONE: (813) 852-5141

CABLE
COMCAST
2208 EDGEWATER DRIVE
PORT CHARLOTTE, FL 33940
PHONE: (813) 825-0000

SOIL PROTECTION
CHARLOTTE COUNTY FRIENDS
2617 AIRPORT RD.
DADE CO. FL 33182
PHONE: (407) 820-5658

SOIL MAINTENANCE
WASTE MANAGEMENT
3555 OLD LAMORFE ROAD
PORT CHARLOTTE, FL 33909
PHONE: (813) 828-1100

PROJECT CONTACTS

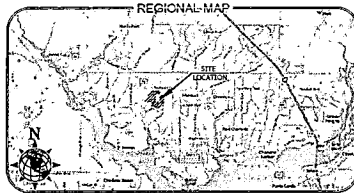
ENGINEER:
MORRIS ENGINEERING AND CONSULTING, LLC
14225 RIVERIDGE DRIVE, SUITE 175
TAMPA, FLORIDA 33637
PHONE: (813) 744-1200
www.morriseng.com

SURVEYOR:
SCOTT W. HARRIS, P.E.
14225 RIVERIDGE DRIVE, SUITE 175
TAMPA, FLORIDA 33637
PHONE: (813) 744-1200
www.morriseng.com

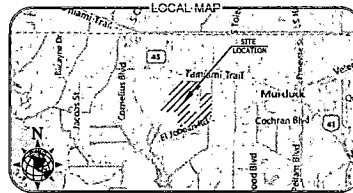
OWNER:
KL WEST PORT, LLC
14225 RIVERIDGE DRIVE, SUITE 175
TAMPA, FLORIDA 33637
www.klwestport.com

SITE INFORMATION

PROPERTY AREA: 4348 ACRES
CURRENT ZONING: PD, RP3.5 & CG
PROPOSED USE: COMMERCIAL, RESIDENTIAL



CHARLOTTE COUNTY, FLORIDA



SECTION 10-11, 14, TOWNSHIP 40 SOUTH, RANGE 21 EAST
CHARLOTTE COUNTY, FLORIDA

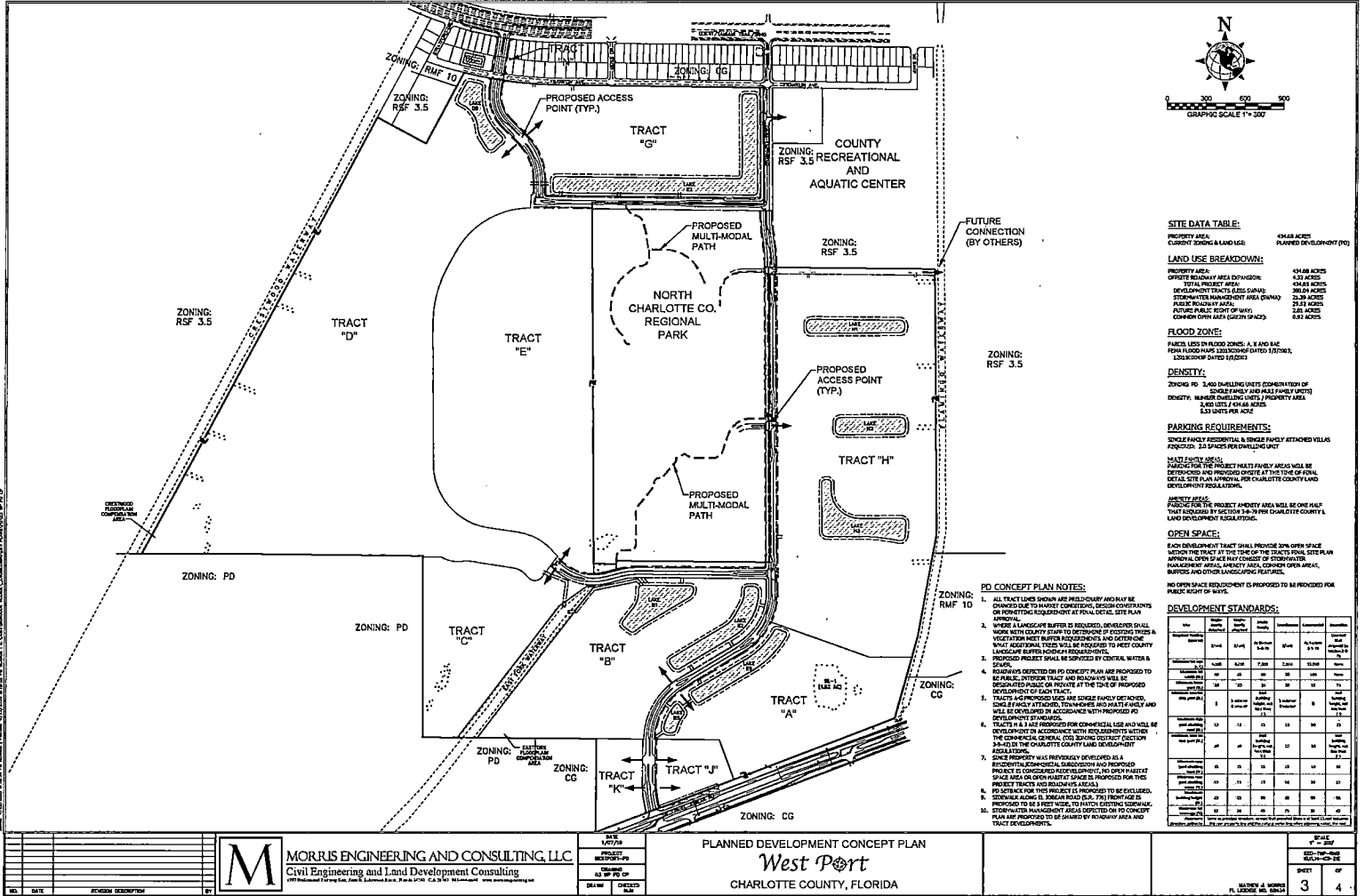
INDEX OF SHEETS	
SHEET	TITLE
1	COVER (PD)
2	AERIAL SITE PLAN
3	PLANNED DEVELOPMENT CONCEPT PLAN
4	PLANNED DEVELOPMENT CONCEPT PLAN DETAILS



PREPARED BY
MORRIS ENGINEERING AND CONSULTING, LLC
Civil Engineering and Land Development Consulting
2877 Professional Parkway East, Suite B, Tarpon Springs, Florida 34689 C-121790 352-244-0644 www.morriseng.com

REVISIONS			
NO.	DATE	DESCRIPTION	BY

MATTHEW A. HOWELL
FL LICENSE NO. 36348



SITE DATA TABLE:
 PROPERTY AREA: 494.8 ACRES
 PLANNED DEVELOPMENT (PD)

LAND USE BREAKDOWN:
 PROPERTY AREA: 434.8 ACRES
 OFFICE BUILDING AREA: 4.33 ACRES
 TOTAL PROJECT AREA: 434.8 ACRES
 RECREATION TRACTS (LESS PARKS): 78.28 ACRES
 STORMWATER MANAGEMENT AREA (SWMA): 23.28 ACRES
 PUBLIC RIGHTS OF WAY: 2.85 ACRES
 FUTURE PUBLIC RIGHTS OF WAY: 2.85 ACRES
 OPEN SPACE: 6.51 ACRES

FLOOD ZONES:
 FLOOD ZONES: A, X AND BAE
 FEMA FLOOD MAP: 120330004P00010700S
 1:50,000 SCALE DATE: 08/05/07

DENSITY:
 ZONING PD: 3,000 DWELLING UNITS/CONCRETE OF
 SINGLE FAMILY AND MULTIFAMILY UNITS
 DENSITY: NUMBER DWELLING UNITS / PROPERTY AREA
 2.85 UNITS PER ACRE
 6.51 UNITS PER ACRE

PARKING REQUIREMENTS:
 SINGLE FAMILY RESIDENTIAL & SINGLE FAMILY ATTACHED VILLAGES
 REQUIRE: 2.0 SPACES PER DWELLING UNIT
 MULTI-FAMILY UNITS:
 PARKING FOR THE PROJECT MULTI-FAMILY UNITS SHALL BE
 DETERMINED AND PROPOSED BASED ON THE FINAL
 DETAIL SITE PLAN APPROVAL FOR CHARLOTTE COUNTY LAND
 DEVELOPMENT REGULATIONS.

OPEN SPACE:
 EACH DEVELOPMENT TRACT SHALL PROVIDE 50% OF SPACE
 WITHIN THE TRACT AT THE TIME OF THE TRACTS FINAL SITE PLAN
 APPROVAL. OPEN SPACE MAY CONSIST OF STORMWATER
 MANAGEMENT AREAS, AMENITY AREAS, COMMON OPEN AREAS,
 BUFFERS AND OTHER LANDSCAPING FEATURES.
 NO OPEN SPACE REQUIREMENT IS PROPOSED TO BE PROVIDED FOR
 TRACT RIGHTS OF WAY.

PO CONCEPT PLAN NOTES:

- ALL TRACT LINES SHOWN ARE PRELIMINARY AND MAY BE CHANGED TO MAKE CONNECTIONS, DESIGN CORRECTIONS OR PERMITTING REQUIREMENT AT FINAL DETAIL SITE PLAN APPROVAL.
- WHERE A LANDSCAPE BUFFER IS REQUIRED, DEVELOPER SHALL WORK WITH COUNTY EARLY TO DETERMINE IF ECOLOGICAL PRESERVE VEGETATION BUFFER REQUIREMENTS AND DETERMINE WHAT ADDITIONAL TREATMENTS WILL BE REQUIRED TO MEET COUNTY LANDSCAPE BUFFER BUFFER REQUIREMENTS.
- PROPOSED PROJECT SHALL BE SERVICED BY CENTRAL WATER & SEWER.
- ROADWAYS SHOWN ON PO CONCEPT PLAN ARE PROPOSED TO BE PUBLIC. INTERIOR TRACT AND ROADWAYS WILL BE DESIGNATED PUBLIC OR PRIVATE AT THE TIME OF PROPOSED CONCEPT PLAN APPROVAL.
- TRACTS A-G PROPOSED USES ARE SINGLE FAMILY DETACHED, COLETTES/STAYCOTTES, TOWNHOMES AND MULTIFAMILY AND WILL BE DEVELOPED IN ACCORDANCE WITH PROPOSED PD DEVELOPMENT REGULATIONS.
- TRACTS H-J ARE PROPOSED FOR COMMERCIAL USE AND WILL BE DEVELOPED IN ACCORDANCE WITH REGULATIONS WITHIN THE COMMERCIAL GENERAL (CG) ZONING DISTRICT SECTION 20.04.01 OF THE CHARLOTTE COUNTY LAND DEVELOPMENT REGULATIONS.
- SINCE PROPERTY WAS PREVIOUSLY DEVELOPED AS A RECREATION TRACT, DEVELOPER SHALL PROVIDE PROPOSED PROJECT TO ACCORDANCE WITH REGULATIONS WITHIN THE COMMERCIAL GENERAL (CG) ZONING DISTRICT SECTION 20.04.01 OF THE CHARLOTTE COUNTY LAND DEVELOPMENT REGULATIONS.
- PROPOSED PROJECT SHALL BE SERVICED BY CENTRAL WATER & SEWER.
- STORMWATER MANAGEMENT AREAS SHOWN ON PO CONCEPT PLAN ARE PROPOSED TO BE SERVICED BY REGIONAL AREA AND TRACT DEVELOPMENTS.

DEVELOPMENT STANDARDS:

Tract	Area (Acres)	Min. Lot Area (Acres)	Min. Lot Width (Feet)	Min. Lot Depth (Feet)	Min. Front Setback (Feet)	Min. Side Setback (Feet)	Min. Rear Setback (Feet)	Min. Height (Feet)	Max. Height (Feet)	Max. Floor Area Ratio (FAR)	Max. Density (Units/Acre)
Tract A	1.00	10,000	100	100	10	10	10	10	35	0.25	1
Tract B	1.00	10,000	100	100	10	10	10	10	35	0.25	1
Tract C	1.00	10,000	100	100	10	10	10	10	35	0.25	1
Tract D	1.00	10,000	100	100	10	10	10	10	35	0.25	1
Tract E	1.00	10,000	100	100	10	10	10	10	35	0.25	1
Tract F	1.00	10,000	100	100	10	10	10	10	35	0.25	1
Tract G	1.00	10,000	100	100	10	10	10	10	35	0.25	1
Tract H	1.00	10,000	100	100	10	10	10	10	35	0.25	1
Tract I	1.00	10,000	100	100	10	10	10	10	35	0.25	1
Tract J	1.00	10,000	100	100	10	10	10	10	35	0.25	1

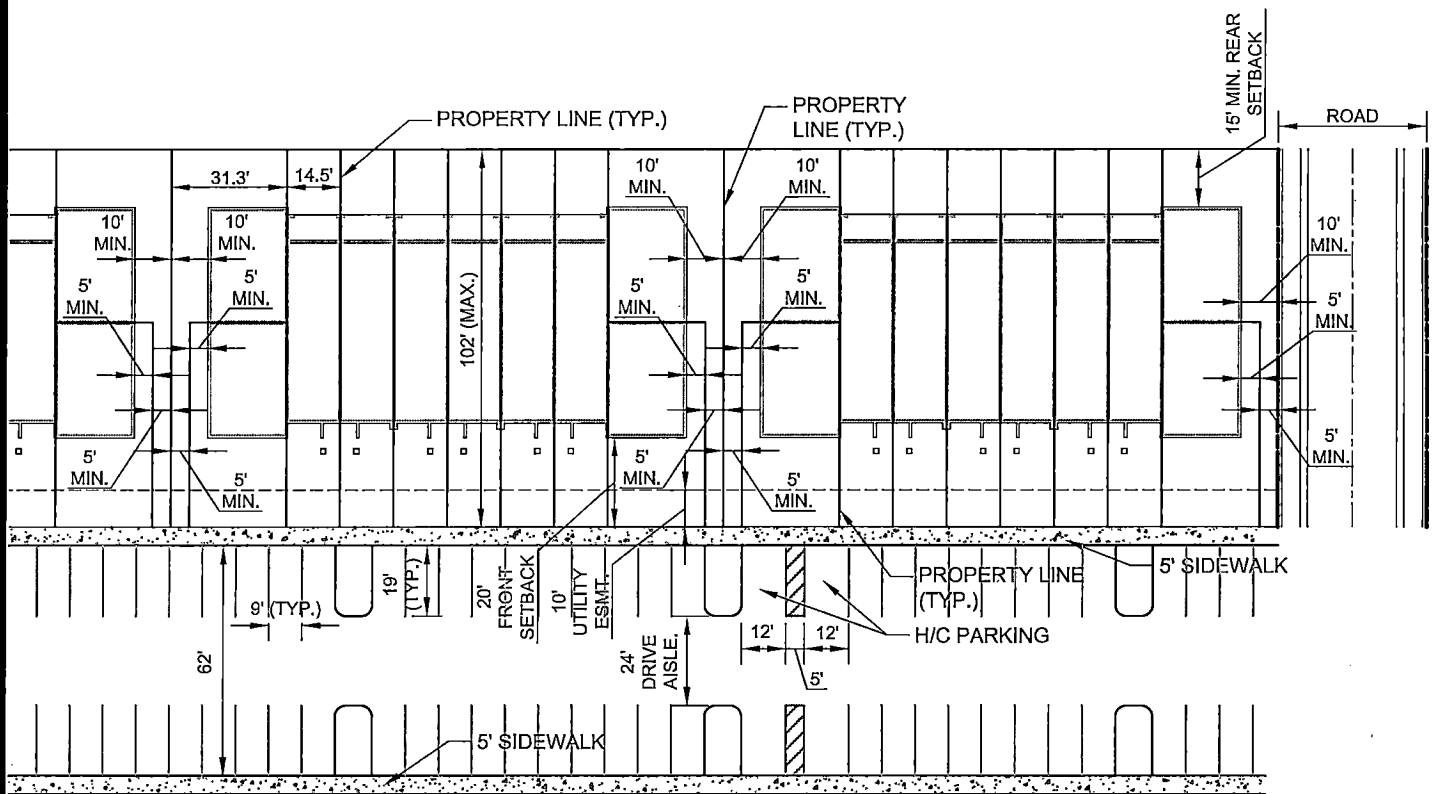
MORRIS ENGINEERING AND CONSULTING, LLC
 Civil Engineering and Land Development Consulting
 2075 Alameda Parkway, Suite 100, Jacksonville, FL 32216
 Phone: 904.241.1111 Fax: 904.241.1112 Website: www.morriseng.com

PLANNED DEVELOPMENT CONCEPT PLAN
West Port
 CHARLOTTE COUNTY, FLORIDA

DATE: 08/14/2013
PROJECT NO: 13-00000000000000000000
SCALE: AS SHOWN
CHECKED BY: [Signature]
DATE: 08/14/2013

SHEET 3 OF 4

Attachment 2
Development Standards
for Multi-family for Ten Units Per Building



VISTA BUILDING



MORRIS ENGINEERING AND CONSULTING, LLC
 Civil Engineering and Land Development Consulting
 6997 Professional Parkway East, Suite B, Lakewood Ranch, Florida 34240
 C.A. 28780 941-344-6644 www.morrisengineering.net

DATE	11-30-20
PROJECT	WP-J
DRAWING	BSP
DRAWN	JM
CHECKED	MJM

Vista Building
WEST PORT PARCEL J
 Charlotte County, Florida

SCALE	
1"=50'	
SEC.-TSP.-RNG.	
-385-18E	
SHEET	OF
1	1



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

June 23, 2021

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

Attention: Ms. Dawn Smoleski

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. 2021-024, which was filed in this office on June 23, 2021.

Sincerely,

Anya Grosenbaugh
Program Administrator

AG/lb



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

Before the undersigned authority personally appeared **Melinda Prescott**, who on oath says that she is the Legal Advertising Representative of the Sun Newspapers, 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)

06/07/2021

as well as being posted online at www.yoursun.com and www.floridapublicnotices.com.

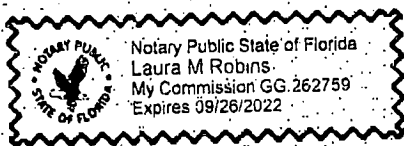
Affiant further says that the said newspaper is a newspaper published at Charlotte Harbor, in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in said Charlotte County, Florida, Sarasota County, Florida and DeSoto County, Florida; each day and has 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 Prescott
(Signature of Affiant)

Sworn and subscribed before me this 7th
day of June, 2021.

Laura M Robins
(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, June 22, 2021, 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.shtml>

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 CONSENT AGENDA

DRC-21-00041 Quasi-Judicial Commission District IV
Banks Engineering is requesting a Modification approval to DRC 19-00087 Biscayne Landing. The project consists of the addition of three lots that were previously lost when the gates were installed and adding a right turn lane on SR 776 onto Biscayne Drive. This project site is 12.9± acres and is located at 2109 Tulip Street, in the Port Charlotte area.

CSZ-21-02 Quasi-Judicial Commission District III
A Resolution of the Board of County Commissioners of Charlotte County, Florida, approving a petition for Certification of a Sending Zone, located at 1031 Lampp Drive, in the Englewood area, containing 31.12± acres; for calculation and severance of 143 density units, in accordance with Part III Land Development and Growth Management, Chapter 3-9, Zoning, Article V, Environmental Requirements and Other Requirements, Section 3-9-150, Transfer of Density Units (TDU), of the Code of Laws and Ordinances of Charlotte County, Florida; Petition No. CSZ-21-02; Applicant: Ainger Creek Properties, LLC; providing an effective date.

FP-19-11-16 Quasi-Judicial Commission District IV
KL West Port, LLC is requesting Final Plat approval for a subdivision to be named, Isles at West Port Phase II, this proposed Final Plat includes 44 lots, a right-of-way tract (R) and Tract A. Tract A is an Access, Drainage, and Utility Area. The site is located south of U.S. Highway 41, north of El Jobean Road, east of the Crestwood Waterway, and west of Centennial Boulevard, in the Port Charlotte area.

PP-16-11-07 Quasi-Judicial Commission District I
Dreams Housing and Development, LLC has requested a two-year extension of the Preliminary Plat approval for a subdivision to be named, Loveland, consisting of 81 single-family lots. The site is 8.70 acres, more or less, and is located south of Park Place Drive, north of Westchester Boulevard, east of Loveland Boulevard, and west of Interstate 75, in the Port Charlotte area.

