



## MEMORANDUM

Date: 8-29-25

To: Honorable Board of County Commissioners  
Planning & Zoning Board

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

Subject: PD-25-09, a petition to amend Planned Development (PD) condition “m” as established in Ordinance Number 2024-017

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### ***Applicant***

KL Westport Expansion LLC, 105 NE 1<sup>st</sup> Street, Delray Beach, FL 33444

### ***Request***

A request for a rezoning from Planned Development (PD) to PD. This is a major modification to Ordinance Number 2024-017 (Attachment 1), by amending the adopted PD condition “m” in order to modify the requirements of the “natural buffer with 25 feet in width”.

### ***History and Purpose of this Petition***

On March 28, 2023, the Board of County Commissioners (Board) approved Ordinance Number 2023-015 (Attachment 2) for a Planned Development (PD) rezoning for approximately 630.82 acres of lands. As part of the application, the Board specifically adopted the requirement of a “Natural Buffer” as PD condition “m”, which did not define in sufficient detail the term “natural buffer”.

On May 28, 2024, the Board approved Ordinance Number 2024-017 (Attachment 1) to specifically define the required “natural buffer” in order to ensure the visibility of the commercial development along SR 776 and to provide some flexibility to the number and location of the existing native trees to be retained within the 25-foot “natural buffer” area.

Since then, 33 trees (Attachment 3) that had equal or greater than eight inches Diameter at Breast Height (DBH) and palms equal or greater than 12 inches DBH have been removed from Area 1 of the required 25-foot “natural buffer” due to installation of utilities, which is contrary to the “natural buffer” requirement.

Trees Removed Outside Five-foot PUE		Tree Removed Within the Five-foot PUE	
Caliper/Species	Tree Points	Caliper/Species	Tree Points
17" Cabbage Palm	0.5	9"/8" Laurel Oak	10
24"/24" Live Oak	27	17" Cabbage Palm	0.5
16" Live Oak	9.5	17" Live Oak	10
7"/6" Laurel Oak	9.5	13" Live Oak	8
17" Slash Pine	10	16" Live Oak	9.5
14" Live Oak	8.5	16"/6" Laurel Oak	12.5
16" Slash Pine	9.5	8" Laurel Oak	5.5
15" Laurel Oak	9	14" Laurel Oak	8.5
18" Cabbage Palm	0.5	17" Live Oak	10
13" Cabbage Palm	0.5	20" Slash Pine	11.5
14" Cabbage Palm	0.5	16" Slash Pine	9.5
13" Slash Pine	8	27" Slash Pine	15
18" Live Oak	10.5	13"/9"/5" Laurel Oak	15
20" Live Oak	11.5	17" Slash Pine	10
8" Live Oak	5.5	<b>TOTAL</b>	<b>135.5</b>
14" Oak	8.5		
13 " Oak	8		
9" Oak	6		
17" Slash Pine	10		
<b>TOTAL</b>	<b>153.0</b>		

19 trees located outside of the five-foot Public Utility Easement (PUE) have been removed and 14 trees located within the five-foot PUE have been removed.

In order to rectify this situation, the applicant is requesting to amend the PD condition "m", specifically:

- For trees equal or greater than eight inches DBH and palms equal or greater than 12 inches DBH, which have been removed from Area 1 as shown on Figure 1 due to installation of utilities, the Developer is required to replace removed trees located outside any County approved with like size trees.
- If the trees removed cannot be replaced in kind and size, multiple native trees equaling the total tree points removed will be allowed.
- The Developer may replace removed pine trees with approved native hardwood trees per the County's list of approved tree species with prior written approval from the Community Development Department.

- All replacement trees shall be planted in the same general locations as they were removed outside of the easement areas within the Natural Buffer Area 1 but outside any PUE.
- A minor modification application to Final Detail Site Plan (Application Number DRC-24-221) is required to amend the originally approved landscape plan and shall be approved administratively.

### **Conclusion**

The proposed changes will allow for similar trees which were removed from natural buffer Area 1 and outside of PUE to be replanted in previous general locations to achieve the original intent of the “natural buffer”, to establish the process of this rectification, and to provide better visibility for the proposed commercial development. The proposed amendment to condition “m” still requires more plantings than are typically required in a “perimeter landscape strip” for commercial development along SR 776. Therefore, it is staff’s professional opinion that the proposed revision to the existing PD condition “m” shall not have any negative impacts on surrounding residential uses.

### ***The Planning and Zoning Board proposed recommendation on August 11, 2025***

*A motion to forward application No. PD-25-09 to the Board of County Commissioners with a recommendation of **Approval/Denial**, based on the findings and analysis in the staff memo dated August 2, 2025, Charlotte County’s Comprehensive Plan, and the evidence and testimony presented at the public hearing before the Planning and Zoning Board.*

**Attachment 1**  
**Ordinance Number 2024-017**

CHG  
BCL

ROGER D. EATON, CHARLOTTE COUNTY CLERK OF  
CIRCUIT COURT  
# PAGE: 12  
INSTR #: 3411722 Doc Type: GOV  
Recorded: 05/30/2024 at 04:16 PM  
Rec. Fee: RECORDING \$103.50

ORDINANCE  
NUMBER 2024 - *017*

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM PLANNED DEVELOPMENT (PD) TO PD; A MAJOR MODIFICATION TO THE EXISTING PLANNED DEVELOPMENT (PD), ORDINANCE NUMBER 2023-015, BY AMENDING THE ADOPTED PD CONDITION "m" IN ORDER TO DEFINE THE "NATURAL BUFFER WITH 25 FEET IN WIDTH"; FOR PROPERTY, 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, CONTAINING 630.82 ACRES MORE OR LESS; CHARLOTTE COUNTY, FLORIDA; COMMISSION DISTRICT IV; PETITION PD-24-03; APPLICANT, KOLTER GROUP ACQUISITIONS, LLC; PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, in a public hearing held on Tuesday, May 28, 2024, the Board of County Commissioners of Charlotte County, Florida ("Board") reviewed Petition PD-24-03, submitted by applicant, Kolter Group Acquisitions, LLC ("Applicant"), which requested a rezoning from Planned Development (PD) to PD; a major modification to the existing PD, Ordinance Number 2023-015, by amending the adopted PD condition "m" in order to define the "natural buffer with 25 feet in width", for property 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, containing 630.82 acres more or less, Commission District IV, and more particularly described in Exhibits "A-1" and "A-2" attached hereto ("Property"); and

*min*

35 WHEREAS, the Applicant seeks to rezone the Property from  
36 Planned Development (PD) to PD and amend the adopted PD condition "m" in  
37 order to clarify the definition of the term "natural buffer" as it means in the context  
38 of this PD, as provided in Exhibit "B" attached hereto; and

39 WHEREAS, Petition PD-24-03 was heard by the Charlotte County  
40 Planning and Zoning Board ("P&Z Board") and, based on the findings and  
41 analysis provided by County Staff and the evidence presented to the P&Z Board,  
42 the P&Z Board recommended approval on April 8, 2024; and

43 WHEREAS, after due consideration, based on the findings and  
44 analysis provided by County Staff and the evidence presented to it, the Board  
45 finds that approval of Petition PD-24-03 is consistent with the County's  
46 Comprehensive Plan and meets the requirements for the granting of a rezone;  
47 and

48 WHEREAS, the Board finds that approval of Petition PD-24-03 to  
49 rezone the subject property from Planned Development (PD) to PD, a major  
50 modification to the existing Ordinance Number 2023-015, by amending the  
51 adopted PD condition "m", is consistent with the County's Comprehensive Plan  
52 and to be in the best interests of the County.

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

55 SECTION 1. The following petition, made by applicant, Kolter  
56 Group Acquisitions, LLC ("Applicant"), requesting a major modification to the  
57 existing Ordinance Number 2023-015, by amending the adopted PD condition

“m” in order to define the “natural buffer with 25 feet in width” as provided in attached Exhibit “B” is hereby approved:

Petition PD-24-03 requesting a rezoning from Planned Development (PD) to PD, a major modification to the existing PD, Ordinance Number 2023-015, by amending the adopted PD condition “m” in order to define the “natural buffer with 25 feet in width”, as provided in attached Exhibit “B”, for property 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 containing 630.82 acres more or less; Charlotte County, Florida, Commission District IV, more particularly described in Exhibits “A-1” and “A-2” attached hereto.

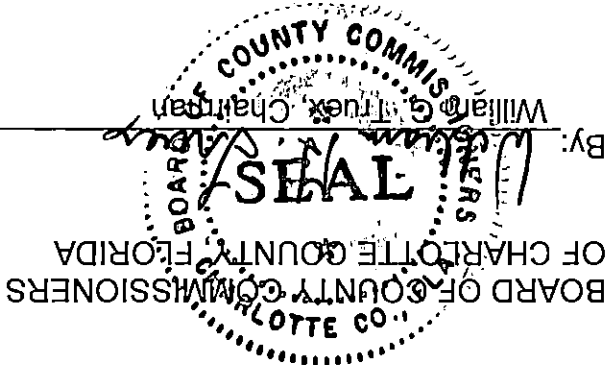
SECTION 2. That the zoning for this property shall run with the property and shall apply to any subsequent owners, heirs and assigns.

SECTION 3. This Ordinance’s effective date shall be upon filing in the Office of the Secretary of State, State of Florida.

[SIGNATURE PAGE FOLLOWS]

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PASSED AND DULY ADOPTED this 28th day of May, 2024.



By: \_\_\_\_\_

William G. Truex, Chairman

ATTEST:

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

By: \_\_\_\_\_

Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

By: \_\_\_\_\_

Janette S. Knowlton, County Attorney  
LR2024-0239

(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 REORDS 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.

(PARCEL 4)

LOTS 3, 4, 5, 6, 7, 11, 12, 13, 14, 15, 16, 19, 20, 24, 25, 26, 28, 31, 32, 33, 34 AN 35, BLOCK 1272 AND LOTS 6, 7, 8, 12, 13, 14, 17, 18, 25, 26, 27 AND 28, BLOCK 1271, LYING IN SECTION 11, TOWNSHIP 40 SOUTH, RANGE 21 EAST, ALSO LYING IN PORT CHARLOTTE SUBDIVISION, SECTION THIRTY FIVE, AS RECORDED IN PLAT BOOK 5, PAGES 39A THRU 39F, OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA.

## Description Sketch

(Not A Survey)

**DESCRIPTION:** A parcel of land lying in Sections 11 and 12, Township 40 South, Range 21 East, Charlotte County, Florida, and being more particularly described as follows:

COMMENCE at the Southwest corner of said Section 12; run thence along the West boundary of said Section 12, N.00°28'33"W., a distance of 273.78 feet to the North right of way line of State Road 776, a 200-foot public right of way, and the POINT OF BEGINNING; thence along said North right of way line, S.69°10'05"W., a distance of 283.63 feet to the East right of way line of Flamingo Waterway, a 100 foot wide right of way, vacated by Official Records Book 3321, Page 634; thence along said East right of way line the following 4 (four) courses, 1) N.15°49'23"E., a distance of 581.08 feet; 2) thence N.10°12'47"E., a distance of 780.24 feet to a point of curvature; 3) thence Northerly, 93.55 feet along the arc of a tangent curve to the left having a radius of 500.00 feet and a central angle of 10°43'12" (chord bearing N.04°51'11"E., 93.41 feet) to a point of tangency; 4) thence N.00°30'25"W., a distance of 3472.37 feet to the Southwest corner of lot 60, block 1183 of Port Charlotte Subdivision, as recorded in Official Records Plat Book 5, Page 51-F; thence S.89°11'34"E., a distance of 123.56 feet to the West right of way line of Flamingo Blvd., an 80 foot wide public right of way per said Port Charlotte Subdivision plat; thence along said West right of way line of Flamingo Blvd., S.00°30'51"E., a distance of 98.40 feet to its intersection with the westerly extension of the South right of way line of North Buena Vista Circle, as shown on said Port Charlotte Subdivision plat; thence along said extension and said South right of way line of North Buena Vista Circle, S.89°12'23"E., a distance of 422.21 feet; thence S.00°01'25"E., a distance of 250.03 feet to the North right of way line of Raleigh Ave. as shown on said Port Charlotte Subdivision plat, said right of way being 50 feet wide and vacated by Official Records Book 3321, Page 634; thence along said North right of way line, N 89°12'23" W, a distance of 300.04 feet; thence S 00°30'51" E, a distance of 20.57 feet; thence southerly, 44.82 feet along the arc of a tangent curve to the right having a radius of 200.00 feet and a central angle of 12°50'19" (chord bearing S 05°54'19" W, 44.72 feet); thence southerly, 44.82 feet along the arc of a reverse curve to the left having a radius of 200.00 feet and a central angle of 12°50'19" (chord bearing S 05°54'19" W, 44.72 feet); thence S 00°30'51" E, a distance of 111.12 feet; thence southerly, 224.55 feet along the arc of a tangent curve to the right having a radius of 300.00 feet and a central angle of 42°53'08" (chord bearing S 20°55'43" W, 219.34 feet); thence southerly, 149.67 feet along the arc of a reverse curve to the left having a radius of 200.00 feet and a central angle of 42°52'43" (chord bearing S 20°55'56" W, 146.21 feet); thence S 00°30'25" E, a distance of 534.77 feet; thence southeasterly, 38.84 feet along the arc of a tangent curve to the left having a radius of 25.00 feet and a central angle of 89°00'52" (chord bearing S 45°00'51" E, 35.05 feet); thence S 89°31'17" E, a distance of 187.25 feet; thence easterly, 132.33 feet along the arc of a tangent curve to the left having a radius of 200.00 feet and a central angle of 37°54'31" (chord bearing N 71°31'27" E, 129.93 feet); thence N 52°34'12" E, a distance of 180.37 feet; thence easterly, 277.30 feet along the arc of a tangent curve to the right having a radius of 417.00 feet and a central angle of 38°06'04" (chord bearing N 71°37'14" E, 272.22 feet); thence S 89°19'44" E, a distance of 886.16 feet; thence N 00°08'08" W, a distance of 1126.35 feet; thence S 89°12'23" E, a distance of 829.74 feet; thence southeasterly, 88.92 feet along the arc of a tangent curve to the right having a radius of 75.00 feet and a central angle of 67°55'35" (chord bearing S 55°14'35" E, 83.80 feet); thence N 68°43'12" E, a distance of 194.06 feet; thence N 58°58'33" E, a distance of 116.55 feet; thence S 00°07'15" E, a distance of 3706.60 feet; to the North right of aforesaid State Road 776 thence along said North right of way S 69°10'05" W, a distance of 2919.86 feet to the POINT OF BEGINNING. Interior Improvements per Port Charlotte Subdivision, Official Records Book 5, Pages 51-A, 51-D, 51-E, and 51-F, contained within the described land appear to have been vacated by Official Records Book 3321, Page 634-650.

Containing 196.14 acres, more or less.



Subject to and less public right of ways contained herein.

