



Staff Report for: Z-26-14

Meeting Date: May 26, 2026/June 9, 2026

To: Board of County Commissioners (BCC)(First Public Hearing)/BCC (Second Public Hearing)

From: Jaden Keech, MUP, Planner (see Exhibit 1 for professional qualifications)

Regarding: A request to amend the Zoning Atlas

Part 1 – General Information

Applicant: Shaun Cullinan, Planning & Zoning Official, Charlotte County Board of County Commissioners, 18400 Murdock Circle, Port Charlotte, FL 33948

Agent: Shaun Cullinan, Planning & Zoning Official, Charlotte County Board of County Commissioners, 18400 Murdock Circle, Port Charlotte, FL 33948

Owner: Charlotte County Board of County Commissioners, 18500 Murdock Circle, Port Charlotte, FL 33948

Request: A publicly initiated request to amend the Charlotte County Zoning Atlas from 81.884 acres of Residential Estate 1 (RE-1) to Commercial General (CG) for 62.824 acres & Environmentally Sensitive (ES) for approximately 19.06 acres.

Location: **Commission District II:** The property is located at 27544 Green Gulf Boulevard & 11711 Tamiami Trail, in the Punta Gorda area and in the South County area.

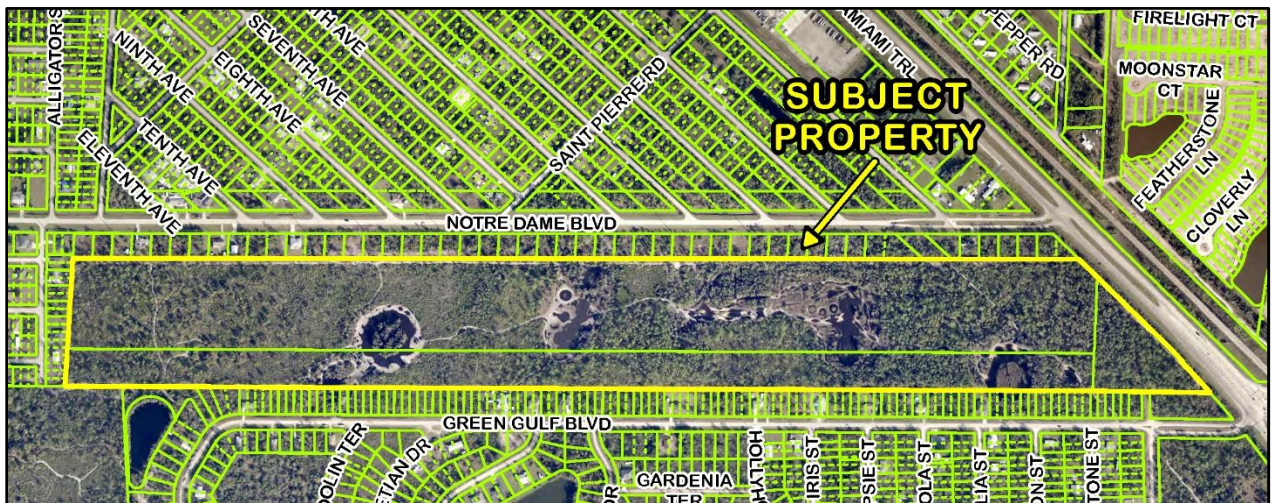
Area: The subject property contains a total of 81.884± acres.

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

Part 2 – Analysis and Conclusion

Request

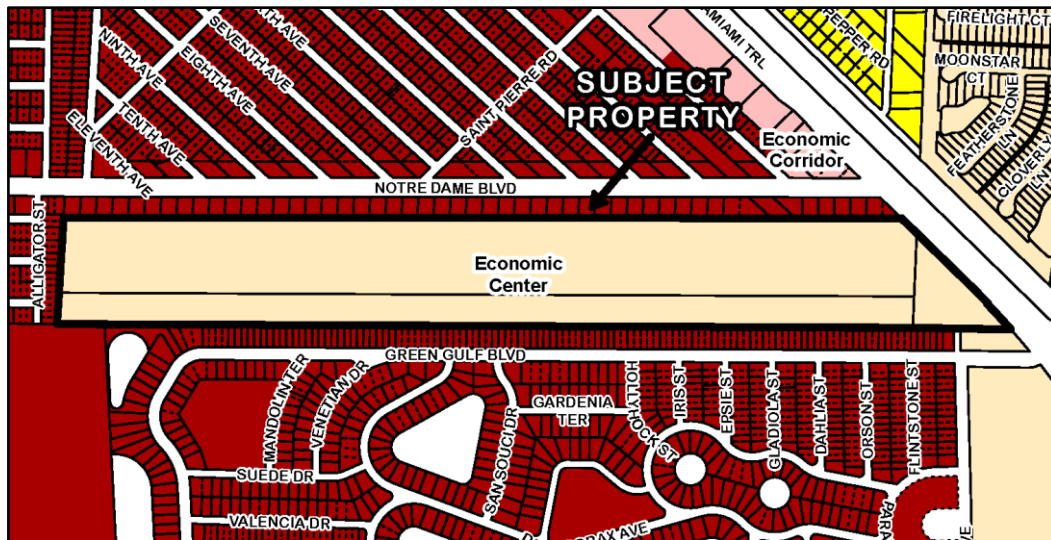
Staff, on behalf of the Charlotte County Board of County Commissioners (Board), requests a rezoning from Residential Estate 1 (RE-1) to Commercial General (CG), and Environmentally Sensitive (ES). The subject property is generally located north of Green Gulf Boulevard, south of Notre Dame Boulevard, and west of US 41, in the Punta Gorda area and in the South County area. The property is currently vacant and owned by the County. There are the proposed Charlotte County Fire Station and water tower on the portion of the property. The purpose of this rezoning is to correct an inconsistency between the existing Future Land Use Map (FLUM) designations and zoning district.



PAS-24-07 and Z-24-16 Area Image

Consistency with the County's Comprehensive Plan

The subject property is designated as part of the Economic Center on the 2050 Framework Map.



Z-26-14 Framework

The subject property is currently designated as both Commercial (COM) and Preservation (PR) on the 2030 Future Land Use Map via Ordinance Number 2008-072 (Attachment 1) with a Residential Estate 1 (RE-1) zoning. The County purchased the subject property on December 20, 2023. The proposed Environmentally Sensitive (ES) zoning is appropriate zoning district to implement the portion of the property designated as PR. The Commercial General (CG) zoning district is the most appropriate zoning category to implement the COM FLUM designation. Therefore, the proposed changes will ensure that the parcel's zoning districts are consistent with the existing FLUM designations.

Compatibility and Impacts on Adjacent Land Uses

The subject property is located in the South County Area. The site is surrounded by single-family homes except for US-41 and vacant lands, which is located directly to the east of the site.

The site has been vacant for years. The proposed changes will ensure that the property's FLUM designation and zoning district are consistent.

Concurrency Issues

- **Potable Water and Sanitary Sewer:** The subject property is served by Charlotte County Utilities.
- **Student Generation:** The proposed CG and ES zoning designations do not involve any residential development rights; therefore, school concurrency is irrelevant with this application.
- **Traffic:** The site is located directly on a Notre Dame Blvd. and US-41. The proposed rezoning will ensure that FLUM designation and zoning district are consistent. The County Public Works Department staff reviewed this rezoning application and concluded that the proposed changes shall not cause the Level of Service (LOS) of the adjacent County roadways to fall below the adopted LOS "D".

Based on these facts, the proposed land use and zoning changes change the use of the site, but they do not raise any concurrency issues.

Conclusion

It is staff's professional opinion that the rezoning to CG and ES are consistent with the current FLUM designations of COM and PR and are supported by various goals, objectives and policies set forth in the County's Comprehensive Plan..