TDU-21-01 Quasi-Judicial Commission District I
A Resolution of the Board of County Commissioners of Charlotte County, Florida, approving a petition for a transfer of one density unit to a Receiving Zone (Parcel P1-27-2) located at 2450 Luther Road, containing 1.286± acres, in the Port Charlotte area, in accordance with Part III, Land Development and Growth Management, Chapter 3-9, Zoning, Article V, Environmental Requirements and Other Requirements, Section 3-9-150, Transfer of Density Units (TDU), of the Code of Laws and Ordinances of Charlotte County; Petition No. TDU-21-01; Applicant: Ron Gustavson; providing an effective date.

LAND USE REGULAR AGENDA

PP-21-02-05 Quasi-Judicial Commission District I
D.R. Horton Inc. has requested Preliminary Plat approval for a subdivision to be named, Peace River Landing, consisting of 66 residential lots. The site is 20.13± acres, and is located north of Westchester Blvd., south of Old Landfill Rd., east of Loyeland Blvd., and west of River Bank Way, in the Port Charlotte area.

PP-21-02-06 Quasi-Judicial Commission District I
Lennar Homes, LLC., has requested Preliminary Plat approval for a subdivision to be named, Babcock National Phase 3, consisting of 38 residential lots. The site is 12.39± acres, and is located south of Bermont Road, north of the border with Lee County, east of Babcock Ranch Road, and west of the border with Glades County, in the South County area and within the Babcock Ranch Community.

PD-21-00003 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 of an existing PD, Ordinance Number 2020-019, to add development standards for multi-family for ten units per building located within Tract J and a portion of Tract A, and to update total development entitlements via the Murdock Village Equivalency Matrix adopted in the County's Comprehensive Plan; for property located south of Franklin Avenue, north of El Jobean Road (SR 776), east of the Crestview Waterway, and west of the Flamingo Waterway, in the Port Charlotte area and within the Murdock Village Community Redevelopment Area (CRA), containing 434.68± acres; Commission District IV; Petition No. PD-21-00003; Applicant: KL JAK WP, LLC; providing an effective date.

PAL-20-00004 Legislative Commission District V
Pursuant to Section 163.3184(3), Florida Statutes, adopt a Large-scale Plat Amendment; the request is to change Charlotte County FLUM Series Map #1: 2030 Future Land Use, from Parks & Recreation (PKR) and Public Lands & Facilities (PL) to Commercial (COM); for property located at 2025 Tamiami Trail, in the Port Charlotte area, containing 11.94± acres; Commission District V; Petition No. PAL-20-00004; Applicant: Save it All Self Storage, LLC; providing an effective date.

CDD-21-00001 Quasi-Judicial Commission District III
An ordinance of the Board of County Commissioners of Charlotte County, Florida, pursuant to Chapter 190, Florida Statutes, amending Chapter 4-3, Municipal Service Districts, by creating new Article XII: Harbor Village Community Development District (CDD); providing for new Section 4-3.5-161, Authority; providing for new Section 4-3.5-162, District Name; providing for new Section 4-3.5-163, District External Boundaries; providing for new Section 4-3.5-164, District Powers and Functions; providing for new Section 4-3.5-165, Board of Supervisors; providing for additional requirements; and providing for severability; Petition No. CDD-21-01; Applicant: Maronda Homes, LLC of Florida; providing for an effective date. The proposed CDD is generally located north of Delamere Boulevard, southeast of McCall Road (SR 776), east of Gasparilla Road (CR 771), and west of Butterford Waterway, in the West County area and contains a total of 408± acres.

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.



Attachment B
Ordinance Number 2017-056

CHA
BCC
14
★
BAR

ORDINANCE
NUMBER 2017 - 056

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18

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), AND COMMERCIAL GENERAL (CG) TO PLANNED DEVELOPMENT (PD), FOR PROPERTY BOUND BY FRANKLIN AVENUE TO THE NORTH, O'DONNELL BOULEVARD AND THE FLAMINGO WATERWAY TO THE EAST, EL JOBEAN ROAD (SR 776) TO THE SOUTH, AND CRESTVIEW WATERWAY TO THE WEST, IN THE PORT CHARLOTTE AREA, CONTAINING 434.68 ACRES MORE OR LESS, COMMISSION DISTRICT IV, CHARLOTTE COUNTY, FLORIDA; PETITION Z-17-09-32; APPLICANT, PRIVATE EQUITY GROUP, LLC; PROVIDING AN EFFECTIVE DATE.

RECITALS

19
20
21
22
23
24
25
26
27
28
29
30
31
32

WHEREAS, in a public hearing held on December 12, 2017, the Board of County Commissioners of Charlotte County, Florida ("Board") reviewed Petition Z-17-09-32, submitted by applicant, Private Equity Group, LLC ("Applicant"), which requested a rezoning from Residential Multi-family 10 (RMF-10), Residential Single-family 3.5 (RSF-3.5), and Commercial General (CG) to Planned Development (PD) on 434.68 acres more or less of property owned by the Murdock Village Community Redevelopment Agency, whose address is 18500 Murdock Circle, Port Charlotte, Florida 33948, and described as property bound by Franklin Avenue to the North, O'Donnell Boulevard and the Flamingo Waterway to the East, El Jobean Road (SR 776) to the South, and Crestview Waterway to the West, in the Port Charlotte area, Commission District IV, Charlotte County, Florida, and more particularly described in Exhibit "A" which is attached hereto and provided herein; and

MIN 9

33 WHEREAS, the Applicant seeks a rezoning from Residential Multi-
34 family 10 (RMF-10), Residential Single-family 3.5 (RSF-3.5), and Commercial
35 General (CG) to Planned Development (PD) in order to allow for construction of a
36 horizontally-mixed use development, with 2,400 residential units, and 300,000
37 square feet of commercial uses, including a 150-room hotel; and

38 WHEREAS, Petition Z-17-09-32 has previously been heard by the
39 Charlotte County Planning and Zoning Board ("P&Z Board") and, based on the
40 findings and analysis provided by County Staff and the evidence presented to the
41 P&Z Board, has been recommended for approval on November 13, 2017; 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 has found that approval of Petition Z-17-09-32 is consistent with the County's
45 Comprehensive Plan, and that it meets the requirements for the granting of a
46 rezoning; and

47 WHEREAS, based on the above findings, the Board has
48 determined it to be in the best interests of the County to rezone the subject
49 property from Residential Multi-family 10 (RMF-10), Residential Single-family 3.5
50 (RSF-3.5), and Commercial General (CG) to Planned Development (PD).

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

53 SECTION 1. The following petition for an amendment to the
54 Charlotte County Zoning Atlas is hereby approved subject to the conditions
55 contained in the attached Exhibit "B":

56 Petition Z-17-09-32 requesting rezoning from
57 Residential Multi-family 10 (RMF-10), Residential
58 Single-family 3.5 (RSF-3.5), and Commercial General
59 (CG) to Planned Development (PD) for 434.68 acres
60 more or less of property owned by the Murdock
61 Village Community Redevelopment Agency, bound by
62 Franklin Avenue to the North, O'Donnell Boulevard
63 and the Flamingo Waterway to the East, El Jobean
64 Road (SR 776) to the South, and Crestview Waterway
65 to the West, in the Port Charlotte area, Commission
66 District IV, Charlotte County, Florida, and more
67 particularly described in Exhibit "A".
68

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


71 SECTION 3. This Ordinance shall take effect upon filing in the Office
72 of the Secretary of State, State of Florida.
73
74
75
76
77

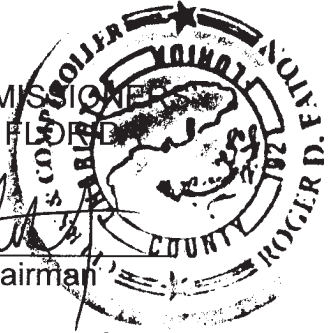
78
79 [SIGNATURE PAGE FOLLOWS]
80
81
82
83
84
85
86

87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137

PASSED AND DULY ADOPTED this 12th day of December, 2017.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: 
Kenneth W. Doherty, Chairman



ATTEST:

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

By: 
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: 
Janette S. Knowlton, County Attorney
LR2017-0625



LEGAL DESCRIPTION

AS PER OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY COMMITMENT AGENTS FILE REFERENCE THG 16479-284 EFFECTIVE, FEBRUARY 2, 2017 AT 11:00 PM AS PROVIDED BY CLIENT.

PARCEL 1:

A TRACT OR PARCEL OF LAND LYING IN SECTIONS 10, 11, AND 14, TOWNSHIP 40 SOUTH, RANGE 21 EAST, WHICH TRACT OR PARCEL IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 11, THENCE N00°29'34"W ALONG THE EAST SECTION LINE OF SAID SECTION 11 A DISTANCE OF 273.88 FEET TO A POINT INTERSECTING THE NORTHERLY RIGHT OF WAY LINE OF STATE ROAD 776 (EL JOBEAN ROAD); THENCE S69°10'05"W ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 408.28 FEET TO THE POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING, THENCE CONTINUE ALONG SAID RIGHT OF WAY LINE S69°10'05"W A DISTANCE OF 2471.54 FEET; THENCE N00°23'26"E A DISTANCE OF 722.47 FEET; THENCE N89°31'55"W A DISTANCE OF 1344.56 FEET; THENCE N00°03'10"W A DISTANCE OF 1398.83 FEET; THENCE N89°25'56"W A DISTANCE OF 1341.43 FEET; THENCE N89°51'49"W A DISTANCE OF 833.89 FEET; THENCE N28°21'55"E A DISTANCE OF 3827.13 FEET; THENCE S61°38'05"E A DISTANCE OF 425.01 FEET; THENCE N28°21'55"E A DISTANCE OF 617.50 FEET TO THE SOUTH RIGHT OF WAY LINE OF FRANKLIN AVENUE (50 FOOT PUBLIC RIGHT OF WAY) AND POINT OF CURVATURE OF A NON-TANGENT CURVE TO THE RIGHT; THENCE ALONG THE ARC OF SAID CURVE AND RIGHT OF WAY LINE FOR A LENGTH OF 740.64 FEET, HAVING A RADIUS OF 3241.113 FEET (DELTA/CENTRAL ANGLE 13°05'34") (CHORD BEARING OF S82°39'25"E) (CHORD LENGTH OF 739.03 FEET) TO A POINT OF TANGENCY, THENCE S89°12'12"E ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 1581.87 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY RIGHT OF WAY LINE OF O'DONNELL BOULEVARD (70 FOOT PUBLIC RIGHT OF WAY); THENCE S00°20'51"E ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 894.20 FEET TO A POINT OF INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF MCADAM AVENUE (50 FOOT PUBLIC RIGHT OF WAY); THENCE N89°16'58"W ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 1325.20 FEET; THENCE S00°20'37"E TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF SAID MCADAM AVENUE A DISTANCE OF 49.99 FEET ALSO BEING THE NORTHWEST CORNER OF THE NORTH CHARLOTTE REGIONAL PARK; THENCE ALONG SAID NORTH CHARLOTTE REGIONAL PARK BOUNDARY THE NEXT SIX COURSES: 1) S00°20'37"E, 2743.15 FEET; 2) S89°26'25"E, 175.00 FEET; 3) N00°09'56"E, 24.73 FEET; 4) S89°27'08"E, 1150.09 FEET; 5) N00°20'51"W, 2275.62 FEET; 6) S89°27'00"E, 1285.98 FEET; THENCE S00°30'25"E LEAVING SAID BOUNDARY A DISTANCE OF 2002.10 FEET TO A POINT OF CURVATURE, THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT FOR A LENGTH OF 74.84 FEET, HAVING A RADIUS OF 400.00 FEET, (DELTA/CENTRAL ANGLE OF 10°43'12") (CHORD BEARING OF S04°51'11"W) (CHORD LENGTH OF 74.73 FEET) TO A POINT OF TANGENCY, THENCE S10°12'47"W A DISTANCE OF 775.34 FEET; THENCE S15°49'23"W A DISTANCE 650.60 FEET TO A POINT ON SAID RIGHT OF WAY LINE OF STATE ROAD 776 AND THE POINT OF BEGINNING. TOGETHER WITH:

PARCEL 2:

NOT A PART OF THIS SURVEY



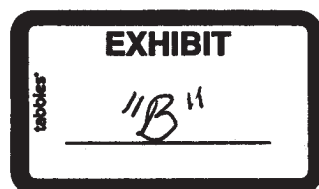
Conditions:

- a) Total development entitlements shall include:

Project Summary

Area	434.68± acres
Residential Uses	
Single-family	2,010 units
Multi-family	390 units
Total residential	2,400 units
Commercial Uses	
Regional commercial space (retail/service)	200,000 square feet
Regional commercial space (hotel)	100,000 square feet
Total commercial space	300,000 square feet

- b) Land use categories within this PD shall be considered Neighborhood Residential and General Commercial, as established in the Murdock Village Mixed Use Future Land Use Map designation contained in Charlotte 2050 FLU Appendix I. Development pods “A” through “I”, as depicted on the PD Concept Plan submitted by the applicant, prepared by Banks Engineering, dated September 5, 2017, shall be designated Neighborhood Residential. Development pods “J” and “K”, as depicted on the PD Concept Plan submitted by the applicant, prepared by Banks Engineering, dated September 5, 2017, shall be designated General Commercial.
- c) Development entitlements may be increased in one land use category and concurrently reduced in another land use category, as more specifically described in the Murdock Village Equivalency Matrix adopted in Charlotte 2050 FLU Appendix I. All applications for Final Detail Site Approval shall include calculations supporting any proposed exchanges using the Equivalency Matrix, together with a running total of remaining entitlements.
- d) Development on the subject property shall occur as generally illustrated on the PD Concept Plan submitted by the applicant, prepared by Banks Engineering, dated September 5, 2017, except such modifications as may be required to meet the conditions of the PD zoning district. In addition, the Site Plan Review (Petition No. DRC-17-00060) conditions of approval according to the letter dated October 2, 2017, and signed by Shaun Cullinan, Charlotte County Zoning Official, are required to be met.
- e) No development activity shall occur prior to Final Site Plan approval.
- f) Single-family and multi-family residential uses may be developed within the areas designated Neighborhood Residential. Commercial and multi-family residential uses may be developed within the areas designated General Commercial. Emergency and essential services uses may be developed within both.
- g) The following uses may be permitted:
- i) Amphitheater.
 - ii) Animal hospital.
 - iii) Art, dance, music, photo studio or gallery.
 - iv) Auditorium, convention center, performing arts center.
 - v) Bank, financial services.
 - vi) Bar, cocktail lounge, nightclub, tavern.
 - vii) Business services.



- viii) Clubhouse, community center.
 - ix) Cluster housing.
 - x) Community garden.
 - xi) Day care center, child.
 - xii) Drug store, pharmacy.
 - xiii) Dry cleaner.
 - xiv) Emergency services.
 - xv) Essential services (see Section 3-9-71 essential services.).
 - xvi) Fences or walls, which may be permitted prior to the principal uses and structures.
 - xvii) Gas station.
 - xviii) General offices.
 - xix) General retail sales and services (see Section 3-9-61, accessory outdoor retail sales, display, and storage).
 - xx) Hotel, motel, inn.
 - xxi) Laundromat.
 - xxii) Liquor, package store.
 - xxiii) Medical or dental office, clinic.
 - xxiv) Mini-warehouses or storage facilities, but not bulk storage of flammable liquids.
 - xxv) Minor home occupation.
 - xxvi) Model home (see Section 3-9-78, model homes).
 - xxvii) Motor vehicle wash.
 - xxviii) Multi-family residential buildings, including duplex and triplex buildings and townhomes.
 - xxix) Noncommercial vehicle rental.
 - xxx) Outdoor market or exhibition space.
 - xxxi) Paid or public parking lot, garage, structure.
 - xxxii) Private off-site parking.
 - xxxiii) Personal services.
 - xxxiv) Place of worship (see Section 3-9-82, places of worship).
 - xxxv) Post office.
 - xxxvi) Private club.
 - xxxvii) Professional services.
 - xxxviii) Recreation, indoor.
 - xxxix) Recreation, outdoor.
 - xl) Restaurant.
 - xli) Sales center.
 - xlii) Single-family attached homes.
 - xliii) Single-family detached homes, which may have a guest suite that is structurally attached, with or without cooking facilities.
 - xliv) Uses and structures which are customarily accessory and clearly incidental to primary uses and structures.
- h) 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 homeowners association.

- i) Roadways, sidewalks, and multi-use paths within the subject property shall be developed consistent with the cross-sections as depicted on the PD Concept Plan submitted by the applicant, prepared by Banks Engineering, dated September 5, 2017. The sidewalk along El Jobean Road (SR 776) shall match the existing five-foot sidewalk in width and placement.
- j) The development must use potable water and sanitary sewer utilities. The potable water and sanitary sewer lines must be connected to the site before any certificates of occupancy shall be issued. A Developers Agreement for the extension of potable water and sanitary sewer lines must be approved by the Board of County Commissioners prior to the Final Site Plan Review application for the first phase of development.
- k) The following development standards shall be applied:

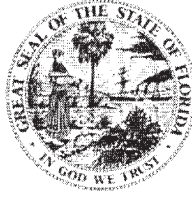
Use	Single-family detached	Single-family attached	Multi-family	Townhomes	Commercial
Required Parking (spaces)	2/unit	2/unit	As Section 3-9-79	2/unit	As Section 3-9-79
Minimum lot size (s.f.)	4,000	3,200	7,500	2,000	12,000
Minimum lot width (ft.)	40	35	80	20	100
Minimum front yard (ft.)	20	20	20	20	15
Minimum interior side yard (ft.)	5	5 exterior 0 interior	Half building height, not less than 7.5	5 exterior 0 interior	0
Minimum side yard abutting road (ft.)	15	15	15	15	10
Minimum interior rear yard (ft.)	10	10	Half building height, not less than 7.5	10	10
Minimum rear yard abutting road (ft.)	15	15	15	15	10
Minimum rear yard abutting water (ft.)	15	15	15	15	20
Maximum building height (ft.)	38	38	60	38	60
Maximum lot coverage (%)	65	70	45	75	55
Accessory structure setbacks	Same as principal structure				

- l) A unified landscaping theme shall be used within each development pod. All landscaping shall be installed in accordance with Section 3-9-100: Buffers, Landscaping, and Tree Requirements of the County Code. A partnership with the Cooperative Extension Service of the University of Florida to interact with the Florida Yards and Neighborhoods program is encouraged.
- m) A 25-foot perimeter setback for the entire PD site is not required.
- n) The following other buffer requirements, as established in Section 3-9-100, shall be applied:

Proposed Use	Abutting Use			
	Single-family	Multi-family	Commercial	Right-of-way

Single-family	None	None	None	None
Multi-family	Type A	None	None	Perimeter buffer
Commercial	Type C	Type C	None	Perimeter buffer

- o) The five percent open space/habitat reservation is not required, nor is the payment in lieu of reservation, provided that each residential development pod provides at least 20 percent open space.
- p) All commercial development shall comply with the requirements of Article XXIV: Commercial Design Standards, of the County Code.
- q) The developer shall minimize impervious surfaces within the development wherever practicable.



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

December 14, 2017

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. 2017-056, which was filed in this office on December 13, 2017.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

U-1-2 and
U-4-12



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 legal clerk of the Charlotte Sun, 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:

November 27, 2017

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)

#665-

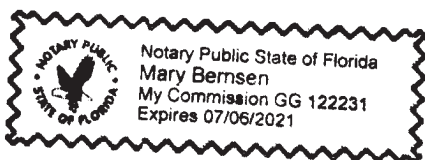
Sworn and subscribed before me this 27th day of November, 2017.

Mary Bensen
(Signature of Notary Public)

Mary Bensen
(Print Name of Notary Public)

Personally known ___ OR Produced Identification ___

Type of Identification Produced _____



NOTICE OF PUBLIC HEARING FOR MORE OF THE
FOLLOWING MATTERS: PROPOSED CHANGES TO THE FUTURE LAND
USE MAP AND COMPREHENSIVE PLAN AND ITS DEVELOPMENT
OF REGIONAL IMPACT OR CHANGES THERE TO, REZONINGS,
PRELIMINARY AND FINAL PLATS, STREET AND PLAT VARIATIONS, DE
FINAL DETAIL PLANS OR CHANGES THERETO, AND STREET NAMIN

A PUBLIC HEARING ON PROPOSALS AND PETITIONS AS DESCRIBED BELOW WILL BE CONDUCTED BY THE BOARD OF COUNTY COMMISSIONERS AT A REGULAR MEETING ON TUESDAY, DECEMBER 12, 2017, at 2:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD DURING THE COURSE OF ACTION. THE 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>

ALL INTERESTED PERSONS ARE URGED TO ATTEND THESE PUBLIC HEARINGS. THE PUBLIC IS WELCOME TO SPEAK; THERE WILL BE A FIVE-MINUTE TIME LIMIT FOR EACH CITIZEN'S PRESENTATION ON AN AGENDA ITEM. 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

Z-17-09-31 Quasi-Judicial Commission District III
An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Office, Medical, Institutional (OMI) to Commercial General (CG) for property located at 2960 Placida Road, in the Grove City area, containing 0.37± acres; Commission District III; Petition No. Z-17-09-31; applicant: Mildred Paulse providing an effective date.