**SURVEYOR'S NOTES:**

1. Bearings shown hereon are based on the West boundary of Section 12, Township 40 South, Range 21 East, Charlotte County, Florida, having a Grid bearing of N.00°29'33"W. The Grid Bearings as shown hereon refer to the State Plane Coordinate System, North American Horizontal Datum of 1983 (NAD 83-2011 Adjustment) for the West Zone of Florida.
2. I do hereby certify that this sketch & description was made under my supervision and meets the standards of practice set forth by the Florida Board of Professional Surveyors & Mappers stated in rules 5J-17.051, 5J-17.052, and 5J-17-053, Florida administrative code, pursuant to Section 472.027, Florida statutes.

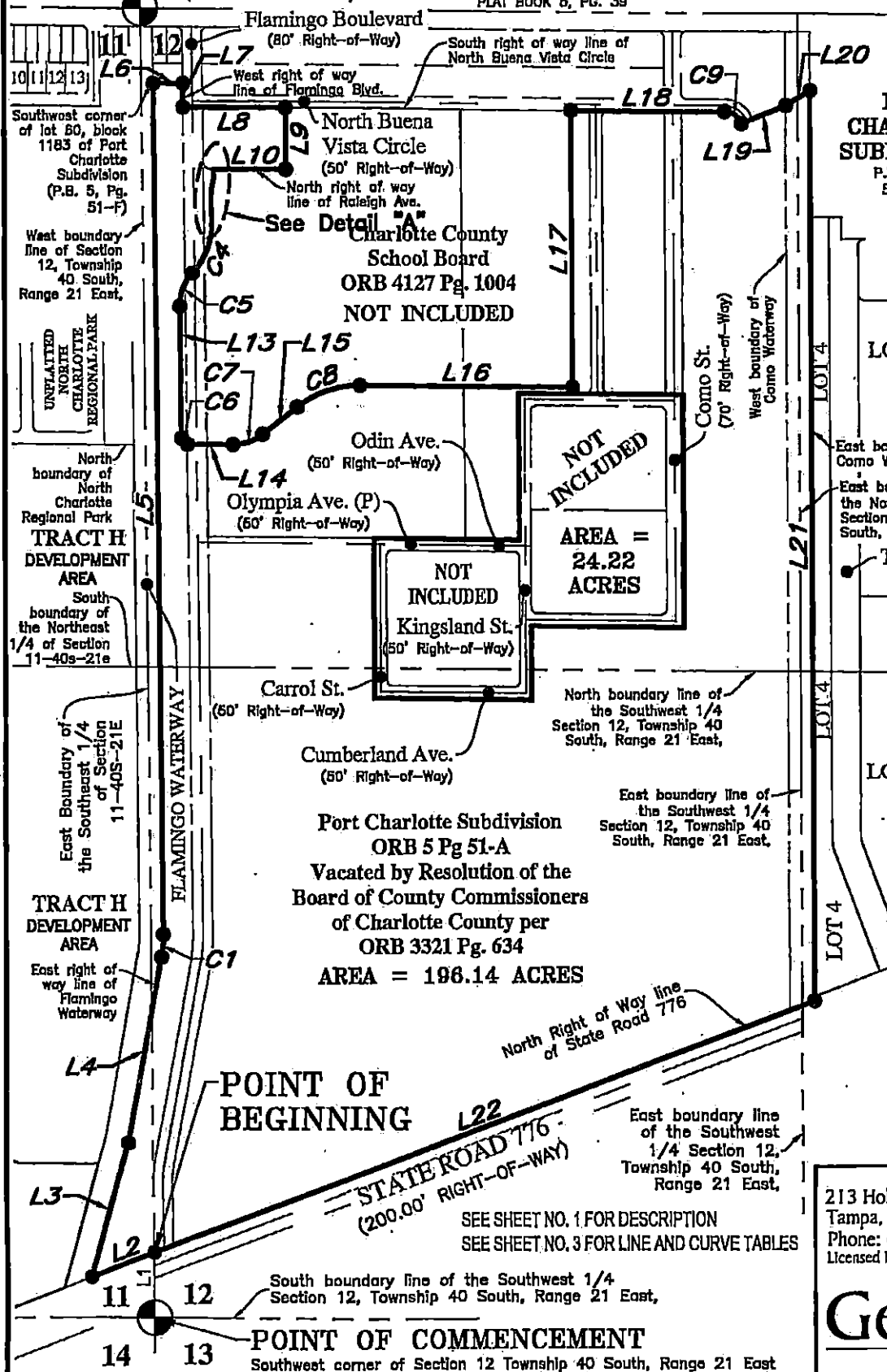
SEE SHEET NO. 2 FOR SKETCH

SEE SHEET NO. 3 FOR LINE AND CURVE TABLES

PROJECT: West Port			Prepared For: KOLTER GROUP AQUISITIONS LLC		
PHASE: West Port Expansion / Three Description and Sketches of Three Parcels			<div style="text-align: center;"> <p>(Not A Survey)</p> <p>Digitally signed by  <b>David W. Maxwell</b>  Date: 2022.08.30  11:35:49 -04'00'</p> </div>		
DRAWN: LAT	DATE: 07/19/22	CHECKED BY: MHC			
<b>REVISIONS</b>			<div style="text-align: center;"> <p>213 Hobbs Street  Tampa, Florida 33619  Phone: (813) 248-8888  Licensed Business No.: LB 7768</p>  <p><b>GeoPoint</b>  Surveying, Inc.</p> </div>		
DATE	DESCRIPTION	DRAWN BY			
<div style="text-align: center;"> <p><b>David W. Maxwell</b>  FLORIDA PROFESSIONAL  SURVEYOR &amp; MAPPER NO. <b>LS7311</b></p> </div>			<div style="text-align: center;"> <p>213 Hobbs Street  Tampa, Florida 33619  Phone: (813) 248-8888  Licensed Business No.: LB 7768</p>  <p><b>GeoPoint</b>  Surveying, Inc.</p> </div>		
FILE PATH: P:\WEST PORT - EXPANSION\DESCRIPTIONS\WESTPORT EXPANSION-KOLTER-DS.DWG			LAST SAVED BY: LOUIST		

(Not A Survey)

**PORT CHARLOTTE SUBDIVISION,  
SECTION THIRTY FIVE**  
PLAT BOOK 5, PG. 39



**PORT  
CHARLOTTE  
SUBDIVISION**  
P.B. 5, Pg.  
51A-51K



0      300      600

**- SCALE: 1" = 600'**

LOT 2 TOLEDO  
BLADE-SECTION  
ONE

P.B. 23. Pg. 18A-18B

East boundary of  
Como Waterway

East boundary line of  
the Northwest 1/4  
Section 12, Township 40  
South, Range 21 East.

Toledo Blade Blvd.  
(120' Right-of-Way)

**TOLEDO  
BLADE-SECTION  
ONE**

P.B. 23, Pg. 18A-18B

**LOT 1**

**DETAIL "A"**  
**SCALE: 1"=200'**

**213 Hobbs Street  
Tampa, Florida 33619  
Phone: (813) 248-8888  
Licensed Business No.: LB 7768**

# GeoPoint

Surveying, Inc.

# Description Sketch

(Not A Survey)

LINE DATA TABLE		
NO.	BEARING	LENGTH
L1	N 00°29'33" W	273.78'
L2	S 69°10'05" W	283.63'
L3	N 15°49'23" E	581.08'
L4	N 10°12'47" E	780.24'
L5	N 00°30'25" W	3472.37'
L6	S 89°11'34" E	123.56'
L7	S 00°30'51" E	96.40'
L8	S 89°12'23" E	422.21'
L9	S 00°01'25" E	250.03'
L10	N 89°12'23" W	300.04'
L11	S 00°30'51" E	20.57'
L12	S 00°30'51" E	111.12'
L13	S 00°30'25" E	534.77'
L14	S 89°31'17" E	187.25'
L15	N 52°34'12" E	180.37'
L16	S 89°19'44" E	886.16'
L17	N 00°08'08" W	1126.35'
L18	S 89°12'23" E	629.74'
L19	N 68°43'12" E	194.06'
L20	N 58°58'33" E	116.55'

LINE DATA TABLE		
NO.	BEARING	LENGTH
L21	S 00°07'15" E	3706.60'
L22	S 69°10'05" W	2919.86'

CURVE DATA TABLE					
NO.	RADIUS	DELTA	ARC	CHORD	BEARING
C1	500.00'	10°43'12"	93.55'	93.41'	N 04°51'11" E
C2	200.00'	12°50'19"	44.82'	44.72'	S 05°54'19" W
C3	200.00'	12°50'19"	44.82'	44.72'	S 05°54'19" W
C4	300.00'	42°53'08"	224.55'	219.34'	S 20°55'43" W
C5	200.00'	42°52'43"	149.67'	146.21'	S 20°55'56" W
C6	25.00'	89°00'52"	38.84'	35.05'	S 45°00'51" E
C7	200.00'	37°54'31"	132.33'	129.93'	N 71°31'27" E
C8	417.00'	38°06'04"	277.30'	272.22'	N 71°37'14" E
C9	75.00'	67°55'35"	88.92'	83.80'	S 55°14'35" E

SEE SHEET NO. 1 FOR DESCRIPTION  
SEE SHEET NO. 2 FOR SKETCH

213 Hobbs Street  
Tampa, Florida 33619  
Phone: (813) 248-8888  
Licensed Business No.: LB 7768



**GeoPoint**  
Surveying, Inc.

**PD Conditions for Application PD-24-03**  
**Revisions to PD Condition “m” as Established in**  
**Ordinance Number 2023-015**

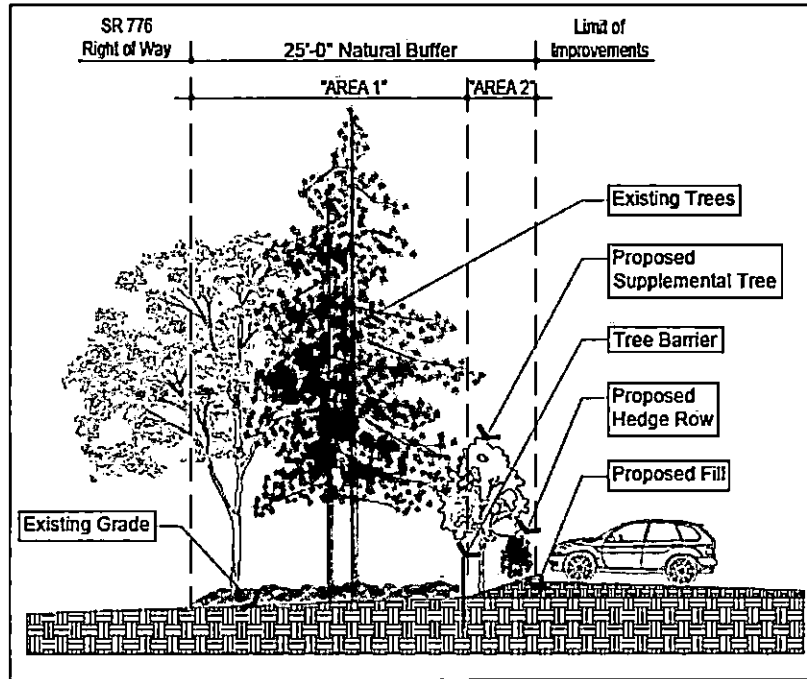
m). A 25-foot perimeter setback for the entire PD site is not required. However, for the proposed expansion area, it is required to provide a natural buffer 60 feet in width as measured from the lot line along the multi-family portion of the frontage abutting SR 776 and 25 feet in width as measured from 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. Additionally, the following standards shall apply to the 25-foot natural buffer for commercial/retail development on parcels abutting SR 776:

<u>Natural Buffer</u>	<u>Depth</u>	<u>Supplemental Landscaping</u>	<u>Signs per Section 3-9-85</u>
<u>Area 1 as shown on Figure 1</u>	<u>20 feet</u>	<u>Accent trees and canopy trees shall be allowed.</u>	<u>Permitted</u>
<u>Area 2 as shown on Figure 1</u>	<u>5 feet</u>	<u>Accent trees and canopy trees shall be allowed. Perimeter hedge row shall be a minimum height of 36 inches upon planting.</u>	<u>Not permitted</u>

1. Removal of all exotic and invasive vegetation is required in Area 1 and Area 2 shown on Figure 1. All vegetation shall be retained in Area 1 during construction until installation of any building roof structures has commenced.
2. Preservation of existing native trees if applicable shall be required, except as provided below.
3. Accent trees and canopy trees shall be incorporated with the existing native trees to achieve the equivalent of Type B buffer, including three canopy trees and one accent/understory tree per 100 linear feet. Perimeter hedge row (the minimum maintained height of 48 inches) to form a continuous, solid visual screen within one (1) year of planting shall be required.
4. Tree points are subject to the County code, section 3-9-100.3: Tree requirements.
5. Tree removal is subject to the County code, section 3-9-100.3: Tree requirements, except that:
  - All trees less than eight inches DBH and palms less than 12 inches DBH, may be removed from Area 1 as shown on Figure 1.
  - All trees may be removed from Area 2 as shown on Figure 1.
  - Tree permits are required for removal of any trees with equal or greater than four-inch caliper and any palm with equal or greater than six (6) feet of clear trunk.
6. The required landscaping for Tract S as shown on the approved General PD Concept Plan in Ordinance Number 2023-015 shall be completed prior to issuance of a Certificate of Occupancy.
7. A tree barrier, which is used to prevent damage to tree root systems, shall be placed at grade and at the boundary of Area 1 as shown on Figure 1 for the



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



Natural Buffer - Typical Cross Section

**Figure 1**



## FLORIDA DEPARTMENT *of* STATE

**RON DESANTIS**  
Governor

**CORD BYRD**  
Secretary of State

May 30, 2024

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

Dear Roger Eaton,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Charlotte County Ordinance No. 2024-017, which was filed in this office on May 29, 2024.

Sincerely,

Matthew Hargreaves  
Administrative Code and Register Director

MJH/wlh



Ticket# 3928696-1  
BCC 5-28-24  
5 x 12.  
Submitted by: Kimberly Sargent  
AD ID# 3928698  
Publish: 05/13/24  
163352 3928698

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

Before the undersigned authority personally appeared Amber Douglas, who on oath says that she is the Legal Advertising Representative of The Daily Sun, a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a Legal Notice that was published in said newspaper in the issue(s)

05/08/24

as well as being posted online at [www.yoursun.com](http://www.yoursun.com) and [www.floridapublicnotices.com](http://www.floridapublicnotices.com);

Affiant further says that the said newspaper is a newspaper published at Charlotte Harbor, in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in said Charlotte County, Florida, Sarasota County, Florida and DeSoto County, Florida, each day and has been entered as periodicals matter at the post office in Punta Gorda, in said Charlotte County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

(Signature of Affiant)

Sworn and subscribed before me this 13th day of:  
May, 2024

(Signature of Notary Public)



Personally known ☒ OR ☐ Produced Identification



Adele Graham, second from right wearing pearl necklace, wife of U.S. Sen. and two-term Florida Gov. Bob Graham, arrives with family members for a public celebration of life service for Bob Graham on Saturday in Miami Lakes. About 200 people gathered for a memorial service at the Miami Lakes United Church of Christ for Graham who died last month at the age of 87.

