



MEMORANDUM

Date: March 26, 2026
To: Honorable Board of County Commissioners (Board)
From: Michael Jones, Zoning Coordinator
Subject: SV-25-04 Vacation of a portion of the Venice Canal

Request:

The applicant, David Binder is requesting to vacate a portion of the Venice Canal, platted on Map of 1st addition to Rio Villa (attachment 1) adjacent to 535 Boardman Drive, which is owned by the applicant. The total area to be vacated contains 1940± square feet and generally located north of Canal Way, east of Pelican Pointe Drive, south of Boardman Drive, and west of Palm Drive within the Punta Gorda area in Commission District II.

Analysis and Background:

The site contains 0.4± acres (See Attachment 2) and is generally located generally located north of Canal Way, east of Pelican Pointe Drive, south of Boardman Drive, and west of Palm Drive., in Commission District II.

The subject area to be vacated lies inside the Urban Service Area. The underlying Future Land Use Map (FLUM) designation is Low Density Residential (LDR), and the underlying Zoning District is Low Density Residential (LDR). It lies within Flood Zone 9AE and Storm Surge Evacuation Zone A.

If approved, the petition would allow for more developable space on the property. However, the residential development rights will remain the same. No residents will be denied reasonable access to their property as a result of this petition. All pertinent departments have reviewed the petition (See Attachment 3). All the affected utilities have been notified. County staff have offered no comments or objections.

Staff Summary:

Based upon the analysis and conclusions set forth herein, in staff's professional opinion, the application, **SV-25-04**, is generally consistent with Charlotte County's Comprehensive Plan, Charlotte County's Code of Laws and Ordinances and other applicable guidelines.

Planning and Zoning Board recommendation on October 13, 2025:

A motion to forward application **SV-25-04** to the Board of County Commissioners with a recommendation of **Approval**, based on the findings and analysis in the staff memo dated **October 13, 2025** Charlotte County's Comprehensive Plan, and the evidence and testimony presented at the public hearing before the Planning and Zoning Board.

Attachment 1

**Plat Book 4, Page 10C, of the Public Records of Charlotte
County, Florida**

FIRST ADDITION TO RIO VILLA

N.E. Cor. N.W. 1/4 of Sec. 19, Twp. 41-S., Rge. 23-E.

FIRST ST.

PREVIOUSLY DEDICATED

N. 89°-09'E R10 VILLA DRIVE

N. 89°-09'E R10 VILLA DRIVE

B

RIO

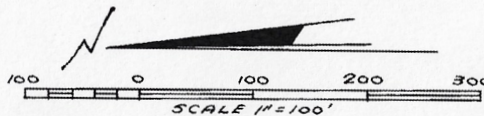
VILLA

P.B. 3, p. 3

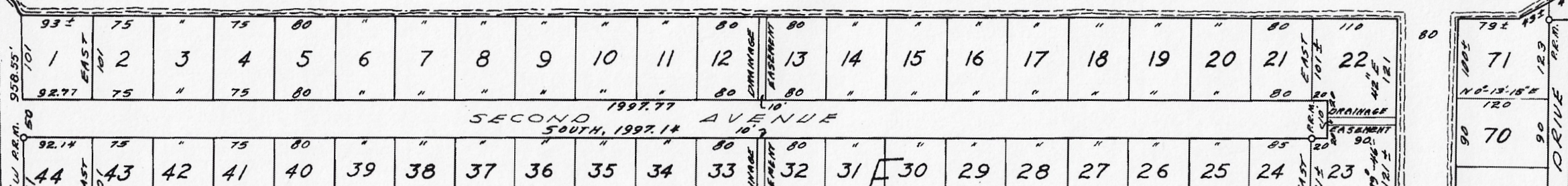
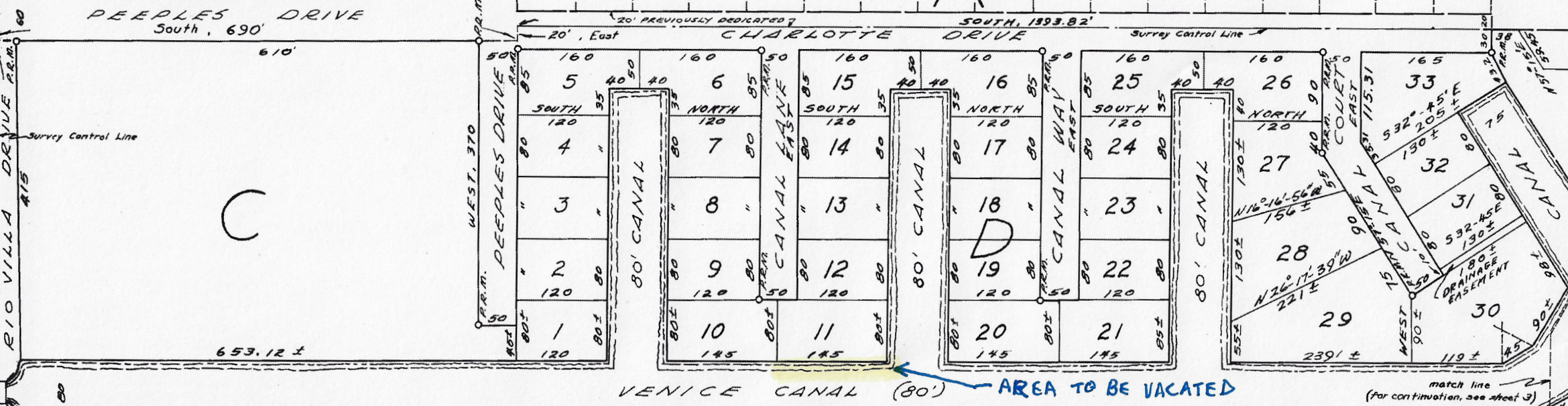
A

