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O R D I N A N C E
NUMBER 2026 -

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3187, FLORIDA STATUTES, ADOPTING A SMALL SCALE PLAN AMENDMENT TO AMEND CHARLOTTE COUNTY FLUM SERIES MAP #1: 2030 FUTURE LAND USE, FROM LOW DENSITY RESIDENTIAL (LDR) (4.64± ACRES) AND AGRICULTURE (AG) (8.21± ACRES) TO COMMERCIAL (COM); FOR PROPERTY LOCATED AT 5905 DUNCAN ROAD (US 17), IN THE PUNTA GORDA AREA, CONTAINING 12.85± ACRES; COMMISSION DISTRICT II; PETITION NO. PAS-25-02; APPLICANT: 5905 DUNCAN ROAD LLC; PROVIDING AN EFFECTIVE DATE.

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RECITALS

WHEREAS, applicant, 5905 Duncan Road LLC ("Applicant"), filed Petition PAS-25-02, seeking a small scale plan amendment to the County's Comprehensive Plan to amend Charlotte County FLUM Series Map #1: 2030 Future Land Use, from Low Density Residential (LDR) (4.64± acres) and Agriculture (AG) (8.21± acres) to Commercial (COM); for property located at 5905 Duncan Road (US 17), in the Punta Gorda area, Commission District II, containing 12.85± acres, which is owned by Applicant, and more particularly described in Exhibit "A" attached hereto; and

WHEREAS, on March 9, 2026, Petition PAS-25-02 was heard before the Charlotte County Planning and Zoning Board ("P&Z Board") and, based on the findings and analysis provided by County Staff and the evidence presented to it, the P&Z Board recommended approval of Petition PAS-25-02; and

WHEREAS, after due consideration regarding Petition PAS-25-02 in a public hearing held on May 26, 2026, and based on the findings and analysis provided by County

34 Staff and the evidence presented to it, the Board finds that approval of Petition PAS-25-02
35 is consistent with the County's Comprehensive Plan and meets the requirements for
36 adopting a small scale plan amendment; and

37 WHEREAS, based on the above findings, the Board finds that the Petition
38 satisfies the requirements of Section 163.3187, F.S. and that it is in the best interests of the
39 County and its citizens to adopt the small scale plan amendment requested by Petition
40 PAS-25-02.

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

43 Section 1. Adoption. Petition PAS-25-02 requesting a small scale plan
44 amendment to the County's Comprehensive Plan to amend Charlotte County FLUM Series
45 Map #1: 2030 Future Land Use from Low Density Residential (LDR) (4.64± acres) and
46 Agriculture (AG) (8.21± acres) to Commercial (COM); for property located at 5905 Duncan
47 Road, in the Punta Gorda area, containing 12.85± acres, Charlotte County, Florida,
48 Commission District II, and more particularly described in Exhibit "A" attached hereto, is
49 hereby adopted.

50 Section 2. Effective date. The effective date of this plan amendment, if the
51 amendment is not timely challenged, shall be 31 days after approval. If timely challenged,
52 this amendment shall become effective on the date the state land planning agency or the
53 Administration Commission enters a final order determining this adopted amendment to be
54 in compliance. No development orders, development permits, or land uses dependent on
55 this amendment may be issued or commence before it has become effective.

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PASSED AND DULY ADOPTED this 26th day of May, 2026.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: _____
Joseph M. Tiseo, Chairman

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

By: _____
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: _____
Thomas M. David, County Attorney
LR2025-1086