Part 3 – Summary and Recommendation

Staff Summary:

Based upon the analysis and conclusions set forth herein, in staff's professional opinion, the application (Application No. Z-26-14) 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 proposed recommendation for April 13, 2026:

*Approve a motion to forward application Z-26-14 to the Board of County Commissioners with a recommendation of **Approval**, based on the findings and analysis in the staff report dated March 18, 2026, Charlotte County's Comprehensive Plan, and the evidence and testimony presented at the public hearing before the Planning and Zoning Board.*

Part 4: Research and Findings

- 2050 Framework Map Designation:** Economic Center (FLUM Map #2 - 2050 Framework)
- 2030 Service Area Delineation:** In the Urban Service Area
- Existing Land Use on the Site:** The subject property is vacant. (See attached Site Image and Boundary Survey.)
- Existing Future Land Use and Zoning Designations:**
(See attached Future Land Use Map and Zoning Map)

FLUM:	Development Standards:
Commercial (COM)	<u>General Range of Uses.</u> This category provides for full range of sales and service activities. These uses may occur in self-contained centers, multi-story structures, campus parks, municipal central business districts, or along arterial highways. In reviewing zoning requests or site plans, the specific intensity and range of uses, and design will depend on location factors, particularly compatibility with adjacent uses, availability of highway capacity, ease of access and availability of other public services and facilities. Uses should be located to protect adjacent residential use from such impacts as noise or traffic. In wellfield protection areas uses are prohibited that involve the use, handling, storage, generation or disposal of hazardous toxic material or substances, or waste or petroleum products.

	<u>Maximum Intensity.</u> Maximum FAR shall not exceed 1.0. Development should be consistent with the applicable underlying zoning classification standards and land development regulations.
Preservation (PR)	<u>General Range of Uses.</u> Allowable development activities include public services and facilities and those necessary for management of the resource and limited public access, as applicable, and sparse residential use. Uses permitted in preservation areas shall be primarily of a passive nature, related to the aesthetic, educational and scientific enjoyment of the natural resources. Development identified within an approved land management plan of a public land management agency that uphold the allowable development activities listed above are considered consistent with this designation. <u>Maximum Density/Intensity.</u> Density: Residential densities may not exceed one dwelling unit per 40 acres (consistent with Special Provisions provided below) and must be developed so as to minimize any impacts to natural resources. Intensity: The maximum Floor Area Ratio (FAR) for all non-residential structures is 0.1 and the maximum impervious surface coverage for all residential and non-residential uses is ten percent.
Zoning:	Development Standards:
Residential Estate-1 (RE-1)	The purpose and intent of these districts is to provide for single-family residential dwellings and other uses normally associated therewith. Among RSF-2, RSF-3.5 and RSF-5 districts, there are variations in requirements for lot area, width, and certain yards. • Minimum lot area is 10,000 square feet. • Minimum width is 80 feet. • Setbacks: ○ Front: 25 feet. ○ Side (interior): Half the building height but not less than 7.5 feet. ○ Abutting water: 20 feet. • Maximum lot coverage is 40 percent. • Maximum building height is 38 feet. • Maximum density is 5 units per acre.

Table 1

5. Proposed Future Land Use and Zoning Designations:

(See attached Future Land Use Map and Zoning Map)

FLUM:	Development Standards:
Commercial (COM)	<u>General Range of Uses.</u> This category provides for full range of sales and service activities. These uses may occur in self-contained centers, multi-story structures, campus parks, municipal central business districts, or along arterial highways. In reviewing zoning requests or site plans, the specific intensity and range of uses, and design will depend on location factors, particularly compatibility with adjacent uses, availability of highway capacity, ease of access and availability of other public services and facilities. Uses should be located to protect adjacent residential use from such impacts as noise or traffic. In wellfield protection areas

	uses are prohibited that involve the use, handling, storage, generation or disposal of hazardous toxic material or substances, or waste or petroleum products. <u>Maximum Intensity.</u> Maximum FAR shall not exceed 1.0. Development should be consistent with the applicable underlying zoning classification standards and land development regulations.
Preservation (PR)	<u>General Range of Uses.</u> Allowable development activities include public services and facilities and those necessary for management of the resource and limited public access, as applicable, and sparse residential use. Uses permitted in preservation areas shall be primarily of a passive nature, related to the aesthetic, educational and scientific enjoyment of the natural resources. Development identified within an approved land management plan of a public land management agency that uphold the allowable development activities listed above are considered consistent with this designation. <u>Maximum Density/Intensity.</u> Density: Residential densities may not exceed one dwelling unit per 40 acres (consistent with Special Provisions provided below) and must be developed so as to minimize any impacts to natural resources. Intensity: The maximum Floor Area Ratio (FAR) for all non-residential structures is 0.1 and the maximum impervious surface coverage for all residential and non-residential uses is ten percent.
Zoning:	Development Standards:
Commercial General (CG)	The purpose and intent of this district is to allow general commercial activity. • Minimum lot area is 12,000 square feet. • Minimum width is 100 feet. • Setbacks: ○ Front: 15 feet. ○ Side (interior): 0 feet. ○ Side (street): 10 ○ Rear (interior): 10 ○ Rear (street): 10 ○ Abutting water: 20 feet. • Maximum lot coverage is 55 percent. Maximum building height is 60 feet.
Environmentally Sensitive (ES)	The purpose and intent of this district is to preserve and protect land and water areas which have ecological, hydrological, or physiographic importance to the public at large. It is intended to preserve and protect open spaces, park lands, wilderness areas, marshlands, watersheds and water recharge areas, scenic areas, beaches, and native flora and fauna. It is intended to allow limited public or private recreational and educational uses, and their incidental accessory uses and structures. • Minimum lot area is 10 acres. • Minimum width is 250 feet. • Setbacks: ○ Front: 25 feet. ○ Side: 10 feet. ○ Rear: 20

	○ Abutting water: 20 feet. ○ Side & rear abutting Gulf of Mexico: 50 feet • Maximum lot coverage is 10 percent. • Maximum building height is 38 feet. • Maximum density is 1 unit per 10 acres
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Table 2

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

Direction:	Existing Land Use:	FLUM Designation:	Zoning District Designation:
North	Single-family homes Vacant lands	Low Density Residential (LDR) Commercial (COM)	Residential Single-Family 5 (RSF-5) Residential multi-family (RMF-5)
East	US-41 Single-Family Homes Vacant Lands	Low Density Residential (LDR) Commercial (COM)	Planned Development (PD)
South	Single-family homes Vacant Lands	Low Density Residential (LDR)	Residential Single-family 3.5 (RSF-3.5)
West	Single-Family Homes Vacant Lands	Low Density Residential (LDR)	Residential Single-family 5 (RSF-5)

Table 3

7. Buildout Calculations (square footage or density):

The subject property, containing approximately 84.2 acre, is part of a large scale plan amendment for approximately 89.83 acres of the lands, which was approved by the Board of County Commissioners in 2008 for a maximum commercial square footage of 444,000.

8. Is subject property in a Community, Special Planning Area or Overlay District? No

The subject property is not located in any Community, Special Planning or Overlay District. (FLUM Maps #8, #9, #10 or #11)

9. Is subject property located adjacent to existing or proposed Federal, State, or County wildlife management areas, parks, preserves or reserves? No

Subject property is not located adjacent to any existing or proposed Federal, State, or County wildlife management areas, parks, preserves or reserves. (SPAM Maps, #35, #74 and #75)

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

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

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

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

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

11. Does subject property contain archaeological or historic resources?No

The subject site contains no existing archaeological or historic resources. (SPAM Map #3, #27 & #53)

12. Are there wetlands on the property?Yes

- a. Number of acres of Category I: It will be determined during the Site Plan Review process.
- b. Number of acres of Category II:It will be determined during the Site Plan Review process.

