



CHARLOTTE COUNTY

Community Development

Staff Report for: PAL-23-00005 and Z-23-41-19

Meeting Date: May 12, 2025/June 10, 2025/September 9, 2025

To: Planning and Zoning Board /Board of County Commissioners (BCC Transmittal/BCC Adoption)

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

Regarding: A request to amend the 2030 Future Land Use Map and the Zoning Atlas

Part 1 – General Information

Applicant: Lake Lonely, LLC, 7995 Mahogany Run Lane, Naples, FL 34113

Agent: Derek P. Rooney, Shareholder, GrayRobinson, P.A., 1404 Dean Street, Suite 300, Fort Myers, Florida 33901

Owners: Lake Lonely, LLC, 7995 Mahogany Run Lane, Naples, FL 34113

Request: A privately initiated request to:

- Amend Charlotte County FLUM Series Map #1: 2030 Future Land Use from Agriculture (AG) to Mineral Resource Extraction (MRE).
- Amend the Charlotte County Zoning Atlas from Agriculture (AG) to Excavation and Mining (EM).

Location: **Commission District I:** The subject property is located at 2650 SR 31, in the Punta Gorda area and within the East County area.

Area: The subject property contains a total of 223.14± 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

The applicant and property owner, Lake Lonely LLC, is requesting a large scale plan amendment from Agriculture (AG) to Mineral Resource Extraction (MRE) and a companion rezoning from AG to Excavation and Mining (EM). The stated purpose of these two applications is to allow the property owner to apply for a permit for a sand, shell, and rock commercial excavation.

The subject property is located on the east side of SR 31, in the Punta Gorda area in the East County area. The subject property is vacant for agricultural uses.



PAL-23-00005 and Z-23-41-19 Area Image

Current Status

On May 12, 2025, this large scale plan amendment to Mineral Resource Extraction (MRE); and the associated Excavation and Mining (EM) rezoning for the subject property were presented to the Planning and Zoning Board for their consideration. The Planning and Zoning Board recommended approval of the large scale plan amendment and approval of its rezoning by a unanimous vote.

Subsequently, on June 10, 2025, the Board of County Commissioners (Board) approved this large scale plan amendment application (PAL-23-00005) for transmittal to the Florida Department of Commerce and other State review agencies for review and comment via the Expedited State Review process.

On June 26, 2025, the **Florida Department of Commerce** issued a letter stating that: *“FloridaCommerce has reviewed the proposed comprehensive plan amendment for Charlotte County (Amendment No. 25-04ESR) received on June 10, 2025. The review was completed under the expedited state review process. FloridaCommerce no comment on the proposed amendment.”*

On June 30, 2025, the **Florida Fish and Wildlife Conservation Commission** issued an email stating that: *“Florida Fish and Wildlife Conservation Commission (FWC) staff reviewed the proposed comprehensive plan amendment (PAL-24-07 and PAL-23-00005) in accordance with Chapter 163.3184(3), Florida Statutes. **We have no comments, recommendations, or objections related to listed species and their habitat or other fish and wildlife resources to offer on this amendment.**”*

On July 2, 2025, the **Southwest Florida Water Management District** issued a letter stating that: *“The Southwest Florida Water Management District (District) has reviewed the proposed amendment. **We are not forwarding any comments for consideration.**”*

On July 10, 2025, the **Florida Department of Transportation** issued an email stating that: *“**FDOT does not have any comments except for coordination to make sure there is an active FDOT access permit for these sites. I will be coordinating internally with access management.**”*

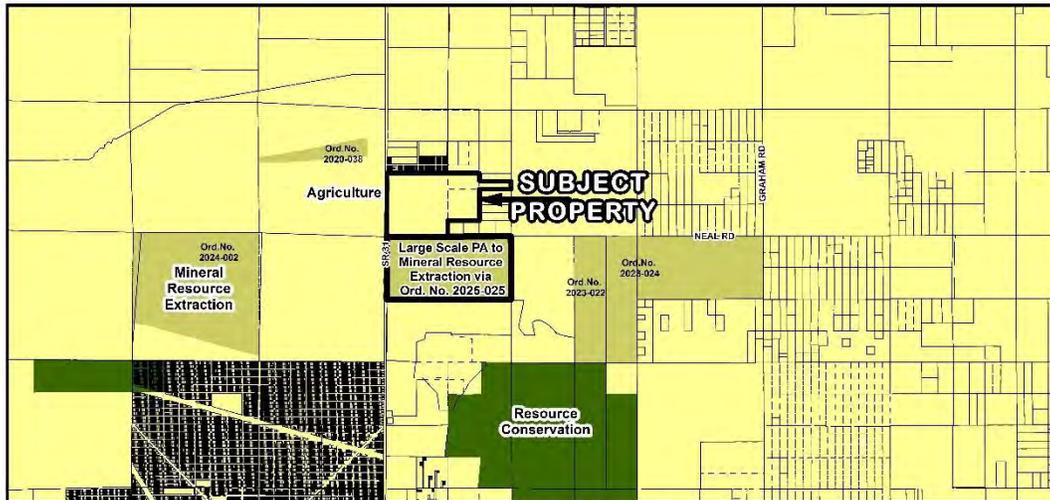
On July 11, 2025, the **Florida Department of Environmental Protection** issued an email stating that: *“The Office of Intergovernmental Programs of the Florida Department of Environmental Protection (Department) has reviewed the above-referenced amendment package under the provisions of Chapter 163, Florida Statutes. The Department conducted a detailed review that focused on potential adverse impacts to important state resources and facilities, specifically: air and water pollution; wetlands and other surface waters of the state; federal and state-owned lands and interest in lands, including state parks, greenways and trails, conservation easements; solid waste; and water and wastewater treatment.*

*Based on our review of the submitted amendment package, **the Department has found no provision that, if adopted, would result in adverse impacts to important state resources subject to the Department’s jurisdiction.**”*

Compatibility and Impacts on Adjacent Land Uses

The properties located immediately to the north, west and east of the site are zoned AG with AG Future Land Use Map (FLUM) designation. This area is mostly utilized for grazing land. The property located immediately to the south of the subject property has an existing commercial excavation operation under Excavation Number 04-EX-10. On July 22, 2025, the Board of County Commissioners (Board) approved a large scale plan amendment (Application Number PAL-24-07) to MRE via Ordinance Number 2025-024 (Attachment 1) and an EM rezoning (Application Number Z-24-18) via Ordinance Number 2025-025 (Attachment 2) for this property. The purpose of these applications was to allow for continued mining operations on the property. To the east, there are approximately 159.50 acres of lands designated as MRE with the EM zoning via Ordinance Number 2023-022 (Attachment 3) and Ordinance Number 2023-023 (Attachment 4). Further to the east, there are approximately 478.32 acres of lands designated as MRE with the EM zoning via Ordinance Number 2023-024 (Attachment 5) and Ordinance Number 2023-025 (Attachment 6). The property owners for these lands are now eligible to apply for commercial excavation permits. Across SR 31 to the northwest, on October 27, 2020, the Board approved a large scale plan amendment to MRE and a companion rezoning to EM for approximately 53.59 acres of lands via File Number: PAD-23-00005 and Z-23-41-19

Ordinance Number 2020-038 (Attachment 7) and Ordinance Number 2020-039 (Attachment 8). Across SR 31 further to the southwest of the subject property, on February 27, 2024, the Board approved another large scale plan amendment to MRE and a companion rezoning to EM for approximately 536.22 acres of lands via Ordinance Number 2024-002 (Attachment 9) and Ordinance Number 2024-003 (Attachment 10).



PAL-23-00005 and Z-23-41-19 FLUM Designations

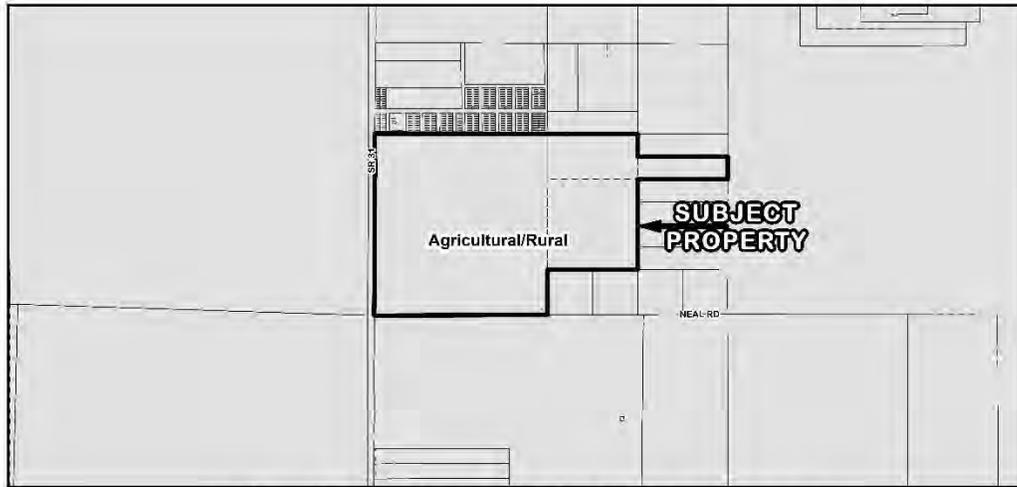


PAL-23-00005 and Z-23-41-19 Zoning Designations

According to the submitted “Offsite Features” (Attachment 11), there are five residences located to the south and one residence located to the west of the subject property, and all these homes are located within 500 feet of the subject site. There are two residences are located beyond 500 feet and within the ½ mile of the subject property. Two isolated wetlands are located to the southeast of the subject property and within the ½ mile of the subject property, and one isolated wetland is located to the further southeast of the site and beyond ½ mile.

Consistency with the County’s Comprehensive Plan:

The site is designated as part of Agricultural/Rural on the 2050 Framework Map. The immediately surrounding properties are mostly utilized for grazing land and designated as part of Agricultural/Rural on the 2050 Framework Map.



PAL-23-00005 and Z-23-41-19 Framework

The proposed changes are required by and consistent with **ENV Policy 2.5.2: Commercial Excavations**, which states that “commercial excavation operations shall be allowed to apply for a plan amendment to Mineral Resource Extraction in all areas not prohibited by the standards outlined in the Mineral Resource Extraction (MRE) Future Land Use Map designation. Amendments from Resource Conservation or Preservation to MRE within the non-prohibited area may be allowed if it can first be proven that such designation does not correctly demarcate environmentally sensitive lands. In such cases, should other environmentally sensitive lands exist that are not under a protected FLUM status, the amendment shall include placing those lands under the Preservation or Resource Conservation FLUM.”