### Graham/from A1

Robin Gibson, a lifelong friend who was Graham's general counsel as governor, said in his eulogy that Graham's friendly and civil public demeanor was not a charade—he behaved that way even in important and stressful meetings. Graham, a Harvard University-educated lawyer whose family built Miami Lakes, was governor from 1979 to 1987.

"There was no macho profanity. There was no agenda. There was no pettiness. There was no gossip. It was, 'How do we get to make the best decision for the best reason?' It was that simple," Gibson said.

Two practices Graham was known for were his penchant for taking meticulous notes after every interaction and his "workdays," where as both a governor and senator he would spend a shift at a different ordinary job each month.

Buddy Shorstein, a longtime friend who became his chief of staff, said Graham looked forward to each workday shift, eager to "learn what the average Floridian went through to make a living." He did more than 400, including teacher, bellhop, construction worker and farm laborer.

After each, Graham would return to his office "refreshed and rejuvenated," Shorstein said. "The most important, consistent lesson he taught was good public policy makes good politics."

Shorstein listed as how some political reporters considered Graham's note-taking to be "quirky" which he adamantly said his former boss was not. He wondered if that public perception played a part in Graham being passed over by Democratic presidential nominees Michael Dukakis, Bill Clinton and Al Gore as their vice-presidential pick.

Shorstein speculated that Gore would have won in 2000 if he had picked Graham because the race was decided by a 537-vote margin in Florida. That, he said, would have prevented the second Iraq war.

Former U.S. Rep. Gwen Graham, the eldest of Graham's four daughters, joked about how she was a college student in Washington, D.C., in 1987 when her father was elected to the Senate. He became her roommate so her mother could stay in Florida as the youngest daughter finished high school.

She said that one night she found her father in the

"kitchen" mixing something that looked inedible in a pot. She asked him what it was.

"He replied proudly, 'Pumpkin.' I spotted the empty can and offered to get him something more substantive and tasty for dinner. But he said, 'Nope, nope. This is great. That sums up Dad, to easy going. The pumpkin met his needs. Plus, it did not cost him a penny. Dad was notoriously frugal,' she said, drawing laughs.

But then she turned serious, saying her father was always her inspiration and role model.

"There has never been a day I haven't been proud to be Bob Graham's daughter,"

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## 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 28, 2024, 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, 1400 MURDOCK CIR., PORT CHARLOTTE, FLORIDA. THE BOARD IS NOT BOUND TO CONSIDER THE PETITIONS IN THE ORDER LISTED IN THIS NOTICE. ANY OF THESE PETITIONS MAY BE CONSIDERED AS SOON AS THE MEETING COMMENCES.

COPIES OF SAID PETITIONS WITH COMPLETE LEGAL DESCRIPTIONS AND SUBSEQUENT STAFF REPORTS WILL BE AVAILABLE FOR REVIEW AT THE CHARLOTTE COUNTY COMMUNITY DEVELOPMENT DEPARTMENT AND ALL CHARLOTTE COUNTY PUBLIC LIBRARIES. A MEETING AGENDA AND PETITION PACKETS MAY BE REVIEWED AT THE FOLLOWING INTERNET ADDRESS: <http://www.charlottecountyfl.gov/boards/committees/planning-zoning-board/agenda.html>.

ALL INTERESTED PERSONS ARE URGED TO ATTEND. THE PUBLIC IS WELCOME TO SPEAK; TIME LIMITS ARE SET BY BOARD RULES. IF YOU HAVE SPECIFIC QUESTIONS OR COMMENTS, YOU ARE ENCOURAGED TO CONTACT A STAFF PERSON AT ANY TIME IN ADVANCE OF THE PUBLIC HEARING(S). PLEASE CALL 941-764-4903 AND MENTION THE PETITION NUMBER OF THE MATTER YOU WISH TO DISCUSS.

### PETITIONS

#### LAND USE CONSENT AGENDA

DRC-23-00143

Quasi-Judicial

Commission District IV

Monte Engineering & Consulting, LLC is requesting a PD Final Detail Site Plan approval for West Port East. The project consists of 436 residential single-family subdivisions with associated infrastructure. This project site is 103.602 acres of a 187.662-acre site and is located at 17372 Toledo Blade Boulevard, Port Charlotte, FL in Commission District IV. The remaining 21.060 acres are for the roadways and 83.062 acres for future commercial and multi-family development and is within Murdock Village.

DRC-23-00187

Quasi-Judicial

Commission District IV

Xi Xian Port Expansion LLC is requesting a PD Final Detail Site Plan approval for certain roads the West Port East project, including Flamingo Boulevard, West Port Crossing, Richmond Drive, and a portion of Collins Street. Flamingo and Collins facilities within the Major Road right-of-way. This project site is 21.062 acres of a 187.662-acre site and is located at 17372 Toledo Blade Blvd., Port Charlotte, FL in Commission District IV. The remaining 103.602 acres are for a residential subdivision and 83.062 acres for future commercial and multi-family development, all located within Murdock Village.

FP-23-01-01

Quasi-Judicial

Commission District III

Florida Commons, LLC is requesting a bond release of a cash bond in the amount of \$80,503.5 for the completion of the improvements for Coral Cays. The residential subdivision contains 95 lots and was granted Final Plat approval by the Board of County Commissioners on May 26, 2015. The site contains 35.202 acres and is generally located northeast of Placida Road, west of Cape Haz Drive, and south of Dimes Lane, in the Placida and West County area, and in Commission District III.

FP-18-06-07

Quasi-Judicial

Commission District II

Lester Homes, LLC is requesting a bond release of the approved survey provided under Letter of Credit FSCA-19621 in the amount of \$40,115.36 and provided by Fidelity Guaranty and Acceptance Corp. for the completion of the improvements for Heritage Landing Tracts A-4, R, G, H, I, AA, and CC. The subdivision consists of seven tracts and was granted Final Plat approval by the Board of County Commissioners on April 14, 2020. The site contains 513.16 acres and is generally located north and west of Sunset Road, south of the City of Punta Gorda, east of the Peace River, in the Punta Gorda area, within the boundary of the Heritage Landing Development of Regional Impact (DRI), and in Commission District II.

### LAND USE REGULAR AGENDA

FPD-24-04-01

Quasi-Judicial

Commission District II

CIO Holdings Group, LLC and Charles Capps, Esq., of Perseus Law Firm, are requesting Preliminary and Final Plat approval for a replot of the property located at 1439 Virginia Drive (lot 12) and 2783 Lakewood Drive (lots 14, 15, and 16) of the Perseus Park Subdivision, as recorded in Plat Book 7, Page 11, in the Public Records of Charlotte County, Florida into a three-lot minor subdivision to be named, Lakewood Cottage. There is no bond or Development Agreement associated with this plat. The properties contain 0.74 acres and are located in the Punta Gorda area and in Commission District II.

PD-24-03

Quasi-Judicial

Commission District IV

An Ordinance pursuant to Section 218.66, Florida Statute, amending the Charlotte County Zoning Atlas from Planned Development (PD) to PD. This is a major reclassification to the existing PD Ordinance Number 2013-015, by amending the adopted PD condition "f" in order to define the "natural buffer with 25 feet in width" for property generally located south of Franklin Avenue, north of El Johnson Road (SR 779), east of the Greenway Waterway and west of Toledo Blade Boulevard, in the Port Charlotte area, within the Murdock Village Community Redevelopment Area (CRA), containing 630.826 acres, Commission District IV, Petition No. PD-24-03. Applicant: Keller Group Acquisitions, 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 Unit for the Hearing Impaired are available at the Front Security Desk, Building A of the Murdock Administration Complex. Anyone needing either reasonable accommodation or auxiliary aids and services please contact our office at 941-764-4131, TDD/TTY 941-764-1234, or by email to [David.Lyle@CharlotteCountyFL.gov](mailto:David.Lyle@CharlotteCountyFL.gov).

Published May 19, 2024

### Sharky's/from A1

Increased seating capacity "will allow for optimization of the outdoor dining area and will encourage increased percentage rent payments in the future," the memo says.

VPG pays a monthly ground rent and a percentage rent based on the gross receipts.

A table in the memo shows rent paid to the city has nearly doubled in the last 10 years, from \$637,856.52 in 2015 to \$1,204,843.60 for this year, with some down years attributable to red

tide and the pandemic.

According to the memo, VPG has received all the necessary permits for the project and is ready to commence construction next month, with a goal of completing it prior to the 2025 tourist season. The restaurants would remain operational throughout the project, it stated.

"This proposal represents a significant investment in the City's property and an opportunity for enhanced future revenue for the City through this existing lease agreement," the memo concludes.

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**Attachment 2**  
**Ordinance Number 2023-015**

CHG  
BCC

FILED WITH THE DEPARTMENT OF STATE march 29, 2023

ORDINANCE  
NUMBER 2023 - 015

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING 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 PLANNED DEVELOPMENT (PD); A MAJOR MODIFICATION TO THE EXISTING PLANNED DEVELOPMENT (PD), ORDINANCE NUMBER 2021-024, TO ADD AN ADDITIONAL 196.14± ACRES LOCATED DIRECTLY TO THE EAST OF THE EXISTING DEVELOPMENT IN ORDER TO HAVE A MIXTURE OF RESIDENTIAL AND COMMERCIAL DEVELOPMENT; AND ALSO ADOPT A GENERAL PD CONCEPT PLAN; FOR PROPERTY 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 AND WITHIN THE MURDOCK VILLAGE COMMUNITY REDEVELOPMENT AREA (CRA), CONTAINING 630.82 ACRES MORE OR LESS; COMMISSION DISTRICT IV, CHARLOTTE COUNTY, FLORIDA; PETITION PD-22-00003; APPLICANT, KOLTER GROUP ACQUISITIONS, LLC; PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, in a public hearing held on Tuesday, March 28, 2023, the Board of County Commissioners of Charlotte County, Florida ("Board") reviewed Petition PD-22-00003, submitted by applicant, Kolter Group Acquisitions, LLC ("Applicant"), which requested a rezoning from Planned Development (PD) (434.68± acres) (more particularly described in Exhibit "A-1" which is attached hereto and provided herein, and referred to hereinafter as "Original PD Property"), Residential Single-family 3.5 (RSF-3.5), Residential Multi-family 10 (RMF-10), Office, Medical, and Institutional (OMI), and Commercial General (CG) to Planned Development (PD); a major modification to

MIN

the existing PD, Ordinance Number 2021-024, in order to add an additional 196.14 acres more or less (and more particularly described in Exhibit "A-2" which is attached hereto and provided herein, and hereinafter referred to as "Expansion Property") located directly to the east of the development in order to have a mixture of residential and commercial development for the entire site; and also adopt a General PD Concept Plan; for property 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 and within the Murdock Village Community Redevelopment Area (CRA), containing 630.82 acres more or less, in Commission District IV, Charlotte County, Florida, (and more particularly described in "Exhibit "A-1" and Exhibit "A-2" which are attached hereto and provided herein, and referred to hereinafter as "Total Site Property"); and

WHEREAS, the Original PD Property was originally rezoned from Residential Multi-family 10 (RMF-10), Residential Single-family 3.5 (RSF-3.5), and Commercial General (CG) to Planned Development (PD) on December 12, 2017, pursuant to Ordinance Number 2017-056, along with a PD Concept Plan, to allow for development of 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; and

WHEREAS, subsequent to the adoption of Ordinance Number 2017-056 and the associated PD Concept Plan, the Board, on May 12, 2020,

adopted Ordinance Number 2020-019, which approved a major modification to the PD; and

WHEREAS, subsequent to the adoption of Ordinance Number 2020-019 and the associated PD Concept Plan, the Board, on June 22, 2021, adopted Ordinance Number 2021-024, which approved a major modification to the PD; and

WHEREAS, at this time, the Applicant seeks a rezoning 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 Planned Development (PD), which is a major modification to the existing Planned Development (PD) and its associated General PD Concept Plan, in order to add the Expansion Property consisting of 196.14 acres more or less located directly to the east of the development in order to have a mixture of residential and commercial development on the Total Site Property and to also adopt a General PD Concept Plan; and

WHEREAS, Petition PD-22-00003 has previously been heard by the Charlotte County Planning and Zoning Board ("P&Z Board") and, based on the findings and analysis provided by County Staff and the evidence presented to the P&Z Board, has been recommended for approval on March 13, 2023; and

WHEREAS, after due consideration, based on the findings and analysis provided by County Staff and the evidence presented to it, the Board has found that approval of Petition PD-22-00003 is consistent with the County's

Comprehensive Plan, and that it meets the requirements for the granting of a  
rezone; and

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

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

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

Petition PD-22-00003 requesting rezoning from  
Planned Development (PD), Residential Single-family  
3.5 (RSF-3.5), Residential Multi-family 10 (RMF-10),  
Office, Medical, and Institutional (OMI), and  
Commercial General (CG) to Planned Development  
(PD) for property 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 and within the  
Murdock Village Community Redevelopment Area  
(CRA), containing a total of 630.82 acres more or  
less; Commission District IV, Charlotte County,  
Florida, and more particularly described in Exhibit "A-  
1" and Exhibit "A-2".

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

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

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122                    [SIGNATURE PAGE FOLLOWS]

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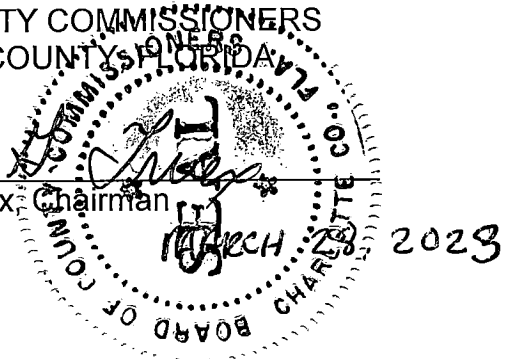
134

PASSED AND DULY ADOPTED this 28th day of March, 2023.

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: Dan Pluston

Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

By: Janette S. Knowlton

Janette S. Knowlton, County Attorney

LR2022-0414

(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 FFET; 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 REORDS 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.

(PARCEL 4)

LOTS 3, 4, 5, 6, 7, 11, 12, 13, 14, 15, 16, 19, 20, 24, 25, 26, 28, 31, 32, 33, 34 AND 35, BLOCK 1272 AND LOTS 6, 7, 8, 12, 13, 14, 17, 18, 25, 26, 27 AND 28, BLOCK 1271, LYING IN SECTION 11, TOWNSHIP 40 SOUTH, RANGE 21 EAST, ALSO LYING IN PORT CHARLOTTE SUBDIVISION, SECTION THIRTY FIVE, AS RECORDED IN PLAT BOOK 5, PAGES 39A THRU 39F, OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA.

