



**CHARLOTTE COUNTY
COMMUNITY DEVELOPMENT
DEPARTMENT**

**PLANNED DEVELOPMENT REZONING
Application Information**

Application Submittal Requirements

- **Supply one unbound copy of the Application Materials (see checklist below).** Staff will have up to 5 working days following the application deadline day to review the application for completeness. If incomplete, the application will be returned with a description of the reasons why the application is incomplete. The applicant may resubmit the application any time prior to the next application deadline day.
- **Once deemed complete, the applicant will be notified that the application has been logged-in. The applicant is then required to supply one electronic copy, in PDF format, of all documents.** Additional copies of certain items will be required prior to the public hearing dates. *Do not* submit the additional copies to the Building and Growth Management Department until requested by a staff member of the department.
- **If deemed complete, the application will be logged in and assigned to a P&Z and BCC hearing cycle (see attached Application Schedule).** Staff will commence review.
 - The applicant is responsible for promptly providing any information that needs to be updated, modified, or newly submitted as part of the review; otherwise the petition may be continued to a later cycle or a recommendation of denial will be necessary.
- **No additional changes may be made to any information in an application subsequent to one week before the hearing packet is due to be compiled for the Planning and Zoning Board members or the NOVUS Agenda item deadline for the Board of County Commissioners.** The planner in charge of the petition will be able to inform the applicant of the final date.

Consistency with the Comprehensive Plan

The changes proposed by this application will be reviewed with regard to consistency with the Goals, Objectives, and Policies (GOPs) of the Smart Charlotte 2050 comprehensive plan. Inconsistency with Smart Charlotte will be a basis for a recommendation of denial by Staff.

The review will also be concerned with impacts to infrastructure (i.e. roads, water and sewer facilities, libraries, public buildings, parks, and schools), services (i.e. garbage collection, police protection, and fire/EMS service), the environment (i.e. impact to listed plant and animals species, soil content, erosion, generation of hazardous waste, water quality), and the potential for natural disasters (i.e. hurricanes and flooding).

Application Materials Checklist

- ☒ Completed Application form
- ☒ Survey and accurate legal description (including acreage), signed and sealed by a registered land surveyor
 - For unplatted property, one original boundary survey - *one hard copy and one copy in AutoCAD format*
 - For platted land, one original surveyor's sketch
- ☒ Most current *Title Insurance Policy* or an *Ownership and Encumbrance Report* for subject property
- ☐ Notarized authorization from each owner, as applicable (Form A)
- ☒ Notarized authorization for agent to submit petition, as applicable (Form B)
- N/A ☐ A copy of any covenants, easements or restrictions that have been recorded for the subject site
- ☒ *Environmental Assessment Report*
- ☒ *Traffic Impact Analysis*
 - *Hurricane Evacuation Study*, as applicable
- ☒ Letters of availability of utility service from sanitary sewer and potable water utilities that would provide service to the site and *Estimated Potable Water and Sanitary Sewer Usage Report*
- ☒ *Archeological/Historical Memo* indicating whether or not listed objects are located on the subject site
 - *Archeological/Historical Survey*, as applicable
- ☒ Narrative addressing rezoning standards of approval
- ☒ All information required by Section 15 of the application, 'A' through 'K'
- N/A ☐ Adjacent property owners map and an electronic copy of the adjacent property owners list in text format (txt file) provided on disc.
- ☒ Affidavits A & B, signed and notarized
- ☒ Filing fee of **\$4,540.00**, with check made payable to the Charlotte County Board of County Commissioners, or CCBCC.
- ☐ Filing of **\$2,590.00** for a Major Modification of a PD, with check made payable as noted above.

Additional Copies for Hearing Packet

10 copies each of the following when requested by department staff:

- any bound items
- any maps or other graphics sized larger than 11 X 17 (except surveys)
- any items in color

For Purposes of Public Hearing Presentation

Two views of the concept plan must be submitted to the County in an electronic format designed to fit on a PowerPoint slide; one view based against an off-white background, and one view presented as an overlay on a GIS aerial map of a scale to show adjacent properties. In order to make viewing of the PowerPoint concept plan easier, only the site plan, development standards, north arrow, and scale shall be portrayed. The concept (site) plan should be marked for easy reading:

- areas set aside for water retention should be colored blue
- areas set aside for Open Space should be colored green – dark green for preservation and light green for other areas
- areas set aside for Public Space should be colored brown

ATTENTION

If you are submitting an application that, if approved, will increase the amount of density allowed to be developed on your property, read this notice.

FLU Policy 1.2.7 of Smart Charlotte County outlines those situations wherein the Transfer of Density Units program is applicable.

“The TDU program shall be used during the review and approval process for all plan amendments and rezonings that propose to increase the base density on land and street vacations that would result in an accumulation of acreage allowing development of new units of density; this requirement shall continue to apply to lands that have been annexed by the City of Punta Gorda.”

Property may be exempted from the TDU program if located within a Revitalizing Neighborhood with an adopted Revitalization Plan. The exemption would need to be consistent with policies adopted into Smart Charlotte.

If not exempted, property must meet one of these requirements in order to be an acceptable Receiving Zone:

FLU Policy 1.2.10 TDU Receiving Zones

Receiving zones inside the Urban Service Area include lands within the following designations of FLUM Series Map #2: 2050 Framework:

1. Emerging Neighborhoods.
2. Maturing Neighborhoods.
3. Economic Corridors and Centers.
4. CRAs
5. Revitalizing Neighborhoods prior to adoption of a Revitalization Plan and also what may be required in accordance with a Revitalization Plan.

Receiving Zones within the Rural Service Area include lands within:

1. Rural Community Mixed Use areas.
2. The Rural Settlement Area Overlay District.

AND

Must not be in a prohibited Receiving Zone:

FLU Policy 1.2.11 Prohibited Receiving Zones

Density shall not be transferred into:

1. Lands within Managed Neighborhoods (FLUM Series Map #2).
2. Lands within the Resource Conservation and Preservation FLUM categories.
3. Land containing historical or archeological resources, or land deemed to contain environmentally sensitive resources; when a portion of a property contains resources, that area deemed not to contain resources may receive density if it meets one of the criteria of a receiving zone, a conservation easement will be required over the resource along with an undeveloped buffer of at least 100 feet. An historical structure that is to be integrated into a development will not need to be buffered.
4. Lands within the Prime Aquifer Recharge Area (FLUM Series Map #6).
5. Lands within the one-half mile setback of the Watershed Overlay District and Tippen Bay and Long Island Marsh (FLUM Series Map #4).
6. Land within a Public Water System Wellhead Protection Area (FLUM Series Map #7).
7. Land on a barrier island.