C

D



P.R.M. DENOTES, PERMANENT REFERENCE MONUMENTS SET.



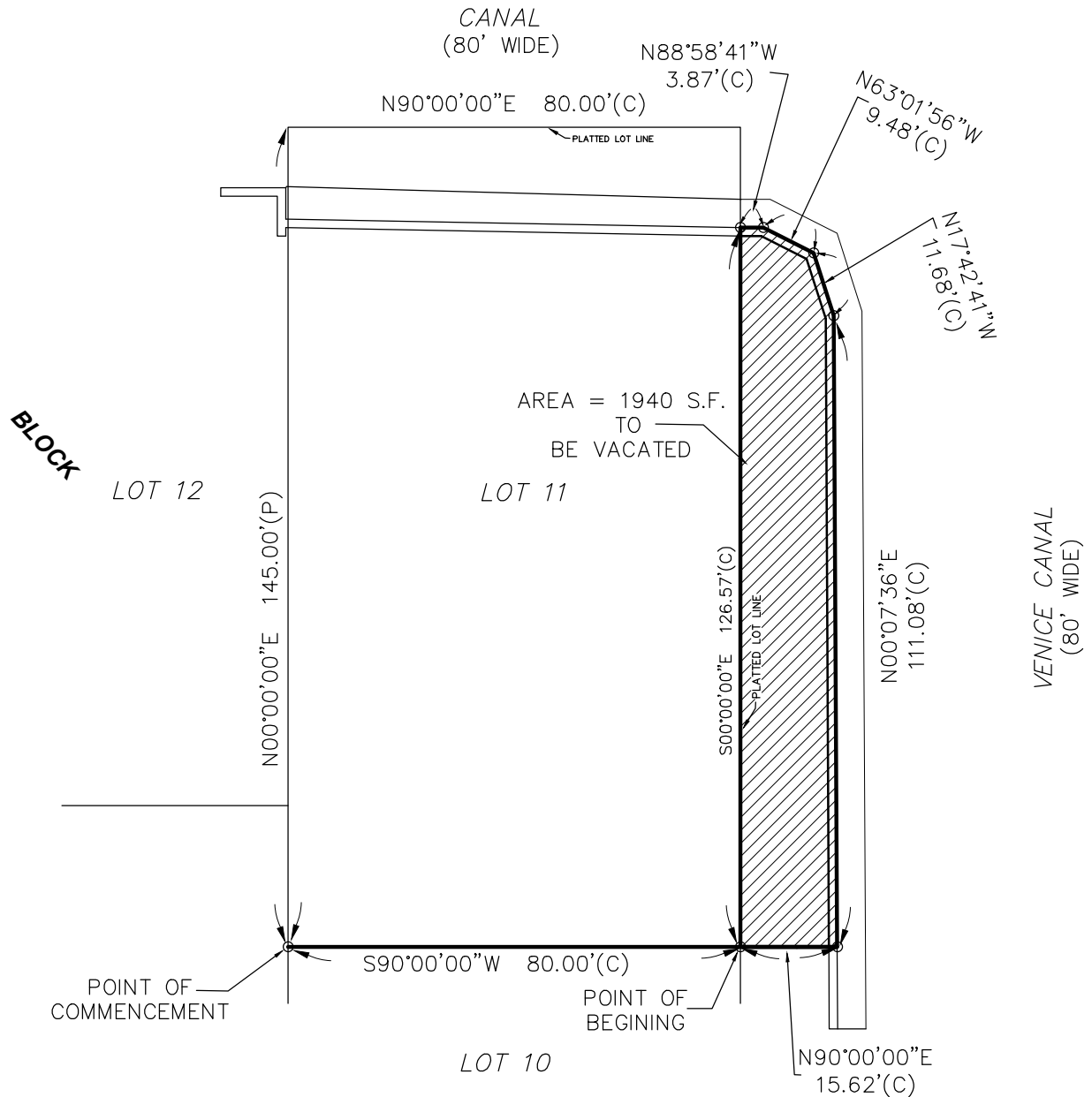
match line (for continuation, see sheet 3)