FP-17-06-05 Quasi-Judicial Commission District IV
Ainger Landing, Inc. has requested Preliminary and Final Plat approval for a four-lot minor subdivision to be named, Casper I. The site is 7.04 acres, more or less, and is located south of Biscayne Drive, west of Casper Street, north of the Jupiter Waterway, and east of Eisenhower Drive, in Section 08, Township 40, Range 21, in Commission District I

PA-16-12-26-LS Legislative Commission District II
Pursuant to Section 163.3184(3), Florida Statutes, transmit a Large Scale Plan Amendment to the Department of Economic Opportunity (DEO) and other State agencies for review and comment; this request is to revise Future Land Use (FLU) Appendix VIII: Rural Community Mixed Use Master Plans by amending the Harper-McNew Run Community Mixed Use Master Development Plan; for property located north of the Lee County Line, south of Zemel Road, east of Tamiami Trail (US 41) and west of I-75, the South County area, containing 1554.51± acres; Petition No. PA-16-12-26-LS; Applicants: Ron Inge, Harper Property Holdings, LLC and McNew Property Holdings, LL providing an effective date.

PA-17-08-25 Legislative Commission District V
Pursuant to Section 163.3187(1)(C), Florida Statutes, adopt a Small Scale Plan Amendment to change Charlotte County FLUM Series Map #1: 2030 Future Land Use from Public Lands and Facilities (PL) (3.13± acres) and Low Density Residential (LDR) (3.16± acres) to High Density Residential (HDR); for property located at 21450 and 21500 Gibraltar Drive, in the Port Charlotte area, containing 6.29± acres; Commission District V; Petition No. PA-17-08-25; applicant: Charlotte County Board of County Commissioners; providing an effective date.

Z-17-08-26 Quasi-Judicial Commission District V
An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Office, Medical and Institutional (OMI) (2.13± acres) and Residential Single-family 3 (RSF-3.5) (3.16± acres) to Residential Multi-family 15 (RMF-15), for property located at 21450 and 21500 Gibraltar Drive, in the Port Charlotte area, containing 6.29± acres; Commission District V; Petition No. Z-17-08-26; applicant: Charlotte County Board of County Commissioners; providing an effective date.

Z-17-09-32 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 (RSF-3.5) and Commercial General (CG) to Planned Development (PD), for property bounded by Franklin Avenue to the north, O'Donnell Boulevard and the Planning Agency to the east, Jobban Road (SR 776) to the south, and Crestview Waterway to the west, in the Port Charlotte area, containing 434.68± acres; Commission District IV; Petition No. Z-17-09-32; Applicant: Private Equity Group, LLC; providing an effective date.

Z-17-09-33 Legislative Countywide
An Ordinance amending Charlotte County Code Chapter 3-9, Zoning, by amending Section 3-9-88 Waterfront property; exempting the Charlotte Harbor Community Development Code from meeting the standards of Section 3-9-88(c); providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Z-17-09-34 Legislative County Wide
An Ordinance amending Charlotte County Code Chapter 3-2, Buildings and Building Regulations; Article IV, Building Regulations; by amending Section 3-2-73, Hours of Construction Activity in Residential Areas; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

PA-17-07-20-LS Legislative Commission District 4 & 5
Pursuant to Section 163.3184(3), Florida Statutes, adopt a Large Scale Plan Amendment; the request is to amend the Future Land Use (FLU) Element, FLU Appendix II: Future Land Use Map Series, by adding FLUM Series Map #26B: Parkside Community Redevelopment Area; and to amend FLU Appendix IV: Revitalization Plans to create the Parkside Community Revitalization Plan; Petition No. PA-17-07-20-LS; Applicant: Charlotte County Board of County Commissioners; providing an effective date.

Settlement Agreement for DOAH Case Number 17-004480GM Legislative Countrywide
Approve a settlement agreement between Friends of Cape Haze, Inc., 11000 Placida Road, Placida, Florida 33946; Charlotte County, Florida, a political subdivision of the State of Florida, 18500 Murdock Circle, Port Charlotte, Florida 33948; and Rotonda Meadows/Villas Conservation, Inc., whose principal address is 3754 Cape Haze Drive, Rotonda West, Florida 33946 regarding DOAH Case Number 17-004480GM, in which Friends of Cape Haze, Inc. filed a Petition for Formal Administrative Hearing challenging a Ten Amendment to Charlotte County's Comprehensive Plan, Ordinance Number 2017-039, in August 2017, and authorize Chairman to execute the settlement agreement on behalf of the Board of County Commissioners of Charlotte County, Florida.

Revisions to the ECAP Zoning District Legislative Commission District II
An Ordinance of the Board of County Commissioners of Charlotte County, Florida, amending Charlotte County Code Chapter 3-9, by revising Section 3-9-48, Enterpris Charlotte Airport Park (ECAP), clarifying the intent of the code; providing for revised definitions; providing for revised permitted uses and structures; providing for revised standards; providing for revised permitted accessory uses and structures; providing for conditional uses and structures; providing for prohibited uses and structures; providing for special exceptions; providing for revised development standards; providing for revised landscaping standards; providing for revised signs; providing for design standards; providing for deviations; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Resolution Legislative Commission District V
Approve a Resolution of the Board of County Commissioners of Charlotte County, Florida, reserving 83 Incentive Density units for property located at 21450 and 21500 Gibraltar Drive, in the Port Charlotte area; and approving criteria for when and how the Incentive Density units will be granted to the subject site.

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.

Attachment C

2020-019



FILED WITH THE DEPARTMENT OF STATE, May 13, 2020

CHARLOTTE COUNTY CLERK OF CIRCUIT COURT
OR BOOK #5/4 PAGE 1770 PAGE 1 OF 12
#ISTR # 281282 Doc Type GOV
Recorded 5/13/2020 at 2:17 PM
Rec Fee RECORDING \$103.50
Cashier By LOALC

ORDINANCE
NUMBER 2020 - 019

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM PLANNED DEVELOPMENT (PD) TO PLANNED DEVELOPMENT (PD), FOR PROPERTY LOCATED EAST OF THE CRESTWOOD WATERWAY, NORTH OF SR 776 (EL JOBEAN ROAD), WEST OF O'DONNELL BOULEVARD AND THE FLAMINGO WATERWAY, AND SOUTH OF FRANKLIN AVENUE, IN THE PORT CHARLOTTE AREA, CONTAINING 434.68 ACRES MORE OR LESS, COMMISSION DISTRICT IV, CHARLOTTE COUNTY, FLORIDA; PETITION Z-19-11-38; APPLICANT, WEST PORT, LLC; PROVIDING AN EFFECTIVE DATE.

17

RECITALS

18
19
20
21
22
23
24
25
26
27

WHEREAS, in a public hearing held on Tuesday, May 12, 2020, the Board of County Commissioners of Charlotte County, Florida ("Board") reviewed Petition Z-19-11-38, submitted by applicant, West Port, LLC ("Applicant"), which requested a rezoning from Planned Development (PD) to Planned Development (PD) on 434.68 acres more or less of property owned by Applicant, and described as property located east of the Crestwood Waterway, north of SR 776 (El Jobean Road), west of O'Donnell Boulevard and the Flamingo Waterway, and south of Franklin Avenue, in the Port Charlotte area, Commission District IV, Charlotte County, Florida, and more particularly described in Exhibit "A" which is attached hereto and by this reference provided herein ("Property"); and

28
29
30
31

WHEREAS, the Applicant seeks a major modification to the existing Planned Development (PD) approved by the Board on December 12, 2017 under Ordinance Number 2017-056, by requesting a rezoning from Planned Development (PD) to Planned Development (PD) in order to amend the concept

min
2

32 plan and a number of the conditions of approval in order to better reflect the
33 Applicant's development plan; and

34 WHEREAS, the requested changes to the Conditions of Approval
35 are shown with adding the underlined language and by ~~deleting the stricken~~
36 ~~language~~, as shown in Exhibit "B-1" which is attached hereto and by this
37 reference provided herein; and

38 WHEREAS, the Conditions of Approval relate to an updated PD
39 Concept Plan prepared by Morris Engineering and Consulting, LLC, dated
40 January 7, 2020, which is attached hereto as Exhibit "B-2," and by this reference
41 provided herein; and

42 WHEREAS, Petition Z-19-11-38 has previously been heard by the
43 Charlotte County Planning and Zoning Board ("P&Z Board") and, based on the
44 findings and analysis provided by County Staff and the evidence presented to the
45 P&Z Board, has been recommended for approval on April 13, 2020; and

46 WHEREAS, after due consideration, based on the findings and
47 analysis provided by County Staff and the evidence presented to it, the Board
48 has found that approval of Petition Z-19-11-38 is consistent with the County's
49 Comprehensive Plan, and that it meets the requirements for the granting of a
50 rezone; and

51 WHEREAS, based on the above findings, the Board has
52 determined it to be in the best interests of the County to rezone the subject
53 property from Planned Development (PD) to Planned Development (PD).

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

56 SECTION 1. The following petition, made by applicant, West Port,
57 LLC, for an amendment to the Charlotte County Zoning Atlas is hereby approved
58 subject to the conditions contained in the attached Exhibit "B-1":

59 Petition Z-19-11-38 requesting rezoning from Planned
60 Development (PD) to Planned Development (PD) for
61 434.68 acres more or less of property, located east of
62 the Crestwood Waterway, north of SR 776 (El Jobean
63 Road), west of O'Donnell Boulevard and the Flamingo
64 Waterway, and south of Franklin Avenue, in the Port
65 Charlotte area, Commission District IV, Charlotte
66 County, Florida, and more particularly described in
67 Exhibit "A".

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

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

73

74

75 [SIGNATURE PAGE FOLLOWS]

76

77

78

79

80

81

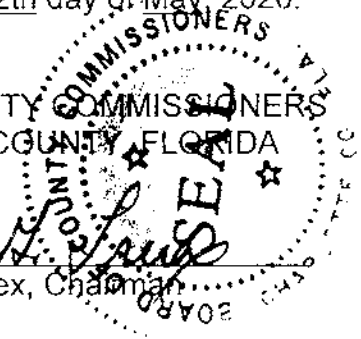
82

83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132

PASSED AND DULY ADOPTED this 12th day of May, 2020.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: William G. Truex
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 D. Beardino
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: Janette S. Knowlton
Janette S. Knowlton, County Attorney
SB LR2020-0135

(PARCEL 1)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF CHARLOTTE, LYING IN SECTIONS 11 AND 14, TOWNSHIP 40 SOUTH, RANGE 21 EAST, BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 11, TOWNSHIP 40 SOUTH, RANGE 21 EAST; THENCE N.00°29'34"W. ALONG THE EAST LINE OF SAID SECTION 11 FOR 273.88 FEET TO A POINT INTERSECTING THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 776 (EL JOBEAN ROAD); THENCE S.69°10'05"W. ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 776 FOR 408.28 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE S.69°10'05"W. ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 776 FOR 1936.31 FEET; THENCE N.60°49'55"W. FOR 19.28 FEET; THENCE N.10°49'55"W. FOR 76.18 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 450.00 FEET, DELTA ANGLE OF 11°13'21" CHORD BEARING OF N.05°13'15"W. AND A CHORD DISTANCE OF 88.00 FEET; THENCE ALONG THE ARC OF SAID CURVE, FOR 88.14 FEET; THENCE N.00°23'26"E. FOR 356.51 FEET; THENCE N.89°31'55"W. FOR 10.00 FEET; TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 460.00 FEET, DELTA ANGLE OF 58°48'17", CHORD BEARING OF N.29°43'02"E. AND A CHORD DISTANCE OF 451.66 FEET; THENCE ALONG THE ARC OF SAID CURVE FOR 472.11; THENCE N.59°07'10"E. FOR 533.04 FEET; TO THE BEGINNING OF CURVE TO THE LEFT HAVING A RADIUS OF 540.00 FEET, DELTA ANGLE OF 39°41'39", CHORD BEARING OF N.39°16'21"E. AND A CHORD DISTANCE OF 366.67 FEET; THENCE ALONG THE ARC OF SAID CURVE FOR 374.11 FEET; THENCE S.70°34'29"E. FOR 796.84 FEET; THENCE S.88°49'17"E. FOR 338.25 FEET; THENCE S.15°49'23"W. FOR 537.95 FEET; TO THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 776 AND THE POINT OF BEGINNING.

BEARINGS ARE BASED ON "THE STATE PLANE COORDINATE SYSTEM" FLORIDA ZONE WEST, NORTH AMERICAN DATUM OF 1983 (2011 ADJUSTMENT-EPOCH 2010) AND WERE DERIVED FROM THE FLORIDA PERMANENT REFERENCE NETWORK SITE CODE "PNTA", IN U.S. FEET WHEREIN THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 776 BEARS S.69°10'05"W.

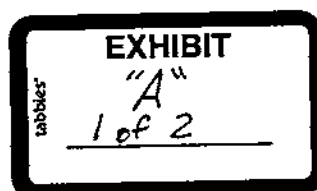
AND

(PARCEL 2)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF CHARLOTTE, LYING IN SECTIONS 11 AND 14, TOWNSHIP 40 SOUTH, RANGE 21 EAST, BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 11, TOWNSHIP 40 SOUTH, RANGE 21 EAST; THENCE N.00°29'34"W. ALONG THE EAST LINE OF SAID SECTION 11 FOR 273.88 FEET TO A POINT INTERSECTING THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 776 (EL JOBEAN ROAD); THENCE S.69°10'05"W. ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 776 FOR 2476.13 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE S.69°10'05"W. ALONG SAID NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 776 FOR 403.69 FEET; THENCE N.00°23'26"E. ALONG THE EASTERLY LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3445, PAGES 1013-1016 AND OFFICIAL RECORDS BOOK 4137, PAGES 1224-1227 FOR



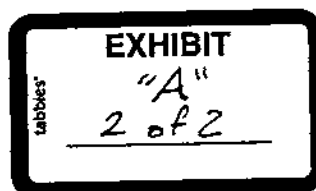
722.47 FEET; THENCE S.89°31'55"31'55"E. FOR 358.60 FEET; THENCE S.00°23'26"W. FOR 356.65 FEET; TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 550.00, DELTA ANGLE OF 11°13'21", CHORD BEARING OF S.05°13'15" AND A CHORD DISTANCE OF 107.56 FEET; THENCE ALONG THE ARC OF SAID CURVE, FOR 107.73; THENCE S.10°49'55"E. FOR 93.82 FEET; THENCE S.29°10'05"W. FOR 22.98 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 776 AND THE POINT OF BEGINNING, BEARINGS ARE BASED ON "THE STATE PLANE COORDINATE SYSTEM" FLORIDA ZONE WEST, NORTH AMERICAN DATUM OF 1983 (2011 ADJUSTMENT – EPOCH 2010) AND WERE DERIVED FROM THE FLORIDA PERMANENT REFERENCE NETWORK SITE CODE "PNTA", IN U.S. FEET WHEREIN THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD 776 BEARS S.69°10'05"W.

(PARCEL 3)

A TRACT OR PARCEL OF LAND LYING IN SECTIONS 10, 11 AND 14, TOWNSHIP 40 SOUTH, RANGE 21 EAST, WHICH TRACT OR PARCEL IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 11, THENCE N.00°20'34"W. ALONG THE EAST SECTION LINE OF SAID SECTION 11 A DISTANCE OF 273.88 FEET TO A POINT INTERSECTING THE NORTHERLY RIGHT OF WAY LINE OF STATE ROAD 776 (EL JOBEAN ROAD); THENCE S.69°10'05"W. ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 408.28 FEET TO THE POINT OF BEGINNING.

FROM SAID POINT OF BEGINNING, THENCE CONTINUE ALONG SAID RIGHT OF WAY LINE S.69°10'05"W. A DISTANCE OF 2471.54 FEET; THENCE N.00°23'26"E. A DISTANCE OF 722.47 FEET; THENCE N.89°31'55"W. A DISTANCE OF 1344.56 FEET; THENCE N.00°03'10"W. A DISTANCE OF 1398.83 FEET; THENCE N.89°25'56"W. A DISTANCE OF 1341.43 FEET; THENCE N.89°51'49"W. A DISTANCE OF 833.89 FEET; THENCE N.28°21'55"E. A DISTANCE OF 3827.13 FEET; THENCE S.61°38'05"E. A DISTANCE OF 425.01 FEET; THENCE N.28°21'55"E. A DISTANCE OF 617.50 FEET TO THE SOUTH RIGHT OF WAY LINE OF FRANKLIN AVENUE (50 FOOT PUBLIC RIGHT OF WAY) AND TO A POINT OF CURVAURE OF A NON-TANGENT CURVE TO THE LEFT; THENCE ALONG THE ARC OF SAID CURVE AND RIGHT OF WAY LINE FOR A LENGTH OF 740.64 FEET, HAVING A RADIUS OF 3241.113 FEET (DELTA/CENTRAL ANGLE 13°05'34") (CHORD BEARING OF S.82°39'25"E. (CHORD LENGTH OF 739.03 FEET) TO A POINT OF TANGENCY, THENCE S.89°12'12"E ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 1581.87 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY RIGHT OF WAY LINE OF O'DONNELL Boulevard (70 FOOT PUBLIC RIGHT OF WAY); THENCE S.00°20'51"E. ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 894.20 FEET TO A POINT OF INTERSECTION WITH THE NORTH RIGHT OF WAY LINE OF MCADAM AVENUE (50 FOOT PUBLIC RIGHT OF WAY); THENCE N.89°16'58"W. ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 1325.20 FEET; THENCE S 00°20'37"E. TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF SAID MCADAM AVENUE A DISTANCE OF 49.99 FEET ALSO BEING THE NORTHWEST CORNER OF THE NORTH CHARLOTTE REGIONAL PARK; THENCE ALONG SAID NORTH CHARLOTTE REGIONAL PARK BOUNDARY THE NEXT SIX COURSES: 1) S.00°20'37"E., 2743.15 FEET; 2) S.89°26'25"E., 175.00 FEET; 3) N.00°09'56"E. 24.73 FEET; 4) S.89°27'08"E., 1185.09 FEET; 5) N.00°20'51"W., 2275.62 FEET; 6) S.89°27'00"E., 1285.98 FEET; THENCE S.00°30'25"E. LEAVING SAID BOUNDARY A DISTANCE OF 2002.10 FEET TO A POINT OF CURVATURE, THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT FOR A LENGTH OF 74.84 FEET, HAVING A RADIUS OF 400.00 FEET, (DELTA/CENTRAL ANGLE OF 10°43'12") (CHORD BEARING OF S.04°51'11"W.) (CHORD LENGTH OF 74.73 FEET) TO A POINT OF TANGENCY, THENCE S.10°12'47"W. A DISTANCE OF 775.34 FEET; THENCE S.15°49'23"W. A DISTANCE OF 650.60 FEET TO A POINT ON SAID RIGHT OF WAY LINE OF STATE ROAD 776 AND THE POINT OF BEGINNING.