13. Natural Resources:

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

14. Coastal Planning:

- a. Is the subject site within the **Coastal Planning Area**? (FLUM Map #13)..... **Yes**
The subject property is located Zone 4 of the Coastal Planning Area.
- b. Could the proposed changes impact beach accessibility? **No**
- c. Could the proposed change affect other waterfront access? **No**
- d. Flood Zone: The subject site is in Flood Zones "D".
- e. Storm Surge Evacuation Zone: The site is located within Evacuation Zones "D".
- f. Is the subject site within the Coastal High Hazard Area? (FLUM Map #14) **No**,
it is not located in the Coastal High Hazard area, but it is adjacent to an evacuation route.
- g. Could the proposed changes impact evacuation times? **No**

15. Charlotte County Facilities and Services:

- a. Nearest Park: N/A (SPAM Map #74)
- b. Nearest Police Station: **District 4 Charlotte County Sheriff's Office** (SPAM Map #25)
Address:..... 7474 Utilities Road, Punta Gorda
Distance:..... approximately 4.4 miles to the north of subject property
- c. Nearest Fire/EMS Station: **Charlotte County Fire Station No. 5** (SPAM Map #22)
Address:..... 29400 Palm Shores Boulevard, Punta Gorda

Response Time:..... approximate response time is 4-6 minutes (SPAM Map #39)

- d. Nearest Library:..... N/A (SPAM Map #73)
- e. Nearest Hospital:..... **AdventHealth Port Charlotte** (SPAM Map #24)
Address:..... 2500 Harbor Boulevard, in the Port Charlotte area
Distance:..... approximately 6.2 miles to the northwest of subject property
- f. Nearest Emergency Shelter:.. **N/A** (SPAM Map #21)
- g. Public School Attendance Boundary: N/A

16. Concurrency:

- a. **Roads Level of Service:**.....The site contains vacant land. The proposed changes will ensure that the proposed CG and ES and the COM and ES FLUM designation and are the most appropriate land use categories and zoning for the subject property. Therefore, no negative impacts on the County's roads level of service.
- b. **Potable Water Level of Service: Charlotte County Utilities**
- c. **Sanitary Sewage Level of Service: Charlotte County Utilities**
- d. **Park and Recreation Level of Service:**
 - 1. *Level of Service:* **Adopted Level of Service is 16 Park, Recreation & Open Space points (16 PROS points) per 1,000 population.**
 - 2. *Analysis:* **A 2009 analysis shows that the County currently has 17.2 PROS points per 1,000 population.**
- e. **Schools:**..... **N/A**
- f. **Solid Waste:**
 - 1. *Refuse Collector:*..... **Waste Management Inc. of Florida or another provider**
 - 2. *Solid Waste Provider:* **Public Works Dept. - Municipal Solid Waste Management**
 - 3. *Level of Service:* Zemel Road landfill currently has capacity to dispose of 4.6 million cubic yards of waste. The landfill has a projected remaining lifespan to the year 2027. An estimated 170 acres for future disposal cells will provide disposal capacity beyond the year 2050.
 - Solid Waste (Landfill) 5.0 pounds per day per equivalent fulltime resident
 - Solid Waste (Recycle) 2.2 pounds per day per equivalent fulltime resident
- g. **Drainage: Level of Service:**
 - New arterials: flood free in the 100-year rainfall event.
 - New and improved collectors: not less than one lane of traffic in each direction above the design high water elevation from a 25-year, 24-hour rainfall.
 - New local residential streets: designed and constructed with the pavement centerline at or above the design high water elevation resulting from a 5-year, 24-hour rainfall.

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

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

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

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

17. Capital Improvements Program:

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

18. Intergovernmental Coordination:

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

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

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

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

Part 5 – Approval Criteria

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

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

Finding: The subject property is designated as Commercial (COM) and Preservation (PR) with a RE-1 zoning. None of site is located within the Coastal High Hazard Area. The property contains an existing vacant land. The intent of the proposed Commercial General (CG) and Environmentally (ES) zoning designation is to create consistency with the existing FLUM designations of Commercial (COM) and Preservation (PR) for the subject property. The proposed rezoning is consistent with various goals, objectives, and policies set forth in the County's Comprehensive Plan.

b. The existing land use pattern in adjacent areas:

Finding: The subject property is surrounded by single-family homes and vacant lands in every direction, with US-41 directly adjacent to the property to the east.

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

Finding: The subject property contains vacant county owned land. The existing COM and PR FLUM designations as well as the proposed CG and ES rezonings do not involve any residential development rights; therefore, the school concurrency is irrelevant with this application.

The subject property contains vacant county owned land. The site is located on Notre Dame Blvd. and Green Gulf Blvd. which are local roads, it is also adjacent to US 41 which is a major corridor. The proposed rezoning will ensure that the most appropriate zoning districts to implement the existing COM and PR FLUM designations for the property, which shall not cause the LOS of the adjacent County roadways to fall below the adopted LOS "D".

The subject property is located within the Charlotte County Utility service area.

Based on these facts, the proposed changes should not create any negative impacts on the capacity of public facilities and services.

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

Finding: The subject property is owned by the County. The site contains vacant land, which has never been in use. The intent of the proposed changes is to correct any inconsistency between the FLUM designation and zoning district. Therefore, the proposed changes would not adversely influence living conditions or property values in adjacent areas.

- e. **Would the proposed change affect public safety?**

Finding: The subject property contains vacant land, and the proposed Charlotte County water tower and fire station will be located on the east portion of the property. Therefore, this proposed zoning change from RE-1 to CG and ES will not impact public safety.

Attachment 1

Ordinance Number 2008-072

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Bee
#74
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FILED WITH THE DEPARTMENT OF STATE

September 16, 2008

ORDINANCE
NUMBER 2008 - 072

AN ORDINANCE PURSUANT TO SECTION 163.3184, FLORIDA STATUTES, ADOPTING A LARGE SCALE FUTURE LAND USE MAP AMENDMENT TO THE CHARLOTTE COUNTY COMPREHENSIVE PLAN FROM AGRICULTURE AND LOW DENSITY RESIDENTIAL TO COMMERCIAL CENTER AND PRESERVATION, FOR PROPERTY LOCATED NORTH OF GREEN GULF BOULEVARD, SOUTH OF NOTRE DAME BOULEVARD AND WEST OF U.S. 41, COMMISSION DISTRICT II, CHARLOTTE COUNTY, FLORIDA, CONTAINING 89.83 ACRES MORE OR LESS, AND ADDING AN ANNOTATION TO THE FUTURE LAND USE MAP LIMITING COMMERCIAL INTENSITY OF THE SUBJECT SITE; PETITION PA-07-11-85-LS, APPLICANT, EIGHTY-ONE HUNDRED, LLC; PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, in a public hearing held on Tuesday, September 9, 2008, the Board of County Commissioners of Charlotte County ("Board") reviewed land use amendment Petition PA-07-11-85-LS, which is a large scale plan amendment to the Future Land Use Map of the 1997-2010 Charlotte County Comprehensive Plan (such plan shall herein be referred to as "the Charlotte County Comprehensive Plan"), and which includes an annotation to the Future Land Use Map of the Charlotte County Comprehensive Plan limiting commercial intensity of the subject site to 444,000 square feet; and

WHEREAS, Eighty-One Hundred, LLC, whose address is 5661 Independence Circle, Suite 1, Fort Myers, Florida 33912 ("Applicant"), has filed Petition PA-07-11-85-LS seeking a large scale plan amendment to the Future Land Use Map of the Charlotte County Comprehensive Plan from Agriculture and Low Density Residential to Commercial Center (70.77 acres more or less) and Preservation (19.06 acres more or