Attachment 2
Sketch of Area to be Vacated

SKETCH OF DESCRIPTION

NOT A BOUNDARY SURVEY

This document has been digitally signed using a SHA256 authentication code. Printed copies of this document are not considered signed and sealed



Vacation:

D.

A vacation of area westerly adjacent to Lot 11, Block D, 1st addition to Rio Villa, according to the Plat thereof as recorded in Plat Book 4, Page 10A-10C of the Public Records of Charlotte County, Florida. Said area being more particularly described as follows:

Commence at the platted Northeast corner of the above mentioned Lot 11:

Thence S 90°-00'-00"W 80.00 feet to the point of beginning;

Thence S 00°-00'-00"E 126.57 feet;

Thence N 88°-58'-41"W 3.87 feet;

Thence N 63°-01'-56"W 9.48 feet;

Thence N 17°-42'-41"W 11.68 feet;

Thence N 00°-07'-36"E 111.08 feet;

Thence N 90°-00'-00"E 15.62 feet to the point of beginning.

Said vacation of area adjacent Lot 11 contains 1940 square feet.



REVISION: 09-22-2025
REVISED BEARING

REVISION: 09-05-2025
REVISED BEARING

JOB NUMBER:
24-1255

ELEVATIONS ARE BASED ON: **NAVD 88**
FLOOD ZONE: **AE**
BASE FLOOD ELEVATION: **9.0'**
COMMUNITY MAP #: **120061**
PANEL #: **0243G 12/15/2022**

MELILLO and PLATT
LAND SURVEYING
20020 VETERANS BLVD., UNIT 20
PORT CHARLOTTE, FL 33954

INFO@MPSURVEYS.COM
(941) 505-0366

UNLESS IT BEARS THE SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER THIS DRAWING, SKETCH, PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY

FIELD: **BP/CM** COMPS: **BP** DRAFTING: **CS**

09/22/2025

WILLIAM P. DALHOFF, PSM. 7616; LB 8611
THIS SURVEY IS HEREBY CERTIFIED AS MEETING THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, F.A.C. PURSUANT TO SECTION 472.027, F.S. AND IS CORRECT TO THE BEST OF MY KNOWLEDGE

Attachment 3
Staff Review and Comments



MEMORANDUM

Date: 08/21/2025

To: David Binder, Applicant

CC: Eileen Mastney, Zoning Coordinator; Jenny Shao, Process Improvement Manager

From: Michael Jones, Zoning Coordinator
Community Development/Zoning

Subject: SV-25-04 – Vacation of a portion of the Venice Canal Staff Review Comments to date

Dear Applicant,

Below are the comments which we have received from our reviewers to date. Please note that all reviewers have not responded yet.

Joanne Vernon, P.E. County Engineer- Public Works

Public Works would need a 20-foot canal maintenance easement along the canal.

Danielle Jorge, Surveying Project Manager Public Works – Engineering

Disapprove

The provided survey does not accurately reflect the legal description of the proposed vacation. Recommend including a traditional sketch and written legal description for clarity.*

Please consult with M&O regarding the existing drainage pipe along the northern boundary. It appears there is no recorded easement for this pipe, and one should likely be established to ensure legal access for maintenance. Note that adjacent property owners along Boardman Drive seem to rely on this drainage system.

The current legal description appears to be insufficient and may need revision.



COMMENT MEMORANDUM

Date: 5/21/2025

To: Michael Jones, Zoning Coordinator
Community Development/Zoning

From: Chandler Hucknall

Subject: SV-25-04 – Vacation of a portion of the Venice Canal

I have no comments on this application.