Conditions of Approval:

- a) Total development entitlements shall include:

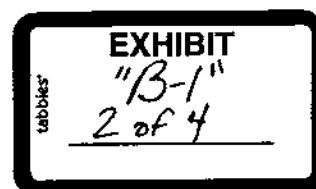
Project Summary

Area	434.68± acres
Residential Uses	
Single-family	2,010 units
Multi-family	390 units
Total residential	2,400 units
Commercial Uses	
Regional commercial space (retail/service)	200,000 square feet
Regional commercial space (hotel)	100,000 square feet
Total commercial space	300,000 square feet

- b) Land use categories within this PD shall be considered Neighborhood Residential and General Commercial, as established in the Murdock Village Mixed Use Future Land Use Map designation contained in Charlotte 2050 FLU Appendix I. Development ~~poes tracts~~ "A" through "H", as depicted on the PD Concept Plan submitted by the applicant, prepared by ~~Banks Engineering~~ Morris Engineering and Consulting, LLC, dated ~~September 5, 2017~~ January 7, 2020, shall be designated Neighborhood Residential. Development ~~poes tracts~~ "J" and "K", as depicted on the PD Concept Plan submitted by the applicant, prepared by ~~Banks Engineering~~ Morris Engineering and Consulting, LLC, dated ~~September 5, 2017~~ January 7, 2020, shall be designated General Commercial.
- c) Development entitlements may be increased in one land use category and concurrently reduced in another land use category, as more specifically described in the Murdock Village Equivalency Matrix adopted in Charlotte 2050 FLU Appendix I. All applications for Final Detail Site Approval shall include calculations supporting any proposed exchanges using the Equivalency Matrix, together with a running total of remaining entitlements.
- d) Development on the subject property shall occur as generally illustrated on the PD Concept Plan submitted by the applicant, prepared by Banks Engineering, dated ~~September 5, 2017~~ January 7, 2020, except such modifications as may be required to meet the conditions of the PD zoning district. In addition, the Site Plan Review (Petition No. DRC-17-00060) conditions of approval according to the letter dated October 2, 2017, and signed by Shaun Cullinan, Charlotte County Zoning Official, are required to be met.
- e) No development activity shall occur prior to Final Site Plan approval.
- f) Single-family and multi-family residential uses may be developed within the areas designated Neighborhood Residential. Commercial and multi-family residential uses may be developed within the areas designated General Commercial. Emergency and essential services uses may be developed within both.
- g) The following uses may be permitted:
- i) Amphitheater.
 - ii) Animal hospital.
 - iii) Art, dance, music, photo studio or gallery.
 - iv) Auditorium, convention center, performing arts center.
 - v) Bank, financial services.
 - vi) Bar, cocktail lounge, nightclub, tavern.
 - vii) Business services.
 - viii) Clubhouse, community center.
 - ix) Cluster housing.



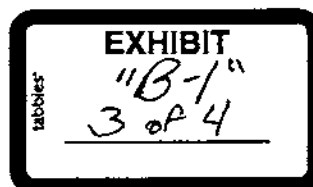
- x) Community garden.
 - xi) Day care center, child.
 - xii) Drug store, pharmacy.
 - xiii) Dry cleaner.
 - xiv) Emergency services.
 - xv) Essential services (see Section 3-9-71 essential services.).
 - xvi) Fences or walls, which may be permitted prior to the principal uses and structures.
 - xvii) Gas station.
 - xviii) General offices.
 - xix) General retail sales and services (see Section 3-9-61, accessory outdoor retail sales, display, and storage).
 - xx) Hotel, motel, inn.
 - xxi) Laundromat.
 - xxii) Liquor, package store.
 - xxiii) Medical or dental office, clinic.
 - xxiv) Mini-warehouses or storage facilities, but not bulk storage of flammable liquids.
 - xxv) Minor home occupation.
 - xxvi) Model home ~~(see Section 3-9-78, model homes)~~, with the total number of model homes allowed equal to ten or ten percent of the lots depicted on the preliminary plat, whichever is greater.
 - xxvii) Motor vehicle wash.
 - xxviii) Multi-family residential buildings, including duplex and triplex buildings and townhomes.
 - xxix) Noncommercial vehicle rental.
 - xxx) Outdoor market or exhibition space.
 - xxxi) Paid or public parking lot, garage, structure.
 - xxxii) Private off-site parking.
 - xxxiii) Personal services.
 - xxxiv) Place of worship (see Section 3-9-82, places of worship).
 - xxxv) Post office.
 - xxxvi) Private club.
 - xxxvii) Professional services.
 - xxxviii) Recreation, indoor.
 - xxxix) Recreation, outdoor.
 - xl) Restaurant.
 - xli) Sales center.
 - xlii) Single-family attached homes.
 - xliii) Single-family detached homes, which may have a guest suite that is structurally attached, with or without cooking facilities.
 - xliv) Uses and structures which are customarily accessory and clearly incidental to primary uses and structures.
- h) 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 homeowners association.
- i) Roadways, sidewalks, and multi-use paths within the subject property shall be developed consistent with the cross-sections as depicted on the PD Concept Plan submitted by the applicant, prepared by Morris Engineering and Consulting, LLC, dated January 7, 2020~~Banks Engineering,~~



dated September 5, 2017. The sidewalk along El Jobean Road (SR 776) shall match the existing five-foot sidewalk in width and placement.

- j) The development must use potable water and sanitary sewer utilities. The potable water and sanitary sewer lines must be connected to the site before any certificates of occupancy shall be issued. A Developers Agreement for the extension of potable water and sanitary sewer lines must be approved by the Board of County Commissioners prior to the Final Site Plan Review application for the first phase of development.
- k) The following development standards shall be applied:

Use	Single-family detached	Single-family attached	Multi-family	Townhomes	Commercial	Resident 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 16	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	15 10	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 (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	Same as principal structure, except that provided there is at least 15 feet between					



structure setbacks

the rear property line and the natural water line when adjoining water, the rear setback may be reduced to 5 Same as principal structure

- l) A unified landscaping theme shall be used within each development pod. All landscaping shall be installed in accordance with Section 3-9-100: Buffers, Landscaping, and Tree Requirements of the County Code. A partnership with the Cooperative Extension Service of the University of Florida to interact with the Florida Yards and Neighborhoods program is encouraged.
- m) A 25-foot perimeter setback for the entire PD site is not required.
- n) The following other buffer requirements, as established in Section 3-9-100, shall be applied:

Proposed Use	Abutting Use			
	Single-family	Multi-family	Commercial	Right-of-way
Single-family	None	None	None	None
Multi-family	Type A	None	None	Perimeter buffer
Commercial	Type C	Type C	None	Perimeter buffer

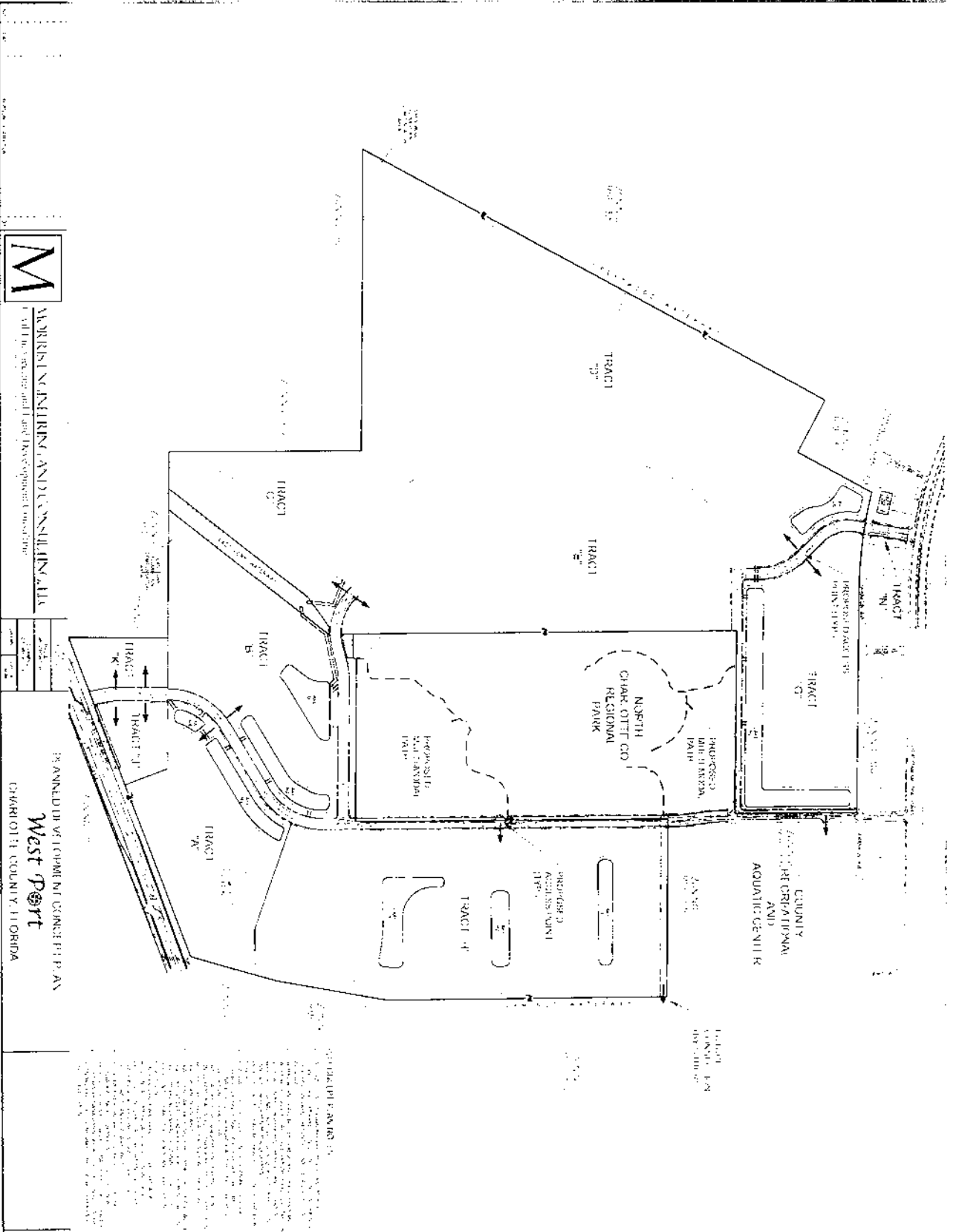
- o) The five percent open space/habitat reservation is not required, nor is the payment in lieu of reservation, provided that each residential development pod provides at least 20 percent open space.
- p) All commercial development shall comply with the requirements of Article XXIV: Commercial Design Standards, of the County Code.
- q) The developer shall minimize impervious surfaces within the development wherever practicable.





MERRICK ENGINEERING AND CONSULTING, LLC
 10010 W. STATE ROAD 11, SUITE 100, WEST PALM BEACH, FL 33411
 TEL: 561-833-1111 FAX: 561-833-1112

RE ANNULLED VOTER COMPLIANCE PLAN
West Port
 CHARLOTTE COUNTY, FLORIDA



SITE 2012-11881
 10010 W. STATE ROAD 11, SUITE 100, WEST PALM BEACH, FL 33411
 TEL: 561-833-1111 FAX: 561-833-1112

LAND USE REGULATIONS
 THE CITY OF WEST PALM BEACH HAS ADOPTED THE FOLLOWING REGULATIONS TO GOVERN THE USE OF LAND IN THE CITY OF WEST PALM BEACH:

PLANNING DEPARTMENT
 10010 W. STATE ROAD 11, SUITE 100, WEST PALM BEACH, FL 33411
 TEL: 561-833-1111 FAX: 561-833-1112

PERMITS
 THE CITY OF WEST PALM BEACH HAS ADOPTED THE FOLLOWING REGULATIONS TO GOVERN THE USE OF LAND IN THE CITY OF WEST PALM BEACH:

PLANNING DEPARTMENT
 10010 W. STATE ROAD 11, SUITE 100, WEST PALM BEACH, FL 33411
 TEL: 561-833-1111 FAX: 561-833-1112

PLANNING DEPARTMENT
 10010 W. STATE ROAD 11, SUITE 100, WEST PALM BEACH, FL 33411
 TEL: 561-833-1111 FAX: 561-833-1112

PLANNING DEPARTMENT
 10010 W. STATE ROAD 11, SUITE 100, WEST PALM BEACH, FL 33411
 TEL: 561-833-1111 FAX: 561-833-1112

PLANNING DEPARTMENT
 10010 W. STATE ROAD 11, SUITE 100, WEST PALM BEACH, FL 33411
 TEL: 561-833-1111 FAX: 561-833-1112

PLANNING DEPARTMENT
 10010 W. STATE ROAD 11, SUITE 100, WEST PALM BEACH, FL 33411
 TEL: 561-833-1111 FAX: 561-833-1112

PLANNING DEPARTMENT
 10010 W. STATE ROAD 11, SUITE 100, WEST PALM BEACH, FL 33411
 TEL: 561-833-1111 FAX: 561-833-1112

PLANNING DEPARTMENT
 10010 W. STATE ROAD 11, SUITE 100, WEST PALM BEACH, FL 33411
 TEL: 561-833-1111 FAX: 561-833-1112

PLANNING DEPARTMENT
 10010 W. STATE ROAD 11, SUITE 100, WEST PALM BEACH, FL 33411
 TEL: 561-833-1111 FAX: 561-833-1112

PLANNING DEPARTMENT
 10010 W. STATE ROAD 11, SUITE 100, WEST PALM BEACH, FL 33411
 TEL: 561-833-1111 FAX: 561-833-1112

PLANNING DEPARTMENT
 10010 W. STATE ROAD 11, SUITE 100, WEST PALM BEACH, FL 33411
 TEL: 561-833-1111 FAX: 561-833-1112



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

May 13, 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. 2020-019 which was filed in this office on May 13, 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 Prescott**, 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:

04/27/2020

as well as being posted online at www.yoursun.com and www.floridapublicnotices.com.

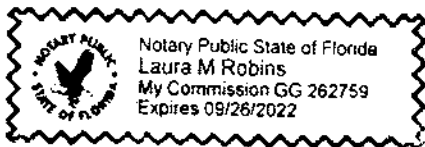
Affiant further says that the said newspaper is a newspaper published at Charlotte Harbor, in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in said Charlotte County, Florida, Sarasota County, Florida and DeSoto County, Florida, each day and has 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 Prescott
(Signature of Affiant)

Sworn and subscribed before me this 27th
day of April, 2020.

Laura M Robins
(Signature of Notary Public)

Personally known X OR Produced
Identification



FILED
APR 27 2020
CLERK OF COUNTY COURT
CHARLOTTE COUNTY, FLORIDA

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, May 12, 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 CONSENT AGENDA

FP-04-05-10

Quasi-judicial

Commission District I

D.R. Horton, Inc. requests approval of an Amended Developer's Agreement for River Club Subdivision, consisting of 350 single-family lots. The site is 126.0 acres, more or less, and is located north and south of Westchester Boulevard, east of Melissa Court, and west of Oakview Drive, in Section 19, Township 40 South, Range 23 East, in Commission District I.

FP-04-05-10

Quasi-judicial

Commission District I

D.R. Horton, Inc. requests approval of a Bond Reduction for River Club Subdivision, consisting of 350 single-family lots. The site is 126.0 acres, more or less, and is located north and south of Westchester Boulevard, east of Melissa Court, and west of Oakview Drive, in Section 19, Township 40 South, Range 23 East, in Commission District I.

FP-16-09-05

Quasi-judicial

Commission District II

Vasco PGF Development, LLC is requesting approval of an Amended Developer's Agreement for Windward Isles, consisting of 24 residential lots. The site is 7.30 acres, more or less, and is located south of Rio Villa Drive, north of Alligator Creek, east of Palm Drive, and west of Windmill Boulevard, in Section 19, Township 41S, Range 23E, in Commission District II.

FP-16-09-05

Quasi-judicial

Commission District II

Vasco PGF Development, LLC is requesting a Bond Reduction for Windward Isles Subdivision, consisting of 24 residential lots. The site is 7.30 acres, more or less, and is located south of Rio Villa Drive, north of Alligator Creek, east of Palm Drive, and west of Windmill Boulevard, in Section 19, Township 41S, Range 23E, in Commission District II.

FP-05-04-05

Quasi-judicial

Commission District II

KB Home Fort Myers, LLC is requesting the release of Bond #929388493, issued by Continental Insurance Company, in the amount of \$80,348.13, which covered the construction of the infrastructure of Oak Harbour Subdivision. The site is 42.59 acres, more or less, and is located south and east of I-75, west of Taylor Road, and north of Jones Loop Road, in Sections 22 and 27, Township 41S, Range 23E, in Commission District II.

FP-13-01-01

Quasi-judicial

Commission District III

Placida Commons, LLC is requesting approval of an Amended Developer's Agreement for Coral Caye Subdivision. The property is 35.20 acres, more or less, and is located east of Placida Road, west of Cape Haze Drive, south of Dixon Lane, and north of Blue Heron Cove, in Sections 33 and 34, Township 41S, Range 20E, in Commission District III.

FP-15-07-02

Quasi-judicial

Commission District III

Island Lake Estates, LLC has requested approval of an Amended Developer's Agreement for the plat infrastructure of Coco Bay Subdivision, consisting of 178 single-family lots. The site is 169.68 acres, more or less, and is located south of San Casa Drive, north of Cypress Road, east of Placida Road, and west of Winchester Boulevard, in Section 16, Township 41 S, Range 20 E, in Commission District III.

DRC-20-00010

Quasi-Judicial

Commission District II

Banks Engineering is requesting a Major Modification to Final Detail Site Plan approval for Heritage Landing Pod A. The proposed project consists of 18 four-unit coach homes with attached garages with associated infrastructure. This project site is 8.85 +/- acres of 890.74 +/- acres and is located at 14040 Heritage Landing Blvd., Punta Gorda, FL. in Section 23, Township 42, Range 20.

DRC-20-00016

Quasi-Judicial

Commission District II

Banks Engineering is requesting a Major Modification to Final Detail Site Plan approval for Heritage Landing Pod H. This project is a proposed multi-family tract consisting of 18 -six-unit multi-family attached homes with attached garages and associated infrastructure. This project site is 8.85 +/- acres of 890.74 +/- acres and is located at 14040 Heritage Landings, Punta Gorda, FL in Section 23, Township 42, Range 20.

TDU-20-01-02

Quasi-Judicial

Commission District III

A Resolution of the Board of County Commissioners of Charlotte County, Florida, approving a petition for a transfer of 17 density units to a Receiving Zone located on a portion of 780 Rotonda Circle, containing 6.79± acres; Commission District III; Petition No. TDU-20-01-02; applicant: Rotonda Golf Partners II, LLC; providing an effective date.

CSZ-19-04-02

Quasi-Judicial

Commission District III

A Resolution of the Board of County Commissioners of Charlotte County, Florida, approving a petition for certification of a Sending Zone, located at 159 and 160 Marker Road, 184 and 185 Long Meadow Lane, 181 and 182 Rotonda Boulevard East, 110, 111, 186, and 191 White Marsh Lane, 109, 110, and 165 Medalist Road, 104 and 105 Pine Valley Lane, and 103 and 106 Tournament Road, in the Rotonda West area; containing 4.021± acres; for calculation and severance of 17 density units, in accordance with Part III Land Development and Growth Management, Chapter 3-9 Zoning, Article V Environmental Requirements and Other Requirements, Section 3-9-150 Transfer of Density Units (TDU), of the Code of Laws and Ordinances of Charlotte County, Florida; Petition No. CSZ-19-04-02; Applicant: Rotonda Golf Partners II, LLC; providing an effective date.

LAND USE REGULAR AGENDA

Z-19-11-38

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 Planned Development (PD). This is a major modification of an existing PD to revise the concept plan and conditions of approval, for property bound by Franklin Avenue to the north, O'Donnell Boulevard and the Flamingo Waterway to the east, El Jobean Road (SR 776) to the south, and Crestview Waterway to the west, in the Port Charlotte area, containing 434.68± acres; Commission District IV; Petition No. Z-19-11-38; Applicant: West Port, LLC; 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.



Attachment D

FP-19-11-15



December 8, 2020

Forestar (USA) Real Estate Group, Inc -Anthony J. Squitieri
4042 Park Oaks Blvd., Suite 200
Tampa FL, 33610

Dear Applicant:

This letter is to confirm the decision of the Charlotte County Board of County Commissioners at their meeting held November 24, 2020, at 2:00 P.M., regarding the following petition:

FP-19-11-15 Quasi-judicial Commission District IV

Forestar (USA) Real Estate Group, Inc has requested Final Plat approval for a subdivision to be named, The Cove at West Port Phase 1A, consisting of forty-eight (48) residential lots. They also seek approval of a Developer's Agreement and surety to cover the construction of the plat infrastructure. The site is 115.34 +/- acres, and is located south of U.S. Highway 41, north of El Jobean Road, east of the Crestwood Waterway, and west of the Flamingo Waterway, in Sections 10 and 11, Township 40S, Range 21E, in Commission District IV

It was the decision of the Charlotte County Board of County Commissioners that Petition **FP-19-11-15** be approved. The plat is recorded in Plat Book 24, Pages 4A-4F, and the Developer's Agreement is recorded in OR Book 4669, Page 1589, of the Public Records of Charlotte County, Florida.

This letter also serves as your Certificate of Concurrence for the purposes of School Concurrence.

If you require specific information regarding this matter, please contact me.