CHARLOTTE COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT

APPLICATION for
PLANNED DEVELOPMENT REZONING

Date Received:	Time Received:
Date of Log-in:	Petition #:
	Accela #:
Receipt #:	Amount Paid:

1. PARTIES TO THE APPLICATION

Name of Applicant: Truex Preferred Construction, LLC

Mailing Address: 3797 S. Access Road

City: Englewood	State: FL	Zip Code: 34224
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Phone Number: 941-475-6680	Fax Number:
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Email Address: paul@truexpreferrredconstruction.com

Name of Agent: Robert H. Berntsson

Mailing Address: 3195 S. Access Road

City: Englewood	State: FL	Zip Code: 34224
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Phone Number: 941-627-1000 x5	Fax Number:
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Email Address: rberntsson@bigwlaw.com

Name of Engineer/Surveyor: Atwell, LLC

Mailing Address: 4161 Tamiami Trail, Unit 5

City: Port Charlotte	State: FL	Zip Code: 33952
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Phone Number: 941-625-1165	Fax Number:
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Email Address: trebol@atwell.com

Name of Property Owner (if more than one property owner, attach a separate sheet with a list of all owners):

Same as applicant

Mailing Address:

City:	State:	Zip Code:
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Phone Number:	Fax Number:
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Email Address:

2. PROPERTY INFORMATION

If more than one account number exists, attach a separate sheet listing all information required by this section

Property Account #: 412002381005		
Section: 2	Township: 41	Range: 20
Parcel/Lot #: Lots 5, 19 and 20	Block #: 3571	Subdivision: Port Charlotte Sec 64
Total acreage or square feet of the property: 30,000+/- square feet		

3. SURVEY:

- For unplatted property, provide one original boundary survey that is **signed and sealed** by a registered land surveyor and an accurate legal description (including acreage) of the property.
- For platted land, provide one original surveyor's sketch that is **signed and sealed** by a registered land surveyor and an accurate legal description (including acreage) of the property.

4. PROOF OF LAND OWNERSHIP: Provide the most current *Title Insurance Policy* or an *Ownership and Encumbrance Report* on the subject property.

5. NOTARIZED AUTHORIZATION:

- If the applicant is not the owner of the property, a written, notarized authorization from each owner must be provided with this application – use Form A, attached. Property owner authorization is required. If the property owner withdraws permission at any point during the review and approval process, the application is considered null and void.
- If an agent is submitting the application for the applicant – authorization from the applicant is required – use Form B, attached.

6. RESTRICTIONS: Provide a copy of any covenants, easements or restrictions that have been recorded for the subject site.

7. EXISTING LAND USE DESIGNATIONS

Future Land Use Map (FLUM) designation(s)	Acreage
Commercial	10,000+/- square feet
Medium Density Residential	20,000+/- square feet +/-
Zoning District(s)	Acreage
CG	10,000+/- square feet
RMF-10	20,000+/- square feet +/-

8. APPLICANT'S PROPOSED CHANGE(S):

If the proposed change involves an increase in density, which of the Receiving Zone criteria does the property meet, or would this be an exemption consistent with a Revitalization Plan?
 To expand the commercial zoning and land use to the rear properties.

9. REASON FOR PROPOSED CHANGE(S):

To allow for expansion of existing business.

10. CURRENT LAND USE OF SUBJECT PROPERTY (example: house, vacant land, barn, etc.):

Commercial area improved with single story building, rear lots cleared or vacant.

11. SURROUNDING LAND USES:

North: Commercial across SR 776

South: Primarily duplexes, residential

East: Commercial and vacant residential

West: Commercial and vacant residential

12. ENVIRONMENTAL ASSESSMENT:

- Provide an *Environmental Assessment Report*, conducted within one year or less from the date of submittal, that includes:
 - Maps and surveys of the subject site illustrating the existing land cover according to Level 3 of the FLUCCS
 - Locations of listed flora and fauna species, if present.
 - If any wetlands are identified on site, provide a survey showing delineations of any wetlands, acreages, and the wetland Category (ENV Policy 3.1.3) under which they fall.
 - If the property is adjacent to any Federal, State, or County wildlife management areas, parks, preserves or reserves, supply a science-based analysis of possible impacts to the environmental resources of these lands and the manner in which these impacts can be eliminated. Where elimination is not possible, the analysis shall detail how these impacts can be reduced and mitigated.

13. INFRASTRUCTURE:

A. Roadway

- i. List the roads or streets upon which vehicles may travel to gain access to the site (generally within ¼ mile radius):

SR 776, South Access Road, Burlington Avenue

- ii. *Traffic Impact Analysis*: This study must be authored by a registered professional engineer in the State of Florida. Provide a study showing the impacts development of the subject site would have on the surrounding roadway network. Where traffic impacts reduce LOS below 'D' provide a proportionate fair share assessment for impacted roadways.

- *Hurricane Evacuation Study*: For any property that is even partially located in a Coastal High Hazard Area, or which generates trips wherein the majority of those trips would utilize a roadway that runs through a Coastal High Hazard Area, a *Hurricane Evacuation Study* must

accompany any *Traffic Impact Analysis*.

B. Potable Water and Sanitary Sewer

- i. Submit a letter from any water or sewer utilities that will be serving the subject site stating availability of utility service to the property.
- ii. Attach an *Estimated Potable Water and Sanitary Sewer Usage Report*: provide a report showing the gallons per day that may be generated by development of the subject site at the maximum buildout

14. HISTORICAL OR ARCHEOLOGICAL SITES: When the property under review is within the area determined to contain potential historic and archeological resources by the Archaeological Predictive Model (depicted on SPAM Series Map #3), the applicant must submit an *Archeological/Historical Memo* indicating that a review of the National Register of Historic Places, the Florida Master Site File and the Local Historic Register (when available) has been performed and the results of that review. If the subject site contains any object listed in these resources, the applicant must provide an *Archeological/Historical Survey* performed by a professional archeologist licensed in the State of Florida.

15. REZONING NARRATIVE

Charlotte County Code Section 3-9-11(e) lists the following standards for approval. A narrative stating the applicant's justification for the rezoning based upon the following standards of approval is required:

- A. Whether the proposed change would be contrary to the Comprehensive Plan.
- B. The existing land use pattern in adjacent areas.
- C. The capacity of public facilities and services, including but not limited to schools, roads, recreational facilities, wastewater treatment, water supply, and stormwater drainage facilities.
- D. Whether the proposed change will adversely influence living conditions or property values in adjacent areas.
- E. Whether the proposed change will affect public safety.

16. CONCEPT PLAN and DEVELOPMENT INFORMATION: Submit the following information regarding the proposed project.

(All maps must contain title of the project, landowner of record, names of the representatives of the landowner of record, scale, date, and north arrow)

- A. Include a *General Location Map*.
- B. Include *Existing Features Map(s)* showing all streets, curb cuts, buildings, watercourses, easements, other important physical features, zoning designations and future land use map designations in the property and on adjacent lands.
- C. Include a *Concept Design Map* showing locations of structures, acreage, density, and intensity for each proposed land use; show points of access and traffic flow and road improvements; show buffers, landscaped areas, and open space.
- D. Supply tabulations of total gross acreage in the proposed development, the percentage of total acreage to be devoted to each proposed use, height, and intensity of use identified through Floor Area Ratio calculations and/or projected number of housing units proposed by dwelling type.
- E. Supply a phasing plan or general schedule of the development.
- F. Supply standards for height, open space, building density, and parking area.
- G. Include a narrative in which you cite specifically how this project meets the intent and goals of the Planned Development Zoning District, including any "community enhancements".