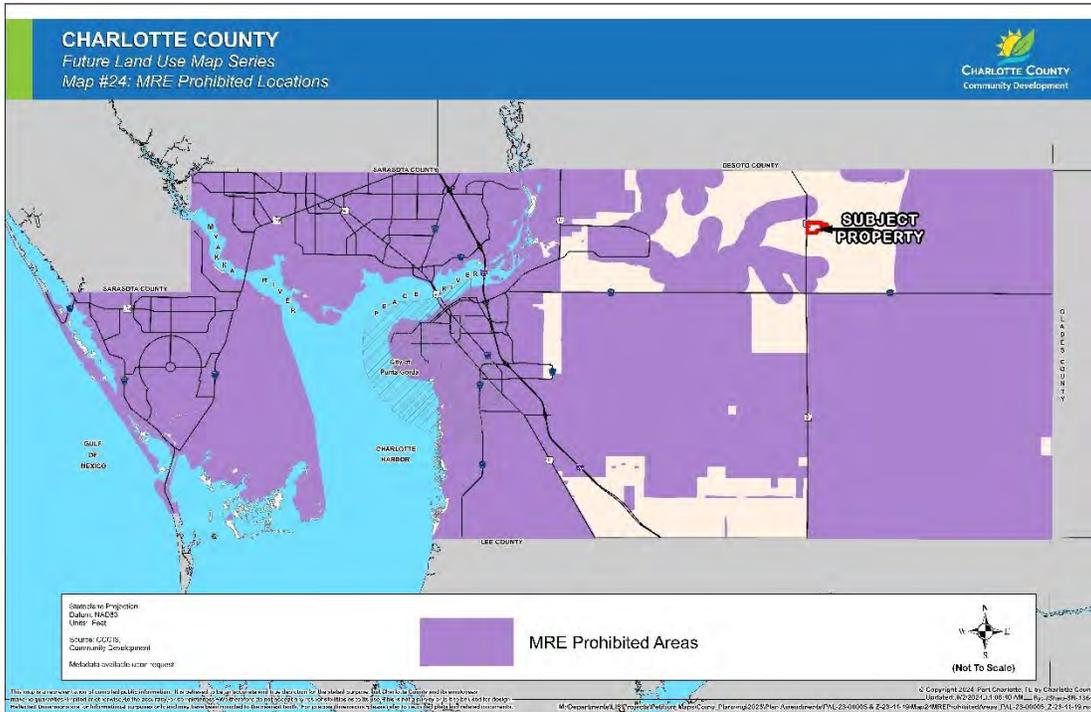
There are specific “Requirements” and “Special Provisions” under the requested MRE FLUM designation, which are as follows:

Requirements of the Plan Amendment:

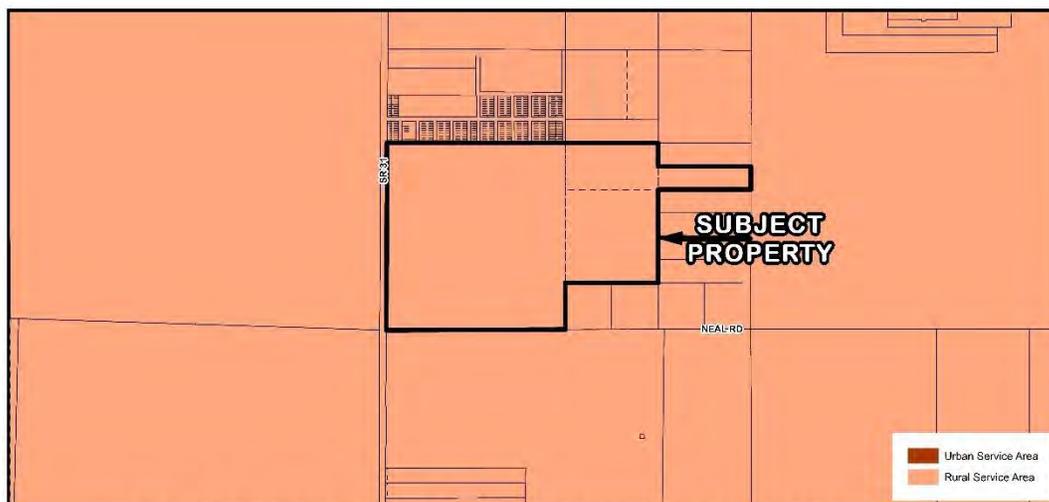
1. *Limitations on Location: FLUM Series Map #24: MRE Prohibited Locations*, identifies the areas of the County where this designation is permitted. Generally, permitted locations include properties located in the Rural Service Area east of U.S. 17 and U.S. 41 except properties located within:

- a. One-half mile setback of the Watershed Overlay District (FLUM Series Map #4), or Tippen Bay and Long Island Marsh areas.
- b. The Prime Aquifer Recharge Area of northeast Charlotte County (FLUM Series Map #6).
- c. One-half mile of the recharge area.

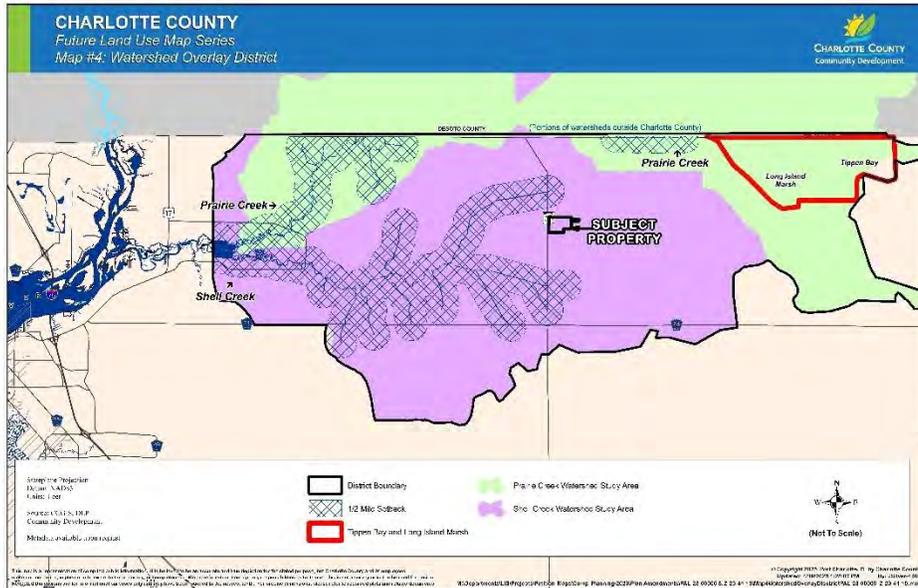
Analysis: The subject property is located outside of the MRE prohibited locations.



The subject property is located within the Rural Service Area, in the East County area. The site is located outside of one-half mile setback of the Watershed Overlay District or Tippen Bay and Long Island Marsh areas (FLUM Series Map #4). The subject property is also located outside of the Prime Aquifer Recharge Area of northeast Charlotte County (FLUM Series Map #6) and one-half mile of the recharge area. Therefore, the subject site meets the location limitation requirement of the proposed MRE FLUM designation and is also consistent with **ENV Policy 1.4.9: Watershed Overlay District**. Furthermore, the subject site contains a total of 223.14± acres, which meets the minimum acreage of 50 acres under this MRE FLUM designation.



PAL-23-00005 and Z-23-41-19 Service Area Delineation



2. *Submittal Requirements: When applying for this designation, the following items are required:*

- a. *A concept plan showing the approximate boundaries of all potential excavation area(s), along with the probable size, shape, and depth of the excavation area(s), recharge trenches and settling ponds.*
- b. *A map of all man-made features on the excavation site and within 500 feet of the site.*

Analysis: The proposed concept plan (Overall Site Plan attached as Attachment 12) shows the proposed excavation related setbacks, pit bottom, the depth of the proposed excavation, and hydraulic barriers. An "Offsite Features" Map is also submitted as Attachment 11 to demonstrate all man-made features within 1/2 mile of the subject site. The application complies with the submittal requirements.

c. A survey of wetlands on the site and a map showing approximate locations of wetlands and other water features within one-half mile of the site, as applicable, and a discussion of how the proposed excavation will not be a detriment to those resources.

Analysis: According to the submitted Protected Species Assessment report prepared by Ian Vincent & Associates and dated March 2023, the subject property contains approximately 12.61 acres of other surface water, including approximately 7.91 acres of ditches, which are man-made surface water habitat lacking a significant canopy. Approximately 4.70 acres of the borrow area is a man-made surface water habitat containing primarily open water and lacking significant vegetation. There are no onsite wetlands, and only two isolated wetlands located to the southeast of the subject property and within the ½ mile of the subject property, as well as one isolated wetland located to the further southeast of the site and beyond ½ mile. If the requested land use change to MRE and rezoning to EM are approved by the Board, an Environmental Resource Permit will be needed for any commercial excavations, which will require an analysis of impacts to onsite and off-site wetlands.

Therefore, based on the information above, staff finds that the application complies with the requirements of subsection “c.”

d. A discussion of quality of life issues, in particular, the effect of a proposed excavation upon the health, safety and welfare of residents within one-half mile of the site.

Analysis: The applicant submitted the project narrative to address and evaluate potential impacts of the proposed excavation upon the health, safety and welfare of residents within one-half mile (2,640 feet) of the site based on public safety, water quality and quantity, influence on living conditions such as noise and visual impacts, increased load on public facilities, and environmental impact. Staff reviewed the report and presents the following conclusions:

Compatibility and Impacts on Adjacent Uses:

Based on the submitted project narrative which is part of the application and the County’s Geographic Information System, there are five residential structures located within 500 feet and additional one within half mile of the subject property. It is staff’s professional opinion that the proposed commercial excavation should not create adverse impacts additional to those already anticipated in agricultural areas and the existing excavation activities to the south of the subject property. The applicant is required to demonstrate erosion and emission control measures, as well as a Post Reclamation Plan, and all these documents need to be approved as part of a commercial excavation permit which must be consistent with the County’s Earthmoving Code (Code Article XXIII).