Sincerely,

Rick Dalton, Projects Coordinator
Community Development Department
Zoning Division
18400 Murdock Circle
Port Charlotte, FL 33948
Voice: 941-764-4954
Fax: 941-743-1598



cc: Jacquelyn M. Larocque, P.E., Waldrop Engineering,
28100 Bonita Grande Drive. #305
Bonita Springs FL, 34135
Jerry Olivo, CCPS
Tara Prince, Property Appraiser's Office
Matthew Parkman, Property Appraiser's Office
Maggie Horton, SPD
Jordan Silver, SPD-Addressing
David Vance, SPD
Ravi Kamarajugadda, Transportation
Gary Pederzolli, GIS
Patty Stefan, Real Estate Services
Judy Hunter, CCU
Kelly Danielson, CCU
Dawn Anspach, CAO
Debra Masse, Property Appraiser's Office
Kathleen Goodwin, MSBU
Christine Broughman, MSBU

Attachment E
FP-19-11-16



December 8, 2020

James Harvey, KL Westport LLC
105 NE 1st Street
Delray Beach FL, 33444

Dear Applicant:

This letter is to confirm the decision of the Charlotte County Board of County Commissioners at their meeting held November 24, 2020, at 2:00 P.M., regarding the following petition:

FP-19-11-16

Quasi-judicial

Commission District IV

KL West Port, LLC has requested Final Plat approval for a subdivision to be named, The Hammocks at West Port Phase 1, consisting of 110 residential lots. They also seek approval of a Developer's Agreement and surety to cover the construction of the plat infrastructure. The site is 118.34 ± acres and is located south of U.S. Highway 41, north of El Jobean Road, east of the Crestwood Waterway, and west of the Flamingo Waterway, in Sections 11 and 14, Township 40S, Range 21E, in Commission District IV.

It was the decision of the Charlotte County Board of County Commissioners that Petition **FP-19-11-16** be approved. The plat is recorded in Plat Book 24, Pages 8A-8J, and the Developer's Agreement is recorded in OR Book 4670, Page 930, of the Public Records of Charlotte County, Florida.

This letter also serves as your Certificate of Concurrency for the purposes of School Concurrency.

If you require specific information regarding this matter, please contact me.

Sincerely,

Rick Dalton, Projects Coordinator
Community Development Department
Zoning Division
18400 Murdock Circle
Port Charlotte, FL 33948
Voice: 941-764-4954
Fax: 941-743-1598



cc: Matthew J. Morris, P.E., Morris Engineering and Consulting, LLC
6997 Professional Pkwy E, Suite B
Sarasota FL, 34240
Jerry Olivo, CCPS
Tara Prince, Property Appraiser's Office
Matthew Parkman, Property Appraiser's Office
Maggie Horton, SPD
Jordan Silver, SPD-Addressing
David Vance, SPD
Ravi Kamarajugadda, Transportation
Gary Pederzolli, GIS
Patty Stefan, Real Estate Services
Judy Hunter, CCU
Kelly Danielson, CCU
Dawn Anspach, CAO
Debra Masse, Property Appraiser's Office
Kathleen Goodwin, MSBU
Christine Broughman, MSBU

Attachment F
FP-19-11-16



July 7, 2021

KL West Port , LLC.
105 NE 1st Street
Delray Beach FL, 33444

Dear Applicant:

This letter is to confirm the decision of the Charlotte County Board of County Commissioners at their meeting held **June 22, 2021** at 2:00 P.M., regarding the following petition:

FP-19-11-16 Quasi-judicial Commission District IV

KL West Port, LLC is requesting Final Plat approval for a subdivision to be named, Isles at West Port Phase II, This proposed Final Plat includes 44 lots, a right-of-way tract (R) and Tract A. Tract A is an Access, Drainage, and Utility Area. This request consists of the proposed lot development situated within Pod B (the Isles) within the West Port project. This property received Preliminary Plat approval under petition #: PP-19-11-16 on February 25, 2020. The approved Preliminary Plat included the entirety of Pods B & H within West Port (a.k.a. The Isles and The Hammocks). This final plat application includes only Phase 2 of The Isles at West Port. The Isles at West Port Phase 2 is a residential subdivision being a replat of Tract A of Isles at West Port Phase 1 (Plat Book 24, Pages 10A through 10J)

It was the decision of the Charlotte County Board of County Commissioners that Petition **FP-19-11-16** be approved. The plat is recorded in Plat Book 24, Pages 15-A thru 15-E, of the Public Records of Charlotte County, Florida.

This letter also serves as your Certificate of Concurrence for the purposes of School Concurrence.

If you require specific information regarding this matter, please contact me.

Sincerely,

Rick Dalton, Projects Coordinator
Community Development Department
Zoning Division
18400 Murdock Circle
Port Charlotte, FL 33948
Voice: 941-764-4954

Cc: Matthew J. Morris, P.E.
Morris Engineering and Consulting ,LLC
6997 Professional Pkway E., Suite B
Sarasota , FL 34240



Jerry Olivo, CCPS
Faith Danger Field Property Appraiser's Office
Matthew Parkman, Property Appraiser's Office
Maggie Horton, SPD
Jordan Silver, SPD-Addressing
David Vance, SPD
Ravi Kamarajugadda, Transportation
Gary Pederzoli, GIS
Patty Stefan, Real Estate Services
Judy Hunter, CCU
Kelly Danielson, CCU
Dawn Anspach, CAO
Debra Masse, Property Appraiser's Office
Kathleen Goodwin, MSBU
Christine Broughman, MSBU

Attachment G

FP-19-11-16



July 27, 2021

KL West Port , LLC.
105 NE 1st Street
Delray Beach FL, 33444

Dear Applicant:

This letter is to confirm the decision of the Charlotte County Board of County Commissioners at their meeting held **July 13, 2021** at 2:00 P.M., regarding the following petition:

FP-19-11-16

Quasi-judicial

Commission District IV

KL West Port, LLC is requesting Final Plat approval for a subdivision to be named, Hammocks at West Port Phase 2, This proposed Final Plat includes 106 lots, a right-of-way tract (R), and Tracts A & B which are Drainage Areas. This request consists of the proposed lot development situated within Pod H (The Hammocks) within the West Port project. This property received Preliminary Plat approval under petition #: PP-19-11-16 on February 25, 2020 from the Board of County Commissioners. The approved Preliminary Plat included the entirety of Pods B & H within West Port (a.k.a. The Isles and The Hammocks). This Final Plat application includes only Phase 2 of The Hammocks at West Port. The Hammocks at West Port Phase 2 is a residential subdivision which is phase 2 of Tract B of Hammocks at West Port Phase 1 (Plat Book 24, Pages 8A through 8J). The site is 118.34 ± acres and is located south of U.S. Highway 41, north of El Jobean Road, east of the Crestwood Waterway, and west of the Flamingo Waterway

It was the decision of the Charlotte County Board of County Commissioners that Petition **FP-19-11-16** be approved. The plat is recorded in Plat Book 24, Pages 16-A thru 16-E, of the Public Records of Charlotte County, Florida.

This letter also serves as your Certificate of Concurrency for the purposes of School Concurrency.

If you require specific information regarding this matter, please contact me.

Sincerely,

Rick Dalton, Projects Coordinator
Community Development Department
Zoning Division
18400 Murdock Circle
Port Charlotte, FL 33948
Voice: 941-764-4954



Cc: Matthew J. Morris, P.E.
Morris Engineering and Consulting ,LLC
6997 Professional Pkway E., Suite B
Sarasota , FL 34240

Jerry Olivo, CCPS
Faith Danger Field Property Appraiser's Office
Matthew Parkman, Property Appraiser's Office
Maggie Horton, SPD
Jordan Silver, SPD-Addressing
David Vance, SPD
Ravi Kamarajugadda, Transportation
Gary Pederzolli, GIS
Patty Stefan, Real Estate Services
Judy Hunter, CCU
Kelly Danielson, CCU
Dawn Anspach, CAO
Debra Masse, Property Appraiser's Office
Kathleen Goodwin, MSBU
Christine Broughman, MSBU

Attachment H

PF-21-01-01



January 4, 2022

KL JAK WP, LL
105 NE 1st Street
Delray Beach FL 33444

Dear Applicant:

This letter is to confirm the decision of the Charlotte County Board of County Commissioners at their meeting held **November 23, 2021, at 2:00 P.M.**, regarding the following petition:

FP-21-01-01
District IV

Quasi-judicial

Commission

James Harvey of KL JAK WP LLC has requested **Final Plat** approval for a subdivision to be named, Landings at West Port Phase 1, consisting of 82 single-family lots and 4 tracts. The site is 18.89± acres, and is located North of El Jobean Road, South of South Port Harbour Blvd., East of Centennial Blvd and West of the Flamingo Waterway.

It was the decision of the Charlotte County Board of County Commissioners that Petition **FP-21-01-01** be approved. The plat is recorded in **Plat Book 25, Pages 1-A Thru 1E**. The Developers Agreement Resolution is recorded in **OR Book 4888, Page 21** of the Public Records of Charlotte County, Florida.

This letter also serves as your Certificate of Concurrency for the purposes of School Concurrency.

If you require specific information regarding this matter, please contact me.

Sincerely,

Rick Dalton

Rick Dalton, Projects Coordinator
Community Development Department
Zoning Division
18400 Murdock Circle
Port Charlotte, FL 33948
Voice: 941-764-4954



cc: Todd Rebol, P.E., Banks Engineering,
Faith Danielson, Property Appraiser's Office
Matthew Parkman, Property Appraiser's Office
Jordan Silver, SPD
David Vance, SPD
Gary Pederzolli, GIS
Patty Stefan, Real Estate Services
Jeanine Fullerton, Real Estates Services
Kelly Danielson, CCU
Judy Hunter, CCU
Ravi Kamarajugadda, Transportation
Debra Masse, Property Appraiser's Office
Dawn Anspach, CAO
Kathleen Goodwin, MSBU
Christine Broughman, MSBU

This Instrument Prepared by:
Robert F. Greene, Esq.
Greene Hamrick Schermer
& Johnson, P.A.
601 12th Street West
Bradenton, Florida 34205
941.747.1871

DEVELOPER'S AGREEMENT

THIS DEVELOPER'S AGREEMENT is made this 31st day of August, 2021, by and between CHARLOTTE COUNTY, a political subdivision of the State of Florida, herein called "County", and KL JAK WP LLC, a Florida limited liability company, herein called "Developer".

WITNESSETH

WHEREAS, Developer owns certain real property located in Charlotte County, Florida (the "Property"), which Property is legally described as Exhibit "A", attached hereto and incorporated herein by reference; and

WHEREAS, Developer intends to subdivide the Property and develop a project under the name of the Landings at West Port and cause a plat of the same name to be recorded in the Public Records of Charlotte County, Florida (the "Plat"); and

WHEREAS, the Plat is identified in Charlotte County Community Development Department Files as PP-21-01-01 and FP-21-01-01; and

WHEREAS, Developer is required to construct certain improvements within the Property in accordance with County standards, and construction plans, and specifications approved by the County; and

WHEREAS, Developer submitted plans prepared by Morris Engineering & Consulting LLC, dated January 20, 2021 for final construction plan approval (hereinafter, "Plans"); and

WHEREAS, the Plans were approved by County on May 28, 2021, and depict certain subdivision improvements which must be constructed on the Property; and

WHEREAS, the intent of this Agreement is to provide the required financial assurances for the construction of the improvements pursuant to the provisions of Section 3-7-122 of the Charlotte County Code of Laws and Ordinances, and is not intended to be construed as a development agreement under Chapter 163.3221, Florida Statutes; and

WHEREAS, Developer and County desire to enter into this Agreement to set forth certain obligations by the Developer and County in connection with the construction of the improvements.

NOW, THEREFORE, in consideration of the mutual premises contained herein, County and Developer hereby agree as follows:

1. The foregoing recitals are true and correct and incorporated herein by this reference.

9. There are no intended third-party beneficiaries to this Agreement, and therefore, no third parties can or should rely on this Agreement and/or Security, including, but not limited to, future lot owners, and successors and assigns.

10. Nothing herein shall be construed to create an obligation upon the County under Section 177.081, Florida Statutes, to voluntarily assume an obligation to perform any act of construction or maintenance under this Agreement and/or the Security.

11. County's consent, approval and acknowledgement herein granted shall not limit the County's right to approve or deny other development on the Property as provided by all laws, rules and regulations applicable to the Property.

12. Miscellaneous:

(a) Venue. Venue of any action to enforce the terms of this Agreement shall be in Charlotte County, Florida.

(b) Florida Law. This Agreement shall be governed and construed in accordance with Florida Law.

(c) This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. It shall not be necessary for every party to sign each counterpart but only that each party shall sign at least one such counterpart.

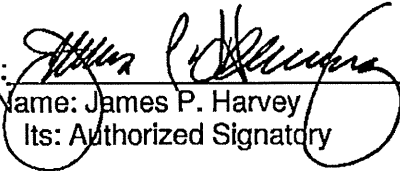
(d) Entire Agreement. This Agreement incorporates and includes all prior negotiations, correspondence, agreements or understandings between the parties, and the parties agree that there are not commitments, agreements or understandings concerning the subject matter of this Agreement that are not contained in this Agreement.

(e) Modifications. No modification, amendment or alteration in the terms or conditions herein shall be effective unless contained in a written document executed with the same formality and of equal dignity herewith.

{SIGNATURES TO FOLLOW ON NEXT PAGE}

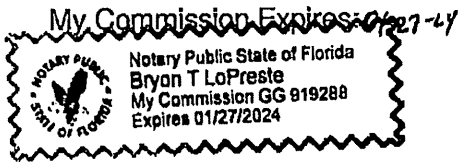
DEVELOPER:


KL JAK WP LLC,
a Florida limited liability company

By: 
Name: James P. Harvey
Its: Authorized Signatory

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 31st day of August, 2021, by James P. Harvey, as Authorized Signatory of KL JAK WP LLC, a Florida limited liability company, who is personally known to me or has produced _____ as identification.





Notary Public
Printed Name: Bryan T. LoPreste

Attachment I

FP-21-01-02



January 4, 2022

KL West Port, LLC
105 NE 1st Street
Delray Beach FL 33444

Dear Applicant:

This letter is to confirm the decision of the Charlotte County Board of County Commissioners at their meeting held **November 23, 2021, at 2:00 P.M.**, regarding the following petition:

FP-21-01-02 **Quasi-judicial** **Commission District IV**
KL West Port LLC has requested Final Plat approval for a subdivision to be named, Palms at West Port, The plat will be done in phases this portion of the plat consists 147 residential lots and 4 tracts. The site is 65.6± acres, and is located North of El Jobean Road, South of Tamiami Trail, East of the Crestview Waterway, and West of the Centennial Blvd.

It was the decision of the Charlotte County Board of County Commissioners that Petition **FP-21-01-02** be approved. The plat is recorded in **Plat Book 25, Pages 6-A Thru 6-G**. The Developers Agreement Resolution is recorded in **OR Book 4888, Page 517** of the Public Records of Charlotte County, Florida.

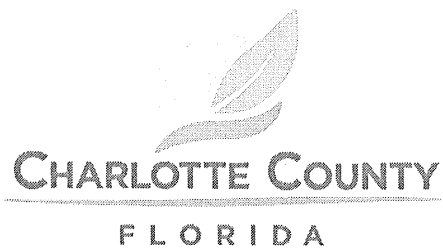
This letter also serves as your Certificate of Concurrence for the purposes of School Concurrence.

If you require specific information regarding this matter, please contact me.

Sincerely,

Rick Dalton

Rick Dalton, Projects Coordinator
Community Development Department
Zoning Division
18400 Murdock Circle
Port Charlotte, FL 33948
Voice: 941-764-4954



cc: Morris Engineering,
Faith Danielson, Property Appraiser's Office
Matthew Parkman, Property Appraiser's Office
Jordan Silver, SPD
David Vance, SPD
Samantha DiPiazza, SPD
Gary Pederzoli, GIS
Patty Stefan, Real Estate Services
Jeanine Fullerton, Real Estates Services
Kelly Danielson, CCU
Judy Hunter, CCU
Ravi Kamarajugadda, Transportation
Debra Masse, Property Appraiser's Office
Dawn Anspach, CAO
Kathleen Goodwin, MSBU
Christine Broughman, MSBU

CHARLOTTE COUNTY CLERK OF CIRCUIT COURT
OR BOOK: 4888 PAGE 517 PAGE: 1 OF 6
INSTR # 3030491 Doc Type: AGR
Recorded: 12/6/2021 at 11:41 AM
Rec. Fee: RECORDING \$52.50
Cashier By: VERONICAT

This Instrument Prepared by:
Robert F. Greene, Esq.
Greene Hamrick Schermer
& Johnson, P.A.
410 43rd Street West, Suite N
Bradenton, Florida 34209
941.747.1871

DEVELOPER'S AGREEMENT

THIS DEVELOPER'S AGREEMENT is made this 7th day of October, 2021, by and between CHARLOTTE COUNTY, a political subdivision of the State of Florida, herein called "County", and KL WEST PORT LLC, a Delaware limited liability company, herein called "Developer".

WITNESSETH

WHEREAS, Developer owns certain real property located in Charlotte County, Florida (the "Property"), which Property is legally described as Exhibit "A", attached hereto and incorporated herein by reference; and

WHEREAS, the Property was previously held under Murdock Fund LLC; and

WHEREAS, pursuant to an Amendment to Articles of Organization which were filed with the Florida Secretary of State on September 6, 2019, the Property is now held under the name KL West Port LLC, a Delaware limited liability company, which is the successor in interest to Murdock Fund, LLC; and

WHEREAS, Developer intends to subdivide the Property and develop a project under the name of Palms at West Port and cause a plat of the same name to be recorded in the Public Records of Charlotte County, Florida (the "Plat"); and

WHEREAS, the Plat is identified in Charlotte County Community Development Department Files as PP-21-01-02, FP-21-01-02 and DRC-21-00072; and

WHEREAS, Developer is required to construct certain improvements within the Property in accordance with County standards, and construction plans, and specifications approved by the County; and

WHEREAS, Developer submitted plans prepared by Morris Engineering & Consulting LLC, dated February 9, 2021 for final construction plan approval (hereinafter, "Plans"); and

WHEREAS, the Plans were approved by County on April 27, 2021, and depict certain subdivision improvements which must be constructed on the Property; and

WHEREAS, the intent of this Agreement is to provide the required financial assurances for the construction of the improvements pursuant to the provisions of Section 3-7-122 of the Charlotte County Code of Laws and Ordinances, and is not intended to be construed as a development agreement under Chapter 163.3221, Florida Statutes; and

WHEREAS, Developer and County desire to enter into this Agreement to set forth certain obligations by the Developer and County in connection with the construction of the improvements.

NOW, THEREFORE, in consideration of the mutual premises contained herein, County and Developer hereby agree as follows:

1. The foregoing recitals are true and correct and incorporated herein by this reference.

2. Developer is required to construct certain improvements as shown on the approved constructions plans prepared by Morris Engineering & Consulting LLC for Palms at West Port Improvement Plans submitted in connection with the subdivision plat of Palms at West Port (the "Improvements").

3. Developer is required to construct the Improvements as set forth in the Engineer's Probable Cost Estimate dated August 25, 2021 in the amount of \$3,033,826.11, according to the sound engineering standards and County Subdivision Regulations, and according to the engineering plans and specifications submitted by the Developer to the County, as approved by the County.

4. In order to guarantee Developer's adherence to the obligations under this Agreement, Developer shall furnish a bond or other acceptable form of security to County in an amount of \$3,337,208.72 to cover the cost of construction (the "Security"). Said Security shall remain in effect until final approval of the Improvements by the County. Any reduction of the Security shall follow Charlotte County policy and Developer will be required to provide the applicable fee along with the record drawings and recommendation signed and sealed by the engineer of record. The reduction of the Security must be approved by the County prior to Developer reducing the Security amount.

5. All Improvements as shown on the approved construction plans shall be completed per the approved construction plans to the satisfaction of the County engineer within twenty-four (24) months of the date the final plat is recorded in the Public Records of Charlotte County, Florida. If the work is not completed within two (2) years, the County Engineer shall have right to review the Surety amount, and if deemed insufficient, Developer may be required to provide additional surety and execute an amendment to this Agreement to reflect the increased Surety. Said amendment shall be recorded in the same manner as this Agreement. Developer shall also have a right to apply for an extension to this Agreement to extend the completion date of the Improvements.

6. In the event that the Improvements are not satisfactorily completed within the specified time period in Section 5, or in the event that the County receives notification from the institution issuing the Security to the effect that the Security will expire prior to the specified time period, then upon thirty (30) days' prior written noticed to Developer and a reasonable opportunity to cure, the County may draw up to the fullest extent of the Security to be applied towards the cost of constructing, completing or correcting the required Improvements.

7. Upon certification by a licensed engineer that the Improvements have been completed in substantial compliance with the Plans and the terms of this Development Agreement have been met, or upon replacement of the Security and execution of a new

development agreement by a subsequent developer, County shall release the Security and this Development Agreement shall terminate.