- H. Show the general façade and overall architectural design scheme; explain building orientation, if applicable.
- I. Describe any Green Building or Low Impact Development (LID) design techniques that will be used.
- J. Supply a copy of any draft deed restrictions, protective covenants, and other statements or devices which will be used to control the use, development and maintenance of the land and improvements thereon, including those areas which are to be commonly owned and maintained.
- K. Supply any additional information identified at the preapplication conference, at concept approval, or requested by the Zoning Official or Building and Growth Management Director prior to submittal of the rezoning application.

18. ADJACENT PROPERTY OWNERS INFORMATION:

Provide an *electronic text file (.txt)* that includes the names and addresses of all property owners within 200 feet of the subject property (excluding street right-of-ways), and a map indicating which properties are included in the address list. The Adjacent Property Owner List must be based upon the latest available property records of the Property Appraiser's Office. The list shall include property owner's name, mailing address, and parcel(s) or lot(s) description or account number so each parcel can be referenced on the Adjacent Property Owner Map. Refer to the Geographic Information System Internet site for mapping and owner information at <http://www.ccgis.com/>. (Use a buffer of 250 feet or larger in order to account for right-of-ways, canals, etc.) Every property owner within 200 feet of every parcel of land involved will be notified of the schedule of public hearings

FORM A. PROPERTY OWNER AUTHORIZATION TO APPLICANT N/A

I, the undersigned, being first duly sworn, depose and say that I am the owner of the property described and which is the subject matter of the proposed hearing.

I give authorization for _____ to be the applicant for this REZONING.

STATE OF _____, COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 20____, by

_____ who is personally known to me or has/have produced

_____ as identification and who did/did not take an oath.

Notary Public Signature

Signature of Owner

Notary Printed Signature

Printed Signature of Owner

Title

Address

Commission Code

City, State, Zip

Telephone Number

FORM B. APPLICANT AUTHORIZATION TO AGENT

I, the undersigned, being first duly sworn, depose and say that I am the applicant for the REZONING of the property described and which is the subject matter of the proposed hearing.

I give authorization for Robert H. Berntsson to be my agent for this application.

STATE OF Florida, COUNTY OF Charlotte

The foregoing instrument was acknowledged before me this 17th day of February 2025, by William G. Truex who is personally known to me or has/have produced

as identification and who did/did not take an oath.

Michelle M. Wojtowicz
Notary Public Signature

William G. Truex
Signature of Applicant

MICHELLE M. WOJTOWICZ
Notary Printed Signature

WILLIAM G. TRUEX
Printed Signature of Applicant

Title

3797 S. ACCESS RD.
Address

ENGLEWOOD, FL 34224

Commission Code

City, State, Zip

941-475-6680

Telephone Number




MICHELLE M. WOJTOWICZ
Commission # HH 144203
Expires August 18, 2025
Bonded Thru Budget Notary Services

AFFIDAVIT B

The applicant/owner hereby acknowledges and agrees that any staff discussion about conditions of approval are preliminary only, and are not final, nor are they the specific conditions or demands required to gain approval of the application, unless the conditions or demands are actually included in writing in the final development order or the final denial determination or order.

STATE OF Florida, COUNTY OF Charlotte

The foregoing instrument was acknowledged before me this 27 day of February, 2025, by
Robert H. Berntsson who is personally known to me or has/have produced
_____ as identification and who did/did not take an oath.


Notary Public Signature


Signature of Applicant or Agent
Robert H. Berntsson

Notary Printed Signature

Printed Signature of Applicant or Agent

3195 S. Access Road

Title

Address

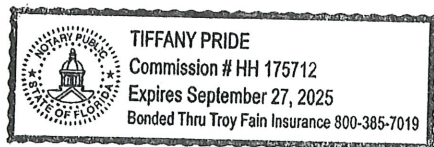
Englewood, FL 34224

Commission Code

City, State, Zip

941-627-1000 x5

Telephone Number



ABBREVIATION & SYMBOL LEGEND:

□ = FOUND CONCRETE MONUMENT (SIZE & I.D. NOTED)
⊗ = FOUND 5/8" CAPPED IRON ROD (I.D. NOTED)
● = SET 5/8" CAPPED IRON ROD (L.B. #8024)
⊙ = FOUND NAIL & DISK (I.D. NOTED)
⊗ = SET NAIL & DISK (L.B. #8024)
⊙ = FOUND IRON PIPE (SIZE NOTED)
▼ = FOUND/SET SURVEY NAIL (AS NOTED)

(P) = PLAT
(M) = MEASURED
(C) = CALCULATED
(D) = DEED
U. & D. = UTILITY & DRAINAGE
L.B. = LICENSED SURVEYOR BUSINESS
L.S. = LAND SURVEYOR
P.C. = POINT OF CURVATURE
P.T. = POINT OF TANGENCY
C.M. = CONCRETE MONUMENT
C.I.R. = CAPPED IRON ROD
R/W = RIGHT-OF-WAY
C/L = CENTER LINE
TYP. = TYPICAL
CONC. = CONCRETE
I.D. = IDENTIFICATION
A.C. = AIR CONDITIONER
CA = CERTIFICATE OF AUTHORIZATION
FES = FLORIDA ENGINEERING & SURVEYING
R.C.P. = REINFORCED CONCRETE PIPE
P.R.M. = PERMANENT REFERENCE MONUMENT
P.C.P. = PERMANENT PLAT CONTROL POINT
R.L.S. = REGISTERED LAND SURVEYOR
P.S.M. = PROFESSIONAL SURVEYOR AND MAPPER
P.L.S. = PROFESSIONAL LAND SURVEYOR
P.I.D. = PARCEL IDENTIFICATION NUMBER
P.B., PG. = PLAT BOOK, PAGE
O.R.I. = OFFICIAL RECORDS INSTRUMENT
O.R.B. = OFFICIAL RECORDS BOOK
T.B.M. = TEMPORARY BENCH MARK
F.F. = FINISHED FLOOR
GAR. = GARAGE ELEVATION
E.L. = ELEVATION
N.G.V.D. = NATIONAL GEODETIC VERTICAL DATUM
F.I.R.M. = FLOOD INSURANCE RATE MAP
INV. = INVERT ELEVATION
E/P = EDGE OF PAVEMENT
S/W = SIDEWALK
SQ.FT. = SQUARE FEET
± = MORE OR LESS
OHL = OVERHEAD UTILITY LINES
⊙ = UTILITY POLE

⊙ = WATER METER
⊙ = TELEPHONE SERVICE RISER
* = METAL LIGHT POLE
x2.00 = EXISTING ELEVATIONS
x = EXISTING ELEVATION
XX.XX = EDGE OF PAVEMENT ELEVATION
XX.XX = SIDEWALK ELEVATION

SURVEYORS NOTES:

DESCRIPTION SHOWN HEREON FURNISHED BY CLIENT.