The proposed commercial excavation will replace current allowed agricultural activities on the property, which are mainly open land. Mining activities will be predominantly below ground level and may not create any short-term issues; longer term, a water body suitable for diverse animal, bird, and other species habitat will be created for improved intermediate to longer term visual pleasure.

The submitted analysis complies with the requirements of subsection “d.”

Concurrency Issues:

- Potable Water and Sanitary Sewer: The subject site is located in the Rural Service Area, and no water and sanitary sewer services are available. The proposed excavation will be served by a well and septic system.
- Student Generation: The proposed changes will not increase or decrease residential development rights for the subject property. Therefore, no student generation is expected to be changed as a result of the proposed land use change and rezoning.
- Traffic: The County's Public Works Department reviewed the applicant's Traffic Impact Statement for Lake Lonely Mine – Development Order, dated July 19, 2023, revised July 10, 2025, and prepared by Trebilcock Consulting Solutions, PA. The County Transportation Engineer agreed with the analysis and conclusion, which states that *“Based on the link analysis and trip distribution, the proposed project is not a significant or adverse traffic generator for the roadway network at this location. None of the analyzed links are projected to operate below the adopted LOS Standard with or without the project at 2027 future conditions. No turn lane improvements are recommended at the project access points.”* However, at the time of county permitting, the applicant shall submit a revised Traffic Impact Statement (TIS) and mitigate with Florida Department of Transportation (FDOT) any intersection improvements at SR 31 and Neal Road.

If the Board approves the petitions, an excavation permit application must be consistent with **FLU Policy 2.1.9: Natural Resource Protection during Mining Activities**, which states that *“the County shall require natural resources to be protected during excavation activities. The County shall review activities in wetlands or listed species habitat for compliance with local, State, and Federal regulations and guidelines; regardless of the issuance of a permit by a State or Federal agency, the County reserves the right to deny a permit when such excavation or its associated activities would impact such resources. The County shall also require a reclamation plan for post-excavation use as a condition of permit issuance.”*

Furthermore, if the Board approves the proposed large scale plan amendment and its associated EM rezoning, the applicant or the property owner may apply for a commercial excavation permit; however, all proposed commercial excavations must be consistent with ENV Objective 2.5: Excavation Activities, which states that *“to minimize the detrimental effects of mineral extraction on groundwater, surface water, wildlife and wildlife habitats, surrounding land uses and values, and the health, safety, and welfare of the general public;”* and also **ENV Policy 2.5.1: Review of Excavation Activities**, which states that:

“During its review of proposed excavation activities, the County shall ensure that:

- 1. All mitigation activities proposed by a mining operation are acceptable to Charlotte County prior to the approval of a mining permit.*
- 2. Detrimental effects to groundwater and surface water resources are minimized.*
- 3. Reclamation plans include criteria for beneficial post-operation land use activities. Reclamation plans shall: maximize the reclamation of the resultant waterbodies for fish and wildlife and include the creation and planting of littoral shelves with native plant species to provide wildlife habitat;*

help improve or maintain water quality; prevent erosion of the shoreline; restore pre-development functions and values, including restoration of similar natural communities; and make the site aesthetically pleasing. The County shall require a bonding mechanism for reclamation expenses in the event of non-compliance by an operator. Reclamation bonds shall be equal to the cost of reclamation.

4. Minimum buffer zones and setbacks are being observed between extractive and non-extractive land use activities.

5. Cumulative impacts to the built and natural environment are assessed.

6. The hydrological functions of natural flow ways and sloughs are maintained during and after the proposed excavation activities.”

A new Commercial Excavation permit must be submitted and approved by the County. Furthermore, State and Federal Permits will be required and must be obtained prior to or concurrent with the County’s approval of the proposed commercial excavation permit and prior to any excavation activity commencement.

According to the submitted letter from Attorney Derek P, Rooney, and dated November 6, 2023, there are not previously recorded archeological or historical resources within the subject area.

The following Special Provisions under the Proposed MRE FLUM Designation also apply to these applications.

1. The zoning district consistent with this FLUM designation is Excavation and Mining (EM), Charlotte County Code of Laws and Ordinances, as may be amended.

Analysis: The applicant concurrently submitted a rezoning for the subject property from AG to EM and the petition number is Z-23-41-19.



PAL-23-00005 and Z-23-41-19 Existing Zoning Designations



PAL-23-00005 and Z-23-41-19 Proposed Zoning Designations

2. Properties that have been approved for commercial excavation operations, formerly known as Group III excavations, by the County prior to the adoption of this designation (12/15/2008) shall have a continuing right to conduct excavation operations in accordance with the approved permit.

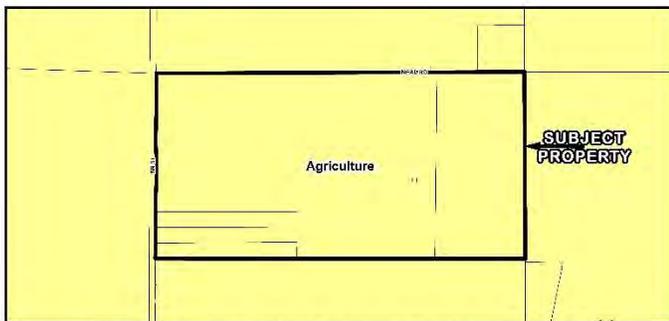
3. Modifications to commercial excavations formerly known as Group III excavations approved prior to December 15, 2008 shall be permitted only after the property on which the excavation site is located is designated with a Mineral Extraction Resource (MRE) FLUM designation and an

Excavation and Mining (EM) zoning district. The following modifications are exempt from this requirement provided there is no changes to the operation:

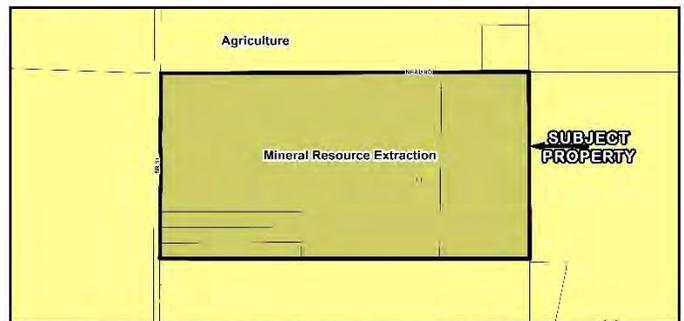
- a. A modification to request to transfer the permit to another permit holder.
- b. A request to extend the permit expiration date.

New commercial excavation permit applications may be granted only after the property proposed to be excavated is designated with a Mineral Resource Extraction FLUM designation and zoned EM.

Analysis: The subject property is vacant for agricultural uses. The purpose of the requested large scale plan amendment and its associated EM rezoning is to allow the property owner to apply for a permit for a sand, shell, and rock commercial excavation. A new permit is required and may be granted only after the Board approves the requested land use and rezoning applications.



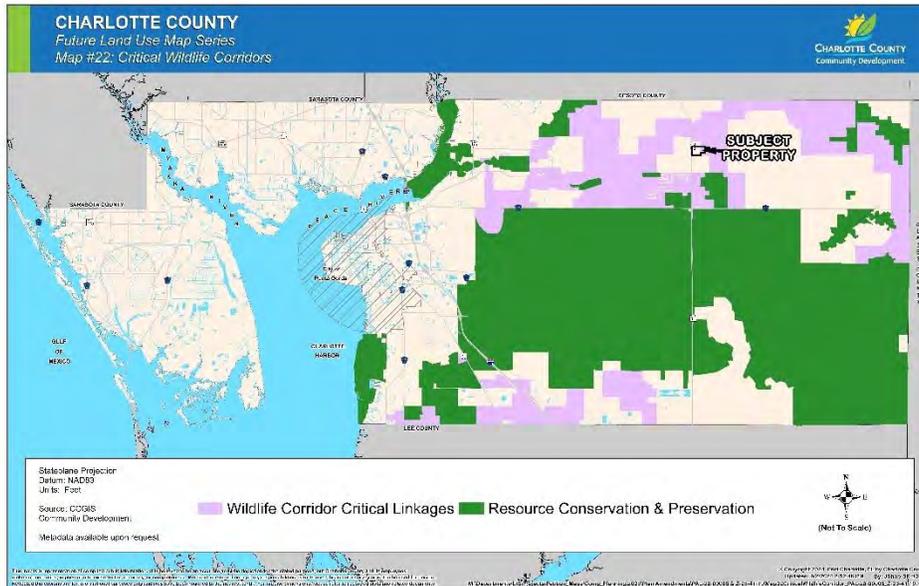
PAL-24-07 and Z-24-18 Existing FLUM Designations



PAL-24-07 and Z-24-18 Proposed FLUM Designations

4. Commercial excavations within Wildlife Corridor Critical Linkages shall provide wildlife corridor connections through the property, similar to a Conservation Subdivision or Rural Community. These corridors shall be placed under conservation easement.

Analysis: A portion of the subject property is located within Wildlife Corridor Critical Linkages; therefore, a wildlife corridor is required by the proposed commercial excavation. According to the submitted application, the property owner will provide the required a wildlife corridor at the minimum of 300 feet wide for 20 percent of its length, and for the remaining 80 percent of the length of the corridor, the minimum width shall be 500 feet (Attachment 13: Conservation Easement Exhibit). A proposed conservation easement will be submitted and must be finalized and approved by the Board of County Commissioners prior to issuance of a local excavation permit.



Conclusion:

It is staff’s professional opinion that the proposed large scale plan amendment to MRE and its associated EM rezoning are consistent with various goals, objectives, and policies set forth in the County’s Comprehensive Plan and are unlikely to create any detrimental impacts on the surrounding properties.

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. PAL-23-00005) is generally consistent with Charlotte County’s Comprehensive Plan, Section 163.3177 Florida Statutes, and Charlotte County's Code of Laws and Ordinances and other applicable guidelines.