BARBARA T. SCOTT, CLERK, CHARLOTTE COUNTY
OR BOOK 3327, PGS 16-22, 7 pg(s)
INSTR # 1796705
Doc Type GOV, Recorded 09/26/2008 at 04:29 PM
Rec. Fee: \$61.00
Cashiered By: MARIANNE Doc. #: 1

IMAGED

10-1-08
AP

7
mins

less), for property containing a combined 89.83 acres more or less, which is owned by the Applicant, and described as property located North of Green Gulf Boulevard, South of Notre Dame Boulevard, and West of U.S. 41, in the Punta Gorda area, Commission District II, Charlotte County, Florida, and more particularly described in Exhibit "A" attached hereto and by this reference provided herein; and

WHEREAS, on March 10, 2008, Petition PA-07-11-85-LS was heard before the Charlotte County Planning and Zoning Board ("P&Z Board") and, based on the findings and analysis presented in the Planning Division Staff Report regarding the proposed Petition PA-07-11-85-LS and the evidence presented to the P&Z Board, the proposed amendment was found to be consistent with the Charlotte County Comprehensive Plan and the P&Z Board recommended approval for transmittal of Petition PA-07-11-85-LS to the Department of Community Affairs ("DCA") for an Objections, Recommendations, and Comments report; and

WHEREAS, on April 15, 2008, Petition PA-07-11-85-LS was heard by the Board of County Commissioners of Charlotte County, Florida, and was approved for transmittal to DCA for an Objections, Recommendations, and Comments report; and

WHEREAS, on July 11, 2008, DCA issued an Objections, Recommendations, and Comments report which is provided in the Planning Division staff report dated August 5, 2008 ("Staff Report"); and

WHEREAS, after due consideration, and based on the findings and analysis presented in the Staff Report regarding Petition PA-07-11-85-LS and the evidence presented to the Board, the Board has found that the requirements and conditions of Chapter 163, Florida Statutes, as they relate to this Petition, have been met, and that it is

1 in the best interests of the County to approve Petition PA-07-11-85-LS with an annotation
2 to Charlotte County's Future Land Use Map limiting commercial intensity on the subject site
3 to 444,000 square feet.

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

6 Section 1. Approval. The following petition for amendment to the Future Land
7 Use Map of the Charlotte County Comprehensive Plan be and hereby is approved with an
8 annotation to Charlotte County's Future Land Use Map limiting commercial intensity on the
9 subject site to 444,000 square feet:

10 Petition PA-07-11-85-LS requesting a large scale amendment
11 to the Future Land Use Map of the Charlotte County
12 Comprehensive Plan from Agriculture and Low Density
13 Residential to Commercial Center (70.77 acres more or less)
14 and Preservation (19.06 acres more or less), described as
15 property located North of Green Gulf Boulevard, South of
16 Notre Dame Boulevard, and West of U.S. 41, Punta Gorda
17 area, in Commission District II, Charlotte County, Florida, and
18 more particularly described in Exhibit "A" attached hereto and
19 by this reference provided herein.

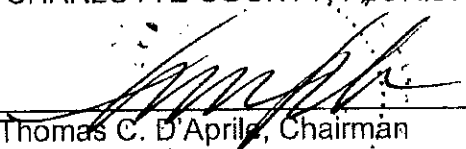
20 Section 2. Effective date. The effective date of this plan amendment shall
21
22 be the date a final order is issued by the Department of Community Affairs or the
23 Administration Commission finding the adopted amendment to be in compliance with
24 Section 163.3184, Florida Statutes, whichever occurs earlier; provided this ordinance has
25 been filed in the Office of the Secretary of State, State of Florida. No development orders,
26 development permits, or land uses dependent on this amendment may be issued or
27 commenced before it has become effective. If a final order of noncompliance is issued by
28 the Administration Commission, this amendment may nevertheless be made effective by
29 adoption of a resolution affirming its effective status, a copy of which resolution shall be

1 sent to the Florida Department of Community Affairs, Division of Community Planning,
2 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100.

3 Section 3. Transmittal. County staff is hereby directed to forward a certified
4 copy of this ordinance and its attachments to the Florida Department of Community Affairs,
5 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, and to the Executive
6 Director, Southwest Florida Regional Planning Council, 4980 Bayline Drive, 4th Floor,
7 North Fort Myers, FL 33918-3909.

8 PASSED AND DULY ADOPTED this 9 day of Sept, 2008.

9 BOARD OF COUNTY COMMISSIONERS
10 OF CHARLOTTE COUNTY, FLORIDA

11
12
13 By: 
14 Thomas C. D'Aprile, Chairman

15
16 ATTEST:
17 Barbara T. Scott, Clerk of Circuit
18 Court and Ex-officio Clerk to the
19 Board of County Commissioners

20
21 By: 
22 Deputy Clerk
23
24

25 APPROVED AS TO FORM
26 AND LEGAL SUFFICIENCY:

27
28 By: 
29 Janette S. Knowlton, County Attorney
30
31 RB
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35 p:\wpdata\public\karen\ord\large scale\PA-07-11-85-LS.Eighty-One Hundred, LLC
36 LR2008-226
37

Banks Engineering

Professional Engineers, Planners & Land Surveyors
12653 SW C.R. 769, Suite B
Lake Suzy, Florida 34269
(941) 625-1165
Fax (941) 625-1149

Please Reply To:
PORT CHARLOTTE OFFICE

EIGHTY ONE HUNDRED NOTRE DAME PARCEL

PARCEL 1:

THE SOUTH ONE-EIGHTH (1/8) OF SECTION 34, TOWNSHIP 41 SOUTH, RANGE 23 EAST, LYING AND BEING IN CHARLOTTE COUNTY, FLORIDA.

LESS & EXCEPT RIGHT-OF-WAY FOR U.S. HIGHWAY #41.

AND

PARCEL 2:

ALL THAT PART OF THE SOUTHWEST ONE QUARTER (1/4) OF SECTION 35, TOWNSHIP 41 SOUTH, RANGE 23 EAST, LYING SOUTH AND WEST OF TAMiami TRAIL, LYING AND BEING IN CHARLOTTE COUNTY, FLORIDA.

AND

LOTS 1A, 2A, 3A, 4A, 5A, 13A, 14A, 15A, 29A, 30A, 35A, 36A, AND 37A, AMENDED PLAT OF SOUTH PUNTA GORDA HEIGHTS AND ITS FIRST ADDITION, PLAT BOOK 5, PAGE 17-A THROUGH 17-C, CHARLOTTE COUNTY PUBLIC RECORDS. LESS & EXCEPT ROAD RIGHT OF WAY FOR STATE ROAD 45 (U.S. HIGHWAY #41) FROM SAID LOTS 1A AND 2A.

Fort Myers Office
10511 Six Mile Cypress
Pkwy., Suite 101
Fort Myers, FL
33966
(239) 939-5490
Fax (239) 939-2522

Naples Office
2515 Northbrooke Plaza Dr.
Suite 200
Naples, Florida
34119
(239) 597-2061

Sarasota Office
1144 Tallevast Road
Suite # 115
Sarasota, Florida
34243
(941) 360-1618
Fax (941) 360-6918

EXHIBIT

"A"

1 of 3

ATTACHMENT "B"

Banks Engineering

Professional Engineers, Planners & Land Surveyors
12653 SW C.R. 769, Suite B
Lake Suzy, Florida 34269
(941) 625-1165
Fax (941) 625-1149

Please Reply To:
PORT CHARLOTTE OFFICE

A PARCEL LYING IN
SECTIONS 34 & 35, T-41-S, R-23-E,
CHARLOTTE COUNTY, FLORIDA.