THE SURVEY AS SHOWN HEREON WAS MADE WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE.

THE INFORMATION DEPICTED ON THIS MAP REPRESENTS THE RESULT OF A SURVEY PERFORMED ON THE INDICATED DATE AND CAN ONLY BE CONSIDERED AS INDICATING THE GENERAL CONDITIONS AT THAT TIME.

OFFICIAL RECORDS BOOK 814, PAGE 1957-RELEASE OF UTILITY EASEMENT AND/OR DRAINAGE EASEMENT BEING SHOWN ON SURVEY.

THERE ARE NO APPARENT ENCROACHMENTS OTHER THAN SHOWN, NO BOUNDARY LINE DISPUTES, EASEMENTS OR CLAIMS OF EASEMENTS OF WHICH THIS FIRM HAS KNOWLEDGE.

NO UNDERGROUND UTILITIES, FACILITIES, FOUNDATIONS OR IMPROVEMENTS, IF ANY, HAVE BEEN LOCATED EXCEPT AS SHOWN.

BEARINGS SHOWN HEREON ARE BASED ON THE RECORD PLAT OF PORT CHARLOTTE SUBDIVISION SECTION SIXTY FOUR, THE SOUTH R/W LINE OF SOUTH ACCESS ROAD BEING N. 89°57'54" E.

SYMBOL CHARACTERS AND OR POSITIONS MAY NOT BE DEPICTED TO SCALE AND ARE FOR CLARIFICATION PURPOSES.

PROPERTY SHOWN HEREON APPEARS TO LIE WITHIN FLOOD ZONE "X" BASE FLOOD ELEVATION (NOT DETERMINED) AS PER F.I.R.M. MAP #12015C, COMMUNITY #120061, PANEL 0191 G, DATED 12/15/2022, NEEDS TO BE VERIFIED BY THE LOCAL F.E.M.A. OFFICIAL.

THIS SURVEY IS PROTECTED BY COPYRIGHT AND IS ONLY CERTIFIED TO THE PERSONS LISTED HEREON. ANY ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY IS PROHIBITED WITHOUT THE CONSENT OF THE SIGNING PARTY. ANY USE OR REPRODUCTION OF THIS SURVEY WITHOUT THE CONSENT OF THE SURVEYOR IS PROHIBITED.

SECTION 2
TOWNSHIP 41 S.
RANGE 20 E.



SCALE 1" = 20'

BOUNDARY & TOPOGRAPHIC SURVEY OF:
LOTS 5, 19 & 20, BLOCK 3571
PORT CHARLOTTE SUBDIVISION SECTION SIXTY FOUR

PER RECORDED PLAT IN PLAT BOOK 5, PAGES 78A-78F,
PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA.

L1 = S 89°57'54" W 160.00' (P&M)
L2 = N 89°57'54" E 80.00' (P&M)

ELEVATION NOTE:

ALL ELEVATIONS SHOWN HEREON ARE BASED ON A CHARLOTTE COUNTY BENCHMARK, E-ENG011, ELEVATION=11.124', N.G.V.D. 1929. ELEVATION WAS CONVERTED TO N.A.V.D. 1988 USING NATIONAL GEODETIC SURVEY ONLINE CONVERSION SOFTWARE (VERTCON), RESULTING ELEVATION=10.097', N.A.V.D. 1988. ALL ELEVATIONS ARE REFERENCED TO N.A.V.D. 1988.

FILE #: 15-02-160
DATE OF FIELD SURVEY: 2/24/2015, 5/18/2022, 2/7/2024
FIELD BOOK: 7
PAGE: 45-46, PREVIOUS SURVEY
CHECKED BY: JDG
DRAWN BY: JDG

CERTIFIED TO:
TRUEX PREFERRED CONSTRUCTION, LLC

REVISION: 5/14/2015-REVISE CERTIFICATIONS, JDG
REVISION: 7/9/2015-REVISE EASEMENT, JDG
REVISION: 5/18/2022-UPDATE SURVEY & CONVERT ELEVATIONS, JDG
REVISION: 3/13/2024-UPDATE SURVEY, ADD LOT 20 & CONVERT ELEVATIONS TO NAVD 88, JDG

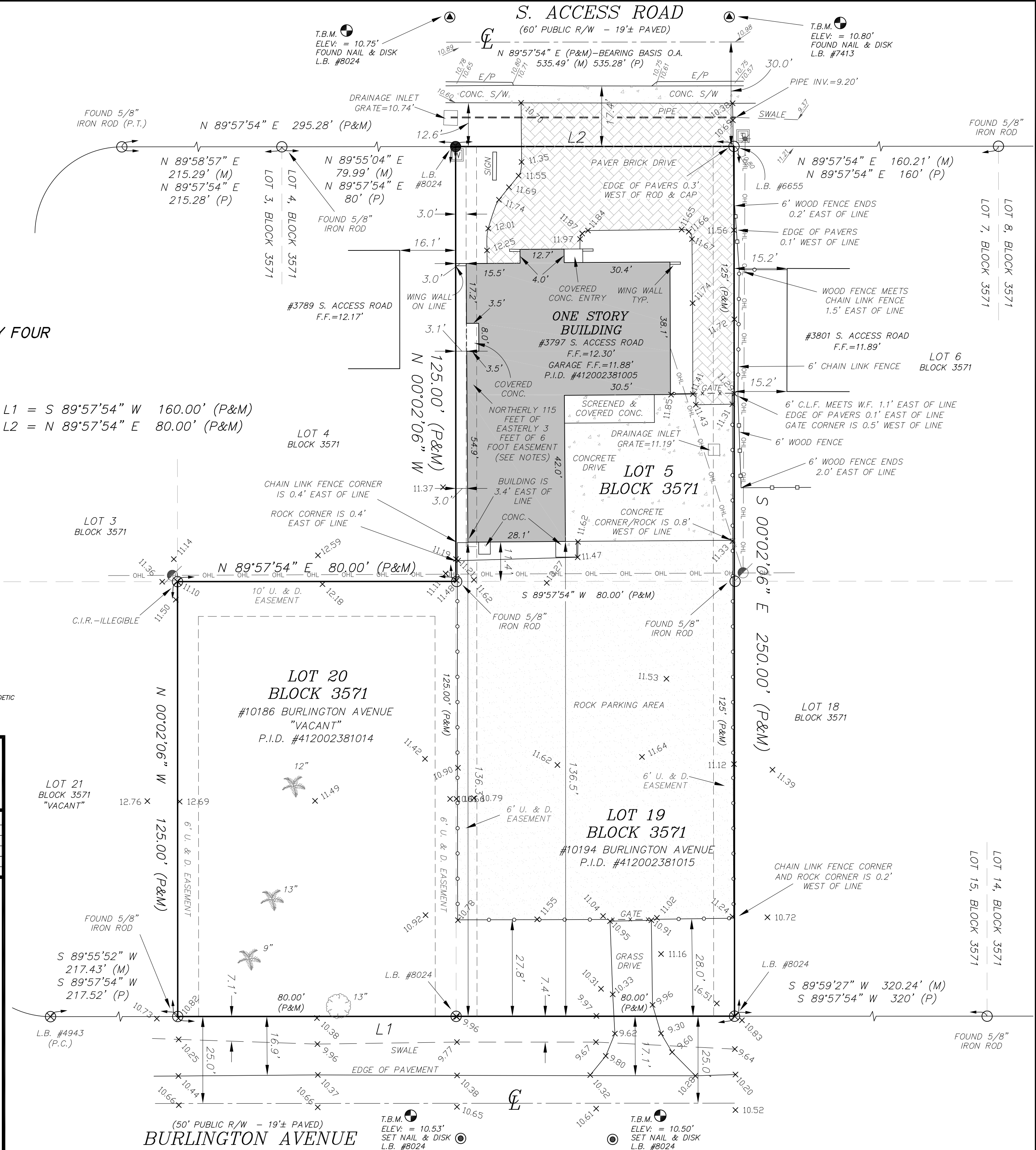
FLORIDA ENGINEERING
&
SURVEYING, LLC
LB #8024