## Description Sketch

(Not A Survey)

**DESCRIPTION:** A parcel of land lying in Sections 11 and 12, Township 40 South, Range 21 East, Charlotte County, Florida, and being more particularly described as follows:

**COMMENCE** at the Southwest corner of said Section 12; run thence along the West boundary of said Section 12, N.00°29'33"W., a distance of 273.78 feet to the North right of way line of State Road 776, a 200 foot public right of way, and the **POINT OF BEGINNING**; thence along said North right of way line, S.69°10'05"W., a distance of 283.63 feet to the East right of way line of Flamingo Waterway, a 100 foot wide right of way, vacated by Official Records Book 3321, Page 634; thence along said East right of way line the following 4 (four) courses, 1) N.15°49'23"E., a distance of 581.08 feet; 2) thence N.10°12'47"E., a distance of 780.24 feet to a point of curvature; 3) thence Northerly, 93.55 feet along the arc of a tangent curve to the left having a radius of 500.00 feet and a central angle of 10°43'12" (chord bearing N.04°51'11"E., 93.41 feet) to a point of tangency; 4) thence N.00°30'25"W., a distance of 3472.37 feet to the Southwest corner of lot 60, block 1183 of Port Charlotte Subdivision, as recorded in Official Records Plat Book 5, Page 51-F; thence S.89°11'34"E., a distance of 123.56 feet to the West right of way line of Flamingo Blvd., an 80 foot wide public right of way per said Port Charlotte Subdivision plat; thence along said West right of way line of Flamingo Blvd., S.00°30'51"E., a distance of 96.40 feet to its intersection with the westerly extension of the South right of way line of North Buena Vista Circle, as shown on said Port Charlotte Subdivision plat; thence along said extension and said South right of way line of North Buena Vista Circle, S.89°12'23"E., a distance of 422.21 feet; thence S.00°01'25"E., a distance of 250.03 feet to the North right of way line of Raleigh Ave. as shown on said Port Charlotte Subdivision plat, said right of way being 50 feet wide and vacated by Official Records Book 3321, Page 634; thence along said North right of way line, N 89°12'23" W, a distance of 300.04 feet; thence S 00°30'51" E, a distance of 20.57 feet; thence southerly, 44.82 feet along the arc of a tangent curve to the right having a radius of 200.00 feet and a central angle of 12°50'19" (chord bearing S 05°54'19" W, 44.72 feet); thence southerly, 44.82 feet along the arc of a reverse curve to the left having a radius of 200.00 feet and a central angle of 12°50'19" (chord bearing S 05°54'19" W, 44.72 feet); thence S 00°30'51" E, a distance of 111.12 feet; thence southerly, 224.55 feet along the arc of a tangent curve to the right having a radius of 300.00 feet and a central angle of 42°53'08" (chord bearing S 20°55'43" W, 219.34 feet); thence southerly, 149.67 feet along the arc of a reverse curve to the left having a radius of 200.00 feet and a central angle of 42°52'43" (chord bearing S 20°55'56" W, 146.21 feet); thence S 00°30'25" E, a distance of 534.77 feet; thence southeasterly, 38.84 feet along the arc of a tangent curve to the left having a radius of 25.00 feet and a central angle of 89°00'52" (chord bearing S 45°00'51" E, 35.05 feet); thence S 89°31'17" E, a distance of 187.25 feet; thence easterly, 132.33 feet along the arc of a tangent curve to the left having a radius of 200.00 feet and a central angle of 37°54'31" (chord bearing N 71°31'27" E, 129.93 feet); thence N 52°34'12" E, a distance of 180.37 feet; thence easterly, 277.30 feet along the arc of a tangent curve to the right having a radius of 417.00 feet and a central angle of 38°06'04" (chord bearing N 71°37'14" E, 272.22 feet); thence S 89°19'44" E, a distance of 886.16 feet; thence N 00°08'08" W, a distance of 1126.35 feet; thence S 89°12'23" E, a distance of 629.74 feet; thence southeasterly, 88.92 feet along the arc of a tangent curve to the right having a radius of 75.00 feet and a central angle of 67°55'35" (chord bearing S 55°14'35" E, 83.80 feet); thence N 68°43'12" E, a distance of 194.06 feet; thence N 58°58'33" E, a distance of 116.55 feet; thence S 00°07'15" E, a distance of 3706.60 feet; to the North right of aforesaid State Road 776 thence along said North right of way S 69°10'05" W, a distance of 2919.86 feet to the **POINT OF BEGINNING**. Interior improvements per Port Charlotte Subdivision, Official Records Book 5, Pages 51-A, 51-D, 51-E, and 51-F, contained within the described land appear to have been vacated by Official Records Book 3321, Page 634-650.

Containing 196.14 acres, more or less.


Subject to and less public right of ways contained herein.

**SURVEYOR'S NOTES:**

1. Bearings shown hereon are based on the West boundary of Section 12, Township 40 South, Range 21 East, Charlotte County, Florida, having a Grid bearing of N.00°29'33"W. The Grid Bearings as shown hereon refer to the State Plane Coordinate System, North American Horizontal Datum of 1983 (NAD 83-2011 Adjustment) for the West Zone of Florida.
2. I do hereby certify that this sketch & description was made under my supervision and meets the standards of practice set forth by the Florida Board of Professional Surveyors & Mappers stated in rules 5J-17.051, 5J-17.052, and 5J-17-053, Florida administrative code, pursuant to Section 472.027, Florida statutes.

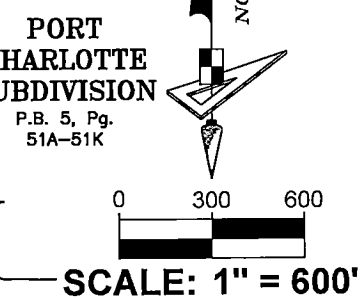
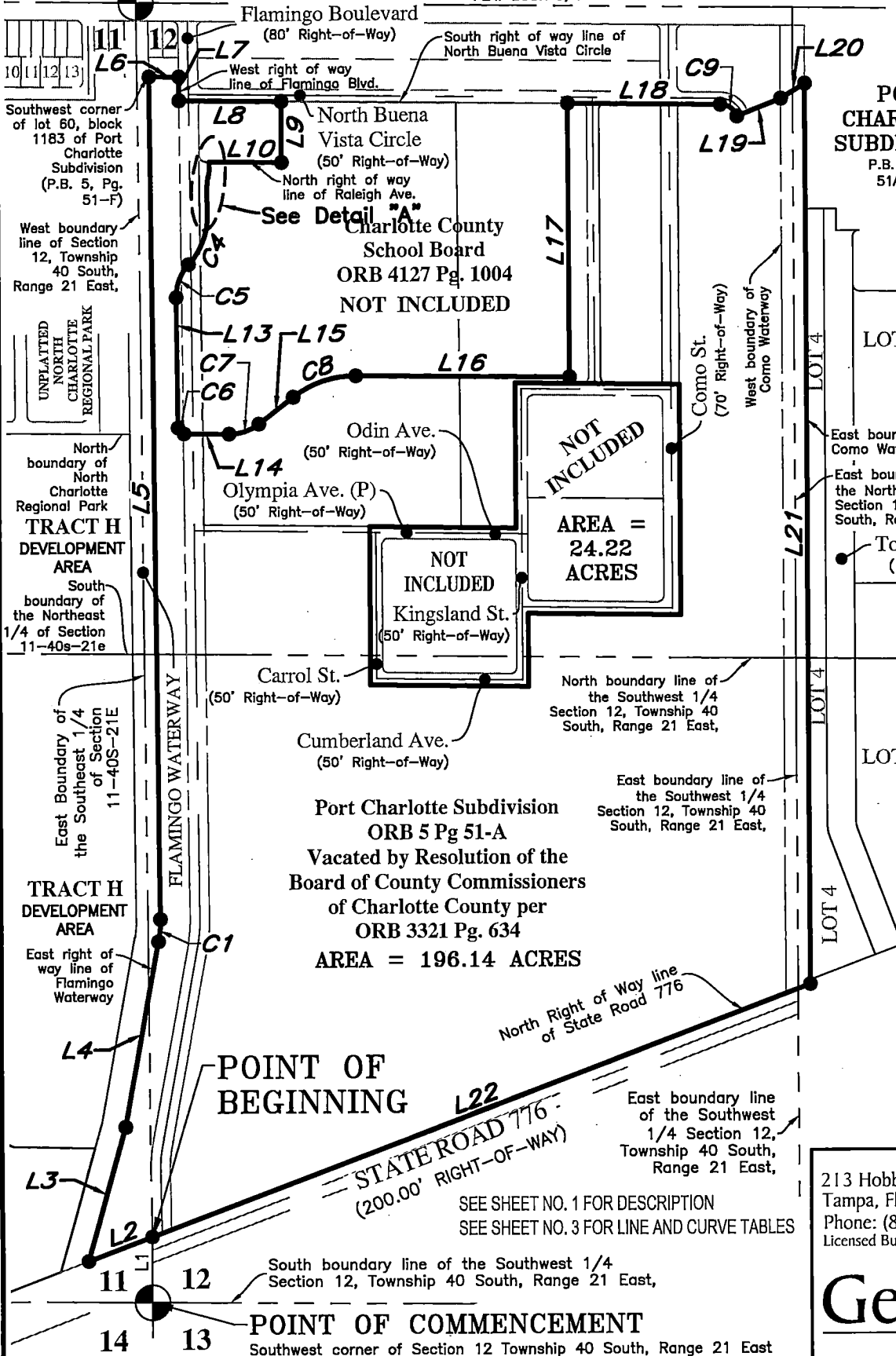
SEE SHEET NO. 2 FOR SKETCH

SEE SHEET NO. 3 FOR LINE AND CURVE TABLES

PROJECT: West Port			Prepared For: KOLTER GROUP AQUISITIONS LLC		
PHASE: West Port Expansion / Three Description and Sketches of Three Parcels			<div style="display: flex; justify-content: space-between;"> <div> <p>(Not A Survey)</p> <p><b>David W. Maxwell</b></p> <p>Digitally signed by David W. Maxwell Date: 2022.08.30 11:35:49 -04'00'</p> </div> <div> <p>213 Hobbs Street Tampa, Florida 33619 Phone: (813) 248-8888 Licensed Business No.: LB 7768</p> </div> </div>		
DRAWN: LAT	DATE: 07/19/22	CHECKED BY: MHC			
<b>REVISIONS</b>			<div style="display: flex; justify-content: space-between;"> <div> <p><b>David W. Maxwell</b></p> <p>FLORIDA PROFESSIONAL SURVEYOR &amp; MAPPER NO. <b>LS7311</b></p> </div> <div>  <p><b>GeoPoint</b> Surveying, Inc.</p> </div> </div>		
DATE	DESCRIPTION	DRAWN BY			
FILE PATH: P:\WEST PORT - EXPANSION\DESCRIPTIONS\WESTPORT EXPANSION-KOLTER-DS.DWG			LAST SAVED BY: LOUIST		
			101 of 03		

# Description Sketch

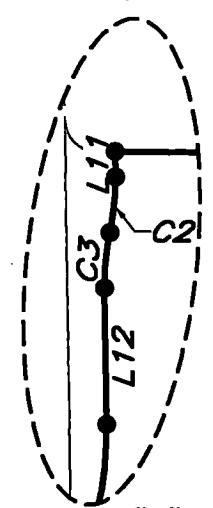
S.R. 45 TAMiami PORT CHARLOTTE SUBDIVISION, (Not A Survey)  
 TRAIL U.S. 41 SECTION THIRTY FIVE  
 (200.00' RIGHT-OF-WAY) PLAT BOOK 5, PG. 39



PORT CHARLOTTE SUBDIVISION  
 P.B. 5, Pg. 51A-51K

LOT 2 TOLEDO BLADE-SECTION ONE  
 P.B. 23, Pg. 18A-18B

LOT 1 TOLEDO BLADE-SECTION ONE  
 P.B. 23, Pg. 18A-18B



SCALE: 1"=200'

213 Hobbs Street  
 Tampa, Florida 33619  
 Phone: (813) 248-8888  
 Licensed Business No.: LB 7768

**GeoPoint**  
 Surveying, Inc.

# Description Sketch

(Not A Survey)

## LINE DATA TABLE

NO.	BEARING	LENGTH
L1	N 00°29'33" W	273.78'
L2	S 69°10'05" W	283.63'
L3	N 15°49'23" E	581.08'
L4	N 10°12'47" E	780.24'
L5	N 00°30'25" W	3472.37'
L6	S 89°11'34" E	123.56'
L7	S 00°30'51" E	96.40'
L8	S 89°12'23" E	422.21'
L9	S 00°01'25" E	250.03'
L10	N 89°12'23" W	300.04'
L11	S 00°30'51" E	20.57'
L12	S 00°30'51" E	111.12'
L13	S 00°30'25" E	534.77'
L14	S 89°31'17" E	187.25'
L15	N 52°34'12" E	180.37'
L16	S 89°19'44" E	886.16'
L17	N 00°08'08" W	1126.35'
L18	S 89°12'23" E	629.74'
L19	N 68°43'12" E	194.06'
L20	N 58°58'33" E	116.55'

## LINE DATA TABLE

NO.	BEARING	LENGTH
L21	S 00°07'15" E	3706.60'
L22	S 69°10'05" W	2919.86'

## CURVE DATA TABLE

NO.	RADIUS	DELTA	ARC	CHORD	BEARING
C1	500.00'	10°43'12"	93.55'	93.41'	N 04°51'11" E
C2	200.00'	12°50'19"	44.82'	44.72'	S 05°54'19" W
C3	200.00'	12°50'19"	44.82'	44.72'	S 05°54'19" W
C4	300.00'	42°53'08"	224.55'	219.34'	S 20°55'43" W
C5	200.00'	42°52'43"	149.67'	146.21'	S 20°55'56" W
C6	25.00'	89°00'52"	38.84'	35.05'	S 45°00'51" E
C7	200.00'	37°54'31"	132.33'	129.93'	N 71°31'27" E
C8	417.00'	38°06'04"	277.30'	272.22'	N 71°37'14" E
C9	75.00'	67°55'35"	88.92'	83.80'	S 55°14'35" E

SEE SHEET NO. 1 FOR DESCRIPTION  
SEE SHEET NO. 2 FOR SKETCH

213 Hobbs Street  
Tampa, Florida 33619  
Phone: (813) 248-8888  
Licensed Business No.: LB 7768

**GeoPoint**  
Surveying, Inc.

# **PD Conditions for Application PD-22-00003** **Revisions to PD Conditions Established in** **Ordinance Number 2021-024**

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**

<b>Area</b>	<del>—434.68</del> <u>630.82±</u> acres
<b>Residential Uses</b>	
Single-family	<del>—2,040</del> <u>1,898</u> units
Multi-family	<del>705</del> <u>804</u> units
Total residential	<del>2,745</del> <u>2,702</u> units
<b>Commercial Uses</b>	
Regional commercial space (retail/service)	<del>146,639.59</del> <u>620,522</u> square feet
Regional commercial space (hotel/medical offices)	<del>400,000</del> <u>50,000</u> square feet
Total commercial space	<del>246,639.59</del> <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-17-0006022-00097~~) 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.
- 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.
- xlvi) Hospital.
- xlvi) 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	15	15	15	10	10	15	10/building

side yard abutting road (ft.)							
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.