RE: Vacate request

From Lemus, Ronald <Ronald.Lemus@fpl.com>

Date Fri 8/22/2025 3:30 PM

To Jones, Michael <Michael.Jones@charlottecountyfl.gov>; Lee, Robert <Robert.Lee@charlottecountyfl.gov>

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Thank you,

FPL would approve the release of that portion of easement.

Best regards,

Ronald Lemus

Working on behalf of Florida Power & Light

Service Planner

941-423-4833 | Ronald.Lemus@FPL.com



Please contact me with any questions or concerns. If you cannot reach me, or have any feedback feel free to contact my Engineering Leader Nikolas Zapata via e-mail at nikolas.zapata@fpl.com.

Visit the new FPL Project Portal at FPL.com/construction to manage your FPL Residential and Commercial construction projects. Get information on construction services and project types, apply for your construction project, track project milestones, manage your project team and more.

From: Jones, Michael <Michael.Jones@charlottecountyfl.gov>

Sent: Friday, August 22, 2025 1:23 PM

To: Lee, Robert <Robert.Lee@charlottecountyfl.gov>; Lemus, Ronald <Ronald.Lemus@fpl.com>

Subject: Re: Vacate request

Good afternoon,

I failed to attach this, does it help clear up this?

From: Lee, Robert <Robert.Lee@charlottecountyfl.gov>

Sent: Friday, August 22, 2025 9:48 AM

RE: Due Date Change SV-25-04 – Vacation of a portion of the Venice Canal

From Vernon, Joanne <Joanne.Vernon@charlottecountyfl.gov>

Date Tue 8/19/2025 3:09 PM

To Jones, Michael <Michael.Jones@charlottecountyfl.gov>; Benak, Karen <Karen.Benak@charlottecountyfl.gov>; Erdman, Stephanie <Stephanie.Erdman@charlottecountyfl.gov>; Danielson, Kelly <Kelly.Danielson@charlottecountyfl.gov>; Elliott, Denise <Denise.Elliott@charlottecountyfl.gov>; Weaver, Sandra <Sandra.Weaver@charlottecountyfl.gov>; Duffy, Kathleen <Kathleen.Duffy@charlottecountyfl.gov>; Shao, Jie <Jie.Shao@charlottecountyfl.gov>; Dangerfield, Faith <Faith.Dangerfield@charlottecountyfl.gov>; Parkman, Matthew V. <Matthew.Parkman@charlottecountyfl.gov>; Finnerty, Thomas <Thomas.Finnerty@charlottecountyfl.gov>; Kamarajugadda, Ravi Shankar <Ravi.Kamarajugadda@charlottecountyfl.gov>; Keltner, Jim <Jim.Keltner@charlottecountyfl.gov>; Benjamin, Roy <Roy.Benjamin@charlottecountyfl.gov>; Davison, Denise <Denise.Davison@charlottecountyfl.gov>; Jorge, Danielle <Danielle.Jorge@charlottecountyfl.gov>; Lukasek, Katie <Katie.Lukasek@charlottecountyfl.gov>; Greene, Karly <Karly.Greene@charlottecountyfl.gov>; Thomas, Jason <Jason.Thomas@charlottecountyfl.gov>; Mosher, Gregory <Gregory.Mosher@charlottecountyfl.gov>

Cc Mastney, Eileen <Eileen.Mastney@charlottecountyfl.gov>; Shao, Jenny <Jenny.Shao@charlottecountyfl.gov>; Kipa, Stephen <Stephen.Kipa@charlottecountyfl.gov>; Vernon, Joanne <Joanne.Vernon@charlottecountyfl.gov>

Public Works would need a 20 foot canal maintenance easement along the canal.

Thank you,

Joanne Vernon, P.E.
County Engineer
Charlotte County Public Works
Phone: 941-575-3661

Joanne.Vernon@charlottecountyfl.gov

“To Exceed Expectations in the Delivery of Public Services”