631 N. TAMiami TRAIL
NOKOMIS, FLORIDA 34275
TEL: (941) 485-3100
FAX: (941) 485-3107

www.flengineeringandsurveying.com

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I HEREBY CERTIFY THAT THE SURVEY SHOWN HEREON WAS PREPARED UNDER MY DIRECT SUPERVISION AND IS IN ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR SURVEYS, CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES. SURVEY SHOWN HEREON "NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER". THE DIGITAL SIGNATURE AND SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY JUSTIN D. GARNER, PSM #6896 ON MARCH 13, 2024.



NARRATIVE FOR SMALL SCALE PLAN AMENDMENT AND PLANNED DEVELOPMENT (PD)
REZONING

FOR Truex Preferred Construction, LLC

This is a request for a small-scale plan amendment for a 20,000+/- portion of the property going from Medium Density Residential to Commercial, and rezoning of all of the property from Commercial General and RMF-10 to Planned Development (PD) for the 30,000+/- square foot parcel on the south side of SR 776, along the access road in western Charlotte County. The property currently has a Future Land Use Map designation of Commercial (10,000+/- s.f.) and Medium Density Residential (20,000+/- s.f.).

The project will allow for the expansion of the existing commercial business along 776 to the rear to allow the construction of a warehouse and associated parking. The existing commercial use is a legally non-conforming use in terms of parking. Additional parking is provided for the construction of the warehouse. The applicant is seeking a General PD Concept Plan approval.

This request meets the zoning standards of approval as follows:

1. The proposed change is consistent with the comprehensive plan with the amendment proposed. The comprehensive plan recognizes the need to expand commercial properties to the rear to allow for expansion of existing commercial businesses.
2. The proposed Concept plan is consistent with the existing land use pattern in adjacent areas. Proposed buffering will ensure compatibility with surrounding uses.
3. There is sufficient capacity in all of the public infrastructure facilities and services to serve the project.
4. The proposed change will not adversely affect living conditions or property values in the adjacent areas. There are no existing residentially developed uses abutting the property.
5. The proposed Concept Plan under the PD zoning will have no negative effect on public safety.

Based on the foregoing, it is respectfully requested the small-scale plan amendment, PD rezoning and concept plan be approved as presented.

Revised: February 28, 2025

/s/ Robert H. Berntsson

Robert H. Berntsson



TRUEX EXPANSION LOT

Trip Generation Report
Charlotte County, Florida
Job No. BK4709

Prepared for:

Truex Preferred Construction, LLC
10194 Burlington Avenue
Englewood, Florida 34224

Prepared by:

Atwell, LLC
4161 Tamiami Trail, Building 5, Unit 501
Port Charlotte, Florida 33952

January 11, 2025



PROJECT SUMMARY:

Atwell was contracted by Truex Preferred Construction, LLC to prepare a Trip Generation Report to evaluate the proposed Truex Expansion Lot project consisting of the construction of a 4,786 SF commercial (Trade Contractor) building and all associated infrastructure. The proposed project address is 3797 South Access Road, Englewood, FL 34224. The Charlotte County PID # 412002381005. The trip generation estimates were generated using the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition.

TRIP GENERATION COMPARISON:

For this analysis, rates under Land Use Code 180 (Specialty Trade Contractor) were used to estimate the quantity of trips generated by the proposed project development. **Table 1** below shows the land uses and trip generation rate percentages during the peak commuter hour.

ITE Land Use Characteristics	AM Directional Distribution			PM Directional Distribution		
	In	Out	Pass-by	In	Out	Pass-by
180 - Specialty Trade Contractor (Sq. Ft. GFA)	75%	25%	0%	33%	67%	0%

TABLE: 1
VEHICULAR TRIP GENERATION RATES

Table 2 below shows the daily and peak commuter hour vehicular trip ends generated for each land use.

ITE Land Use Characteristics	Units	Daily	AM Peak Hour Trips			PM Peak Hour Trips		
			In	Out	Total	In	Out	Total
180 - Specialty Trade Contractor (Sq. Ft. GFA)	SF GFA	47	6	2	8	3	6	9
Total Trips:		47	6	2	8	3	6	9

TABLE: 2
GENERATED VEHICULAR TRIP ENDS



CONCLUSION:

This analysis shows the trip generation rates, and generated trip ends that the Truex Expansion Lot project would have on the servicing roadways. Based on this analysis and the resulting data, the following is concluded:

- The project is projected to generate 47 total daily trips with 8/9 peak hour commuter trips in the AM/PM.
- According to the Charlotte County Engineering Design Manual, Part 7, Traffic Impact Statement, a small project generating less than 50 average daily trips does not require a traffic study.
- The proposed project would have a "de minimis" impact on the Level of Service of the surrounding roadways.

Sincerely,

ATWELL, LLC

A handwritten signature in blue ink, appearing to read "SR Sonberg".