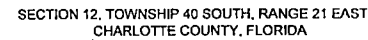
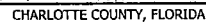
**Attachment 1**  
**West Port General**  
**Planned Development Concept Plan**

# West Port (AMENDMENT)

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

A DEVELOPMENT BY  
**ACQUISITION**  
14025 Riveredge Dr., #175  
Tampa, Florida 33637

WATER CHARLOTTE COUNTY UTILITIES	29565 WARDENVILLE RD SECT 1 PORT CHARLOTTE FL 33905 PHONE (813) 764-1892
SEWER CHARLOTTE COUNTY UTILITIES	29515 HARMONYVIEW RD SECT 1 PORT CHARLOTTE FL 33905 PHONE (813) 764-1830
ELECTRIC FLORIDA POWER AND LIGHT	3514 WILSON ST NORTH PORT FL 33908 PHONE (800) 375-6200
PHONE CENTRAL FLORIDA	4106 KING'S HIGHWAY PORT CHARLOTTE FL 33905 PHONE (813) 857-1411
CABLE COMCAST	2206 FORDGATE BL DRIVE PORT CHARLOTTE FL 33905 PHONE (813) 676-0000
FIRE PROTECTION, ALARM CHARLOTTE CO. COUNTY FIRE DEPT	2051 N. HARMONY RD PORT CHARLOTTE FL 33907 PHONE (813) 693-6600
SOLID WASTE DISPOSAL WASTE MANAGEMENT	2918 S. OLD LANDFILL ROAD PORT CHARLOTTE FL 33905 PHONE (813) 625-1136



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

**ENGINEER**  
WILLIAM R. HORNES, P.E.  
HORNES ENGINEERING & CONSULTING, LLC  
PROFESSIONAL ENGINEER, FLSA# 10001 EAST SUITE 8  
LAKELAND, FLORIDA 33607  
813-948-1100  
www.hornesengineering.net

**SURVEYOR**  
GEORGE W. LIVINGSTON, INC.  
"RED LINE" SURVEYING  
1400 W. FLORIDA STREET  
813-240-0000  
Redline@georgelivingston.com

**APPLICANT**  
COLTIER ACQUISITIONS GROUP, LLC  
171 SOUTH PALM AVENUE, SUITE 100  
DADE COUNTY, FLORIDA 33127


M

**MORRIS ENGINEERING AND CONSULTING, I.C.**  
Civil Engineering and Land Development Consulting  
6997 Perennial Parkway, Fort, Scott, FL, Sarasota, Florida 34209 | A 28789 941-412-6641 [www.morrisengineering.net](http://www.morrisengineering.net)

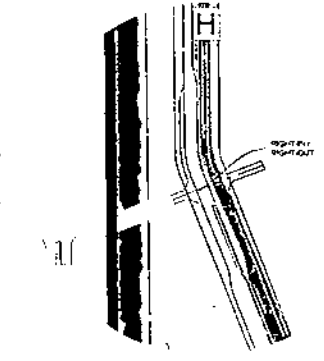
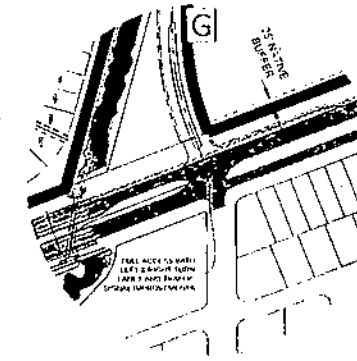
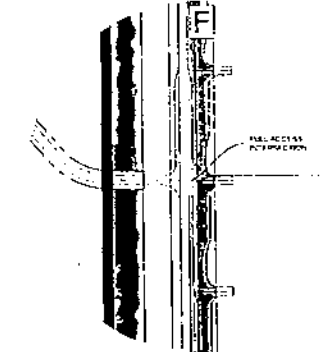
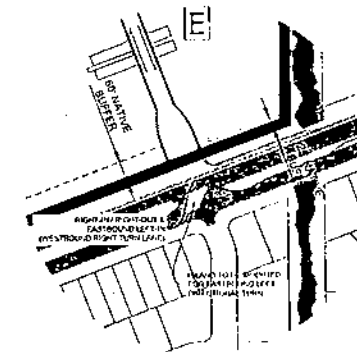
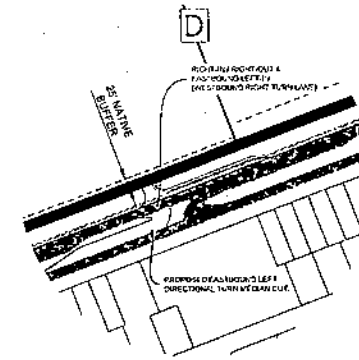
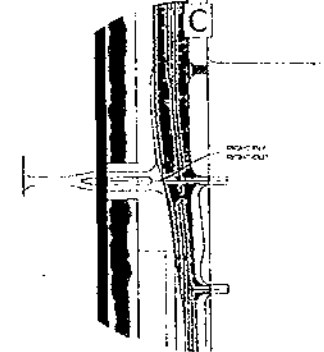
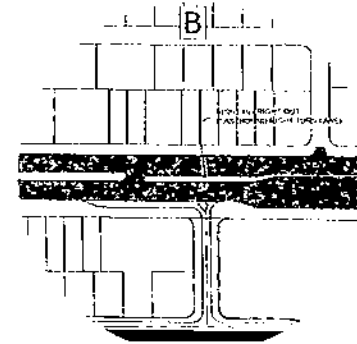
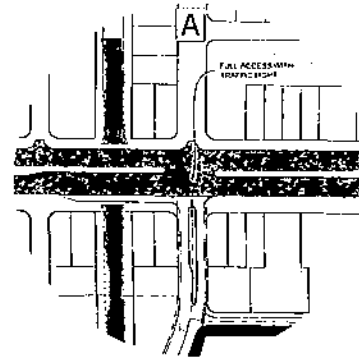
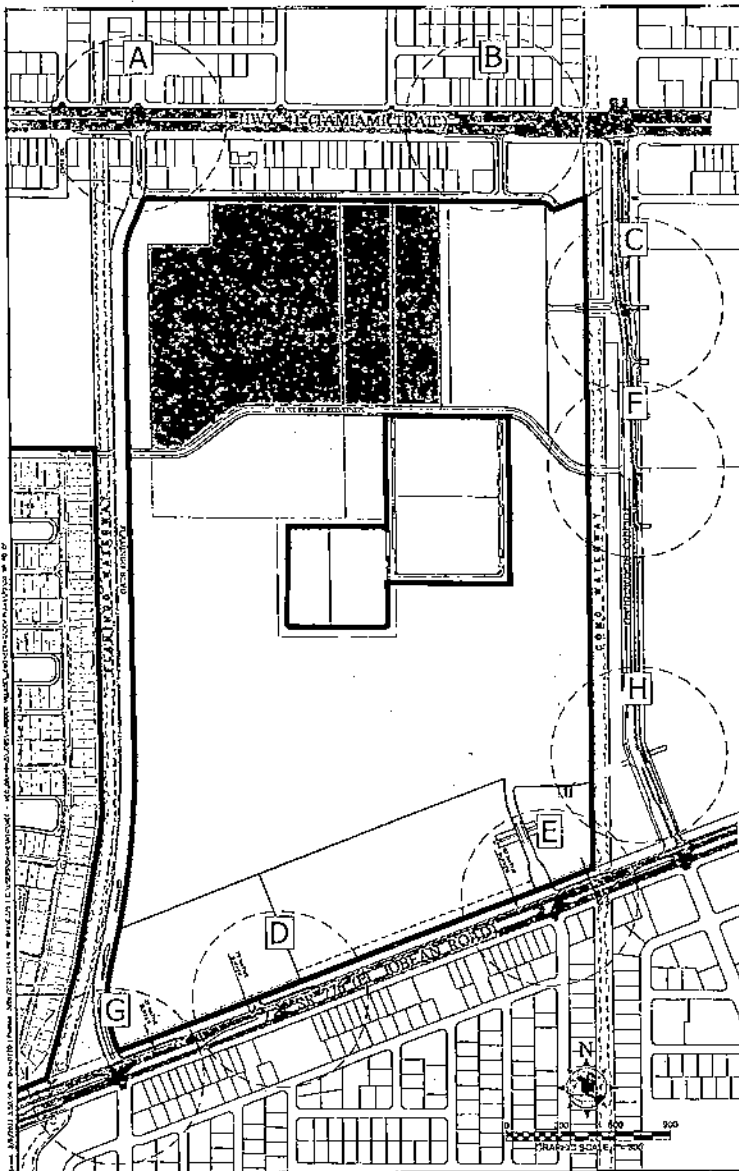
PROPERTY AREA 430.00 ACRES	TOTAL TRACT SIZE 430.00 ACRES 630.00 TOTAL ACRES
CURRENT ZONING R-1	PD
PROMISED USE	COMMERCIAL RESIDENTIAL

[illegible]



 <b>MORRIS ENGINEERING AND CONSULTING, LLC</b> Civil Engineering and Land Development Consulting <small>1000 North 1st Street, Suite 100, Tallahassee, FL 32301</small>		DATE: 10/15/2014 PROJECT: WESTPORT DRAWN BY: JLD CHECKED BY: JLD	AERIAL SITE PLAN <b>West Port</b> CHARLOTTE COUNTY, FLORIDA		SHEET NO. 2 OF 5
--	--	---	---	--	------------------





**MORRIS ENGINEERING AND CONSULTING, LLC**  
Civil Engineering and Land Development Consulting  
10000 Morris Lane, Suite 100, Jacksonville, FL 32217  
904.750.1234

DATE	10/12/2011
PROJECT	WESTPORT-10
DRAWING	BY: JPD/CP
SCALE	AS SHOWN

PLANNED DEVELOPMENT CONCEPT PLAN  
**West Port**  
CHARLOTTE COUNTY, FLORIDA

DATE	10/12/2011
PROJECT	WESTPORT-10
DRAWING	BY: JPD/CP
SCALE	AS SHOWN

630.02 ACRES  
PLANTED BAYBERRY LINT (F20)

FRONTYR AREA:	630.82 ACRES
OFF SITE RETAINAGE AREA (PAVEMENT)	9.15 ACRES
STORMWATER MANAGEMENT AREA (STORM)	45.52 ACRES
PUBLIC R.O.W. AREA	31.33 ACRES

PAROLE LIST ON FLOOD ZONE: 8, 84E A/D 94E  
EHA FLOOD MAP(S): 1225000450 (DATE 12/15/2022)

ZONING: PD 2,722 INTELLECTUAL UNITS / COMBINATION OF  
 SINGLE FAMILY AND MULTIFAMILY UNITS  
 DENSITY: MINIMUM INTELLECTUAL UNITS / PROPERTY AREA  
 3,700 UNITS / 630,000 SQ. FT.  
 4.28 UNITS PER ACRE

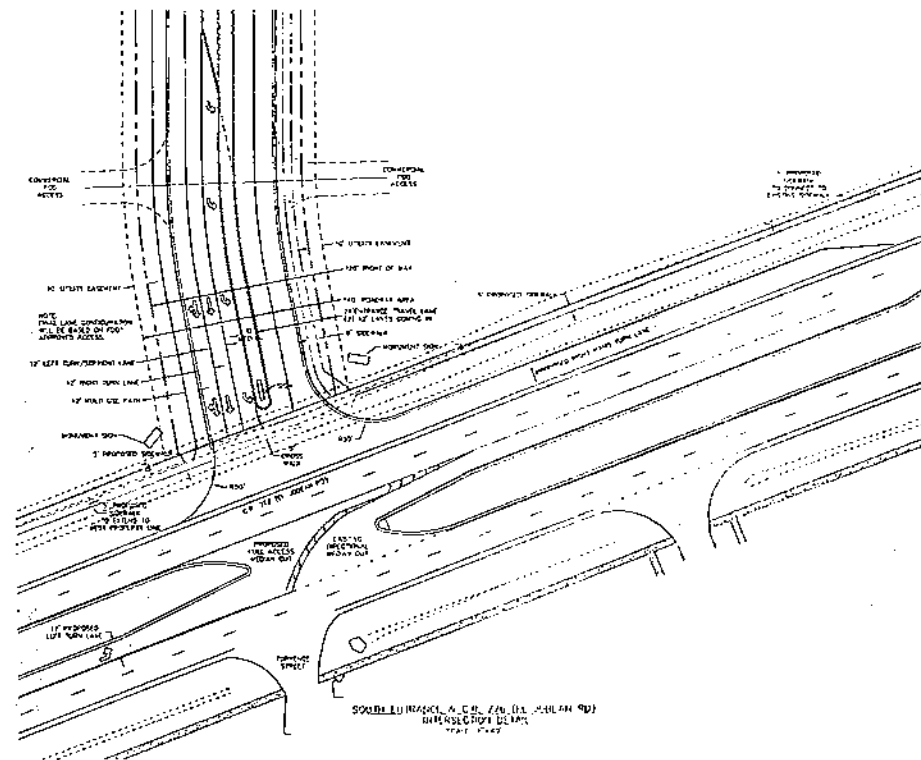
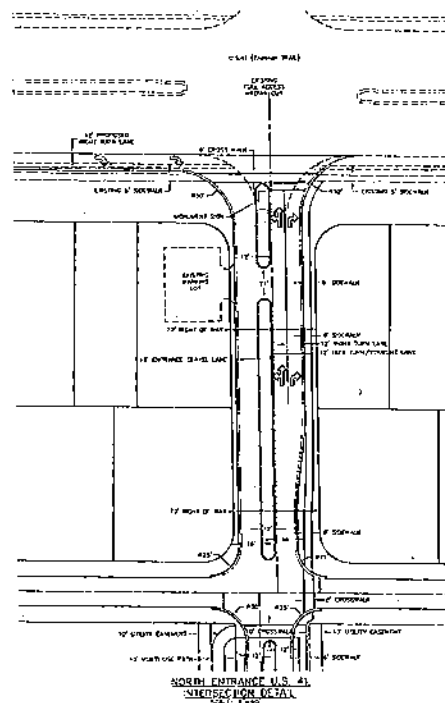
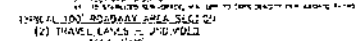
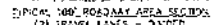
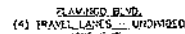
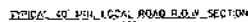
SUNSHINE HARBOR RESIDENTIAL A SINGLE FAMILY ATTACHED VILLAS  
BEACHFRONT 2-3 STOREY-PM STYLING (S/N)

TRAINING FOR THE PROJECT AND THE FACILITY AREAS WILL BE DELIVERED AND PROVIDED ON-SITE AT THE TIME OF OTHER DETAIL SITE PLAN APPROVAL FOR CLATSOP COUNTY RAINCO COOPERATIVE REGULATORY SEC. 3A-79 AND/OR CURRENT APPROVALS.