(DEVELOPMENT AREA)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF CHARLOTTE, LYING IN SECTIONS 34 AND 35, TOWNSHIP 41 SOUTH, RANGE 23 EAST, BEING A PART OF THE PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 2625, PAGE 847, AND LOTS 3A, 4A, 5A, 13A, 14A, 15A, 29A, 30A, 35A, 36A, 37A AND PART OF LOTS 1A AND 2A, AMENDED PLAT OF SOUTH PUNTA GORDA HEIGHTS AND ITS FIRST ADDITION, PLAT BOOK 5, PAGE 17-A THROUGH 17-C, CHARLOTTE COUNTY PUBLIC RECORDS AND BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE N.03°30'26"E., ALONG THE WEST LINE OF SAID SECTION, FOR 661.99 FEET; THENCE S.89°57'51"E., ALONG THE SOUTH LINE OF SAID AMENDED PLAT OF SOUTH PUNTA GORDA HEIGHTS AND ITS FIRST ADDITION, FOR 1300.00 FEET; THENCE N.03°30'26"E. FOR 130.48 FEET; THENCE S.89°57'51"E. FOR 300.00 FEET; THENCE S.03°30'26"W. FOR 130.48 FEET; THENCE S.89°57'51"E., ALONG SAID SOUTH LINE, FOR 400.00 FEET; THENCE N.03°30'26"E. FOR 130.48 FEET; THENCE S.89°57'51"E. FOR 200.00 FEET; THENCE S.03°30'26"W. FOR 130.48 FEET; THENCE S.89°57'51"E., ALONG SAID SOUTH LINE, FOR 493.06 FEET; THENCE S.29°19'12"W. FOR 6.09 FEET; THENCE S.85°55'08"W. FOR 82.80 FEET; THENCE S.75°41'06"W. FOR 75.68 FEET; THENCE S.79°42'47"W. FOR 87.39 FEET; THENCE S.11°23'36"W. FOR 96.62 FEET; THENCE S.14°37'34"W. FOR 60.64 FEET; THENCE S.22°02'01"W. FOR 84.75 FEET; THENCE S.35°54'59"E. FOR 44.63 FEET; THENCE S.05°53'48"W. FOR 28.36 FEET; THENCE S.16°12'01"W. FOR 59.90 FEET; THENCE S.02°05'15"W. FOR 34.65 FEET; THENCE N.90°00'00"W. FOR 536.98 FEET; THENCE N.21°43'04"W. FOR 49.10 FEET; THENCE N.07°23'23"E. FOR 48.32 FEET; THENCE N.37°35'30"W. FOR 77.56 FEET; THENCE N.50°23'15"W. FOR 75.47 FEET; THENCE N.71°39'09"W. FOR 90.46 FEET; THENCE S.76°57'38"W. FOR 111.47 FEET; THENCE S.59°09'27"W. FOR 80.79 FEET; THENCE S.37°14'44"W. FOR 111.72 FEET; THENCE S.23°31'18"E. FOR 57.54 FEET; THENCE S.37°18'53"W. FOR 53.67 FEET; THENCE S.33°37'26"E. FOR 44.69 FEET; THENCE N.87°20'20"W. FOR 97.78 FEET; THENCE S.43°24'01"W. FOR 53.88 FEET; THENCE S.89°44'08"E. FOR 2365.62 FEET; THENCE N.00°15'52"E. FOR 535.48 FEET; THENCE N.89°57'51"W. FOR 150.00 FEET; THENCE N.03°30'26"E. FOR 130.48 FEET; THENCE S.89°57'51"E. FOR 300.00 FEET; THENCE S.03°30'26"W. FOR 130.48 FEET; THENCE S.89°57'51"E., ALONG SAID SOUTH LINE, FOR 894.61 FEET; THENCE N.00°02'09"E. FOR 130.24 FEET; THENCE S.89°57'51"E. FOR 383.07 FEET TO THE WEST RIGHT OF WAY LINE OF STATE ROAD 45 (U.S. HIGHWAY 41); THENCE S.45°42'49"E., ALONG SAID RIGHT OF WAY LINE, FOR 754.35 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 6461.83 FEET, DELTA ANGLE OF 1°43'54", CHORD BEARING S.44°50'52"E., CHORD DISTANCE OF 195.29 FEET, THENCE ALONG SAID RIGHT OF WAY LINE AND SAID CURVE FOR AN ARC LENGTH OF 195.30 FEET; THENCE S.46°09'18"W., ALONG SAID RIGHT OF WAY LINE, FOR 5.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 5574.58 FEET, DELTA ANGLE OF 2°08'14", CHORD BEARING S.42°46'35"E., CHORD DISTANCE OF 207.94 FEET, THENCE ALONG SAID RIGHT OF WAY LINE AND SAID CURVE FOR AN ARC LENGTH OF 207.95 FEET; THENCE N.89°09'56"W., ALONG THE SOUTH LINE OF SAID SECTION 35, FOR 612.18 FEET TO THE SOUTH WEST CORNER OF SAID SECTION 35 AND THE SOUTHEAST CORNER OF SAID SECTION 34; THENCE N.89°44'08"W., ALONG THE SOUTH LINE OF SAID SECTION 34, FOR 5321.54 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 3082819.20 SQUARE FEET, OR 70.77 ACRES, MORE OR LESS.

BEARINGS ARE PLANE COORDINATE, FLORIDA WEST ZONE, NORTH AMERICAN DATUM OF 1983/1990, THE SOUTH LINE OF SECTION 34 BEARING S.89°44'08"E.

BANKS ENGINEERING

NOVEMBER 6, 2007

Kenneth E. Trask
KENNETH E. TRASK

PROFESSIONAL LAND SURVEYOR
FLORIDA LICENSE NO. LS4684

EXHIBIT

"A"

2 of 5

Fort Myers Office
10511 Six Mile Cypress
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Fax (239) 939-2523

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Fax (239) 597-3082

Sarasota Office
44 Tallevast Road
Suite # 115
Sarasota, Florida
34243
(941) 360-1618
Fax (941) 360-6918

ATTACHMENT "C"

Banks Engineering

Professional Engineers, Planners & Land Surveyors
12653 SW C.R. 769, Suite B
Lake Suzy, Florida 34269
(941) 625-1165
Fax (941) 625-1149

Please Reply To:
PORT CHARLOTTE OFFICE

A PARCEL LYING IN
SECTION 34, T-41-S, R-23-E,
CHARLOTTE COUNTY, FLORIDA.

(PRESERVE AREA)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF CHARLOTTE, LYING IN SECTION 34, TOWNSHIP 41 SOUTH, RANGE 23 EAST, BEING A PART OF THE PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 2625, PAGE 847, CHARLOTTE COUNTY PUBLIC RECORDS AND BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 34; THENCE N03°30'26"E, ALONG THE WEST LINE OF SAID SECTION FOR 661.99 FEET; THENCE S89°57'45"E, ALONG THE SOUTH LINE OF THE AMENDED PLAT OF SOUTH PUNTA GORDA HEIGHTS AND ITS FIRST ADDITION, PLAT BOOK 5, PAGE 17-A THROUGH 17-C, SAID PUBLIC RECORDS, FOR 2693.05 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S.89°57'51"E., ALONG SAID SOUTH LINE, FOR 956.94 FEET; THENCE S.00°15'52"W. FOR 535.48 FEET; THENCE N.89°44'08"W. FOR 2365.62 FEET; THENCE N.43°24'01"E. FOR 53.88 FEET; THENCE S.87°20'20"E. FOR 97.78 FEET; THENCE N.33°37'26"W. FOR 44.69 FEET; THENCE N.37°18'53"E. FOR 53.67 FEET; THENCE N.23°31'18"W. FOR 57.54 FEET; THENCE N.37°14'44"E. FOR 111.72 FEET; THENCE N.59°09'27"E. FOR 80.79 FEET; THENCE N.76°57'38"E. FOR 111.47 FEET; THENCE S.71°39'09"E. FOR 90.46 FEET; THENCE S.50°23'15"E. FOR 75.47 FEET; THENCE S.37°35'30"E. FOR 77.56 FEET; THENCE S.07°23'23"W. FOR 48.32 FEET; THENCE S.21°43'04"E. FOR 49.10 FEET; THENCE N.90°00'00"E. FOR 536.98 FEET; THENCE N.02°05'15"E. FOR 34.65 FEET; THENCE N.16°12'01"E. FOR 59.90 FEET; THENCE N.05°53'48"E. FOR 28.36 FEET; THENCE N.35°54'59"W. FOR 44.63 FEET; THENCE N.22°02'01"E. FOR 84.75 FEET; THENCE N.14°37'34"E. FOR 60.64 FEET; THENCE N.11°23'36"E. FOR 96.62 FEET; THENCE N.79°42'47"E. FOR 87.39 FEET; THENCE N.75°41'06"E. FOR 75.68 FEET; THENCE N.85°55'08"E. FOR 82.80 FEET; THENCE N.29°19'12"E. FOR 6.09 FEET; TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 830241.88 SQUARE FEET, OR 19.06 ACRES, MORE OR LESS.