Steven R. Sonberg, P.E., P.S.M.
Director

Attachments:
PD Concept Plan

S:\Jobs\47xx\4709\DOCUMENTS\Traffic\BK 4709 Truex Exansion Lot Traffic Summary_Report Final.docx

EAST BOUND S.R. 776

S. ACCESS ROAD



0 20' 40' 60'
GRAPHIC SCALE 1" = 20' FT

SUBJECT
PARCEL

BURLINGTON AVENUE

PREPARED FOR:

TRUEX PREFERRED CONSTRUCTION

10194 BURLINGTON AVENUE
ENGLEWOOD, FL 34224
PHONE: 941-475-6680

ALL ELEVATIONS ON CIVIL ENGINEERING PLANS REFERENCE NAVD 1988

NO.	DATE	REVISION DESCRIPTION	BY

BANKS
ENGINEERING

Professional Engineers, Planners, & Land Surveyors
Serving South-West Florida

4161 TAMAMI TRAIL - BLDG 5 UNIT 501
PORT CHARLOTTE, FLORIDA 33952
PHONE: (941) 625-1165

ENGINEERING LICENSE # EB 6469
SURVEY LICENSE # LB 6590

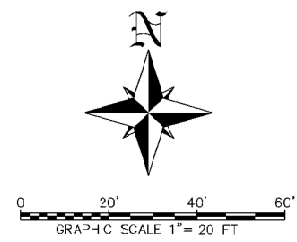
WWW.BANKSENGFLA.COM

TODD R. REBOL, P.E.
LICENSE NO. 64040

AERIAL
TRUEX EXPANSION LOT
CHARLOTTE COUNTY, FLORIDA

COMPLETION DATE:	PROJECT:	DRAFTED BY:	DESIGNED BY:	REVIEWED BY:	SCALE:	SHEET:
10-9-23	4709	TBV	TRR	TRR	1" = 20'	2

S:\4709\4709\BANKSENG\TRUEX\TRUEX_EXPANSION_LOT\TRUEX_EXPANSION_LOT.dwg, 12/2/2024 2:28:57 PM, SAVY CORP. SAYS DINGLING



1. THE 25 FOOT PD SETBACK IS PROPOSED TO BE WAIVED FOR THIS PROJECT.

PREPARED FOR TRUEX PREFERRED CONSTRUCTION 10194 BURLINGTON AVENUE ENGLEWOOD, FL 34224 PHONE: 941-475-6680		ALL ELEVAT CNS ON CIVIL ENGINEERING PLANS REFERENCE: NAD 83 1988 <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>REVISION</th> <th>DESCRIPTION</th> <th>BY</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>		NO.	DATE	REVISION	DESCRIPTION	BY																																																			 BANKS ENGINEERING Professional Engineers, Planners, & Land Surveyors Serving South West Florida 10001 TAMPAWATER PRESERVE WAY, SUITE 2001 PORT CHARLOTTE, FL 33980 PHONE: (239) 908-5990 FAX: (239) 939-2523 ENGINEERING LICENSE # EB 6469 SURVEY LICENSE # LB 6390 WWW.BANKSENG.COM		TODD R. REBEL, P.E. LICENSE NO. 84040		PD CONCEPT PLAN TRUEX EXPANSION LOT CHARLOTTE COUNTY, FLORIDA				
NO.	DATE	REVISION	DESCRIPTION	BY																																																															
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								10-9-23	4709	TBR	TRR	TRR	1" = 20'	3																																																					

PROTECTED SPECIES ASSESSMENT

**10186 Burlington Avenue
Charlotte County, Florida**

January 2025

Prepared by:



22102 Kimble Avenue □ Port Charlotte, FL 33952
(941) 457-6272
www.IVAenvironmental.com

INTRODUCTION

The following assessment has been prepared to identify on-site vegetative communities and address wildlife species listed by the Florida Fish and Wildlife Conservation Commission (FWC) and U.S. Fish and Wildlife Service (FWS) as endangered, threatened, or species of special concern which may be utilizing the subject property.

The subject property (Charlotte County parcel ID's# 412002381005) is located in Section 02, Township 41S, and Range 20E within Englewood, Florida. Please refer to the attached Location Map.

SITE CONDITIONS

A site inspection was conducted by qualified staff ecologists in January 2025. During the inspection, temperatures ranged from 55° - 60° F, winds were 5-10 mph, and skies were partly cloudy.

VEGETATIVE COMMUNITIES

Field observations, in conjunction with the Charlotte County Soil Survey and aerial photographs, were used to develop a map of the vegetative communities onsite. The vegetative communities were identified and classified utilizing the Florida Land Use Cover and Forms Classification System (FLUCCS). The following table displays the vegetative associations found on the subject property. A description of the communities is also included. Please refer to the attached Protected Species Assessment Map.

FLUCCS ID	FLUCCS DESCRIPTION	ACREAGE
140	Commercial and Services	0.41
190	Open Land	0.28
TOTAL		0.69

FLUCCS 140– Commercial and Services

This upland area lacks significant vegetation and is made up of a paved driveway, parking lot, and an office building.

FLUCCS 190 – Open Land

This upland habitat contains a scattered canopy of cabbage palm (*Sabal palmetto*), live oak (*Quercus virginiana*), and Brazilian pepper (*Schinus terebinthifolius*). Midstory and groundcover species present include: grapevine (*Vitis sp.*), greenbrier (*Smilax sp.*), flattop goldenrod (*Euthamia caroliniana*), cogon grass (*Imperata cylindrica*), hairy indigo (*Indigofera hirsuta*), blue mistflower (*Conoclinium coelestinum*), Caesarweed (*Urena lobata*), flatsedges (*Cyperus spp.*), air-potato (*Dioscorea bulbifera*), dog fennel (*Eupatorium capillifolium*), lantana (*Lantana camara*), and creeping oxeye (*Wedelia trilobata*).

LISTED SPECIES SURVEY METHODOLOGY

To provide approximately 80 percent coverage of the site, both linear and nonlinear overlapping transects were completed across the parcels per FWC guidelines. Transects were spaced approximately 30-50 feet apart depending on the visibility within the vegetative association being surveyed. Evidence of protected species was gathered through both direct observation and through observation of signs such as tracks, nests, burrows, and fecal material. If evidence of utilization by a protected species which may require permitting prior to development

of the subject properties was observed, an aerial photograph was marked depicting the approximate location. In addition, a search of available online resources was conducted to reveal the previously documented presence of listed species which may be utilizing the subject properties. These resources included, but were not limited to, the following: FWS Wood Stork Colony Map(s); Charlotte County Natural Resources Department Scrub Jay Territory Search Database; Audubon Eagle Nest Locator Database; FWS Florida Bonneted Bat Consultation Area Map(s); FWS Crested Caracara Consultation Area Map(s); FWS Red-cockaded Woodpecker Consultation Area Map(s); and FWS Panther Consultation Area Map(s). If the site contained suitable habitat for a protected species, or if the site was within close proximity to a verified sighting or consultation area for a protected species, additional scrutiny was given during the inspection relative to that specific species.

LISTED SPECIES ASSESSMENT RESULTS

Search of available online resources revealed that the subject property is located within an 18.6-mile radius designated as Core Foraging Area of several wood stork (*Mycteria americana*) nesting colonies. Each of the documented colonies appears to be greater than 4 miles from the subject property. Under current regulations, the proximity of the off-site nesting colonies is not likely to affect the future development of the subject property. However, any impacts which require federal review may trigger additional coordination relative to the species.