8. In the event of litigation, no party, including, but not limited to, Developer, future lot owners, and successors and assigns, is entitled to an offset of damages in an amount equal to the posted Security funds.

9. There are no intended third-party beneficiaries to this Agreement, and therefore, no third parties can or should rely on this Agreement and/or Security, including, but not limited to, future lot owners, and successors and assigns.

10. Nothing herein shall be construed to create an obligation upon the County under Section 177.081, Florida Statutes, to voluntarily assume an obligation to perform any act of construction or maintenance under this Agreement and/or the Security.

11. County's consent, approval and acknowledgement herein granted shall not limit the County's right to approve or deny other development on the Property as provided by all laws, rules and regulations applicable to the Property.

12. Miscellaneous:

(a) Venue. Venue of any action to enforce the terms of this Agreement shall be in Charlotte County, Florida.

(b) Florida Law. This Agreement shall be governed and construed in accordance with Florida Law.

(c) This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. It shall not be necessary for every party to sign each counterpart but only that each party shall sign at least one such counterpart.

(d) Entire Agreement. This Agreement incorporates and includes all prior negotiations, correspondence, agreements or understandings between the parties, and the parties agree that there are not commitments, agreements or understandings concerning the subject matter of this Agreement that are not contained in this Agreement.

(e) Modifications. No modification, amendment or alteration in the terms or conditions herein shall be effective unless contained in a written document executed with the same formality and of equal dignity herewith.

{SIGNATURES TO FOLLOW ON NEXT PAGE}


IN WITNESS WHEREOF, County and Developer have executed this Developer's Agreement on the date first above written.

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

By: Dawn Smolewski
Deputy Clerk
AGR 2001-135


BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: William G. Thayer
Chairman




Approved as to Form and Legal Sufficiency:

By: Janette S. Knowlton
Janette S. Knowlton
County Attorney
LR-2021-0715



DEVELOPER:

KL WEST PORT LLC,
a Delaware limited liability company

By: 
Name: James P. Harvey
Its Authorized Signatory

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 7th day of October, 2021, by James P. Harvey, as Authorized Signatory of KL West Port LLC, a Delaware limited liability company, who is personally known to me or has produced _____ as identification.

My Commission Expires: 01-27-24



Notary Public
Printed Name: Bryon T. LoPreste

Exhibit "A"

Property

A parcel of land being all of TRACT C, and portions of TRACTS D, E and R-4, WEST PORT, according to the plat thereof, as recorded in Plat Book 23, Pages 20A through 20N, lying in Sections 11 and 14, Township 40 South, Range 21 East, Charlotte County, Florida, and being more particularly described as follows:

BEGIN at the Southwest corner of said TRACT C, run thence along the Westerly boundary, and the Northerly extension thereof, N.00°03'10"W., a distance of 1455.95 feet; thence N.87°00'55"E., a distance of 192.60 feet to a point on the Easterly boundary of said TRACT D; thence along said Easterly boundary the following three (3) courses: 1) N.31°01'33"E., a distance of 162.73 feet; 2) Northwestery, 603.74 feet along the arc of a non-tangent curve to the right having a radius of 590.00 feet and a central angle of 58°37'50" (chord bearing N.29°39'32"W., 577.75 feet); 3) N.00°20'37"W., a distance of 631.88 feet; thence N.89°39'23"E., a distance of 1327.18 feet to a point on the Easterly boundary of aforesaid TRACT E; thence along the Easterly boundary thereof S.00°20'37"E., a distance of 1497.58 feet to the Southwest corner of TRACT L of said WEST PORT, also being a point on a curve on the Northerly boundary of said TRACT R-4; thence along the Northerly boundary thereof, Westerly, 208.62 feet along the arc of a non-tangent curve to the right having a radius of 360.00 feet and a central angle of 33°12'08" (chord bearing N.73°39'35"W., 205.71 feet); thence S.32°56'29"W., a distance of 80.00 feet to a point on the Southerly boundary of aforesaid TRACT R-4; thence along said Southerly boundary, Southeasterly, 214.72 feet along the arc of a non-tangent curve to the left having a radius of 440.00 feet and a central angle of 27°57'39" (chord bearing S.71°02'21"E., 212.60 feet) to the Northwest corner of TRACT F of said WEST PORT; thence along the Westerly boundary thereof for the following two (2) courses: 1) S.54°15'14"W., a distance of 277.04 feet; 2) S.37°54'22"W., a distance of 1282.30 feet to the Southeast corner of said TRACT C; thence along the Southerly boundary thereof, N.89°31'55"W., a distance of 268.84 feet to the **POINT OF BEGINNING**.

Containing 65.43 acres, more or less.

Attachment J
FP-21-01-03



February 14, 2022

Anthony J. Squitieri - Forestar (USA) Real Estate Group, Inc.
4042 Park Oaks Blvd., Suite 200
Tampa FL, 33610

Dear Applicant:

This letter is to confirm the decision of the Charlotte County Board of County Commissioners at their meeting held **January 25, 2022, at 2:00 P.M.**, regarding the following petition:

FP-21 -01-03

Quasi – Judicial

Commission District IV

Forestar (USA) Real Sates Group Inc. has requested Final Plat approval for a subdivision to be named Cove at West Port Phase 1B, consisting of 129 Single Family lots.

The site is 115.34 acres, and it will platted and constructed in 3 phases, It is located North of El Jobean Road, South of Tamiami Trail, East of the Crestwood waterway and West of the Flamingo Waterway.

It was the decision of the Charlotte County Board of County Commissioners that Petition **FP-21-01-03** be approved. The plat is recorded in **Plat Book 25, Pages 10-A Thru 10- K and the Resolution is recorded in OR Book 4921, Page 1927** of the Public Records of Charlotte County, Florida.

If you require specific information regarding this matter, please contact me.

Sincerely,

Rick Dalton

Rick Dalton, Project Coordinator
Community Development Department
Zoning Division
18400 Murdock Circle
Port Charlotte, FL 33948
Voice: 941-764-4954



CC: Jacquelyn M. Larocque, P.E., Waldrop Engineering
Jerry Olivo, SCADL
Tracey Roberts, SCADL
Faith Danielson, Property Appraiser's Office
Matthew Parkman, Property Appraiser's Office
Jordan Silver, SPD
David Vance, SPD
Samantha DiPiazza, SPD
Gary Pederzoli, GIS
Kathleen Duffy, GIS
Patty Stefan, Real Estate Services
Jeanine Fullerton, Real Estates Services
Kelly Danielson, CCU
Judy Hunter, CCU
Denise Elliot, CCU
Ravi Kamarajugadda, Transportation
Debra Masse, Property Appraiser's Office
Dawn Anspach, CAO
Christine Broughman, MSBU

CHARLOTTE COUNTY CLERK OF CIRCUIT COURT
OR BOOK: 4921 PAGE 1927 PAGE: 1 OF 6
INSTR # 3054851 Doc Type: AGR
Recorded: 2/4/2022 at 10:59 AM
Rec. Fee: RECORDING \$52.50
Cashier By: NLANE

This instrument prepared by:
Grimes Hawkins Gladfelter & Galvano, PL
1023 Manatee Avenue West
Bradenton, Florida 34205

DEVELOPER'S AGREEMENT

THIS DEVELOPER'S AGREEMENT is made this 25 day of January 2022, by and between CHARLOTTE COUNTY, a political subdivision of the State of Florida, herein called "County," and FORESTAR (USA) REAL ESTATE GROUP INC., a Delaware corporation, with an address of 4042 Park Oaks Boulevard, Suite 200, Tampa FL 33910, herein called "Developer".

WITNESSETH

WHEREAS, Developer owns certain real property located in Charlotte County, Florida, (the "Property"), which Property is legally described in Exhibit "A" attached hereto and incorporated herein by reference; and

WHEREAS, Developer intends to subdivide the Property and develop a project under the name of Cove at West Port Phase 1B and cause a plat of the same name to be recorded in the Public Records of Charlotte County, Florida (the "Plat"); and

WHEREAS, the Plat is identified in Charlotte County Community Development Department Files as #FP-21-01-03; and

WHEREAS, Developer is required to construct certain improvements within the Property in accordance with County Standards, and construction plans, and specifications approved by the County; and

WHEREAS, Developer submitted plans prepared by Waldrop Engineering, LLC, Project Number 994-200, dated June 17, 2021 for final construction plan approval (hereinafter, "Plans"). The Plans were approved by the County on December 14, 2021 under DRC 21-00088. The Plans depict certain subdivision improvements which must be required to be constructed prior to receiving certificates of occupancy for structures to be constructed on the Property; and

WHEREAS, Developer and County desire to enter into this Agreement to set forth certain obligations by Developer and County in connection with the construction of the improvements; and

WHEREAS, the intent of this Agreement is to provide the required financial assurances for the construction of the improvements pursuant to the provisions of Section 3-7-122 of the Charlotte County Code of Laws and Ordinances, and is not intended to be construed as a development agreement under Chapter 163.3221, Florida Statutes; and

NOW, THEREFORE, in consideration of the mutual premises contained herein, County and Developer hereby agree as follows:

1. The foregoing recitals are true and correct and incorporated herein by this reference.
2. Developer is required to construct certain improvements as shown on the approved constructions plans for the plat of Cove at West Port Phase 1B (the "Improvements").
3. Developer is required to construct, and agrees to complete, the Improvements as set forth in the Engineer's Probable Cost Estimate dated March 12, 2021 according to the sound engineering standards and County Subdivision Regulations, and according to the engineering plans and specifications submitted by the Developer to the County, as approved by the County.
4. In order to guarantee Developer's adherence to the obligations under this Agreement, Developer shall furnish a bond or other acceptable form of security to County in an amount of \$2,064,529.04 to cover the cost of construction (the "Security"). Said Security shall remain in effect until final approval of the Improvements by the County. Any reduction of the Security shall follow Charlotte County policy and Developer will be required to provide the applicable fee along with the record drawings and documentation signed and sealed by the engineer of record. The reduction of the Security must be approved by the County prior to Developer reducing the Security amount.
5. All Improvements as shown on the approved construction plans shall be completed per the approved construction plans to the reasonable satisfaction of the County engineer within two (2) years of the date the plat of Cove at West Port Phase 1B is recorded in the Public Records of Charlotte County, Florida, subject to force majeure. If the work is not completed within two (2) years, the County Engineer shall have right to review the Surety amount, and if deemed insufficient, Developer may be required to provide additional surety and execute an amendment to this Agreement to reflect the increased amount and to extend the completion date.
6. In the event that the Improvements are not satisfactorily completed within the specified time period in Section 5, or in the event that the County receives notification from the institution issuing the Security to the effect that the Security will expire prior to the specified time period, then upon thirty (30) days' prior written notice to Developer and a reasonable opportunity to cure, the County may draw

up to the fullest extent of the Security to be applied towards the cost of construction, completing, or correcting the required Improvements.

7. In the event of litigation, no party, including, but not limited to, Developer, future lot owners, and successors and assigns, is entitled to an offset of damages in an amount equal to the posted Security funds.

8. There are no intended third-party beneficiaries to this Agreement, and therefore, no third parties can or should rely on this Agreement and/or Security, including, but not limited to, future lot owners, and successors and assigns.

9. The terms of the Development Agreement have been jointly drafted by the Parties; therefore, in construing this Development Agreement no legal presumptions shall arise against either Party as the drafter of the Development Agreement.

10. Nothing herein shall be construed to create an obligation upon the County under Section 177.081, Florida Statutes, to voluntarily assume an obligation to perform any act of construction or maintenance under this Agreement and/or the Security.

11. The invalidity or unenforceability of any one or more provisions of the Development Agreement shall not affect the validity or enforceability of the remaining portions of this Development Agreement, or any part of the Development Agreement not held to be invalid or unenforceable.

12. Miscellaneous:

- a. Venue. Venue of any action to enforce the terms of this Agreement shall be in Charlotte County, Florida.
- b. Florida Law. This Agreement shall be governed and construed in accordance with Florida Law.
- c. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. It shall not be necessary for every party to sign each counterpart but only that each party shall sign at least on such counterpart.
- d. Entire Agreement. This Agreement incorporates and includes all prior negotiations, correspondence, agreements or understandings between the parties; and the parties agree that there are no commitments, agreements or understandings concerning the subject matter of the Agreement that are not contained in this Agreement.
- e. Modifications. No modification, amendment or alteration in the terms or conditions contained herein shall be effective unless contained in a written document executed with the same formality and of equal dignity herewith.

PASSED AND ADOPTED this 25th day of January 2022.

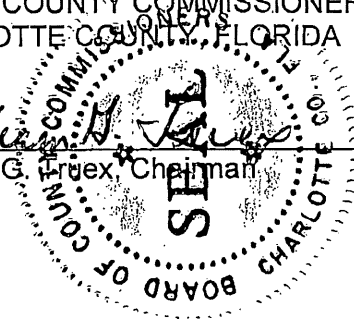
BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

ATTEST:

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

By: Dawn Smoleski
Deputy Clerk
AGR 2022-005

By: William G. Fruex
William G. Fruex, Chairman



Approved as to Form and
Legal Sufficiency:

By: Janette S. Knowlton
Janette S. Knowlton, County Attorney
LR21-0614

DEVELOPER:

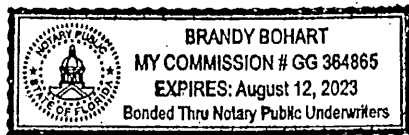
FORESTAR (USA) REAL ESTATE
GROUP INC., a Delaware corporation

By: [Signature]
Anthony J. Squitieri
As its: Vice President – Real Estate
Investment & Development

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 21st day of December, 2021 by Anthony J. Squitieri, as Vice President – Real Estate Investment & Development, of Forestar (USA) Real Estate Group Inc., a Delaware corporation, on behalf of the Corporation, who is personally known to me or has produced _____ as identification. If no type of identification is indicated, the above named person is personally known to me.

[Notary Seal]



[Signature]
Notary Public
Printed Name: Brandy Bohart
My Commission Expires: 08-2023

EXHIBIT "A"

BEING TRACT D OF COVE AT WEST PORT PHASE 1A-1, AS RECORDED IN PLAT BOOK 24, PAGES 24A THROUGH 24F, OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA.

CONTAINS 90.91 ACRES, MORE OR LESS

Attachment K
FP-21-07-15



May 19 , 2022

Mr James Harvey
KL JAK WP, LLC.
105 NE 1st Street
Delray Beach Fl, 33344

Dear Applicant:

This letter is to confirm the decision of the Charlotte County Board of County Commissioners at their meeting held **April 26, 2022, at 2:00 P.M.**, regarding the following petition:

FP-21-07-15

Quasi-judicial

Commission District IV

James Harvey, KLI JAK WP, LLC has requested Final Plat approval for a subdivision to be named, Landings at West Port Phase 2, consisting of 90 lots. The site is 4.81 ± acres. The subject property previously received plat approval at the BCC meeting held March 24, 2020 under the WEST PORT plat (FP-18-04-04). Since then, Landings Phase 1 has received Preliminary Plat approval under petition (PP-21-01-01) on April 27, 2021. This is a replat of Tract C of the Landings Phase 1 Plat. It is located North of El Jobean Road, South and East of Centennial Blvd, and West of the Flamingo Waterway. Located in Commission District IV.

It was the decision of the Charlotte County Board of County Commissioners that Petition **FP-21-07-15** be approved. The Plat is recorded in **Plat Book 25, Pages 15-A Thru 15-B**, and the Developers Agreement is recorded in **O.R. Book 4976, Page 1161** of the Public Records of Charlotte County, Florida.

This letter also serves as your Certificate of Concurrence for the purposes of School Concurrence.

If you require specific information regarding this matter, please contact me.

Sincerely,

Rick Dalton

Rick Dalton, Project Coordinator
Community Development Department
Zoning Division
18400 Murdock Circle



Port Charlotte, FL 33948
Voice: 941-764-4954

cc: M. Morris - Morriss Engineering & Consulting LLC.

Faith Dangerfield, Property Appraiser's Office
Matthew Parkman, Property Appraiser's Office
Jordan Silver, SPD
David Vance, SPD
Samantha DiPiazza
Kathleen Duffy - Goodwin, GIS
Patty Stefan, Real Estate Services
Jeanine Fullerton, Real Estates Services
Kelly Danielson, CCU
Judy Hunter, CCU
Denise Elliot, CCU
Ravi Kamarajugadda, Transportation
Debra Masse, Property Appraiser's Office
Dawn Anspach, CAO
Christine Broughman, MSBU
Jerry Olivo, School Board
Tracey Roberts, School Board

Prepared by:
Robert F. Greene, Esq.
Greene Hamrick Schermer
& Johnson, P.A.
410 43rd Street West, Suite N
Bradenton, Florida 34209

CHARLOTTE COUNTY CLERK OF CIRCUIT COURT
OR BOOK: 4976 PAGE 1162 PAGE: 1 OF 2
INSTR # 3096419 Doc Type: AGR
Recorded: 5/3/2022 at 10:04 AM
Rec. Fee: RECORDING \$18.50
Cashier By: NLANE

**MORTGAGEE'S JOINDER IN AND RATIFICATION OF
SUBDIVISION PLAT AND ALL DEDICATIONS AND RESERVATIONS THEREON**

LENNAR HOMES, LLC, a Florida limited liability company ("Mortgagee"), the owner and holder of that certain Mortgage and Security Agreement dated March 1, 2021, and recorded in Official Record Book 4720, Page 2018 of the Public Records of Charlotte County, Florida ("Mortgage").

Said Mortgage covering all or some portion of the real property located in Charlotte County, Florida, constituting the subdivision plat of LANDINGS AT WEST PORT PHASE 2, described as follows:

SEE EXHIBIT "A" ATTACHED HERETO

For good and valuable consideration in hand paid by the record owner of said real property, receipt whereof is hereby acknowledged, hereby specifically joins in and ratifies said subdivision plat and all dedications and reservations thereon.

IN WITNESS WHEREOF, Mortgagee has caused these present to be executed by its duly authorized officer this ____ day of January, 2022.

Signed, sealed and delivered
in the presence of:

LENNAR HOMES, LLC
a Florida limited liability company

Rachel Rose
Witness Signature

Rachel Rose
Witness Printed Name

By: _____
Name:
Title:

Tammy Kanner
Witness Signature

Tammy Kanner
Witness Printed Name

STATE OF Florida
COUNTY OF Lee

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 20th day of January, 2022, by Dann McMurray, as vice president of Lennar Homes, LLC, a Florida limited liability company, on behalf of the Company, who is personally known to me, or who has produced _____ as identification.

Brianne Lindeberg
Notary Public

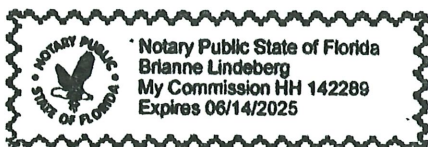


Exhibit "A"

LANDINGS AT WEST PORT PHASE 2

BEING TRACT C OF LANDINGS AT WEST PORT, AS RECORDED IN PLAT BOOK 25,
PAGES 1A THROUGH 1E, OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY,
FLORIDA.

CONTAINS 4.81 ACRES, MORE OR LESS

Attachment L
FP-21-01-04



June 30, 2022

Anthony J. Squitieri
Forestar (USA) Real Estate Group Inc.
4042 Parks Oaks Blvd., Suite 200
Tampa, FL 33610

Via email: TonySquitieri@forestar.com; TimMartin@forestar.com

Dear Applicant:

This letter is to confirm the decision of the Charlotte County Board of County Commissioners at their meeting held May 24, 2022, at 2:00 P.M., regarding the following petition:

FP-21-01-04

Quasi-judicial

Commission District IV

Forestar (USA) Real Estate Group Inc. has requested Final Plat approval for a subdivision to be named, Cove at West Port Phase 2 and 3, consisting of 180 residential lots which will include a mix of single family attached and single family detached. The applicant is also requesting a Developer's Agreement approval to address certain obligations by the applicant and the County in connection with the construction of the improvements for this development. This site is 34.49± acres of a 117.51± acre site which will be platted and constructed in three phases and is located north of El Jobean Road, south of Tamiami Trail, east of Cornelius Boulevard and west of Toledo Blade Boulevard, in the Port Charlotte area and within the Murdock Village Community Redevelopment Area (CRA) and located in Commission District IV.

It was the decision of the Charlotte County Board of County Commissioners that Petition **FP-21-01-04** be approved. The plat is recorded in **Plat Book 25, Pages 18-A thru 18-I**, and **the Developer's Agreement Resolution is recorded in OR Book 4995, Page 949** of the Public Records of Charlotte County, Florida.

This letter also serves as your Certificate of Concurrence for the purpose of School Concurrence.