BEARINGS ARE PLANE COORDINATE, FLORIDA WEST ZONE, NORTH AMERICAN DATUM OF 1983/1990, THE SOUTH LINE OF SECTION 34 BEARING S.89°44'08"E.

BANKS ENGINEERING

NOVEMBER 6, 2007

Kenneth E. Trask

KENNETH E. TRASK
PROFESSIONAL LAND SURVEYOR
FLORIDA LICENSE NO. LS4684

EXHIBIT

"A"

3 of 3

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Suite # 115
Sarasota, Florida
34243
(941) 360-1618
Fax (941) 360-6918



Qualifications of Jaden Keech

Position: Planner

Years with Charlotte County: 0.5

Position Summary & Experience: I have worked as a Planner for the Charlotte County Community Development Department since July 2025. My main duties include facilitating the administrative variance process, zoning code amendments, and enforcing the future land use element of the comprehensive plan on all new projects that come through the development review committee. Additionally, I administer the rezoning process as well as present staff reports and corresponding PowerPoints to the planning and zoning board and Board of County Commissioners.

I take part in project conferences to advise new developers how to develop their site within the framework of the Comprehensive Plan. I am responsible for interpreting code for property owners in Charlotte County by processing Zoning Verification Requests and Zoning Determination Letters. Lastly, I handle the tracking of the Capital Improvements Elements, Comprehensive Plan amendments, and Concurrency data for the school board.

Education:

- February 2023 to December 2024
University at Buffalo; Buffalo, New York; Obtained a MUP degree in Urban Planning
- September 2019 to December 2022
University at Buffalo; Buffalo, New York; Obtained a B.A. degree in Environmental Design & Planning

Professional Associations and Certifications:

- American Planning Association (APA), Member since 2025

Related Past Experience:

- Planner at Charlotte County, City of Rochester Transportation Planning and Safety Initiatives intern, Erie County Planning Intern, Town of Webster Environmental Planning & Engineering Intern

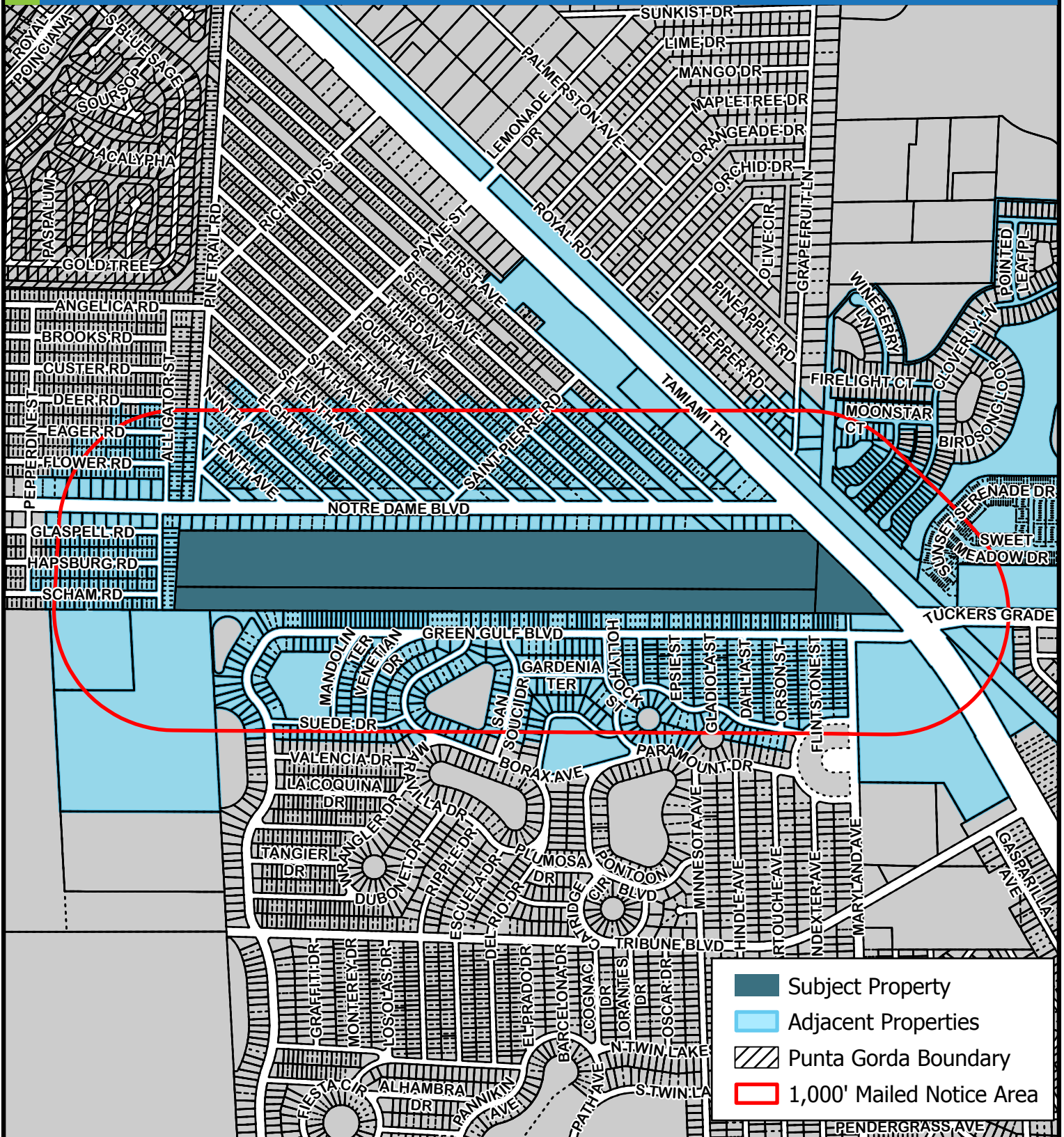
Exhibit 1

CHARLOTTE COUNTY

1000' Mailed Notice Area for Z-26-14



CHARLOTTE COUNTY
Community Development



34/41/23 South 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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CHARLOTTE COUNTY

Location Map for Z-26-14



CHARLOTTE COUNTY
Community Development



34/41/23 South County



(NOT TO SCALE)