Search of available online resources revealed that the subject property is located within the Consultation Area of the Florida scrub jay (*Aphelocoma coerulescens*). Review of the Charlotte County Natural Resources Department Florida Scrub Jay Territory Search Database revealed that the subject property is a scrub jay review area parcel. Mitigation fees in accordance with approved Habitat Conservation Plan (HCP) fee structure table will be required. Additionally, all clearing and tree removal will be prohibited during the scrub jay nesting season (March 1 – June 30th).

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

The subject parcel is located within the FWS Consultation Area of the Florida bonneted bat (*Eumops floridanus*). No evidence of utilization by the Florida bonneted bat was observed onsite during the site inspection. The Florida bonneted bat is not anticipated to be utilizing the subject property, and therefore, is not likely to affect the future development of the property. However, any impacts which require federal review may trigger additional coordination relative to the species.

Search of available online resources did not reveal documentation of any other listed wildlife species currently utilizing the subject property.

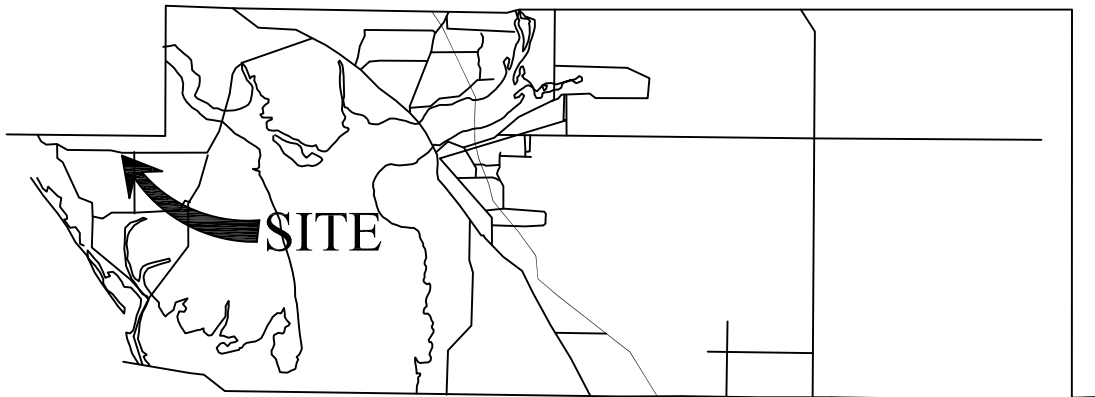
The subject site contains upland habitats which are being utilized by the gopher tortoise (*Gopherus polyphemus*). One (1) potentially occupied gopher tortoise burrow was observed on the parcel. A 100% gopher tortoise survey and relocation permit from the Florida Fish and Wildlife Conservation Commission will be required prior to development of the site if the gopher tortoise burrow cannot be avoided during construction.

No other protected species or evidence of protected species utilization which would require permits from the FWC or FWS were observed onsite during the site inspection.