Please don't hesitate to contact our office should you have any questions.

Sincerely,

Jenny Shao, Project Coordinator
Community Development Department

CC: Jacquelyn M. Larocque, P.E., Waldrop Engineering, P.A.
Faith Dangerfield, Property Appraiser's Office
Matthew Parkman, Property Appraiser's Office
Samantha DiPiazza, SPD-Addressing
David Vance, SPD
Maggie Horton, SPD



Kathleen Duffy, GIS
Patty Stefan, Real Estate Services
Jeannine Fullerton, Real Estate Services
Kelly Danielson, CCU
Judy Hunter, CCU
Denise Elliot, CCU
Ravi Kamarajugadda, Transportation
Debra Masse, Property Appraiser's Office
Dawn Anspach, CAO
Karen Benak, CAO
Christine Broughman, MSBU

Attachment M
FP-21-03-08



June 30, 2022

Anthony J. Squitieri
Forestar (USA) Real Estate Group Inc.
4042 Parks Oaks Blvd., Suite 200
Tampa, FL 33610

Via email: TonySquitieri@forestar.com

Dear Applicant:

This letter is to confirm the decision of the Charlotte County Board of County Commissioners at their meeting held May 24, 2022, at 2:00 P.M., regarding the following petition:

FP-21-03-08

Quasi-judicial

Commission District IV

Forestar (USA) Real Estate Group Inc. has requested Final Plat and Development Agreement approval to Replat a portion of the previously approved Final Plat for West Port, approved March 24, 2020 by the Charlotte County Board of County Commissioners, for a subdivision to be named, Cove at West Port Phase 4, consisting of 149 lots. The site is 37.57± acres and is generally located north of El Jobean Road, south of Tamiami Trail, east of Cornelius Boulevard, and west of Toledo Blade Boulevard, in the Port Charlotte area and within the Murdock Village Community Redevelopment Area (CRA).

It was the decision of the Charlotte County Board of County Commissioners that Petition **FP-21-03-08** be approved. The plat is recorded in **Plat Book 25, Pages 19-A thru 19-F**, and **the Developer's Agreement Resolution is recorded in OR Book 4995, Page 1009** of the Public Records of Charlotte County, Florida.

This letter also serves as your Certificate of Concurrency for the purpose of School Concurrency.

Please don't hesitate to contact our office should you have any questions.

Sincerely,

Jenny Shao, Project Coordinator
Community Development Department

CC: Jacquelyn M. Larocque, P.E., Waldrop Engineering, LLC
Faith Dangerfield, Property Appraiser's Office
Matthew Parkman, Property Appraiser's Office
Samantha DiPiazza, SPD-Addressing
David Vance, SPD
Maggie Horton, SPD
Kathleen Duffy, GIS
Patty Stefan, Real Estate Services



Jeannine Fullerton, Real Estate Services
Kelly Danielson, CCU
Judy Hunter, CCU
Denise Elliot, CCU
Ravi Kamarajugadda, Transportation
Debra Masse, Property Appraiser's Office
Dawn Anspach, CAO
Karen Benak, CAO
Christine Broughman, MSBU

Attachment N
FP-21-07-16



June 28, 2022

KL West Port, LLC
105 NE 1st Street
Delray Beach, FL 33444

Via email: jharvey@kolter.com

Dear Applicant:

This letter is to confirm the decision of the Charlotte County Board of County Commissioners at their meeting held June 14, 2022, at 2:00 P.M., regarding the following petition:

FP-21-07-16

Quasi-judicial

Commission District IV

KL West Port LLC is requesting Final Plat approval to Replat a subdivision to be named, Palms at West Port 1A. The Palms at West Port 1A is a residential subdivision being a replat of Tract C and portions of Tracts D and E from the original plat. This proposed replat includes 125 lots, four right-of-way tracts (R-2, R-3, R-4, & R-5), and Tracts E, G, & H. Tracts G and H are Drainage/Open Space/Access Areas. They also seek approval of a Developer's Agreement and surety to cover the construction of the plat infrastructure. The site is 31.74± acres, and is located north of El Jobean Road, south of Tamiami Trail, east of the Crestview Waterway, and west of Centennial Blvd. Located in Commission District IV. Quasi-Judicial

It was the decision of the Charlotte County Board of County Commissioners that Petition FP-21-07-16 be approved with the following conditions. The plat is recorded in Plat Book 25, Pages 20-A thru 20-G, of the Public Records of Charlotte County, Florida.

This letter also serves as your Certificate of Concurrency for the purpose of School Concurrency.

Please don't hesitate to contact our office should you have any questions.

Sincerely,

Laura Tefft, AICP and Jenny Shao, Project Coordinator
Community Development Department

CC: Mary M. Stephens, Morris Engineering
Faith Dangerfield, Property Appraiser's Office
Matthew Parkman, Property Appraiser's Office
Samantha DiPiazza, SPD-Addressing
David Vance, SPD
Kathleen Duffy - Goodwin, GIS
Patty Stefan, Real Estate Services
Jeannine Fullerton, Real Estate Services



Kelly Danielson, CCU
Judy Hunter, CCU
Denise Elliot, CCU
Ravi Kamarajugadda, Transportation
Debra Masse, Property Appraiser's Office
Dawn Anspach, CAO
Karen Benak, CAO
Christine Broughman, MSBU
Jerry Olivo, CCPS
Tracey Roberts, CCPS

Attachment O

FP-21-09-17



June 28, 2022 Corrected

KL West Port, LLC
105 NE 1st Street
Delray Beach, FL 33444

Via email: jharvey@kolter.com

Dear Applicant:

This letter is to confirm the decision of the Charlotte County Board of County Commissioners at their meeting held June 14, 2022, at 2:00 P.M., regarding the following petition:

FP-21-09-17

Quasi-judicial

Commission District IV

FP-21-09-17, Hammocks at West Port III & IV Community Development KL West Port LLC is requesting a Final Plat to be named Hammocks at West Port Phases III and IV to revise The Hammocks at West Port and The Isles at West Port preliminary plats. This proposed revision includes modification to the southern portion of Hammocks Phase III and a new expansion referred to as Hammocks Phase IV. The total number of lots associated with this revision is 113 and includes a Public CDD Right-of-Way Tract R and Tracts A, B, & C. Tracts A & B are Drainage/Open Space/Access Areas and Tract C is a Drainage/Open Space Area. They also seek approval of a Developer's Agreement and surety to cover the construction of the plat infrastructure. The total site is 32.061 ± acres. The property is located north of El Jobean Road, west of Flamingo Waterway, east and south of Centennial Blvd. Located in Commission District IV. Quasi-Judicial

It was the decision of the Charlotte County Board of County Commissioners that Petition FP-21-07-17 be approved with the following conditions. The plat is recorded in Plat Book 25, Pages 21-A thru 21-F, of the Public Records of Charlotte County, Florida.

This letter also serves as your Certificate of Concurrency for the purpose of School Concurrency.

Please don't hesitate to contact our office should you have any questions.

Sincerely,

Laura Tefft, AICP and Jenny Shao, Project Coordinator
Community Development Department

CC: Matthew Morris, P.E., Morris Engineering
Faith Dangerfield, Property Appraiser's Office
Matthew Parkman, Property Appraiser's Office
Samantha DiPiazza, SPD-Addressing
David Vance, SPD
Kathleen Duffy - Goodwin, GIS



Patty Stefan, Real Estate Services
Jeannine Fullerton, Real Estate Services
Kelly Danielson, CCU
Judy Hunter, CCU
Denise Elliot, CCU
Ravi Kamarajugadda, Transportation
Debra Masse, Property Appraiser's Office
Dawn Anspach, CAO
Karen Benak, CAO
Christine Broughman, MSBU
Jerry Olivo, CCPS
Tracey Roberts, CCPS

Attachment P
FP-19-11-16



November 29, 2022

James Harvey
KL West Port, LLC
105 NE 1st Street
Delray Beach, FL 33444

Via email: jharvey@kolter.com

Dear Applicant:

This letter is to confirm the decision of the Charlotte County Board of County Commissioners at their meeting held **October 25, 2022, at 2:00 P.M.**, regarding the following petition:

FP-19-11-16

Quasi-judicial

Commission District IV

KL West Port, LLC is requesting Final Plat approval for all of Tract C of Hammocks at West Port Phase I (Plat Book 24, Pages 8A through 8J), a residential subdivision to be named, Hammocks at West Port Phase IIIB, consisting of 61 lots, two right-of-way tracts, and Tract A. This property received Preliminary Plat approval under PP-19-11-16 on February 25, 2020 from the Board of County Commissioners and included the entirety of Pods B & H within West Port (a.k.a. The Isles and The Hammocks). This Final Plat application includes only Phase IIIB (Northeast portion of Phase III) of The Hammocks at West Port and there is no Developer's Agreement or Bond associated with this Final Plat. This site contains 11.636± acres, and is generally located south of U.S. Highway 41, north of El Jobean Road, east of the Crestwood Waterway, and west of the Flamingo Waterway, in Commission District IV.

It was the decision of the Charlotte County Board of County Commissioners that Petition **FP-19-11-16** be approved. The plat was recorded on November 10, 2022 in **Plat Book 26, Pages 6-A through 6-D** of the Public Records of Charlotte County, Florida.

This letter also serves as your Certificate of Concurrence for the purpose of School Concurrence.

Please feel free to contact our office should you have any questions.

Sincerely,

Jenny Shao, Project Coordinator
Community Development Department

CC: Matthew J. Morris, P.E., Morris Engineering & Consulting, LLC
Faith Dangerfield, Property Appraiser's Office
Matthew Parkman, Property Appraiser's Office
Samantha DiPiazza, SPD-Addressing
David Vance, SPD
Kathleen Duffy, GIS
Patty Stefan, Real Estate Services
Jeannine Fullerton, Real Estate Services



Stephen Kipa, Real Estate Services
Kelly Danielson, CCU
Denise Elliot, CCU
Robert Fakhri, Transportation
Ravi Kamarajugadda, Transportation
Debra Masse, Property Appraiser's Office
Dawn Anspach, CAO
Karen Benak, CAO
Christine Broughman, MSBU
Jeff Harvey, CCPS
Greg Griner, CCPS
Tracey Roberts, CCPS

Attachment Q

DRC Recommendation Letter



February 28, 2023

Morris Engineering & Consulting, LLC
Attn: Matthew J Morris
6997 Professional Pkwy East STE B
Sarasota FL 34240

Re: DRC-22-00097 West Port – PD Concept Plan
May 26, 2022 agenda

Dear Applicant:

County staff has reviewed the General PD Concept Plan for West Port. The project consists of 1,898 single-family units, 804 multi-family units and 670,522 square feet of commercial space. This project site is 630.82± acres and is generally located south of Franklin Avenue, north of El Jobean Road (SR 776), east of the Crestview Waterway, and west of Toledo Blade Boulevard, in the Port Charlotte area, within the Murdock Village Community Redevelopment Area (CRA), and in Commission District IV.

It is the decision of the Zoning Official to forward DRC-22-00097 to the Board of County Commissioners with a recommendation of approval. The following comments must be met prior to submit Final Detail Site Plan:

1. No structures in application to do site plan building compliance. All structures are subject to further review at time of building permitting. Julia Galofre – BCS
2. Stormwater review will be conducted at time of detailed site development plan stage. Jason Thomas – Stormwater
3. Developer/owner must be mindful of any Public Easements. If any part of the proposed development encroaches into any platted or recorded public easement it may require a release or occupation of the easement. Additionally, any encroachment into a private utility easement will be the owners responsibility to contact that utility to make sure there are no issues. Patricia Stefan – Real Estate Services
4. Based on the present information that I have I will approve the concept drawing. As the Developers agreement continues through its process there may be changes made to the concept to meet the County's requirements. If that becomes evident, I would change my approval accordingly. I don't expect any problems but there is no guarantees. Roy Benjamin – PW Construction Services
5. Within 90 days prior to clearing any phase of development, applicant shall conduct a species survey focusing on locating potential gopher tortoise burrows. If burrows are found that can't be avoided by a 25' buffer, applicant shall obtain a Relocation Permit from the Florida Fish & Wildlife Conservation Commission.

6. The applicant should follow Appendix D: Best Management Practices (BMP's) contained in the FWS Florida bonneted bat October 22, 2019 Consultation Key to the greatest extent practicable.
7. At the time of development, the project must comply with Chapter 3-5, Article IV, Clearing, Filling and Soil Conservation requirements of the County Code. Best Use Management Plans must be documented on final site plans and utilized during all land clearing and development activities. Jim Keltner - Environmental
8. Please make provisions to protect and/or replace all NGS benchmarks specifically NGS benchmark (PID DQ3281) and where possible all "Charlotte County Survey Dept" FCM's. James K Davis – PW Surveyor
9. The applicant is advised that Charlotte County owns and maintains fiber optic facilities within US41 and SR776 rights of way. These facilities are in very close proximity to this project and are not reflected on the concept plan. The designer shall request an underground utility locate from the Charlotte County Lighting District, (Andrew Amendola, Lighting District Superintendent - 941-575-3648) The Lighting District will perform the utility locate for the designer. The designer shall survey the locations of the buried and above ground facilities and depict/label them on all appropriate plan sheets. Future submittals shall depict and identify the fiber optic facilities.
10. It shall be the developers' responsibility to protect all Florida Department of Transportation and County owned and maintained fiber optic facilities. Any/all costs associated with alterations, relocation or repairs made necessary by this development shall be borne by the either the owner, developer and/or contractor. Splices in the fiber optic cable or the addition of additional pull/junction boxes will not be permitted.
11. Further comments/concerns may be forth coming as the project proceeds. Andy Amendola – PW Lighting District
12. Need to rezone to PD.
13. May need to transfer density or do a conversion table. Maryann Franks – Zoning
14. The PD rezoning must be approved by the Board of County Commissioners. Jie Shao – Comprehensive Planning
15. Replace the concept plan with the revised concept plan submitted with the last version of the Traffic Impact Statement. Robert Fakhri – Transportation
16. Landscaping, buffers, and tree requirements must be consistent with the conditions established in the PD rezoning and meet all applicable regulations of Section 3-9-100: Buffers, Landscaping, and Tree Requirements.
17. A full landscape plan will be required at the time of Final Detail Plan review.
18. Prior to or at the time of building permit application, provide a completed Tree Permit Application as appropriate for this site, along with a tree inventory of location, types, sizes of trees overlaid on a site plan of the building, parking, and other site amenities. Identify the trees proposed to be removed and preserved. All trees to be preserved or removed must be in accordance with Section 3-9-100: Buffers, Landscaping, and Tree Requirements, of the County Code. Tree permits must be obtained prior to any land clearing/ fill activity or the issuance of any building permits. Elizabeth Nocheck – Landscape

The PD concept plan approval shall be valid until a final detail site plan is approved, or the property is rezoned from PD to another zoning district.

Sincerely,



Shaun Cullinan
Planning and Zoning Official

cc: Murdock Village Comm Redev Agency
18500 Murdock Cir
Port Charlotte FL 33948



Qualifications of Jie Shao

Position: Principal Planner

Years with Charlotte County: 19

Position Summary & Experience: I have worked as a Planner for Charlotte County Community Development Department for over 18 years. My duties include reviewing and making recommendations on plan amendments, zoning map changes and text amendments to the County's Comprehensive Plan as well as the Land Development Regulations to the Planning and Zoning Board and the Board of County Commissioners.

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

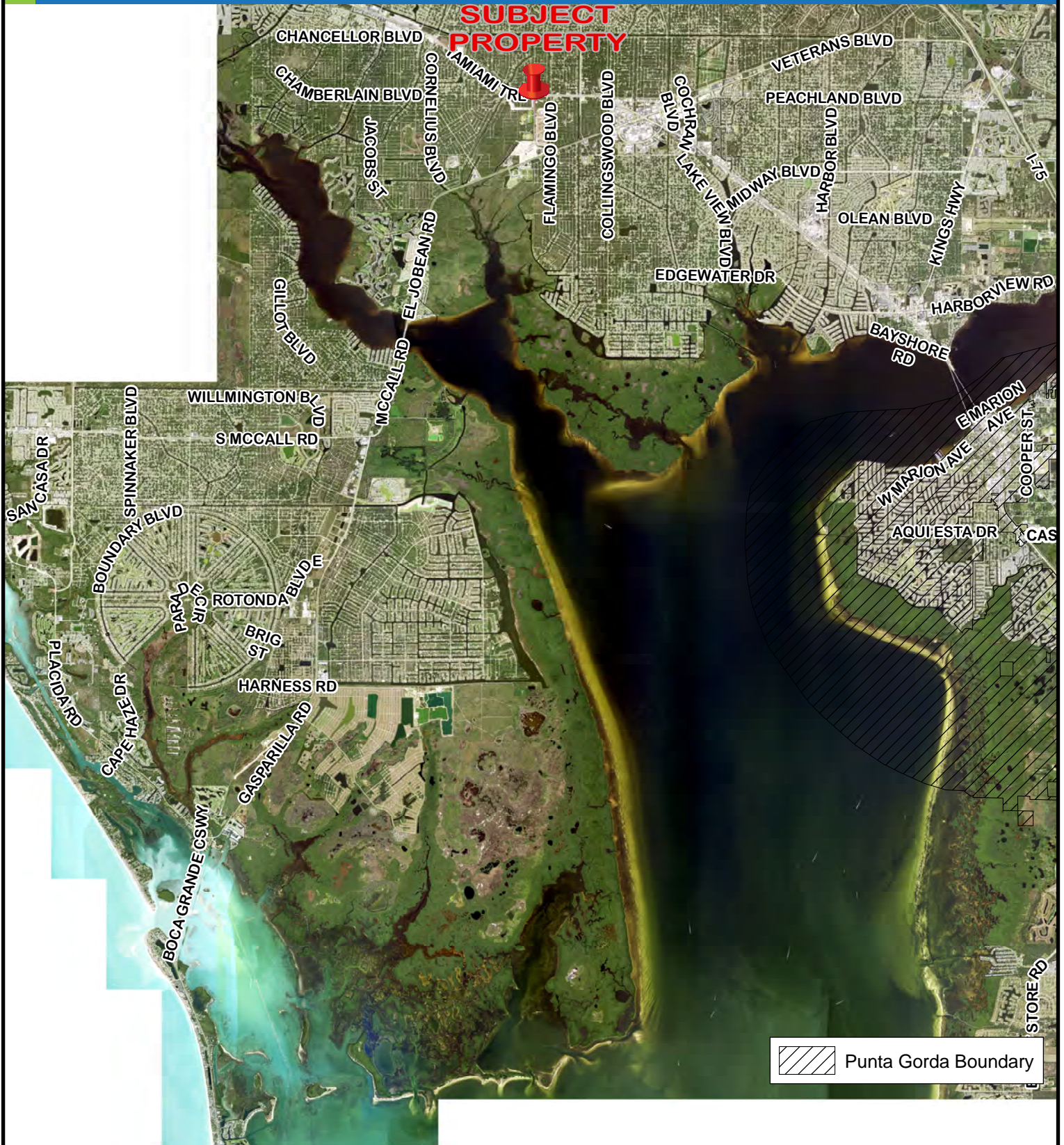
Related Past Experience:

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

Exhibit 1

CHARLOTTE COUNTY

Location Map for PD-22-00003

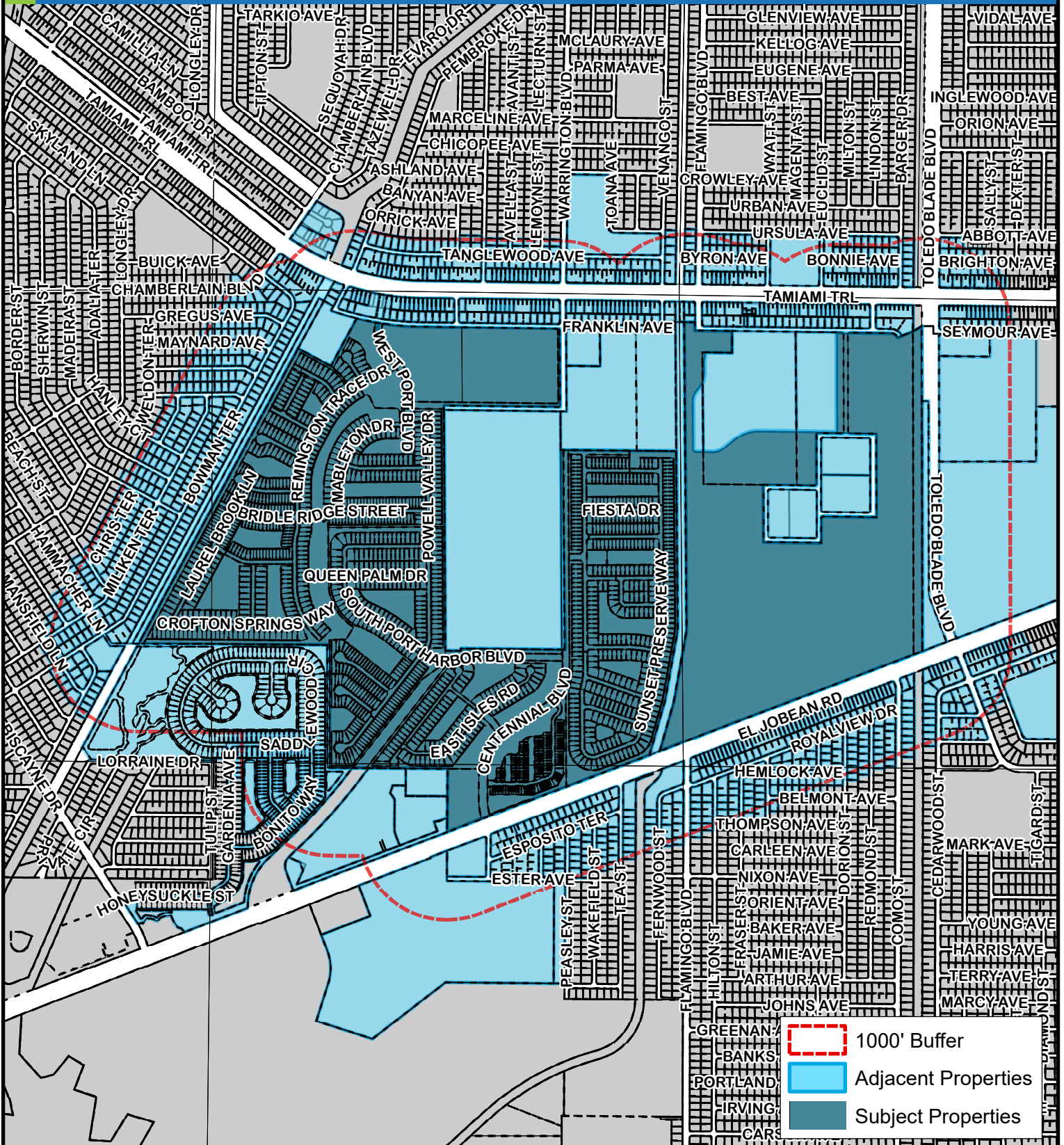


10-12,14/40/21 Mid-County

This map is a representation of compiled public information. It is believed to be an accurate and true depiction for the stated purpose, but Charlotte County and its employees make no guarantees, implied or otherwise, to the accuracy, or completeness. We therefore do not accept any responsibilities as to its use. This is not a survey or is it to be used for design. Reflected Dimensions are for informational purposes only and may have been rounded to the nearest tenth. For precise dimensions, please refer to recorded plats and related documents.