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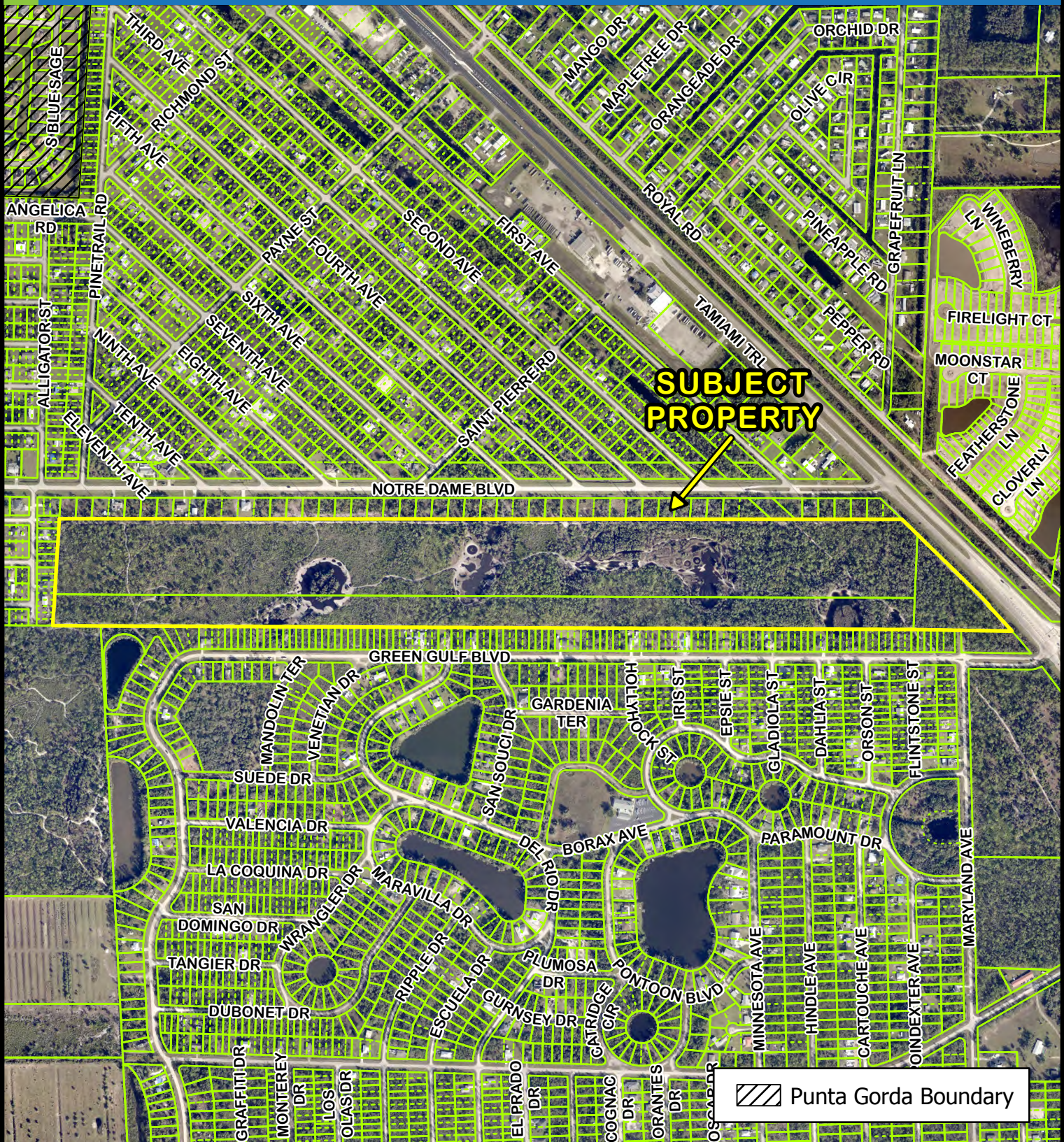
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CHARLOTTE COUNTY

Area Image for Z-26-14



CHARLOTTE COUNTY
Community Development



34/41/23 South County



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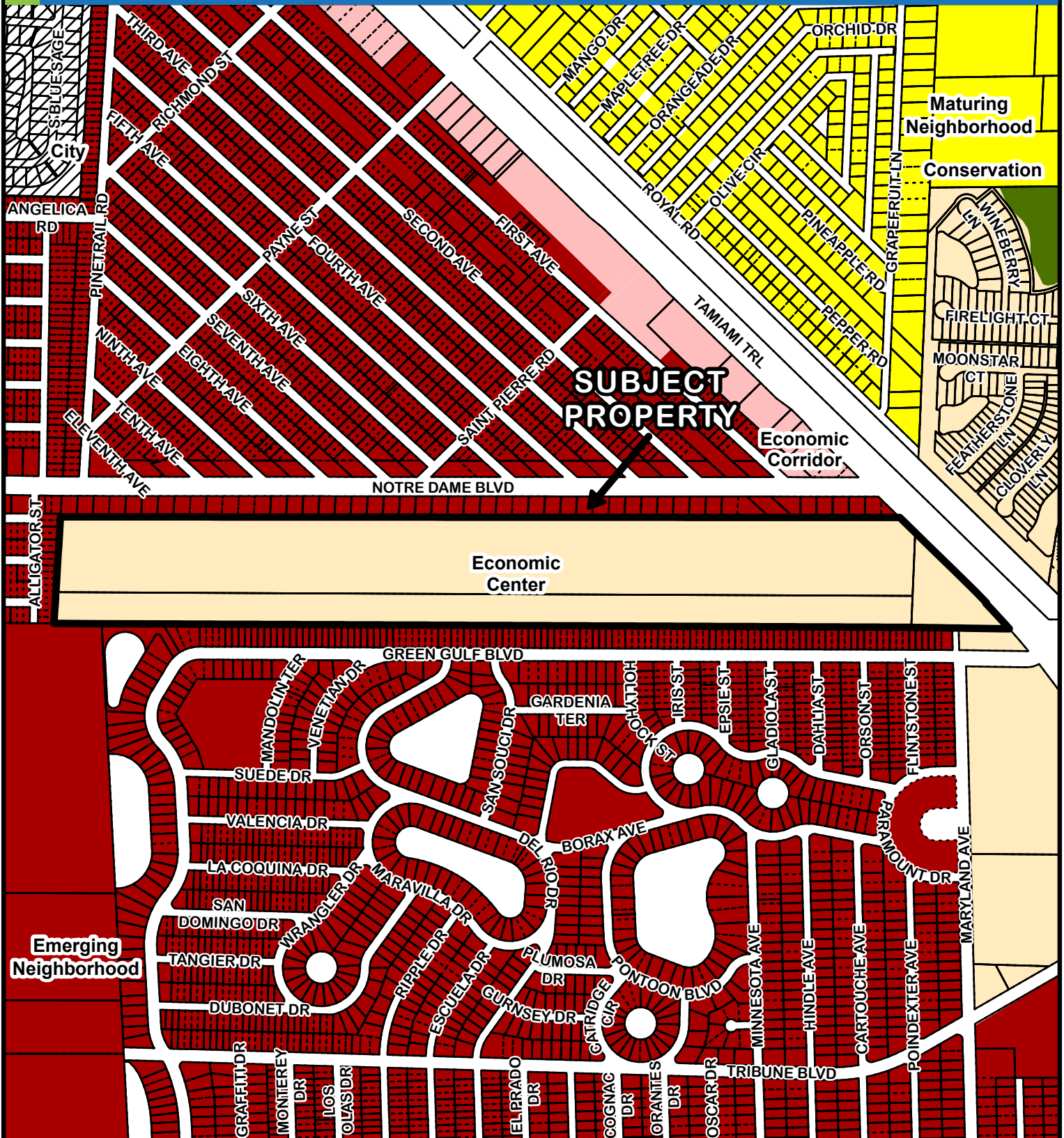
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CHARLOTTE COUNTY