Based upon the analysis and conclusions set forth herein, in staff's professional opinion, the application (Application No. Z-23-41-19) 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 May 12, 2025:

*Approve a motion to forward application PAL-23-00005 to the Board of County Commissioners with a recommendation of **Approval** of transmittal of application PAL-23-00005 to the Florida Department of Commerce and other State review agencies for review and comment, based on the findings and analysis in the staff report dated May 3, 2025, Charlotte County’s Comprehensive Plan, and the evidence and testimony presented at the public hearing before the Planning and Zoning Board.*

*Approve a motion to forward application Z-23-41-19 to the Board of County Commissioners with a recommendation of **Approval**, based on the findings and analysis in the staff report dated*

Part 4: Research and Findings

1. **2050 Framework Map Designation:** Agricultural/Rural (FLUM Map #2 - 2050 Framework)
2. **2030 Service Area Delineation:** Within the Rural Service Area
3. **Existing Land Use on the Site:** The subject property is currently vacant for agricultural uses. (See attached Site Image and Boundary Survey.)
4. **Existing Future Land Use and Zoning Designations:**
(See attached Future Land Use Map and Zoning Map)

FLUM:	Development Standards:
Agriculture (AG)	<p><u>General Range of Uses</u> Ranching, crop farming including citriculture, silviculture, aquaculture, and row crops, as well as rural residential, rural recreational uses, rural industrial uses and public services and facilities.</p> <p><u>Minimum and Maximum Density</u> <i>Density:</i> Agricultural lands may not exceed a maximum residential density of one dwelling unit per ten acres when developing under an Agriculture zoning or one dwelling unit per five acres when developing in accordance with FLU Policy 3.1.2 and Conservation Subdivision zoning. <i>Intensity:</i> The maximum FAR is 0.10.</p>

Zoning:	Development Standards:
Agriculture (AG)	<p>The purpose and intent of this district is to allow agriculture, very-low-density residential, rural recreation, and other rural uses. Agriculture and agricultural activities are frequently associated with noise, odors, dust, aerial chemical spraying, and other activities generally incompatible with urban-style living. However, agriculture forms a vital segment of the economy of the state, and provides diversity of economic opportunity and life styles for the county. Therefore, it is the purpose of this district to provide areas for the establishment and/or continuation of agricultural operations with residential uses being permitted only at very low densities and to accommodate those individuals who understand and desire to live in an agricultural environment.</p> <ul style="list-style-type: none"> • Minimum lot area is 10 acres. • Minimum lot width is 250 feet. • Setbacks: <ul style="list-style-type: none"> ○ Front: 40 feet ○ Side: 20 feet ○ Rear: 20 feet ○ Abutting water: 20 feet • Maximum lot coverage of all buildings is 10 percent. • Maximum building height is 38 feet. <p>Maximum density (units per acre): one unit per 10 acres.</p>

Table 1

5. Proposed Future Land Use and Zoning Designations:

(See attached Future Land Use Map and Zoning Map)

FLUM:	Development Standards:
Mineral Resource Extraction (MRE)	<p><u>General Range of Uses</u> Generally, commercial excavations and extraction of non-renewable substances, agricultural uses, and public services and facilities.</p> <p><u>Minimum and Maximum Density</u> <i>Density:</i> The maximum density is equivalent to that of the prior FLUM designation - one dwelling unit per ten acres or one dwelling unit per 40 acres, as applicable. <i>Intensity:</i> The maximum lot coverage by all buildings is ten percent. The maximum height of structures is 60 feet.</p>
Zoning:	Development Standards:
Excavation and Mining (EM)	<p>The purpose and intent of this district is to allow agriculture, very-low density residential, rural recreation, other rural uses, and commercial excavation activities and associated uses.</p> <ul style="list-style-type: none"> • Minimum lot area is 10 acres. • Minimum lot width is 250 feet. • Setbacks: <ul style="list-style-type: none"> ○ Front: 40 feet ○ Side: 20 feet ○ Rear: 20 feet ○ Abutting water: 20 feet • Maximum lot coverage of all buildings is 10 percent. • Maximum building height is 38 feet. <p>Maximum density (units per acre): one unit per 10 acres.</p>

Table 2

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

Direction:	Existing Land Use:	FLUM Designation:	Zoning District Designation:
North	Vacant lands designated for agricultural uses	Agriculture (AG)	Agriculture (AG)
East	Vacant lands designated for agricultural uses	Agriculture (AG)	Agriculture (AG)

South	Existing commercial excavation Vacant lands designated for agricultural uses	Agriculture (AG)	Agriculture (AG)
West	SR 31 Vacant lands designated for agricultural uses	Agriculture (AG)	Agriculture (AG)

Table 3

7. Buildout Calculations (square footage or density):

The proposed large scale plan amendment from Agriculture (AG) to Mineral Resource Extraction (MRE); and a rezoning from Agriculture (AG) to Excavation and Mining (EM) and the proposed changes will not increase or decrease residential development rights for the subject property. The maximum residential development rights are one unit per ten acres and the maximum lot coverage by all buildings is ten percent; however, the maximum height of structures is 38 feet under the existing AG zoning and 60 feet under the proposed EM zoning.

8. Is subject property in a Community, Special Planning Area or Overlay District?.....Yes

The subject property is not located within any Community Planning Area or Special Plan area. (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

The 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? (SPAM Map #3, #27 & #53)

According to the submitted letter from Attorney Derek P, Rooney, and dated November 6, 2023, there are not previously recorded archeological or historical resources within the subject area.

12. Are there wetlands on the property?No, according to the submitted Protected Species

Assessment report prepared by Ian Vincent & Associates and dated March 2023, the subject property contains approximately 12.61 acres of other surface water, including approximately 7.91 acres of ditches, which are the man made other surface water habitat lacks a significant

canopy, and approximately 4.70 acres of the borrow area, which is the man made other surface water habitat that contains primarily open water and lacks significant vegetation. There are no onsite wetlands.

- a. Number of acres of Category I:None.
- b. Number of acres of Category II:None.

13. Natural Resources:

a. Significant natural resources or critical habitat for endangered species:

The submitted Protected Species Assessment report prepared by Ian Vincent & Associates and dated March 2023 states that: “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 13 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 trigger federal review may lead to additional consultation 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*). However, review of the Charlotte County Natural Resources Department Florida Scrub Jay Territory Search Database revealed that the subject property is not a scrub jay review area parcel. No evidence of utilization by the species was observed on the subject property. Therefore, the Florida scrub jay is not likely to affect the future development of the property.

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

Search of available online resources revealed that the subject property is located within the Consultation Area of the crested caracara (*Caracara cheriway*). No evidence of nesting activity or utilization by the crested caracara was observed onsite. The crested caracara is not anticipated to be nesting within the subject property, and therefore, is not likely to affect the future development of the subject property.

Search of available online resources revealed that a portion of the subject property is located within the Consultation Area of the red-cockaded woodpecker (*Picoides borealis*). The nearest documented red-cockaded woodpecker (RCW) sighting is greater than 6 miles from the subject property. In accordance with FWC survey guideline protocol, suitable trees were inspected for the presence of RCW nesting cavities. No evidence of nesting or utilization by the species was observed. The red-cockaded woodpecker is not anticipated to be utilizing the subject parcel, and therefore, is not likely to affect the future development of the property. However, any impacts which trigger federal review may lead to additional consultation relative to the species.

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. Thus, the Florida bonneted bat is not likely to affect the future development of the property. However, any impacts which trigger federal review may lead to additional consultation 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 could potentially be utilized by the gopher tortoise (*Gopherus polyphemus*). No gopher tortoise burrows, or evidence of the species were observed on the parcel. If gopher tortoise burrows are found 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 gopher tortoise burrows cannot be avoided during construction.

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

- 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).....**No**
The subject property is located outside 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 Zone “X”. Flood Zone “X” is an area in which areas determined to be outside the 0.2% annual floodplain.
- e. Storm Surge Evacuation Zone: The site is located within Evacuation Zone “N”.
- f. Is the subject site within the Coastal High Hazard Area? (FLUM Map #14)**No**.
- g. Could the proposed changes impact evacuation times?**No**

15. Charlotte County Facilities and Services:

- a. Nearest Park:**South County Regional Park** (SPAM Map #74)
Address:.....670 Cooper Street, Punta Gorda
Distance:approximately 20.7 miles to the southwest of subject property
- b. Nearest Police Station:.....**District 4 Charlotte County Sheriff’s Office** (SPAM Map #25)
Address:.....7474 Utilities Road, Punta Gorda
Distance:approximately 19.3 miles to the southwest of subject property
- c. Nearest Fire/EMS Station:**Charlotte County Fire Station No. 5** (SPAM Map #22)
Address:.....26287 Notre Dame Boulevard, Punta Gorda
Response Time:approximate response time is 15 minutes or greater (SPAM Map #39)

- d. Nearest Library:.....**Punta Gorda Charlotte Library** (SPAM Map #73)
Address:.....401 Shreve Street, Punta Gorda
Distance:approximately 21.8 miles to the southwest of subject property
- e. Nearest Hospital:**ShorePoint Health Port Charlotte** (SPAM Map #24)
Address:.....2500 Harbor Boulevard, Port Charlotte
Distance:approximately 26.1 miles to the west of subject property
- f. Nearest Emergency Shelter: ..**Kingsway Elementary School** (SPAM Map #21)
Address:.....23300 Quasar Boulevard, Port Charlotte
Distance:approximately 26.8 miles to the west of subject property
- g. Public School Attendance Boundary:
 - 1. Elementary School:**East Elementary School** (SFAM Map #1)
Address:.....27050 Fairway Drive, Punta Gorda
Distance:approximately 22 miles to the southwest of subject property
 - 2. Middle School:**Punta Gorda Middle School** (SFAM Map #2)
Address:.....1001 Education Avenue, Punta Gorda
Distance:approximately 21.3 miles to the southwest of subject property
 - 3. High School:**Charlotte High School** (SFAM Map #3)
Address:.....1250 Cooper Steet, Punta Gorda
Distance:approximately 21 miles to the southwest of subject property

16. Concurrency:

- a. **Roads Level of Service:** The County’s Public Works Department reviewed the applicant’s Traffic Impact Statement for Lake Lonely Mine – Development Order, dated July 19, 2023, revised July 10, 2025, and prepared by Trebilcock Consulting Solutions, PA. The County Transportation Engineer agreed with the analysis and conclusion, which states that “Based on the link analysis and trip distribution, the proposed project is not a significant or adverse traffic generator for the roadway network at this location. None of the analyzed links are projected to operate below the adopted LOS Standard with or without the project at 2027 future conditions. No turn lane improvements are recommended at the project access points.” However, at the time of county permitting, the applicant shall submit a revised Traffic Impact Statement (TIS) and mitigate with Florida Department of Transportation (FDOT) any intersection improvements at SR 31 and Neal Road.
- b. **Potable Water Level of Service:**
 - 1. *Analysis:* The subject site is located in the Rural Service Area, and no water and sanitary sewer services are available. The proposed commercial excavation will be served by a well and septic system.
- c. **Sanitary Sewage Level of Service:**
 - 1. *Analysis:* The subject site is located in the Rural Service Area, and no water and sanitary sewer services are available. The proposed commercial excavation will be served by a well and septic system.