PARA 100 FOR THE PROJECT AGREES TO ASSURE THAT ALL THE  
TITLES REQUIRED BY SECTION 3-9-79 PER CHARLOTTE COUNTY  
LAND DEVELOPMENT REGULATIONS.

EACH DEVELOPMENT TRACT SHALL PROVIDE 20% OPEN SPACE. THE TRACT AT THE TIME OF THE TRACTS FINAL SITE PLAN APPROVAL OPEN SPACE MAY CONSIST OF STEEP-SLOPE W/AVULSION AREAS, AMENITY AREA, COMMON OPEN AREAS, BUFFERS, AND OTHER LANDSCAPING FEATURES.

PLACING RIGHTS OF WAY.

[illegible][illegible]

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





## **FLORIDA DEPARTMENT of STATE**

**RON DESANTIS**  
Governor

**CORD BYRD**  
Secretary of State

March 29, 2023

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

Attention: Dawn Johnston

Dear Roger Eaton,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Charlotte County Ordinance No. 2023-015, which was filed in this office on March 29, 2023.

Sincerely,

Anya Owens  
Program Administrator

ACO/wlh

# Public comment period on 776 medians ends soon

**\$2.4 million project set to start in 2025 and end in 2026**

By BARBARA RICHARDSON  
SUN CORRESPONDENT

**SARASOTA** — Speak now, or forever hold it. The days of turning left wherever you feel like it on State Road 776 in Englewood will soon be coming to a close, with the Florida Department of Transportation planning raised medians for several miles through the middle of town. State transportation officials are putting out the word that

the public comment period for the planned project along S.R. 776 — also known as Indiana Avenue and Englewood's main thoroughfare — will end soon. FDOT will accept written comments about the project up to March 14 from anyone who wishes their concerns to be part of the public record.

Those comments can be submitted via the project website, [www.sr776roads.com/project/447882-1](http://www.sr776roads.com/project/447882-1). The page also has outlines of the project scope, artists' renderings and maps.

FDOT plans to build raised medians along the road from the Sarasota/Charlotte County line to Tangerine Woods.

The medians will replace the current center two-way left turn lanes, according to Project Manager Christopher Speese.

With an estimated cost of \$2.4 million, construction is expected to begin in 2025 and end in 2026.

FDOT's goal is to reduce traffic crashes along that section of the road which appears on the FDOT District 1 high crash list. Statistics for the most recent five-year period show 158 crashes, 141 injuries, and 36 fatalities or severe injuries.

The road's current configuration, Speese said during recent public meetings, has 11 different "conflict points" leading to crashes.

Changing that configuration with the directional medians reduces those conflict points to seven.

FDOT held a public informational meeting at St. David's Episcopal Church on Feb. 23 and an online session last week.

While FDOT has not yet made the comments from the Feb. 23 meeting available, one question from a Mr. Reeves concerned the Harbor at Lemon Bay marina with access from Riverview Avenue right at the Sarasota/Charlotte county line.

Responding that the access point here was right on a curve in the road, Speese said moving the access point a little further

north was under consideration. "We'll take a closer look at that one," he said.

"We want to get local input on the areas where we need to take a closer look," Speese said on the purpose of the public input area.

One official on the project team remarked that a lot of comments received had concerned conditions on local roads and land uses. To those, the official said, the comments were being referred to county officials.

Email: [barbara\\_richardson339@gmail.com](mailto:barbara_richardson339@gmail.com)

## Fire destroys senior's Port Charlotte apartment

By NANCY J. SEMON  
STAFF WRITER

### PORT CHARLOTTE

A fire broke out in a Port Charlotte apartment Saturday afternoon while the occupant was away, causing extensive damage and making the apartment uninhabitable. The call came in at 1:31 p.m., and dispatch called for numerous engines and backlogs. The fire occurred in one of six apartment units at 2225 Aaron St., in a complex of multiple

buildings for seniors. Battalion Chief Chris Mott told The Daily Sun he knew where the fire originated by looking at the windows; the blinds, which could be seen from outside, were melted.

He said there was "extensive damage" inside and that the unit was "uninhabitable."

The fire is under investigation, but it was a kitchen fire and originated from the cooktop, he said.

Since the occupant couldn't be reached, a

firefighter would remain on the scene until she arrived, he said.

Also, the Red Cross was contacted, Mott said.

Neighbor Marypat Newsham, who said she lives in the building across from the one that had the fire, said she had been giving out water and would cook for her neighbor when she returned.

Neighbors were sitting on lawn chairs as they were evacuated from their apartments in the building when first responders arrived on the scene.

Overheard over dispatch was that one occupant in the building tried to return to her apartment to get belongings.

Others were reluctant to evacuate, but all eventually did.

Newsham said a neighbor on the other side of the building whose apartment shared a wall with the burned unit, smelled smoke and called 911.

Firefighters broke down the door to gain entry and quickly extinguished

the blaze with foam, not water, so there was no water damage.

However, the adjoining units did have smoke, and firefighters set up large blowers in front of the other unit's open doors to ventilate.

Mott said each unit was then inspected for its oxygen content and presence of carbon dioxide before allowing the neighbors to return to their undamaged apartments.

Donna Papkin, who lives in the unit next to the unit that burned, said

her neighbor was out shopping and unaware of the incident.

A Charlotte County deputy on the scene said he tried to call the woman but there was no answer.

"She left a while ago to go shopping with her friend," Papkin said.

As of 2:30 p.m., the woman had not yet returned, but one by one after the other apartment doors were deemed safe, neighbors did go back to their homes.

## TOURISM

FROM PAGE 18

are a lot of snowbirds and people who came to make sure their houses are OK after the storm."

At the prior meeting, Jim Finch, Charlotte Harbor Events & Conference Center manager, reported bookings through fiscal year 2022 at the event center were up year over year in most categories, except government. Currently the city is dealing with the reconstruction of historic City Hall and the destruction of dozens of city structures. The Federal Emergency Management Agency used the event center to assist hurricane survivors for a couple of months.

Finch also reported state and regional conference bookings are returning to pre-COVID-19 levels. Multiple events are already booked for next year.

According to the first quarter report, Charlotte County's revenue for the tourism development tax — a 5% charge on hotel stays and other rentals under six months — was \$469,189 in October; \$489,913 in November; \$614,796 in December; and \$650,140 in January. Those numbers are all up from the same months in 2021.

Out of that 5% tourist tax, 3% goes to the Punta Gorda/Englewood Beach Visitors & Convention Bureau for marketing and public relations; and 2% goes to the Charlotte Sports Park, mainly to pay down debt service on the loan the county took out to pay for renovations to make it a spring training venue for the Tampa Bay Rays.

Prior to the hurricane, the bureau reported Charlotte County visitors spent \$719,897,000 on accommodations, restaurants, groceries, transportation, attractions, entertainment and shopping. There were 974,100 visitors to the county and paid \$1.2 million in rental rooms in 2022.

According to the Punta Gorda/Englewood Beach VCB 2022 Economic Impact & Visitor Tracking report, prior to the hurricane, countywide hotels were filled 54.1%. The average room rate

was \$156.79, which was up 18.2% from 2021.

The report showed 93% of Charlotte County visitors live in the United States and 7% were from outside the country.

Visitors spent an average of seven nights in Punta Gorda/Englewood Beach area.

The top states visitors traveled from were Ohio, Michigan, New York, Illinois, Indiana and Pennsylvania. Of the visitors, 14% were first-timers and 36% visited more than 10 times. 96% of visitors would recommend Punta Gorda/Englewood Beach, and 94% would definitely recommend the area.

While red tide sometimes plagues area beaches, the tourism bureau has a camera at Englewood Beach that, on Thursday, showed no signs of red tide, and the beach and all the restaurants on the strip were packed.

"I came here from Michigan. It's snowing there and the sun is shining on me here on Desborn Street (in Englewood)," said Grace Goddard, 72, who was wearing a bright pink "Florida United & Strong" shirt she bought after Hurricane Ian.

Email: [elaine.atten@yoursun.com](mailto:elaine.atten@yoursun.com)

## JOHN

FROM PAGE 18

When the tower is built, Deutsch said he can rest knowing the park will serve as a monument to so many, for so long. His only chore left to do is build an endowment fund that will pay to transport and feed local students for a day visiting the Southwest Florida Vietnam Memorial Wall in Punta Gorda, the Military Heritage Museum and then the Gaines Jr. park for a dose of history they should not forget.

"We're real excited about (Wednesday)," Deutsch said while giving credit to his committee of 20 or more who helped plan and arrange the event.

It sounds like a good ol' red-white-and-blue, flag-waving, God bless American celebration.

I hope the governor doesn't miss it.

## RALLY

FROM PAGE 18

of the Sunset Breeze condos on West Marion Avenue will find themselves landlocked.

"They would have to follow the red line, through the parking lot of three of the new buildings, which will have 100 new residential units," the website states.

Sunset Breeze guests would no longer be able to park on West Rotta Boulevard, according to the website. Renderings of the proposed development can be viewed on the Smart Growth Punta Gorda website.

Abbe said the group has been asking the public to attend the City Council meeting at 9:30 a.m. Wednesday at the Military Heritage Museum, 906 West Marion Ave.

Public comments begin at 9 a.m., she said.

## NOTICE OF PUBLIC MEETING AND HEARING FOR ONE OR MORE OF THE FOLLOWING MATTERS: PROPOSED CHANGES TO THE FUTURE LAND USE MAP AND COMPREHENSIVE PLAN ELEMENTS, DEVELOPMENTS OF REGIONAL IMPACT OR CHANGES THERETO, REZONINGS, TRANSFER OF DENSITY UNITS (TDU), PRELIMINARY AND FINAL PLATS, DEVELOPER AGREEMENTS, STREET AND PLAT VACATIONS, DRC FINAL DETAIL PLANS OR CHANGES THERETO, TEXT AMENDMENTS AND STREET NAMING

A PUBLIC MEETING AND HEARING ON PROPOSALS AND PETITIONS AS DESCRIBED BELOW WILL BE CONDUCTED BY THE BOARD OF COUNTY COMMISSIONERS AT A REGULAR MEETING ON TUESDAY, MARCH 14, 2023, 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, 1500 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/plan-naming-meeting-board-agenda.html>

ALL INTERESTED PERSONS ARE URGED TO ATTEND. THE PUBLIC IS WELCOME TO SPEAK. TIME LIMITS ARE SET BY BOARD RULES. IF YOU HAVE SPECIFIC QUESTIONS OR COMMENTS, YOU ARE ENCOURAGED TO CONTACT A STAFF PERSON AT ANY TIME IN ADVANCE OF THE PUBLIC HEARINGS. PLEASE CALL 941-704-4903 AND MENTION THE PETITION NUMBER OF THE MATTER YOU WISH TO DISCUSS.

### PETITIONS

#### LAND USE REGULAR AGENDA

PD 12-00003

Quasi Judicial

Commission District IV

An Ordinance pursuant to Section 125.06, Florida Statutes, amending the Charlotte County Zoning Atlas from Planned Development (PD) (S4) to Residential Single-Family 1.5 (RSP-1.5), Residential Multi-Family 10 (RMP-10), Office, Medical, and Institutional (OMI) and Commercial General (CG) to PD. This is a major modification to the existing PD Ordinance Number 1071-014, in order to add additional 190,144 acres located directly to the east to the development and change a portion of residential and commercial development and also adopt a General PD Concept Plan, for property generally located south of Haddon Avenue, north of 83rd Avenue Road (SR 776), east of the Greenwater Waterway, and west of Yalob Road Boulevard, in the Port Charlotte area, within the Murdock Village Community Redevelopment Area (CRA), and in Commission District IV, containing 430.82 acres, Commission District IV, Petition No. PD 12-00003. Applicant: Kalkreuth Group Acquisitions, LLC, providing an effective date.

#### PD 22-05

Legislative

Countywide

An Ordinance of the Board of County Commissioners of Charlotte County, Florida, Section 125.06, Florida Statutes, amending Charlotte County Code Chapter 19, Zoning, 1) Article I, General, by renumbering Section 19-2, Rules and Regulations, Definitions to add the definition of "Farmers' Market," and 2) revise the definition of "Park" and "Private Park," 2) Article III, Special Regulations, by adding a new section 19-9, Accessory Use - Farmers' Market, providing for the purpose, providing for requirements and conditions, providing for conflict with other Ordinances, providing for enforceability, and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

SHOULD ANY AGENCY OR PERSON DESIRE TO APPEAL ANY DECISION MADE BY THE BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING, A RECORD OF THE PROCEEDINGS, AND FOR EACH PROPOSAL, A VERBATIM RECORD OF THE PROCEEDINGS IS REQUIRED, WHICH RECORD INCLUDES THE PETITION 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. The Board encourages individuals with disabilities to contact the County's Accessibility Coordinator, who will make every effort to ensure that individuals with disabilities are able to participate in all County activities. For more information, please contact our office at 941-704-4903, TDD/TTY 941-704-1234, or by email to [David.Lopez@charlottecountyfl.gov](mailto:David.Lopez@charlottecountyfl.gov).

Published: March 13, 2023





Ticket# 3884781  
03-28-23 Pg 2  
AD ID# 3884783  
5 x 8.5  
Submitted by: Heather Bennett  
Publish: 03/13/2023  
163352 3884783

**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 Daily Sun, a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a Legal Notice that was published in said newspaper in the issue(s)

03/13/23

as well as being posted online at [www.yoursun.com](http://www.yoursun.com) and [www.floridapublicnotices.com](http://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.