CHARLOTTE COUNTY

1000' buffer of PD-22-00003



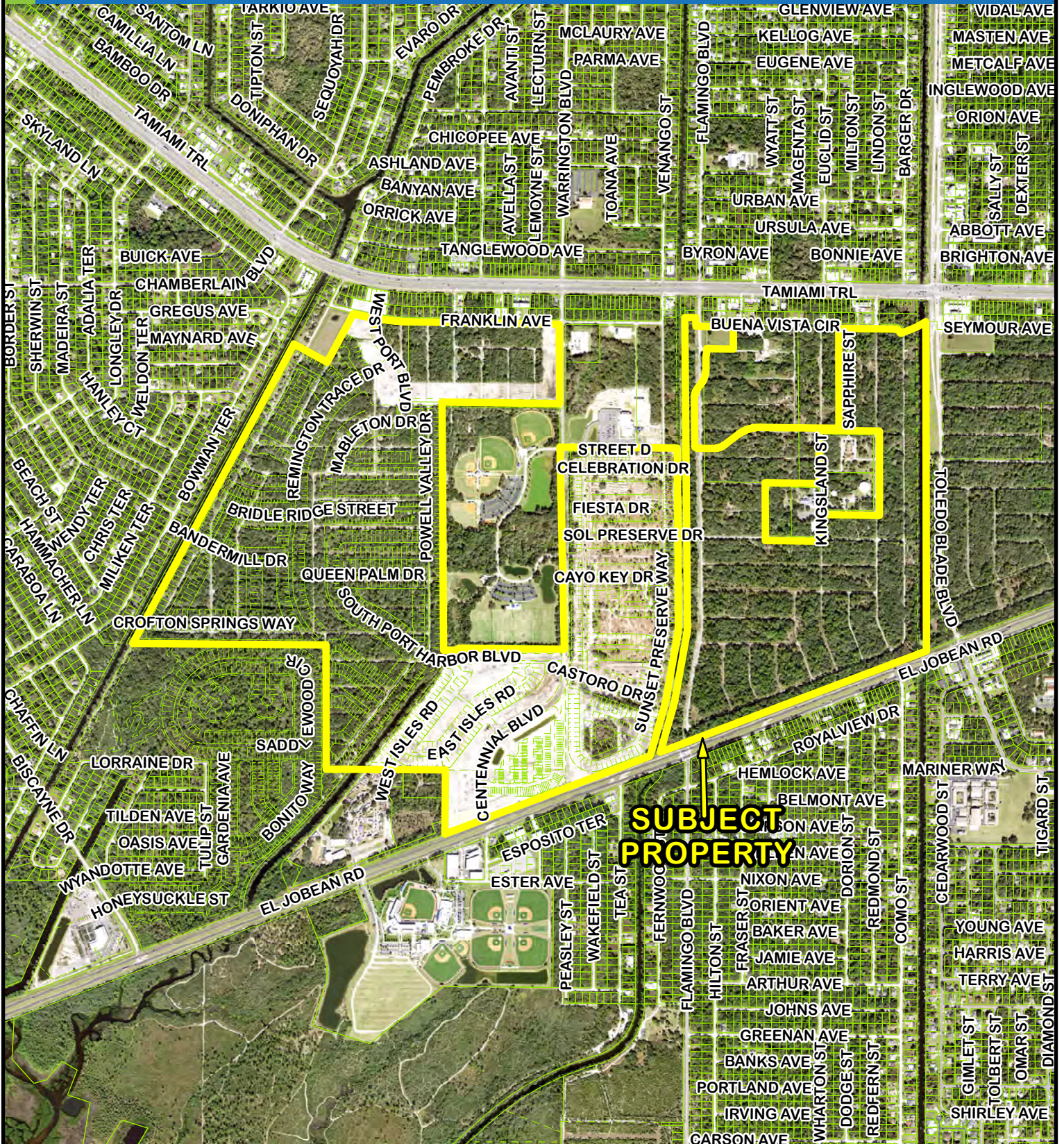
10-12,14/40/21 Mid-County



This map is a representation of compiled public information. It is believed to be an accurate and true depiction for the stated purpose, but Charlotte County and its employees make no guarantees, implied or otherwise, to the accuracy, or completeness. We therefore do not accept any responsibilities as to its use. This is not a survey or it is to be used for design. Reflected Dimensions are for informational purposes only and may have been rounded to the nearest tenth. For precise dimensions, please refer to recorded plats and related documents.

CHARLOTTE COUNTY

Area Image for PD-22-00003



**SUBJECT
PROPERTY**

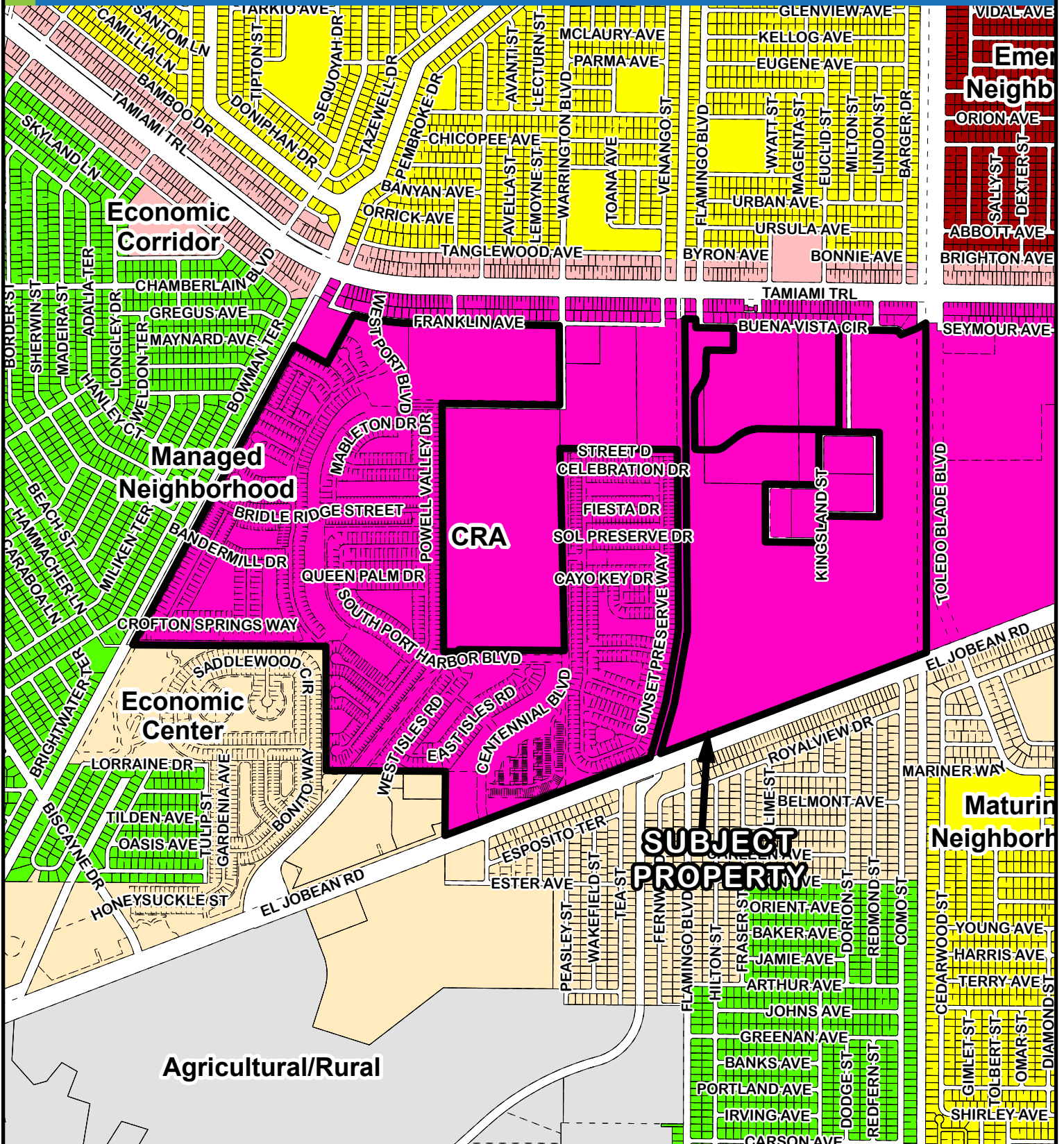
10-12,14/40/21 Mid-County



This map is a representation of compiled public information. It is believed to be an accurate and true depiction for the stated purpose, but Charlotte County and its employees make no guarantees, implied or otherwise, to the accuracy, or completeness. We therefore do not accept any responsibilities as to its use. This is not a survey or is to be used for design. Reflected Dimensions are for informational purposes only and may have been rounded to the nearest tenth. For precise dimensions, please refer to recorded plats and related documents.

CHARLOTTE COUNTY

Framework for PD-22-00003



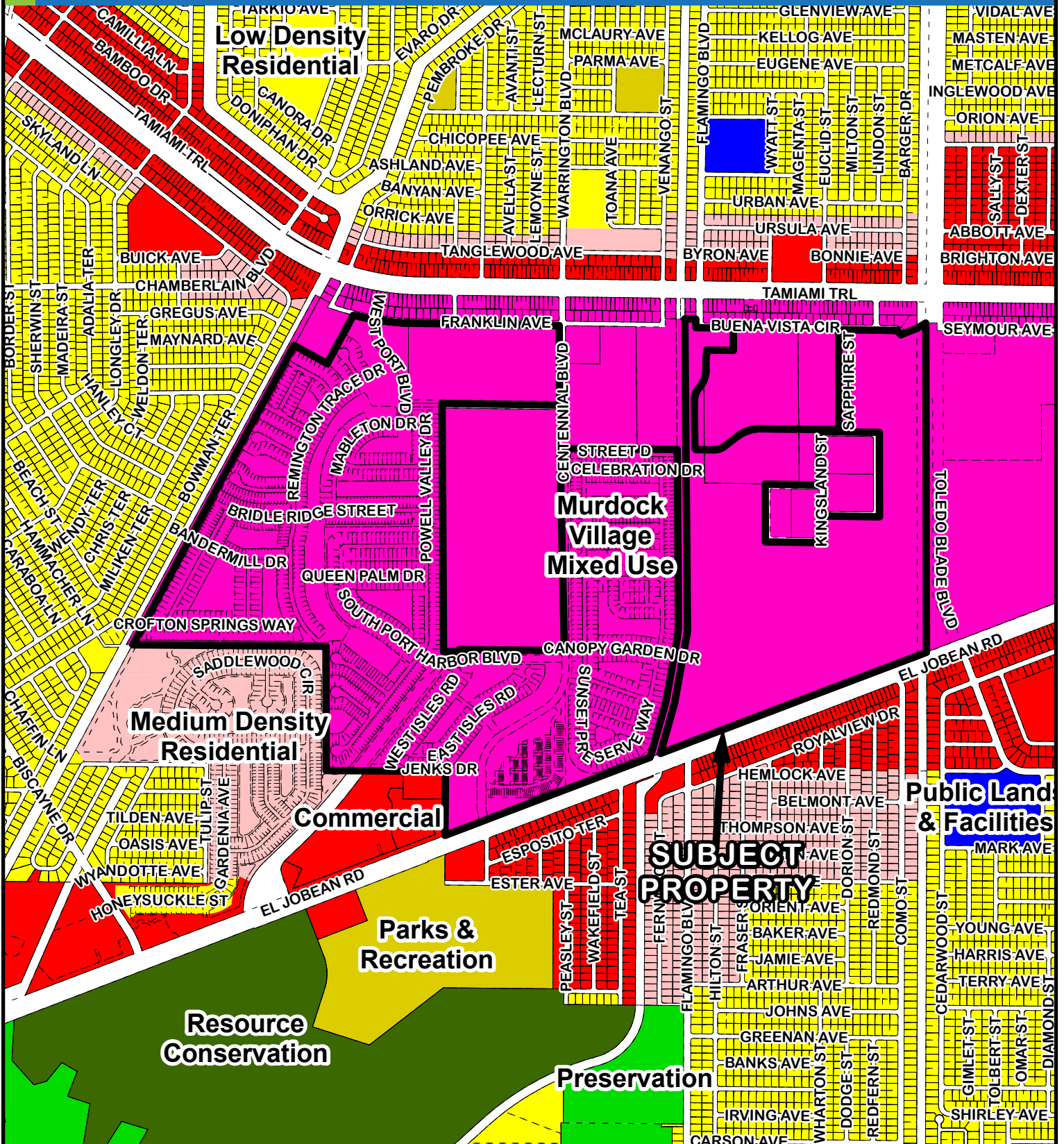
10-12,14/40/21 Mid-County



This map is a representation of compiled public information. It is believed to be an accurate and true depiction for the stated purpose, but Charlotte County and its employees make no guarantees, implied or otherwise, to the accuracy, or completeness. We therefore do not accept any responsibilities as to its use. This is not a survey or is it to be used for design. Reflected Dimensions are for informational purposes only and may have been rounded to the nearest tenth. For precise dimensions, please refer to recorded plats and related documents.

CHARLOTTE COUNTY

FLUM Designations for PD-22-00003



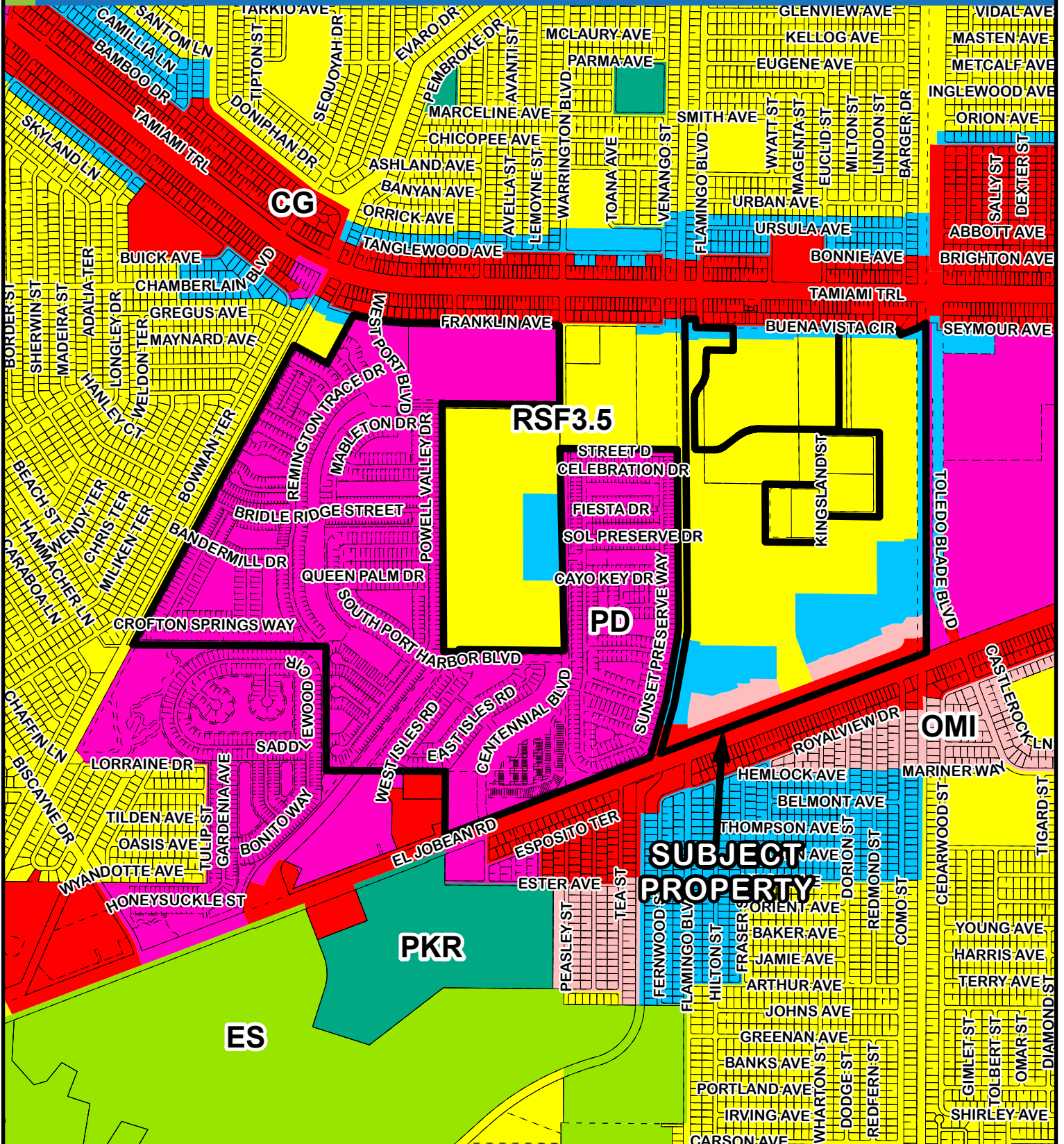
10-12,14/40/21 Mid-County



This map is a representation of compiled public information. It is believed to be an accurate and true depiction for the stated purpose, but Charlotte County and its employees make no guarantees, implied or otherwise, to the accuracy, or completeness. We therefore do not accept any responsibilities as to its use. This is not a survey or is it to be used for design. Reflected Dimensions are for informational purposes only and may have been rounded to the nearest tenth. For precise dimensions, please refer to recorded plats and related documents.

CHARLOTTE COUNTY

Zoning Designations for PD-22-00003



10-12,14/40/21 Mid-County



This map is a representation of compiled public information. It is believed to be an accurate and true depiction for the stated purpose, but Charlotte County and its employees make no guarantees, implied or otherwise, to the accuracy, or completeness. We therefore do not accept any responsibilities as to its use. This is not a survey or is it to be used for design. Reflected Dimensions are for informational purposes only and may have been rounded to the nearest tenth. For precise dimensions, please refer to recorded plats and related documents.