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:.....School concurrency will be determined at Final Site Plan for any residential development in the future.

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?**Yes**

The large scale plan amendment application will require comments from the State review agencies and the City of Punta Gorda for review and comment.

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 proposed Excavation and Mining (EM) zoning district is required by and consistent with the proposed Mineral Resource Extraction (MRE) Future Land Use Map (FLUM) designation. The proposed large scale plan amendment and its associated EM rezoning are consistent with “Requirements for Plan Amendment” and “Special Provisions” set forth in the MRE FLUM classification. The proposed changes are also consistent with various goals, objectives, and policies set forth in the County’s Comprehensive Plan, specifically, *FLU Policy 2.1.9: Natural Resource Protection during Mining Activities, ENV Policy 1.4.9: Watershed Overlay District (WOD), ENV Objective 2.5: Excavation Activities, ENV Policy 2.5.1: Review of Excavation Activities, and ENV Policy 2.5.2: Commercial Excavations.*

b. The existing land use pattern in adjacent areas:

Finding: The properties located immediately to the north, west and east of the site are mostly utilized for grazing land. The property located immediately to the south of the subject property has an existing commercial excavation operation under Excavation Number 04-EX-10. To the east, there are approximately 159.50 acres of lands designated as MRE with the EM zoning. Further to the east, there are approximately 478.32 acres of lands designated as MRE with the EM zoning. The property owners for these lands are now eligible to apply for commercial excavation permits. Across SR 31 to the northwest, there are approximately 53.59 acres of lands which are allowed for potential commercial excavation activities. Across SR 31 further to the southwest of the subject property, there are approximately 536.22 acres of lands are designated for MRE with the EM zoning.

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 proposed large scale plan amendment to MRE and rezoning to EM will not increase or decrease residential development rights for the subject property. Therefore, no student generation is expected to be changed as a result of the proposed land use change and rezoning.

In addition, The County's Public Works Department reviewed the applicant's Traffic Impact Statement for Lake Lonely Mine – Development Order, dated July 19, 2023, revised July 10, 2025, and prepared by Trebilcock Consulting Solutions, PA. The County Transportation Engineer agreed with the analysis and conclusion, which states that *“Based on the link analysis and trip distribution, the proposed project is not a significant or adverse traffic generator for the roadway network at this location. None of the analyzed links are projected to operate below the adopted LOS Standard with or without the project at 2027 future conditions. No turn lane improvements are recommended at the project access points.”* However, at the time of county permitting, the applicant shall submit a revised Traffic Impact Statement (TIS) and mitigate with Florida Department of Transportation (FDOT) any intersection improvements at SR 31 and Neal Road.

Furthermore, the subject site is located in the Rural Service Area, and no water and sanitary sewer services are available. The proposed excavation will be served by a well and septic system.

Therefore, the proposed changes should not create any concurrency issues.

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

Finding: Based on the submitted project narrative which is part of the application and the County's Geographic Information System, there are seven residential structure or uses within ½ mile of the subject site. There has been an existing commercial excavation site located immediately to the south of the subject property since 2004. The proposed commercial excavation will not create adverse impacts additional to those already anticipated in agricultural areas and the existing excavation activities. Erosion and emission control measures and the proposed reclamation plans will be submitted and approved as part of a commercial excavation permit be consistent with the County's Article XXIII. Earthmoving.

All the surrounding lands are zoned AG with an Agriculture FLUM classification; agricultural uses will generate noise, dust, and odors, which excavations will typically also generate. In addition, an existing commercial excavation is located to the further west and southwest of the subject property. The proposed commercial excavation will not create adverse impacts additional to those already anticipated in agricultural areas and the existing excavation activities. Therefore, the proposed change should not adversely influence living conditions or property values in adjacent areas.

e. Would the proposed change affect public safety?

Finding: The submitted Traffic Impact Statement for this proposed commercial excavation project, dated July 19, 2023, and prepared by Trebilcock Consulting Solutions, PA. demonstrates that the proposed land use and rezoning for commercial excavation activities shall not generate additional traffic volume on the surrounding roadways; therefore, the proposed changes shall not affect public safety.

Attachment 1

Ordinance Number 2025-024

July 23, 2025

ORDINANCE

NUMBER 2025 - 024

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BCC

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AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3184, FLORIDA STATUTES, AMENDING THE COUNTY'S COMPREHENSIVE PLAN BY AMENDING CHARLOTTE COUNTY FLUM SERIES MAP #1: 2030 FUTURE LAND USE FROM AGRICULTURE (AG) TO MINERAL RESOURCE EXTRACTION (MRE); FOR PROPERTY LOCATED AT 42811 NEAL ROAD AND 3300, 3440, 3450, AND 3460 SR 31, IN THE PUNTA GORDA AREA AND WITHIN THE EAST COUNTY AREA; CONTAINING 308.01± ACRES; CHARLOTTE COUNTY, FLORIDA, COMMISSION DISTRICT I; PETITION PAL-24-07; APPLICANT, BLUEGRASS LAND & MINE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR TRANSMITTAL OF ADOPTED ORDINANCE.

ROGER D. EATON, CHARLOTTE COUNTY CLERK OF CIRCUIT COURT
PAGE: 6
INSTR #: 3550455 Doc Type: GOV
Recorded: 07/23/2025 at 02:36 PM
Rec. Fee: RECORDING \$52.50

RECITALS

WHEREAS, applicant, Bluegrass Land & Mine ("Applicant"), filed Petition PAL-24-07, seeking a large scale plan amendment to the County's Comprehensive Plan by amending Charlotte County FLUM Series Map #1: 2030 Future Land Use from Agriculture (AG) to Mineral Resource Extraction (MRE), for property located at 42811 Neal Road and 3300, 3440, 3450, and 3460 SR 31, in the Punta Gorda area and within the East County area, containing 308.01 acres more or less ("Property"), which is owned by Brevard-Harbor Edge LLC, whose address is 6140 Dovecote Lane, Memphis, TN 38120, and Williams Farms Partnership, whose address is 7622 Ashton Road, Islandton, SC 29929; and the Property is more particularly described in Exhibit "A" attached hereto; and

WHEREAS, on February 10, 2025, Petition PAL-24-07 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 the P&Z Board, Petition

MN

36 PAL-24-07 was found to be consistent with the County's Comprehensive Plan and the P&Z
37 Board recommended approval for transmittal of Petition PAL-24-07 to the Florida
38 Department of Commerce and other state agencies for review; and

39 WHEREAS, in a public hearing held on Tuesday, June 10, 2025, the Board of
40 County Commissioners of Charlotte County, Florida ("Board") reviewed plan amendment
41 Petition PAL-24-07 and, based on the findings and analysis provided by County Staff
42 regarding the amendment and the evidence presented to the Board, approved transmittal
43 of Petition PAL-24-07 to the Florida Department of Commerce and other state agencies for
44 review and comment; and

45 WHEREAS, Petition PAL-24-07 was transmitted to the Florida Department of
46 Commerce and other state agencies for review and comment; and

47 WHEREAS, the comments received by the reviewing agencies, if any, have
48 been considered and addressed by the Applicant and incorporated into the findings and
49 analysis provided by County Staff; and

50 WHEREAS, after due consideration regarding Petition PAL-24-07 in a public
51 hearing held on July 22, 2025, and based on the findings and analysis presented to the
52 Board, the Board finds that the proposed amendment is consistent with the County's
53 Comprehensive Plan, and that the requirements of Chapter 163, Florida Statutes, as they
54 relate to the Petition have been met, and that it is in the best interests of the County and its
55 citizens to approve Petition PAL-24-07.

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

58 Section 1. Approval. Petition PAL-24-07 requesting a large scale plan
59 amendment to the County’s Comprehensive Plan by amending Charlotte County FLUM
60 Series Map #1: 2030 Future Land Use, from AG to MRE, for property located at 42811
61 Neal Road, and 3300, 3440, 3450, and 3460 SR 31, in the Punta Gorda area and within the
62 East County area, containing 308.01 acres more or less, Charlotte County, Florida,
63 Commission District I, and more particularly described in Exhibit “A” attached hereto and by
64 this reference incorporated herein, is hereby approved.

65 Section 2. Effective date. The effective date of this plan amendment, if the
66 amendment is not timely challenged, shall be 31 days after the state land planning agency
67 notifies the local government that the plan amendment package is complete. If timely
68 challenged, this amendment shall become effective on the date the state land planning
69 agency or the Administration Commission enters a final order determining this adopted
70 amendment to be in compliance. No development orders, development permits, or land
71 uses dependent on this amendment may be issued or commence before its effective date.

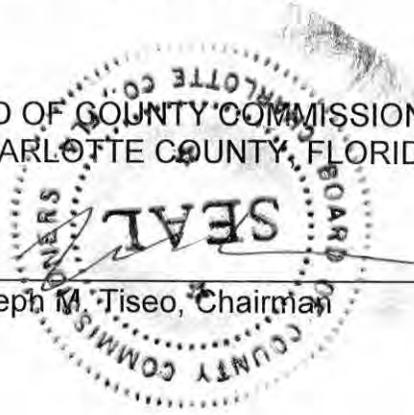
72 Section 3. Transmittal. County Staff is hereby directed to forward a copy of
73 this Ordinance and its attachments to the Florida Department of Commerce, 107 East
74 Madison Street, Tallahassee, FL 32399-4120, and to the Executive Director, Southwest
75 Florida Regional Planning Council, 1400 Colonial Boulevard, Suite 1, Fort Myers, FL
76 33907.