From: Jones, Michael <Michael.Jones@charlottecountyfl.gov>

Sent: Tuesday, August 19, 2025 11:09 AM

To: Benak, Karen <Karen.Benak@charlottecountyfl.gov>; Erdman, Stephanie <Stephanie.Erdman@charlottecountyfl.gov>; Danielson, Kelly <Kelly.Danielson@charlottecountyfl.gov>; Elliott, Denise <Denise.Elliott@charlottecountyfl.gov>; Weaver, Sandra <Sandra.Weaver@charlottecountyfl.gov>; Duffy, Kathleen <Kathleen.Duffy@charlottecountyfl.gov>; Shao, Jie <Jie.Shao@charlottecountyfl.gov>; Dangerfield, Faith <Faith.Dangerfield@charlottecountyfl.gov>; Parkman, Matthew V. <Matthew.Parkman@charlottecountyfl.gov>; Finnerty, Thomas <Thomas.Finnerty@charlottecountyfl.gov>; Kamarajugadda, Ravi Shankar <Ravi.Kamarajugadda@charlottecountyfl.gov>; Keltner, Jim <Jim.Keltner@charlottecountyfl.gov>; Benjamin, Roy <Roy.Benjamin@charlottecountyfl.gov>; Davison, Denise <Denise.Davison@charlottecountyfl.gov>; Jorge, Danielle <Danielle.Jorge@charlottecountyfl.gov>; Lukasek, Katie <Katie.Lukasek@charlottecountyfl.gov>; Vernon, Joanne <Joanne.Vernon@charlottecountyfl.gov>; Greene, Karly <Karly.Greene@charlottecountyfl.gov>; Thomas, Jason <Jason.Thomas@charlottecountyfl.gov>; Mosher, Gregory <Gregory.Mosher@charlottecountyfl.gov>; Davis, James K. <James.Davis@charlottecountyfl.gov>; DBarton@ccsofl.net; jmstewart@ccsofl.net

Cc: Mastney, Eileen <Eileen.Mastney@charlottecountyfl.gov>; Shao, Jenny <Jenny.Shao@charlottecountyfl.gov>; Kipa, Stephen <Stephen.Kipa@charlottecountyfl.gov>

Subject: Due Date Change SV-25-04 – Vacation of a portion of the Venice Canal



Kathleen Duffy, GIS Specialist- Information Technology

The legal description does not appear to be accurate or follow proposed area to be vacated. Please adjust.

*comment has been cleared, see attached email chain.

If you have any questions please reach out to me directly at (941)743-1230 or email me at Michael.Jones@charlottecountyfl.gov.

RE: Due Date Change SV-25-04 – Vacation of a portion of the Venice Canal

From Jorge, Danielle <Danielle.Jorge@charlottecountyfl.gov>
Date Wed 8/20/2025 10:21 AM
To Jones, Michael <Michael.Jones@charlottecountyfl.gov>
Cc Davis, James K. <James.Davis@charlottecountyfl.gov>

Good morning Michael,
This resolves our comments regarding needing a sketch and description, but M&O should still be consulted for the pipe.

Thank you!



Danielle Jorge
Surveying Project Manager
Charlotte County Public Works
Phone: (941)575-3622
CharlotteCountyFL.gov
Delivering Exceptional Service

From: Jones, Michael <Michael.Jones@charlottecountyfl.gov>
Sent: Wednesday, August 20, 2025 8:32 AM
To: Jorge, Danielle <Danielle.Jorge@charlottecountyfl.gov>
Subject: Re: Due Date Change SV-25-04 – Vacation of a portion of the Venice Canal

Good morning,

I failed to add this. Does this resolve some of your comments?

From: Jorge, Danielle <Danielle.Jorge@charlottecountyfl.gov>
Sent: Wednesday, August 20, 2025 6:33 AM
To: Jones, Michael <Michael.Jones@charlottecountyfl.gov>
Cc: Mastney, Eileen <Eileen.Mastney@charlottecountyfl.gov>; Shao, Jenny <Jenny.Shao@charlottecountyfl.gov>; Kipa, Stephen <Stephen.Kipa@charlottecountyfl.gov>; Davis, James K. <James.Davis@charlottecountyfl.gov>
Subject: RE: Due Date Change SV-25-04 – Vacation of a portion of the Venice Canal

Good morning Michael,
Please find attached our comments for SV 25-04.

Thank you,

Re: 535 Boardman

From Duffy, Kathleen <Kathleen.Duffy@charlottecountyfl.gov>

Date Tue 9/23/2025 11:43 AM

To Woolf Surveying <info@mpsurveys.com>; Jones, Michael <Michael.Jones@charlottecountyfl.gov>

Cc David Binder <dbinder@dbinderplumbing.com>; Prince, Tara <TaraG.Prince@Charlottecountyfl.gov>

Hello Lisa,

Thank you for sending this over to me. I have no additional comments.

Thank you!