Framework for Z-26-14



CHARLOTTE COUNTY
Community Development



34/41/23 South County



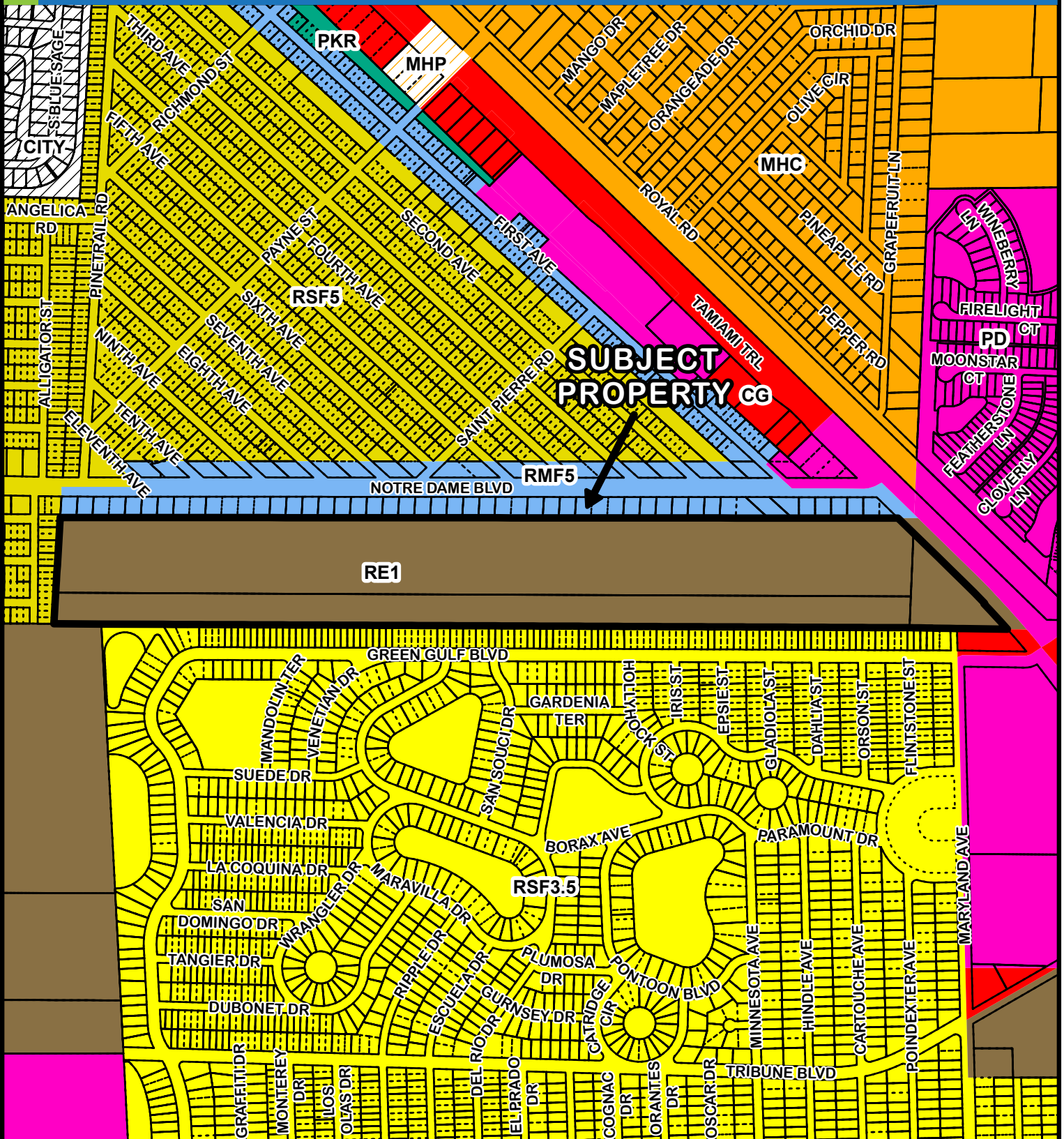
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CHARLOTTE COUNTY

Zoning Designations for Z-26-14



34/41/23 South County



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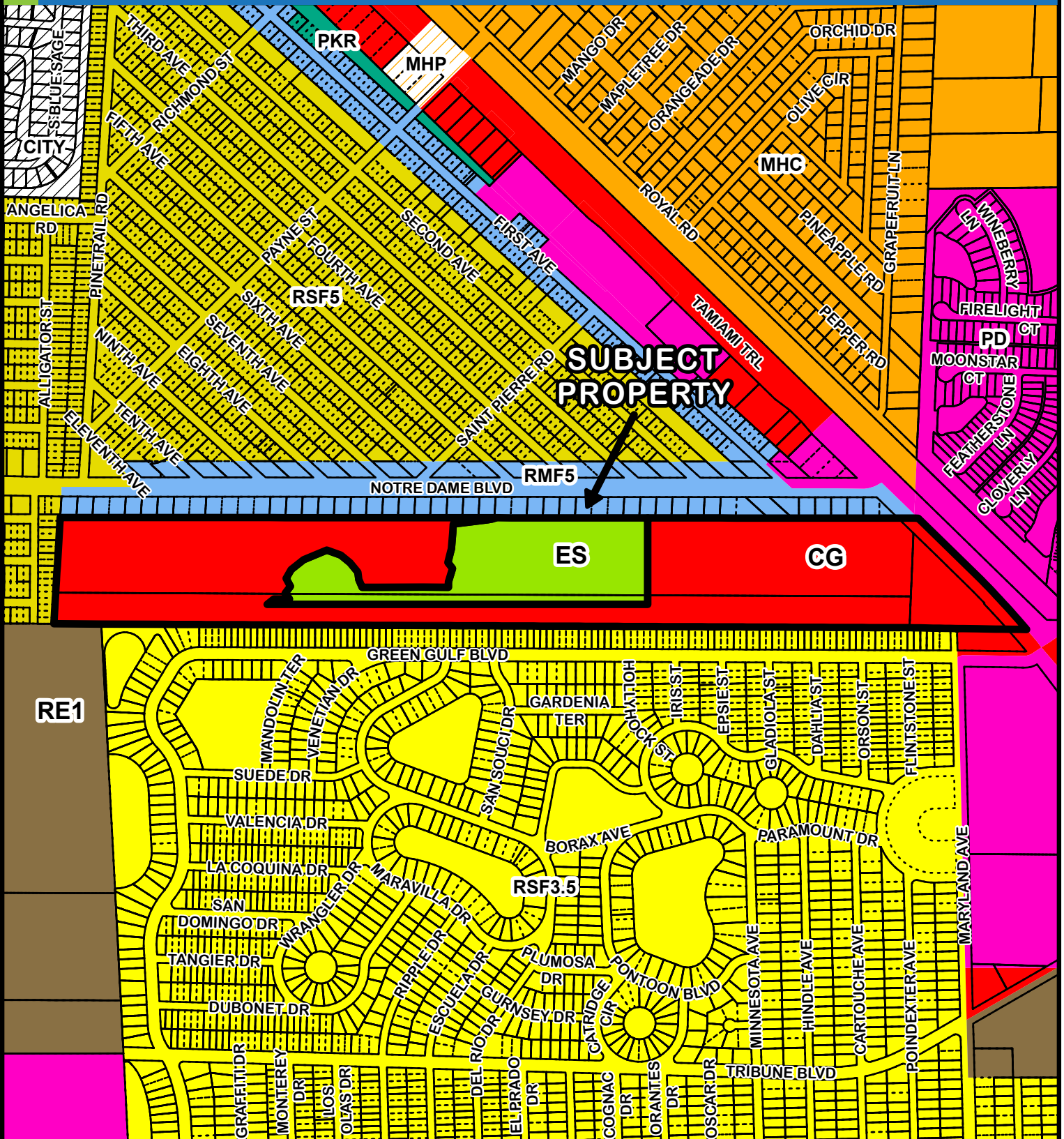
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CHARLOTTE COUNTY

Proposed Zoning Designations for Z-26-14



CHARLOTTE COUNTY
Community Development



34/41/23 South County



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