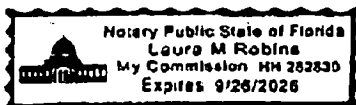
*Melinda Prescott*

(Signature of Affiant)

Sworn and subscribed before me this 13th day of  
March, 2023

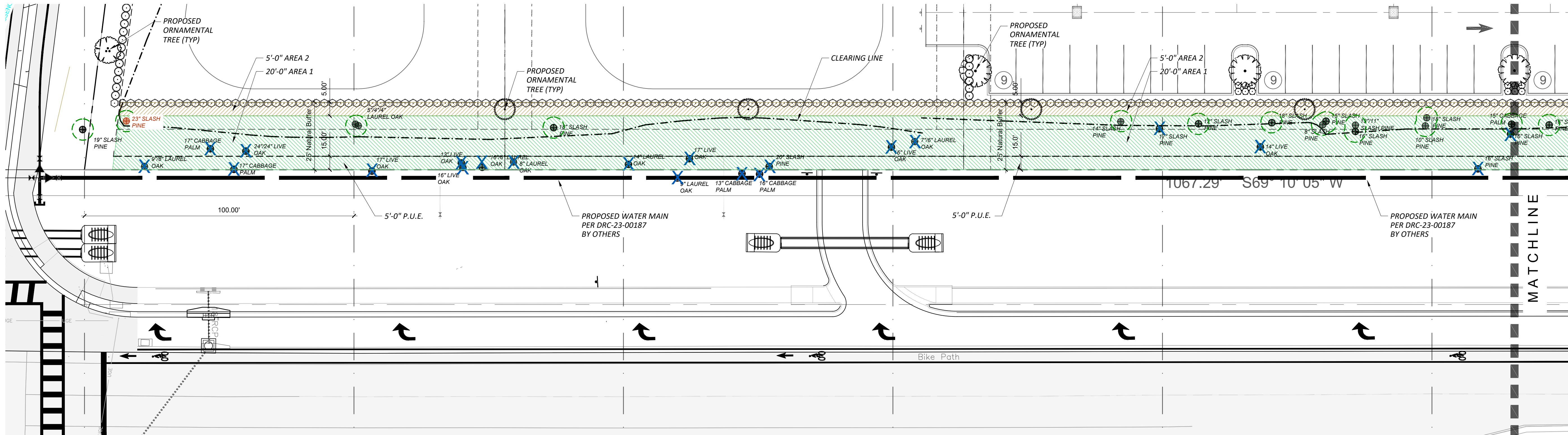
*Laura M Robins*

(Signature of Notary Public)

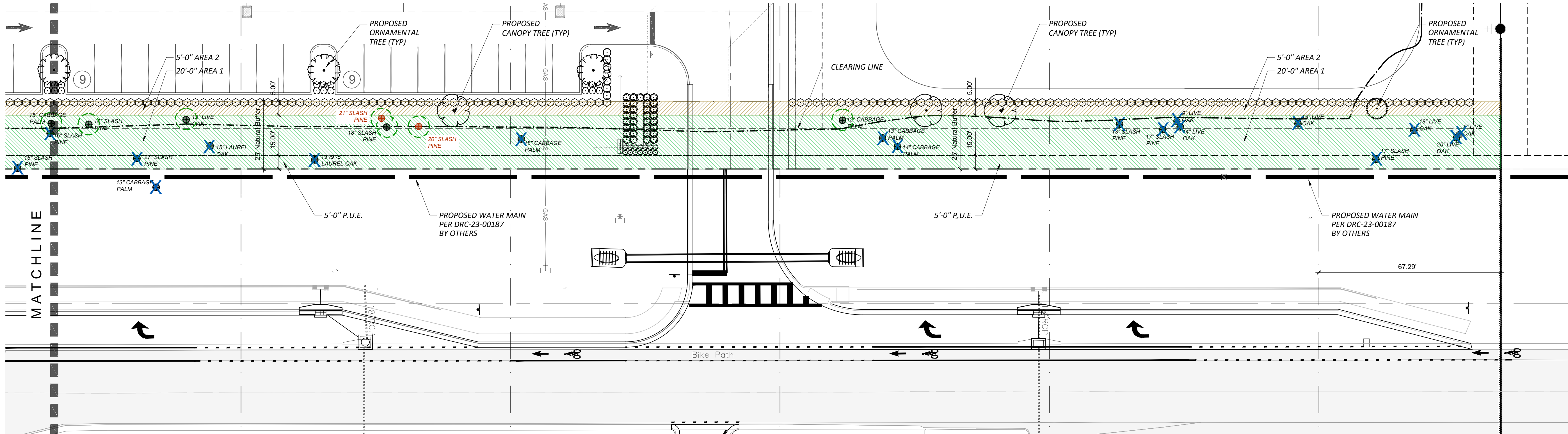


Personally known   X   OR        Produced Identification

**Attachment 3**  
**Location, Type, and Size of Removed Trees**

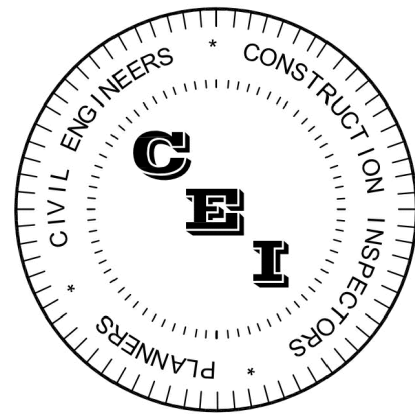


WESTERN SIDE



EASTERN SIDE

# El Jobean Road Natural Buffer



**CAMPO**  
ENGINEERING, INC.

FBPR REGISTRY NO.: 26726

1725 EAST 5TH AVENUE  
TAMPA, FL. 33605  
PHONE: (813) 215-7372  
FAX: (813) 902-8782

PROJECT TITLE

**WEST PORT  
MARKETPLACE**

17372 TOLEDO BLADE BLVD  
PORT CHARLOTTE, FL 33953

CLIENT

THE SEMBLER COMPANY  
5858 CENTRAL AVENUE  
ST. PETERSBURG, FL 33707  
(727) 384-6000

## REVISIONS

NO.	DESCRIPTION	DATE

ISSUE DATE: 07/2024

REVIEWED BY: MDC

DRAWN BY: RLR

DESIGNED BY: MDC

PROJECT NUMBER

22-022

George T. Sturch, Jr. 1295 06/19/2025  
NAME SEAL NO. DATE

SHEET TITLE

**REMOVALS &  
ADD'L SAVES**

SHEET NUMBER

NB-02

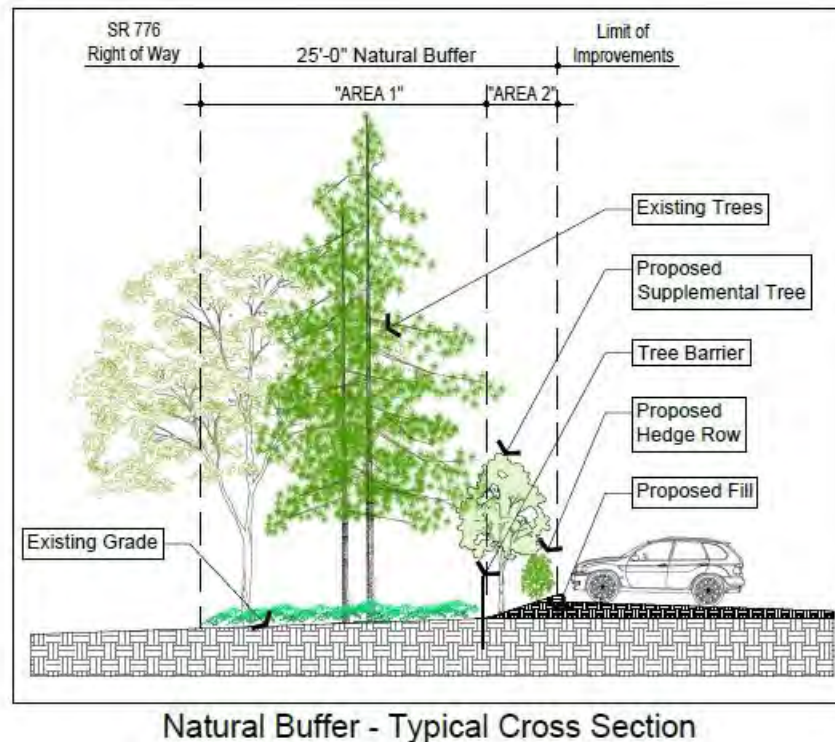
**PD Conditions for Application PD-25-09**  
**Revisions to PD Condition “m” as Established in**  
**Ordinance Number 2024-017**

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

<b>Natural Buffer</b>	<b>Depth</b>	<b>Supplemental Landscaping</b>	<b>Signs per Section 3-9-85</b>
Area 1 as shown on Figure 1	20 feet	Accent trees and canopy trees shall be allowed.	Permitted
Area 2 as shown on Figure 1	5 feet	Accent trees and canopy trees shall be allowed. Perimeter hedge row shall be a minimum height of 36 inches upon planting.	Not permitted

1. Removal of all exotic and invasive vegetation is required in Area 1 and Area 2 shown on Figure 1. All vegetation shall be retained in Area 1 during construction until installation of any building roof structures has commenced.
2. Preservation of existing native trees if applicable shall be required, except as provided below.
3. Accent trees and canopy trees shall be incorporated with the existing native trees to achieve the equivalent of Type B buffer, including three canopy trees and one accent/understory tree per 100 linear feet. Perimeter hedge row (the minimum maintained height of 48 inches) to form a continuous, solid visual screen within one (1) year of planting shall be required.
4. Tree points are subject to the County code, section 3-9-100.3: Tree requirements.
5. Tree removal is subject to the County code, section 3-9-100.3: Tree requirements, except that:
  - All trees less than eight inches DBH and palms less than 12 inches DBH may be removed from Area 1 as shown on Figure 1.
  - All trees may be removed from Area 2 as shown on Figure 1.
  - Tree permits are required for removal of any trees with equal or greater than four-inch caliper and any palm with equal or greater than six (6) feet of clear trunk.
6. The required landscaping for Tract S as shown on the approved General PD Concept Plan in Ordinance Number 2023-015 shall be completed prior to issuance of a Certificate of Occupancy.
7. A tree barrier, which is used to prevent damage to tree root systems, shall be placed at grade and at the boundary of Area 1 as shown on Figure 1 for the

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



**Figure 1**

8. For trees equal or greater than eight inches DBH and palms equal or greater than 12 inches DBH, which have been removed from Area 1 as shown on Figure 1 due to installation of utilities, the Developer is required to replace removed trees located outside any County approved Public Utility Easement (PUE) with like size trees. If the trees removed cannot be replaced in kind and size, multiple native trees equaling the total tree points removed will be allowed. The Developer may replace removed pine trees with approved native hardwood trees per the County's list of approved tree species with prior written approval from the Community Development Department. All replacement trees shall be planted in the same general locations as they were removed outside of the easement areas within the Natural Buffer Area 1 but outside any PUE. A minor modification application to Final Detail Site Plan (Application Number DRC-24-221) is required to amend the originally approved landscape plan and shall be approved administratively.



### **Qualifications of Jie Shao**

*Position:* Principal Planner

*Years with Charlotte County:* 21

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

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

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

*Education:*

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

*Professional Associations and Certifications:*

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

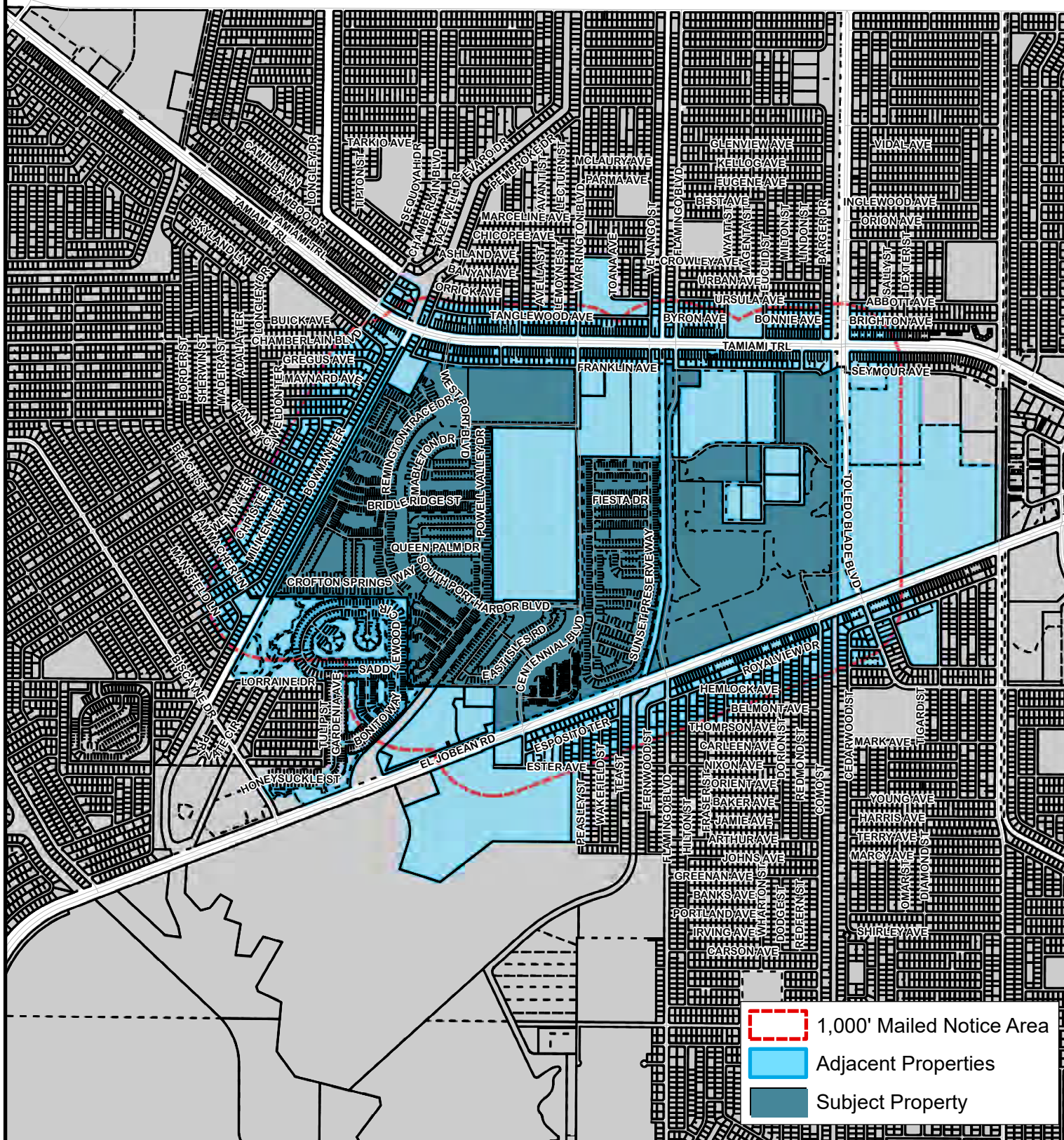
*Related Past Experience:*

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

## **Exhibit 1**

# CHARLOTTE COUNTY

## 1,000' Foot Mailed Notice of PD-25-09



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.