Kathleen Duffy, M.A.

GIS Specialist

Information Technology Division

Budget & Administrative Services

Charlotte County Board of County Commissioners

18500 Murdock Circle, Port Charlotte, Florida 33948

941-764-5512

CharlotteCountyFL.gov

Delivering Exceptional Service

From: Woolf Surveying <info@mpsurveys.com>

Sent: Tuesday, September 23, 2025 11:39 AM

To: Duffy, Kathleen <Kathleen.Duffy@charlottecountyfl.gov>; Jones, Michael <Michael.Jones@charlottecountyfl.gov>

Cc: David Binder <dbinder@dbinderplumbing.com>; Prince, Tara <TaraG.Prince@Charlottecountyfl.gov>

Subject: RE: 535 Boardman

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Hi Kathleen,

The corrected sketch of description was sent over to Tara yesterday. Please see the attached and let me know if anything else is needed.

Thank you!

Lisa

Woolf Engineering & Surveying
20020 Veterans Blvd., Unit 20

Attachment 4
Canal Maintenance and Drainage Easement

10' CANAL MAINTENANCE AND 15' DRAINAGE EASEMENT

THIS 10' CANAL MAINTENANCE AND 15' DRAINAGE EASEMENT ("Easement") is made this _____ day of _____, 2025 by David Binder and Shannon Binder, Husband and Wife whose post office address is 2110 W Pershing Rd, Decatur, IL 62526, ("Owner") in favor of CHARLOTTE COUNTY, a political subdivision of the State of Florida whose post office address is 18500 Murdock Circle, Port Charlotte, Florida 33948 ("County").

WITNESSETH, that Owner, for and in consideration of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration, to Grantor in hand paid by County, the receipt whereof is hereby acknowledged, hereby grants and conveys to County and County's successors and assigns forever, this perpetual 10' Canal Maintenance and 15' Drainage Easement over, under and across the following described property, situate, lying and being in Charlotte County, Florida:

A PORTION of Venice Canal, lying adjacent to Lot 11, Block D, First Addition to Rio Villa, as recorded in Plat Book 4, Pages 10A through 10C, of the Public Records of Charlotte County, Florida as shown on Exhibit "A" which is attached hereto and incorporated herein by reference.

County's easement rights in respect to the 10' Canal Maintenance and 15' Drainage Easement Area are as follows:

1. The restoration, construction, installation, operation, relocation, maintenance and repair of drainage improvements and facilities.
2. The shaping, maintenance, and repair of the contour of the ground and the placement, maintenance and repair of fill or other material necessary to support the structural integrity of any improvements constructed by the County and appurtenances thereto.
3. To trim or to remove trees, shrubs, weeds, bushes, undergrowth and any other obstructions inside or outside, but adjacent to the 10' Canal Maintenance and 15' Drainage Easement Area which, in the opinion of the County, endanger, interfere or that may endanger or interfere with the County's safe and efficient exercise of the rights granted County herein or that present or may present a threat to public safety.
4. The reasonable right for the County to enter upon the land of Owner adjacent to the 10' Canal Maintenance and 15' Drainage Easement Area for the purpose of exercising the easement rights granted County herein.
5. All other rights reasonably necessary or convenient for County's safe and efficient enjoyment of the 10' Canal Maintenance and 15' Drainage Easement for the uses described herein.

Owner shall have the right to use and occupy the surface of the 10' Canal Maintenance and 15' Drainage Easement Area for any purpose that is consistent with and that will not interfere with the rights and privileges granted to County herein.

This 10' Canal Maintenance and 15' Drainage Easement shall be binding upon and shall inure to the benefit of the respective successor and assigns of the Owner and County.

WITNESS MY HAND AND SEAL on the date first above written.

Owner

Witness #1 Signature

Owner Signature

Witness #1 Printed Name

Owner Printed Name

Witness #2 Signature

Date

Witness #2 Printed Name

Phone Number

Witness #1 Signature

Owner Signature

Witness #1 Printed Name

Owner Printed Name

Witness #2 Signature

Date

Witness #2 Printed Name

Phone Number

STATE OF: _____

COUNTY OF: _____

THE FOREGOING INSTRUMENT was acknowledged before me by means of ___ physical presence or ___ online notarization, this ___ day of _____, 2025, by David Binder and Shannon Binder who ___ are personally known to me, or ___ produced _____ as identification.

[AFFIX NOTARY SEAL]

Notary Public Signature

Print Notary Name

My commission expires: _____