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PASSED AND DULY ADOPTED this 22nd day of July, 2025.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA



By: _____
Joseph M. Tiseo, Chairman

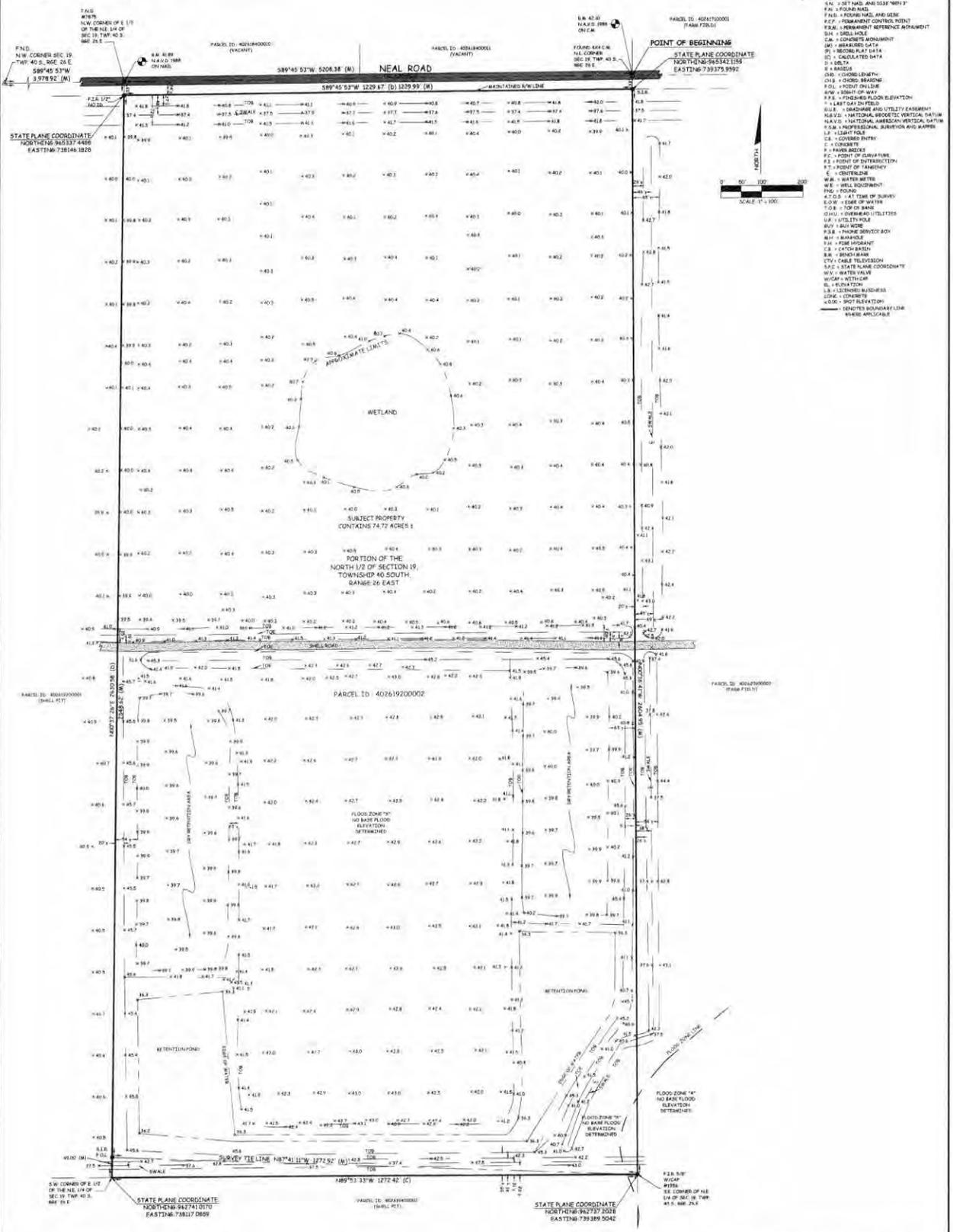
ATTEST:
Roger D. Eaton, Clerk of the Circuit Court
and Ex-Officio Clerk of the
Board of County Commissioners

By: Kimberly Walsh
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: Janette S. Knowlton
Janette S. Knowlton, County Attorney
LR2024-0937
KNW

BOUNDARY & TOPOGRAPHIC SURVEY CERTIFIED TO:
SOUTHWEST ENGINEERING AND DESIGN



LEGAL DESCRIPTION:
A PORTION OF SECTION 16, TOWNSHIP 40 SOUTH, RANGE 26 EAST, CHARLOTTE COUNTY, FLORIDA, BEING MORE SPECIFICALLY AS DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 16, THENCE 189°53'13"W ALONG THE NORTH LINE OF SAID SECTION 16 A DISTANCE OF 100.00 FEET; THENCE S07°15'10"W ALONG A CURVE OF 100.00 FEET TO THE NORTH ONE-HALF OF SAID SECTION 16; THENCE S07°15'10"W ALONG THE SOUTH LINE OF THE NORTH ONE-HALF OF SAID SECTION 16 A DISTANCE OF 100.00 FEET TO THE SOUTHWEST CORNER OF THE NORTH ONE-HALF OF SAID SECTION 16; THENCE N07°15'10"W ALONG THE EAST LINE OF SAID SECTION 16 A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT:
SAID FLOOD ZONE.

REVISIONS:

REVISION	DATE

Gen³ LAND SURVEYING INC.
1780 TULLOCH BLVD. SUITE 1101, FORT TOWNSEND, FL 32844
TEL: 407-929-8800 FAX: 407-929-8801

BOUNDARY & TOPOGRAPHIC SURVEY

EXHIBIT
"A"
Total: 2 Pages

R.J. Strickland, Jr., P.S.
Florida Registration # 66148
Digitally signed by R.J. Strickland, Jr., P.S. Florida Registration # 66148 Date: 2023.05.18 13:52:17 -0400



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

July 23, 2025

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

Dear Roger Eaton,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Charlotte County Ordinance No. 2025-024, which was filed in this office on July 23, 2025.

Sincerely,

Alexandra Leijon
Administrative Code and Register Director

AL/dp



Ticket# 3964296-1
BCC Page 2
5 x 14
Submitted by: Kimberly Sargent
Publish: 07/06/25
163352 3964298

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

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

07/06/25

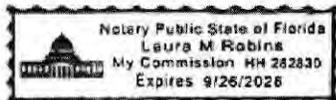
as well as being posted online at www.yoursun.com and www.floridapublicnotices.com.

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

(Signature of Affiant)

Sworn and subscribed before me this 7th day of July, 2025

(Signature of Notary Public)



Personally known OR Produced Identification

EDUCATION



Jenna Smith, of Charlotte Technical College and Mariana Valdez-Gonzalez, of Port Charlotte High graduate, were awarded scholarships by HCA Florida Fawcett Hospital through the Big Brothers Big Sisters mentorship program.

Fawcett names scholarship winners

Big Brothers Big Sisters students honored with \$5,000

STAFF REPORT

PORT CHARLOTTE — Two Charlotte County students from the Big Brothers Big Sisters mentorship program have been awarded \$5,000 in college scholarships from HCA Florida Fawcett Hospital.

The hospital, according to a press release, recently awarded the scholarships as part of its commitment to education, mentorship and inspiring healthcare careers.

The hospital has sponsored the organization for two years now, mentoring 18-20 students per year with 12 hospital leaders acting as mentors.

Scholarship recipient Jenna Smith completed the pre-nursing program at Charlotte Technical College this year and has been accepted into the nursing program at Florida International University, the release said. She is particularly drawn to the field of mental health. She wants to raise awareness and expand access to mental health services — especially in underserved communities.

Scholarship recipient Mariana Valdez-Gonzalez recently graduated from Port Charlotte High School and plans to pursue a career in radiology, according to the hospital. Her passion for science and technology is what led her to this field.

Valdez-Gonzalez was inspired by the radiology professionals who cared for her grandmother during a time of need, according to the news release. Now she's determined to follow in their footsteps, treating her future patients with the same level of respect and empathy.

freedom to focus fully on their studies."

The partnership between Fawcett Hospital and Big Brothers Big Sisters aims to uplift youth through opportunities that open doors to education and careers. The scholarships are part of the hospital's broader community outreach efforts to support youth development and educational access, the news release stated.

ACADEMIC HONORS

Students receiving honors

STAFF REPORT

STUDENTS RECEIVING HONORS

•Kristen Grimm of North Port has graduated from State University of New York-Canton's Bachelor of Science in Health Care Management. SUNY Canton held its 117th Commencement Ceremony on May 10 to celebrate all students who completed their education within the past year.

•Elizabeth Iberle of Port Charlotte was named to the University of Mississippi's Spring 2025 Honor

Roll lists. Iberle, majoring in Dietetics and Nutrition, was named to the Chancellor's Honor Roll, which is reserved for students who earn a semester GPA of 3.75-4.00.

•Mason Heiges of Punta Gorda was recognized on Georgia Southern University's Spring 2025 Dean's List. Georgia Southern University is in Statesboro, Georgia.

•Eleanor Clink of Punta Gorda has been named to Siena College Dean's List for Spring 2025 Semester. To be named to the Dean's List, a student's grade point average for the semester must be between 3.5 and

3.89. Siena College is in Loudonville, N.Y.

•Aidan Quinn of Rotonda West and Taylor Hess of Punta Gorda have been named to the University of North Dakota's Dean's List for the Spring Semester of 2025. The UN-D Dean's List comprises students whose grade point average are in the top 15% of the enrollment in each of the university's degree-granting colleges and schools. Quinn was also named to the UN-D President's Ring of Honor. UN-D is in Grand Forks, N.D.

AREA NEWS BRIEFS

Shade coming to dog park

PUNTA GORDA — City of Punta Gorda workers are constructing a shade structure at the Hounds on Henry Dog Park, 1000-1098 W. Virginia Ave.

The construction schedule will extend beyond the park's usual Wednesday maintenance window. City officials ask people and their pets to be patient while the work on his new amenity is being completed. For more information, contact

Public Works 941-575-5050 or pubworks@pgorda.us.

Englewood dog park reopened

ENGLEWOOD — The large dog enclosure at Ann & Chuck Dever Regional Park, 6791 San Casa Drive, Englewood has reopened. The park had been closed for sod installation.

For more information, contact Monty Rodriguez at 941-613-3229 or Monty.Rodriguez@charlottecountyfl.gov.

Walking Path Construction

The construction of concrete walking paths will start July 14 at South Gulf Cove Park in South Gulf Cove, and Carmalita Park football fields in Punta Gorda, Charlotte County officials announced this week.