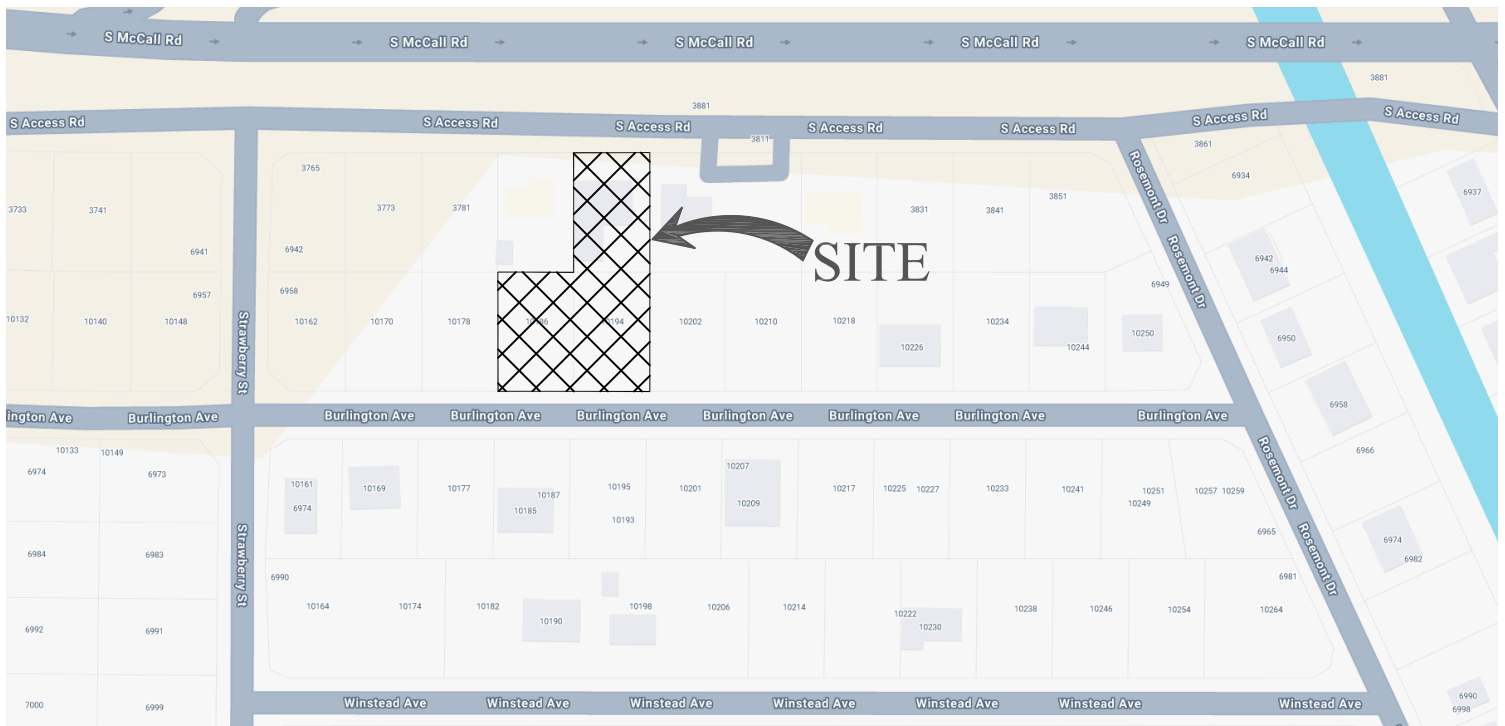


SECTION 02; TOWNSHIP 41S; RANGE 20E

NOT TO SCALE



CHARLOTTE COUNTY, FLORIDA



LOCATION MAP

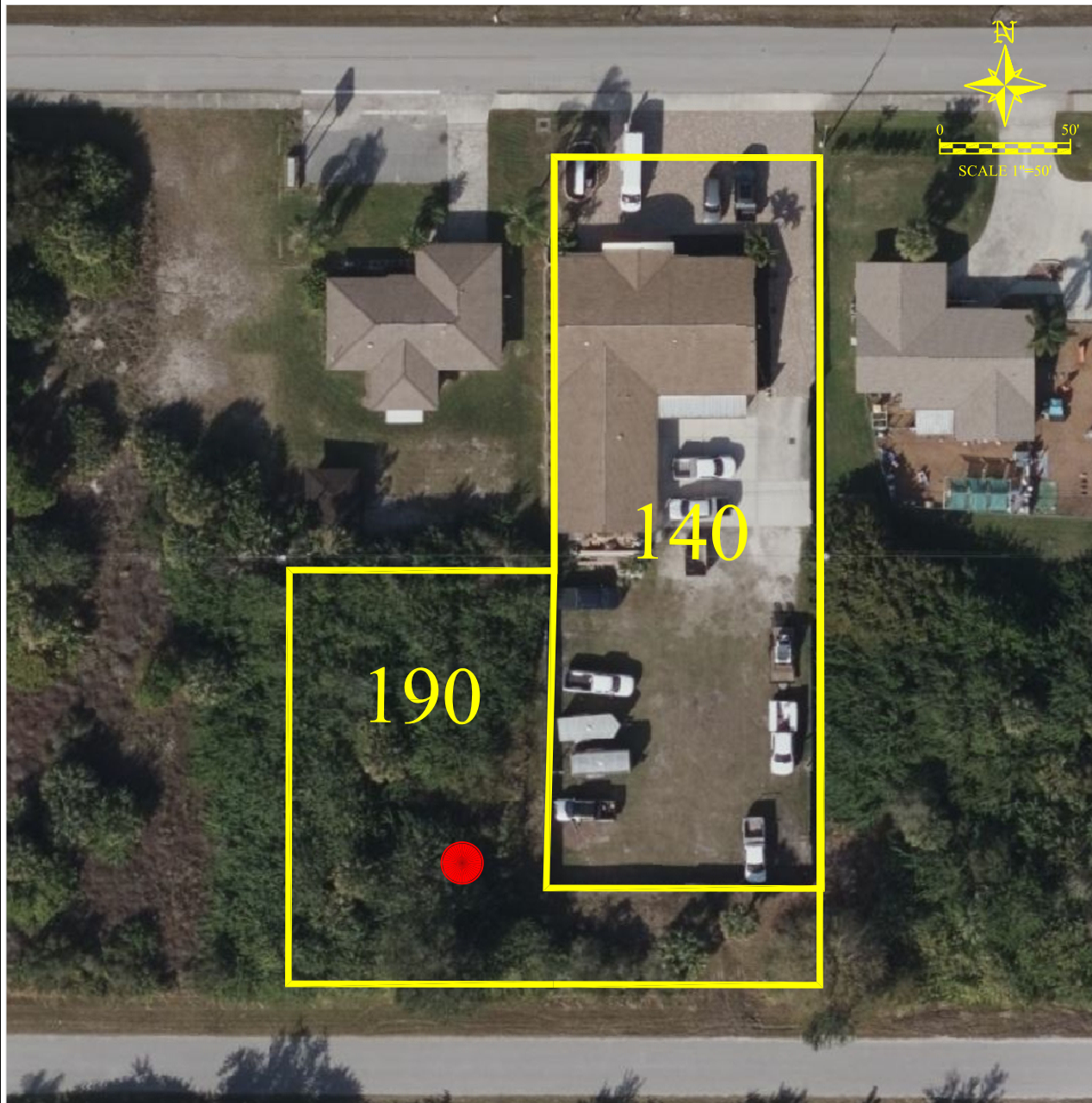
24-740 / JANUARY 8, 2025

10186 BURLINGTON AVENUE LOTS 5, 19, & 20

LOCATION MAP



SECTION 02; TOWNSHIPS 41S; RANGE 20E



LEGEND

FLUCCS	DESCRIPTIONS	ACREAGE
140	COMMERCIAL AND SERVICES	0.41±
190	OPEN LAND	0.28±
TOTAL		0.69±

● POTENTIALLY OCCUPIED
GOPHER TORTOISE BURROW (1)

NOTES:

1. FOR PERMIT USE ONLY, NOT FOR CONSTRUCTION.
2. PROJECT BOUNDARY IS APPROXIMATE AND WAS OBTAINED FROM CHARLOTTE COUNTY GIS.
3. MAPPING APPROXIMATE AND BASED ON INTERPRETATION OF 2017 AERIAL PHOTOGRAPHY AT 1"=30' SCALE.
4. THE DELINEATION OF ANY ON-SITE WETLANDS, SURFACE WATERS, AND/OR OTHER SURFACE WATERS IS PRELIMINARY AND SUBJECT TO REVIEW/APPROVAL BY APPLICABLE REGULATORY AGENCIES.

24-740 / JANUARY 8, 2025

10186 BURLINGTON AVENUE LOTS 5, 19, & 20
PROTECTED SPECIES ASSESSMENT MAP

IVA.
— ENVIRONMENTAL SERVICES —

**AVAILABILITY REQUEST FORM**

Charlotte County Government Utilities Department

25550 Harbor View Road, Suite 1

Port Charlotte, FL 33980

Email: Administrative.Assistants@CharlotteCountyFL.gov

Phone: 941.764.4300 Option 3

Date: 12/23/2024

First Name

Last Name

KaeleyGatz

Organization

Atwell, LLC

Email Address

kgatz@atwell.com

Phone Number

9416251165

Site Address

House Number

Street Name

Street Suffix

3797S. Access (412002381005)Rd.

Short Legal Description

PCH 064 3571 0005

Subdivision

Section

Block

Lot

Availability - Completed by CCU Staff

Potable Water		Sewer		Reclaimed Water	
Connected		Connected		Connected	
Mandatory	x	Mandatory		Mandatory	
Available		Available	x	Available	
Unavailable		Unavailable		Unavailable	x

Comments

*COMMERCIAL PROPERTIES HAVE SERVICES AVAILABLE THROUGH A PRIVATE DEVELOPER'S AGREEMENT.

*TO DISCUSS IF CONNECTION TO THE SEWER WILL BE REQUIRED A DRT MEETING WOULD BE NEEDED.
THAT CAN BE SCHEDULED WITH DENISE.ELLIOTT@CHARLOTTECOUNTYFL.GOVCompleted By: KDDate: 1/13/2025**FOR ANY UTILITIES DEEMED UNAVAILABLE AT THIS TIME, THE PROPERTY OWNER AND/OR THEIR AGENT SHOULD RECONFIRM AVAILABILITY PRIOR TO DEVELOPMENT OF PROPERTY.****All commercial developments are to access the following link for guidelines and familiarize themselves with the requirements for plans review and the utility service agreement.****<https://www.charlottecountyfl.gov/departments/utilities/about-utilities/forms.shtml>**

Disclaimer: Information provided on this form is provided as a public convenience. Every effort is made to ensure that information provided is timely and accurate. However, Charlotte County makes no warranty, representation or guaranty as to its complete accuracy, nor does Charlotte County assume liability for any errors, omissions, or inaccuracies in the information provided, regardless how caused. In any case, where reliance on information is required, please check with County staff for updated information and/or the official records of the County.