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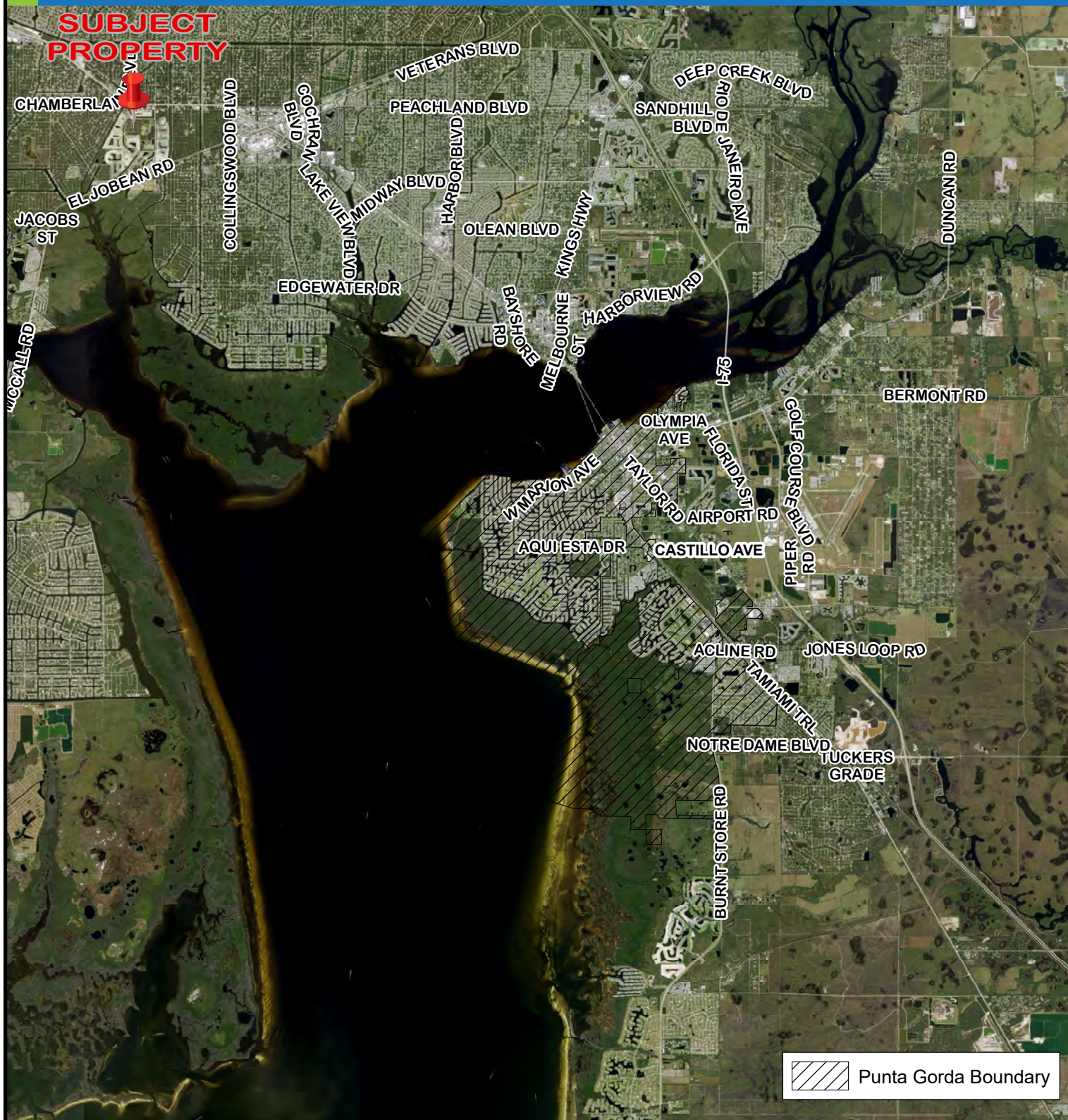
M:\Departments\GIS\Projects\Petition\_Maps\Comp\_Planning\2025\Plan Amendments\PD-25-09\PKCT 1000ft BufferMap\_PD-25-09.mxd

# CHARLOTTE COUNTY

## Location Map for PD-25-09



CHARLOTTE COUNTY  
Community Development



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



(NOT TO SCALE)

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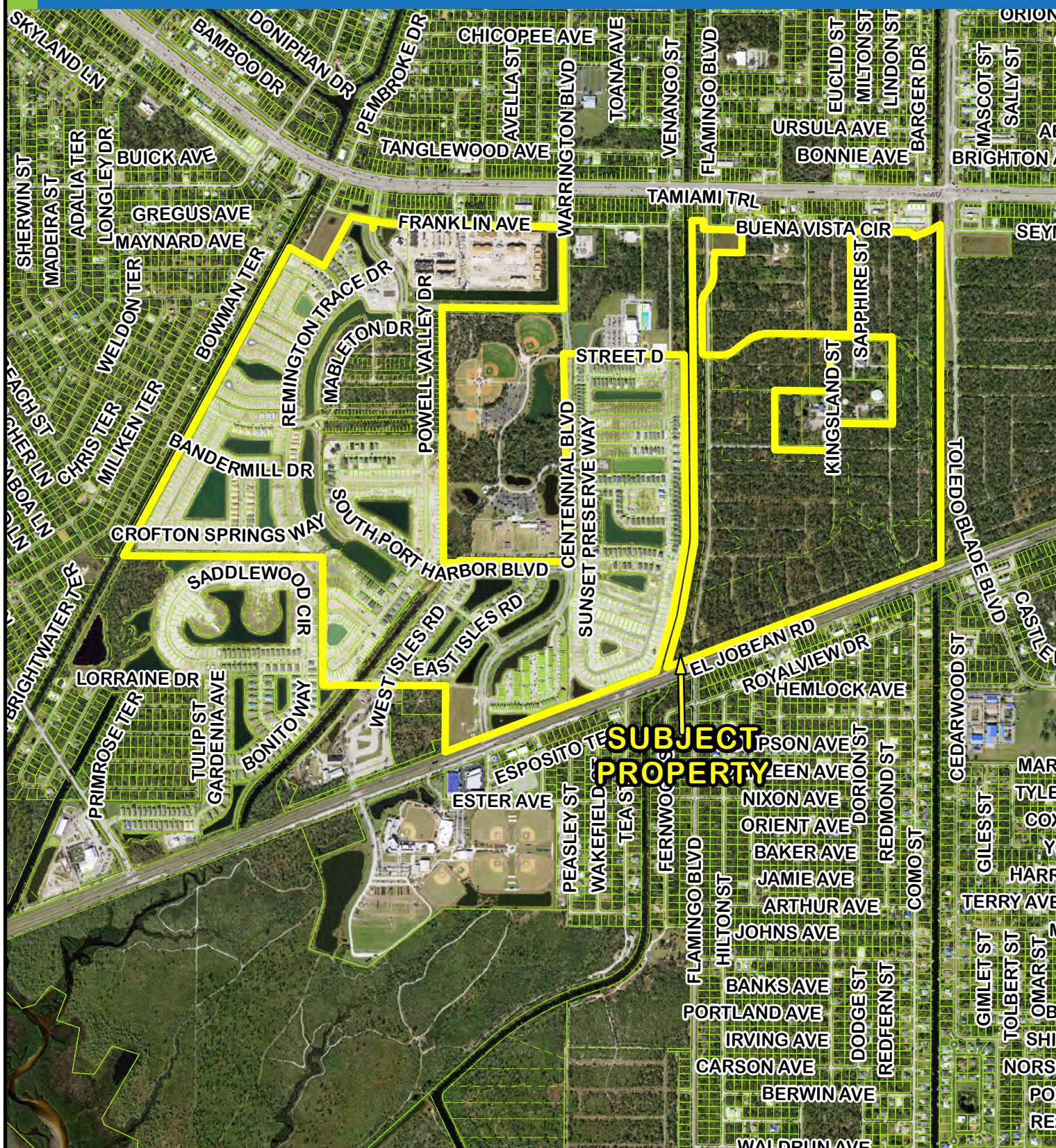
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# CHARLOTTE COUNTY

Area Image for PD-25-09



CHARLOTTE COUNTY  
Community Development



**SUBJECT  
PROPERTY**

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



(NOT TO SCALE)

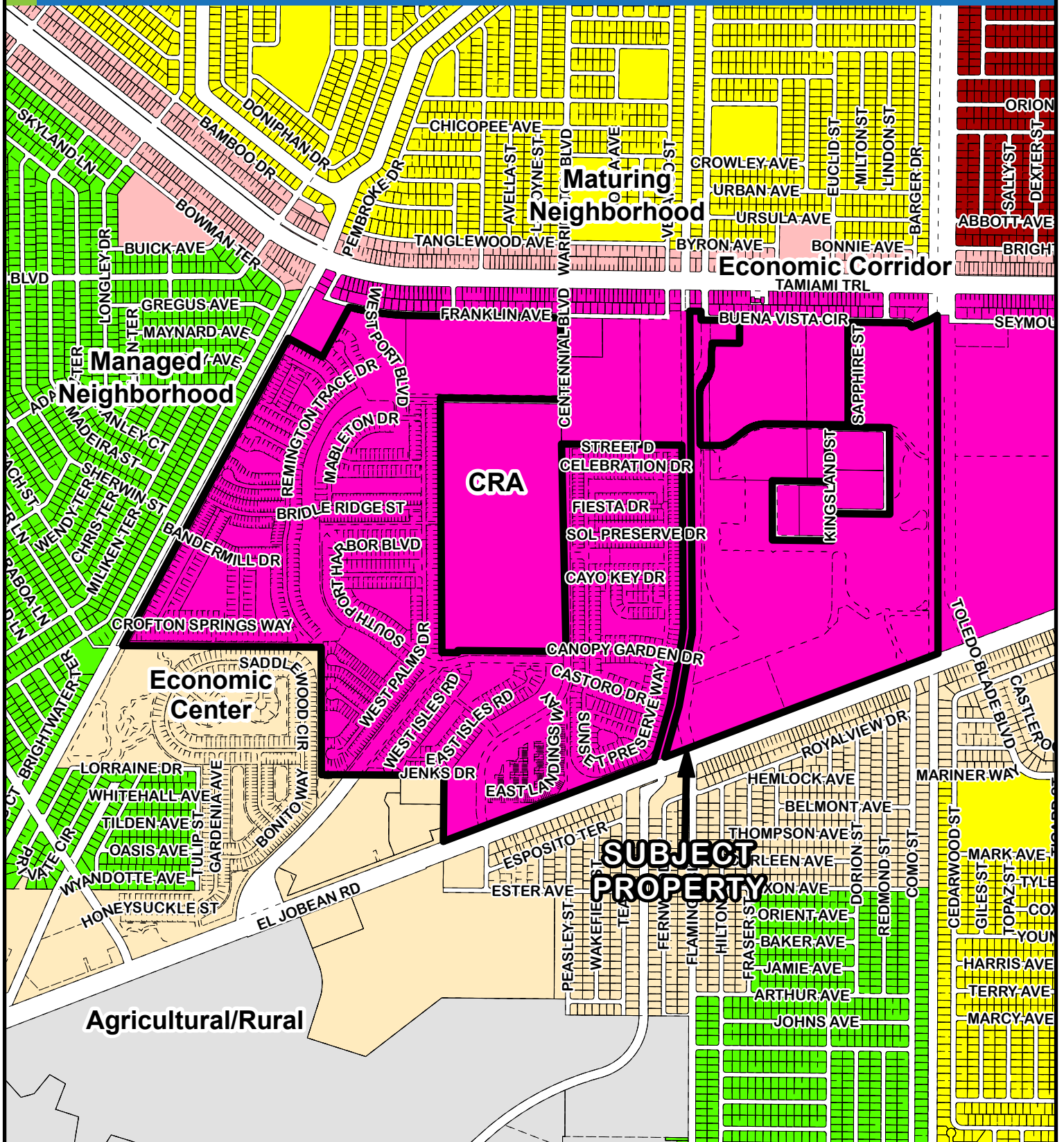
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# CHARLOTTE COUNTY

## Framework for PD-25-09



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



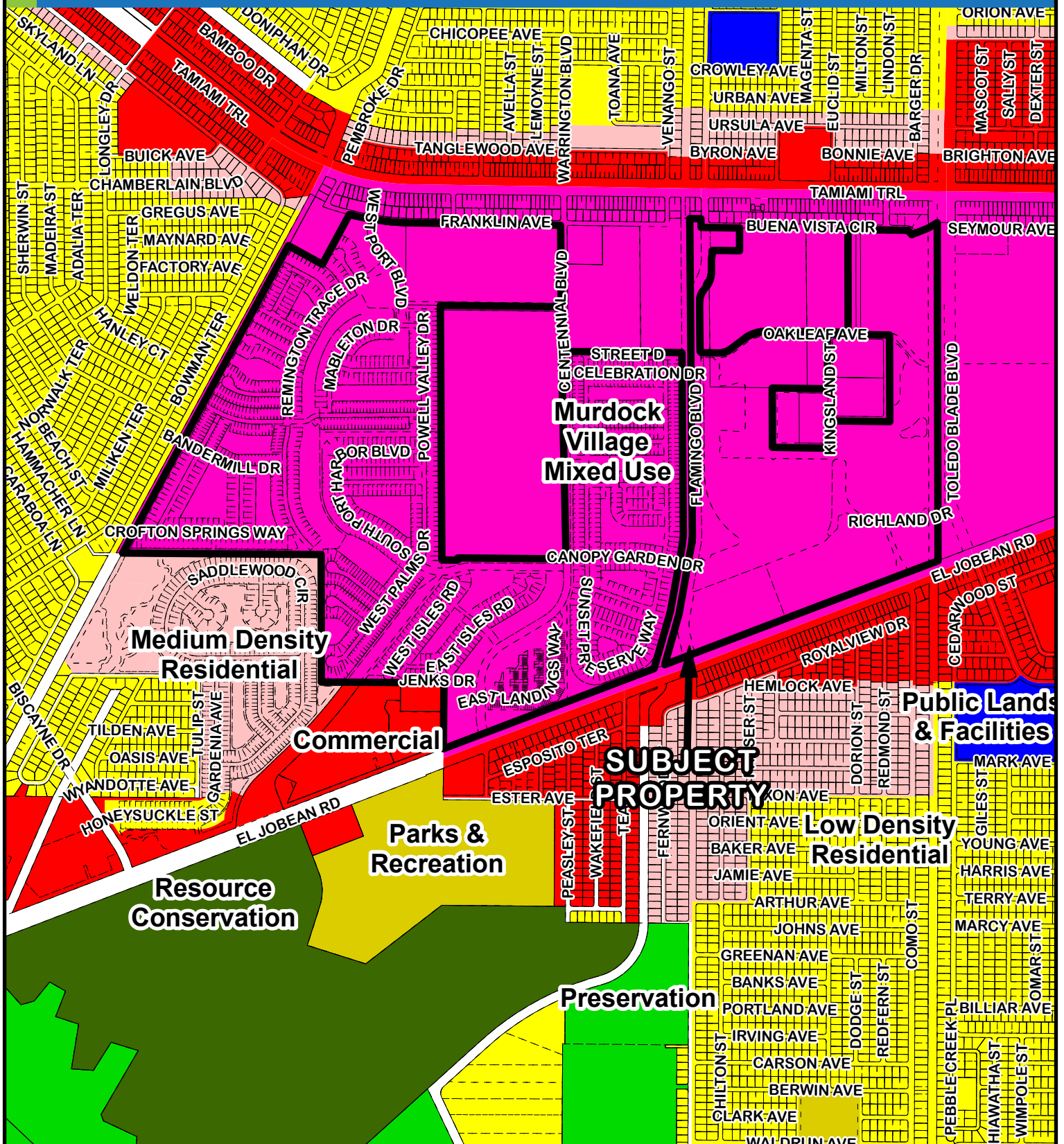
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# CHARLOTTE COUNTY

## FLUM Designations for PD-25-09



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



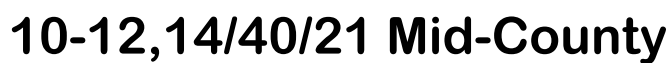
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**CHARLOTTE COUNTY**  
Community Development



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