The parks will remain open during this time but patrons are asked to use caution while on site and to avoid any work areas. All work is anticipated to be completed by the middle of October.

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

A PUBLIC MEETING AND HEARING ON PROPOSALS AND PETITIONS AS DESCRIBED BELOW WILL BE CONDUCTED BY THE BOARD OF COUNTY COMMISSIONERS AT A REGULAR MEETING ON TUESDAY, JULY 22, 2025, AT 2:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD DURING THE COURSE OF ACTION. THE MEETING AND HEARING WILL BE HELD IN COMMISSION CHAMBERS, ROOM 114 FIRST FLOOR, BUILDING A, THE CHARLOTTE COUNTY ADMINISTRATION CENTER, 18500 MURDOCK CIR. E., PORT CHARLOTTE, FLORIDA. THE BOARD IS NOT BOUND TO CONSIDER THE PETITIONS IN THE ORDER LISTED IN THIS NOTICE. ANY OF THESE PETITIONS MAY BE CONSIDERED AS SOON AS THE MEETING COMMENCES.

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

ALL INTERESTED PERSONS ARE URGED TO ATTEND THE PUBLIC IS WELCOME TO SPEAK. TIME LIMITS ARE SET BY BOARD RULES IF YOU HAVE SPECIFIC QUESTIONS OR COMMENTS, YOU ARE ENCOURAGED TO CONTACT A STAFF PERSON AT ANY TIME IN ADVANCE OF THE PUBLIC HEARING(S). PLEASE CALL 941-764-4900 AND MENTION THE PETITION NUMBER OF THE MATTER YOU WISH TO DISCUSS.

PETITIONS

LAND USE REGULAR AGENDA

SV-23-03-01

Legislative

The applicant, George R. Rolland is requesting to vacate a portion of Barcelona Court adjacent to 28036 Barcelona Court and 400 Seminole Road, which are both owned by the applicant. The total area to be vacated contains 6.089± square feet or 0.14± acres and is generally located north of Deep Creek Boulevard, southwest of the Peace River, and east of Seminole Road, within the Punta Gorda area and located in Commission District I.

Commission District I

PAI-24-07

Legislative

Pursuant to Section 163.318(4)(3), Florida Statutes, adopt a Large Scale Plan Amendment to amend Charlotte County F.L.U.M Series Map #1: 2030 Future Land Use from Agriculture (AG) to Mineral Resource Extraction (MRE), for property located at 42811 Neal Road, 3300, 3440, 3450 and 3460 SR 31, in the Punta Gorda area and within the East County area, containing 308.01± acres. Commission District I, Petition No. PAI-24-07. Applicant: Bluegrass Land & Mine, providing an effective date:

Commission District I

Z-24-18

Quasi-Judicial

An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Agriculture (AG) to Excavation and Mining (EM), for property located at 42811 Neal Road, 3300, 3440, 3450 and 3460 SR 31, in the Punta Gorda area and within the East County area, containing 308.01± acres. Commission District I, Petition No. Z-24-18. Applicant: Bluegrass Land & Mine, providing an effective date:

Commission District I

PAS-25-01

Legislative

Pursuant to Section 163.3187, Florida Statutes, adopt a Small Scale Plan Amendment to Charlotte County F.L.U.M Series Map #1: 2030 Future Land Use from Medium Density Residential (MDR) to Commercial (COM), for Lots 19 and 20, in Block 3571, Port Charlotte Subdivision, Section 64, located at 3797 S Access Road, in the Englewood area and within the West County area, containing 0.45± acres. Commission District III, Petition No. PAS-25-01. Applicant: Triax Preferred Construction LLC, providing an effective date:

Commission District III

PD-25-06

Quasi-Judicial

An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Commercial General (CG) (0.229± acres) and Residential Multi-family (RMF-10) (0.45± acres) to Planned Development (PD) to allow for expansion of existing commercial uses, and adopting a General PD Concept Plan, for Lots 5, 19 and 20, in Block 3571, Port Charlotte Subdivision, Section 64, located at 3797 S Access Road, in the Englewood area and within the West County area, containing 0.679± acres. Commission District III, Petition No. PD-25-06. Applicant: Triax Preferred Construction LLC, providing an effective date:

Commission District III

PAI-24-04

Legislative

Pursuant to Section 163.318(4)(3), Florida Statutes, adopt a Large Scale Plan Amendment to 1) amend Charlotte County F.L.U.M Series Map #1: 2030 Future Land Use from Compact Growth Mixed Use (CGMU) (1,081.75± acres) and Preservation (PR) (92.39± acres) to CGMU (1,010.69± acres) and PR (163.45± acres) in order to allow for a mixture of residential up to 3,475 units (a reduction of 485 units), commercial and light industrial uses up to 1,400,000 square feet (a reduction of 109,807 square feet); increasing the base density from 1.631 units to 1.790 units with an approved PD ordinance restricting development on Area A as identified on Figure 1-A under Section 1 of F.L.U. Appendix VII Compact Growth Mixed Use Master Development Plan to low impact recreational (new/passive recreational uses); 2) amend Charlotte County F.L.U.M Series Map #2: 2030 Framework, from Agricultural/Rural to Emerging Neighborhood for 28.01± acres of properties from Emerging Neighborhood to Agricultural/Rural, and 3) amend Charlotte County F.L.U.M Series Map #3: 2030 Service Area Delineations, to extend the Urban Service Area boundary to include 28.01± acres of properties and to concurrently remove 99.13± acres of properties from the Urban Service Area, for properties generally located southeast of McCall Road (SR 776) and southwest of the Myakka River, in the West County area, containing 1,174.14± acres. Commission District IV, Petition No. PAI-24-04. Applicant: Maronda Homes LLC, of Florida, providing an effective date:

Commission District IV

PD-24-14

Quasi-Judicial

An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Planned Development (PD) (408.89± acres, including 0.7 acres of Cattle Dock Point Road), Residential Single-family 2 (RS1-2) (428.20± acres), and Residential Multi-family 5 (RMF-5) (4.41± acres) to Planned Development (PD), and adopting its associated General PD Concept Plan in order to have a mixture of residential and commercial development; increasing the base density from 1.114 units to 2,200 units, and requiring a transfer of 866 density units to reach the maximum of 2,000 units, for property generally located north of Delamere Boulevard, southeast of McCall Road (SR 776), east of Gasparilla Road (CR 771), and west of Huntington Waterway, in the West County area, containing 840.30± acres. Commission Districts IV, Petition No. PD-24-14. Applicant: Maronda Homes, LLC, of Florida, providing an effective date:

Commission District IV

TCP-24-03

Legislative

Pursuant to Section 163.318(4)(3), Florida Statutes, an application to adopt a Large Scale Plan Amendment (Text Amendment) to the Department of Commerce and other State agencies for review and comment to amend Future Land Use (FLU) Appendix VII: Compact Growth Mixed Use Master Development Plan by revising Section I: West County Town Center, specifically: 1) changing the name of Section I from "West County Town Center" to "Harbor Village"; 2) amending the total acreage of this project from 1,187± to 1,174.14± acres; amending a) 1.A: Base Residential Density to decrease the base density from 1.831 units to 1.790 units; b) 1.B: Maximum Residential Density to reduce the residential development rights from 3,960 units to 3,475 units; c) 1.C: to rename and amend "Maximum Floor Area Ratio" to "Maximum Commercial and Light Industrial Intensity"; d) 1.D: to remove "Perpetual Conservation Easement" and replace with "Uses Permitted Within Area A As Shown on Figure 1.C Above"; and e) 1.E: Master Development Plan to adopt a new Master Land Use Plan/Pattern Book; 3) adding new 1.F: Traffic Permitted, new 1.G: Buffer Between the Proposed Development Areas and State-owned Lands, and new 1.H: Slip Count Approval, for properties generally located southeast of McCall Road (SR 776) and southwest of the Myakka River, in the West County area. Petition No. TCP-24-03. Applicant: Maronda Homes LLC, of Florida, providing an effective date:

Commission District IV

SHOULD ANY AGENCY OR PERSON DECIDE TO APPEAL ANY DECISION MADE BY THE BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING, A RECORD OF THE PROCEEDING, AND FOR SUCH PURPOSE, A VERBATIM RECORD OF THE PROCEEDING IS REQUIRED WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

Charlotte County Board of County Commissioners does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the County's functions, including access to and participation in meetings, programs and activities. 13M Sound Enhancement Units for the Hearing Impaired are available at the Front Security Desk, Building A of the Murdock Administration Complex. Anyone needing other reasonable accommodation in auxiliary aids and services please contact our office at 941-764-4191, TDD/TTY 941-743-1234, or by email to David.Lyles@CharlotteCountyFL.gov.

Published: July 6, 2025



Attachment 2

Ordinance Number 2025-025

CHG
BCE

FILED WITH THE DEPARTMENT OF STATE July 23, 2025

ROGER D. EATON, CHARLOTTE COUNTY CLERK OF
CIRCUIT COURT
PAGE: 6
INSTR #: 3550456 Doc Type: GOV
Recorded: 07/23/2025 at 02:39 PM
Rec. Fee: RECORDING \$52.50

ORDINANCE
NUMBER 2025 - 025

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AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM AGRICULTURE (AG) TO EXCAVATION AND MINING (EM) FOR PROPERTY LOCATED AT 42811 NEAL ROAD, 3300, 3440, 3450, AND 3460 SR 31, IN THE PUNTA GORDA AREA AND WITHIN THE EAST COUNTY AREA, CONTAINING 308.01± ACRES, COMMISSION DISTRICT I, CHARLOTTE COUNTY, FLORIDA; PETITION Z-24-18; APPLICANT: BLUEGRASS LAND & MINE; PROVIDING AN EFFECTIVE DATE.

RECITALS

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WHEREAS, in a public hearing held on Tuesday, July 22, 2025, the Board of County Commissioners of Charlotte County, Florida ("Board") reviewed Petition Z-24-18, submitted by applicant, Bluegrass Land & Mine ("Applicant"), which requested a rezoning from Agriculture (AG) to Excavation and Mining (EM) on 308.01± acres of property owned by Applicant, and described as property located at 42811 Neal Road, 3300, 3440, 3450, and 3460 SR 31, in the Punta Gorda area and within the East County area, Commission District I, Charlotte County, Florida, and more particularly described in Exhibit "A" which is attached hereto and provided herein ("Property"); and

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WHEREAS, at its July 22, 2025 meeting, the Board also considered the associated request submitted by the Applicant, for a large scale plan amendment for the Property, under Petition PAL-24-07; and

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WHEREAS, the Applicants seek a rezoning from AG to EM because the EM zoning district is required by and consistent with the Mineral Resource Extraction (MRE) Future Land Use Map designation granted under

MN

32 Petition PAL-24-07, and to allow Applicants to apply for a commercial excavation
33 permit; and

34 WHEREAS, Petition Z-24-18 was heard by the Charlotte County
35 Planning and Zoning Board ("P&Z Board") and, based on the findings and
36 analysis provided by County Staff and the evidence presented to the P&Z Board,
37 the P&Z Board recommended approval on February 10, 2025; and

38 WHEREAS, after due consideration, based on the findings and
39 analysis provided by County Staff and the evidence presented to it, the Board
40 finds that approval of Petition Z-24-18 is consistent with the County's
41 Comprehensive Plan, and that it meets the requirements for the granting of a
42 rezone; and

43 WHEREAS, based on the above findings, the Board finds that the
44 Petition satisfies the requirements of Section 125.66, Florida Statutes, and that it
45 is in the best interests of the County and its citizens to approve Petition Z-24-18.

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

48 SECTION 1. The following petition, made by applicant, Bluegrass
49 Land & Mine, for an amendment to the Charlotte County Zoning Atlas is hereby
50 approved:

51 Petition Z-24-18 requesting rezoning from Agriculture
52 (AG) to Excavation and Mining (EM) for 308.01 acres
53 more or less of property, located at 42811 Neal Road,
54 3300, 3440, 3450, and 3460 SR 31, in the Punta
55 Gorda area and within the East County area,
56 Charlotte County, Florida, Commission District I, and
57 more particularly described in Exhibit "A" attached
58 hereto.
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SECTION 2. That the zoning for this property shall run with the

property and shall apply to any subsequent owners, heirs and assigns.

SECTION 3. This Ordinance shall take effect upon (1) filing in the

Office of the Secretary of State, State of Florida, but, (2) only after the companion

plan amendment, PAL-24-07, to this rezoning, becomes effective. The effective

date of PAL-24-07, if not timely challenged, shall be 31 days after adoption. If

challenged within 30 days after adoption, PAL-24-07 may not become effective

until the state land planning agency or the Administration Commission,

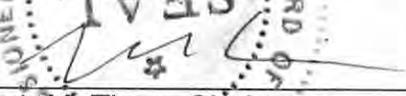
respectively, issues a final order determining that PAL-24-07 is in compliance.

[SIGNATURE PAGE FOLLOWS]

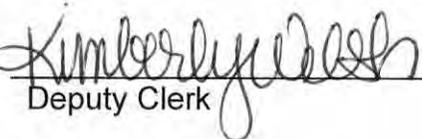
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PASSED AND DULY ADOPTED this 22nd day of July, 2025.

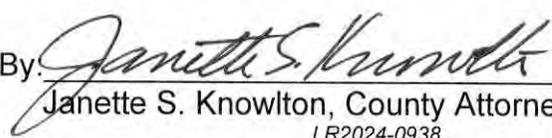
BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

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: 
Janette S. Knowlton, County Attorney
LR2024-0938

Knowlton



Ticket# 3964296-1
BCC Page 2
5 x 14
Submitted by: Kimberly Sargent
Publish: 07/06/25
163352 3964298

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

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

07/06/25

as well as being posted online at www.yoursun.com and www.floridapublicnotices.com.

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

(Signature of Affiant)

Sworn and subscribed before me this 7th day of July, 2025

(Signature of Notary Public)



Personally known OR Produced Identification

EDUCATION



Jenna Smith, of Charlotte Technical College and Mariana Valdez-Gonzalez, a Port Charlotte High graduate, were awarded scholarships by HCA Florida Fawcett Hospital through the Big Brothers Big Sisters mentorship program.

Fawcett names scholarship winners

Big Brothers Big Sisters students honored with \$5,000

STAFF REPORT

PORT CHARLOTTE—Two Charlotte County students from the Big Brothers Big Sisters mentorship program have been awarded \$5,000 in college scholarships from HCA Florida Fawcett Hospital.

The hospital, according to a press release, recently awarded the scholarships as part of its commitment to education, mentorship and inspiring healthcare careers.

The hospital has sponsored the organization for two years now, mentoring 18-20 students per year with 12 hospital leaders acting as mentors.

Scholarship recipient Jenna Smith completed the pre-nursing program at Charlotte Technical College this year and has been accepted into the nursing program at Florida International University, the release said. She is particularly drawn to the field of mental health. She wants to raise awareness and expand access to mental health services — especially in underserved communities.

Scholarship recipient Mariana Valdez-Gonzalez recently graduated from Port Charlotte High School and plans to pursue a career in radiology, according to the hospital. Her passion for science and technology is what led her to this field. Valdez-Gonzalez was inspired by the radiology professionals who cared for her grandmother during a time of need, according to the news release. Now she's determined to follow in their footsteps, treating her future patients with the same level of respect and empathy.

"Our mission goes beyond health care; it's about investing in the future of our community," said Michael Ehrat, chief executive officer at Fawcett Hospital in the news release. "We're proud to recognize these students who represent hope, resilience and the power of mentorship."

"I want to take a moment to express our deepest gratitude to HCA Florida Fawcett Hospital for your time, generosity and unwavering dedication to these young individuals," said Melissa Reynolds, regional program director for Big Brothers Big Sisters Sun Coast. "Their commitment to supporting education for students through scholarships is nothing short of life-changing. These scholarships will help ease the financial burdens that so many students face — rising book costs, housing expenses and even daily necessities like food. More than that, they represent an investment in dreams, an encouragement to stay the course and the

freedom to focus fully on their studies."

The partnership between Fawcett Hospital and Big Brothers Big Sisters aims to uplift youth through opportunities that open doors to education and careers. The scholarships are part of the hospital's broader community outreach efforts to support youth development and educational access, the news release stated.

ACADEMIC HONORS

Students receiving honors

STAFF REPORT

STUDENTS RECEIVING HONORS

■Kristen Grimm of North Port has graduated from State University of New York-Canton's Bachelor of Science in Health Care Management. SUNY Canton held its 117th Commencement Ceremony on May 10 to celebrate all students who completed their education within the past year.

■Elizabeth Iberle of Port Charlotte was named to the University of Mississippi's Spring 2025 Honor

Roll lists. Iberle, majoring in Dietetics and Nutrition, was named to the Chancellor's Honor Roll, which is reserved for students who earn a semester GPA of 3.75-4.00.

■Nason Heiges of Punta Gorda was recognized on Georgia Southern University's Spring 2025 Dean's List. Georgia Southern University is in Statesboro, Georgia.

■Eleanor Clink of Punta Gorda has been named to Siena College Dean's List for Spring 2025 Semester. To be named to the Dean's List, a student's grade point average for the semester must be between 3.5 and

3.89. Siena College is in Loudonville, N.Y.

■Aidan Quinn of Rotonda West and Taylor Hess of Punta Gorda have been named to the University of North Dakota's Dean's List for the Spring Semester of 2025. The UND Dean's List comprises students whose grade point average are in the top 15% of the enrollment in each of the university's degree-granting colleges and schools. Quinn was also named to the UND President's Ring of Honor. UND is in Grand Forks, N.D.

AREA NEWS BRIEFS

Shade coming to dog park

PUNTA GORDA — City of Punta Gorda workers are constructing a shade structure at the Hounds on Henry Dog Park, 1000-1098 W. Virginia Ave.

The construction schedule will extend beyond the park's usual Wednesday maintenance window. City officials ask people and their pets to be patient while the work on his new amenity is being completed. For more information, contact

Public Works 941-575-5050 or pubworks@pgrda.us.

Englewood dog park reopened

ENGLEWOOD — The large dog enclosure at Ann & Chuck Dever Regional Park, 6791 San Casa Drive, Englewood has reopened. The park had been closed for sod installation.

For more information, contact Monty Rodriguez at 941-613-3229 or Monty.Rodriguez@charlottecountyfl.gov.

Walking Path Construction

The construction of concrete walking paths will start July 14 at South Gulf Cove Park in South Gulf Cove, and Carmalta Park football fields in Punta Gorda, Charlotte County officials announced this week.

The parks will remain open during this time but patrons are asked to use caution while on site and to avoid any work areas. All work is anticipated to be completed by the middle of October.

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

A PUBLIC MEETING AND HEARING ON PROPOSALS AND PETITIONS AS DESCRIBED BELOW WILL BE CONDUCTED BY THE BOARD OF COUNTY COMMISSIONERS AT A REGULAR MEETING ON TUESDAY, JULY 22, 2025, AT 2:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD DURING THE COURSE OF ACTION. THE MEETING AND HEARING WILL BE HELD IN COMMISSION CHAMBERS, ROOM 119, FIRST FLOOR, BUILDING A, THE CHARLOTTE COUNTY ADMINISTRATION CENTER, 1800 MURDOCK CIRCLE, PORT CHARLOTTE, FLORIDA. THE BOARD IS NOT NOTED TO CONSIDER THE PETITIONS IN THE ORDER LISTED IN THIS NOTICE. ANY OF THESE PETITIONS MAY BE CONSIDERED AS SOON AS THE MEETING COMMENCES.

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

ALL INTERESTED PERSONS ARE URGED TO ATTEND THE PUBLIC IS WELCOME TO SPEAK, TIME LIMITS ARE SET BY BOARD RULES. IF YOU HAVE SPECIFIC QUESTIONS OR COMMENTS, YOU ARE ENCOURAGED TO CONTACT A STAFF PERSON AT ANY TIME IN ADVANCE OF THE PUBLIC HEARINGS. PLEASE CALL 941-764-4993 AND MENTION THE PETITION NUMBER OF THE MATTER YOU WISH TO DISCUSS.

PETITIONS

LAND USE REGULAR AGENDA

SV-23-03-01

Legislative

Commission District I

The applicant, George R. Roland, is requesting to vacate a portion of Barcelona Court adjacent to 280.56 Barcelona Court and 400 Seminole Road, which are both owned by the applicant. The total area to be vacated contains 8,099.2 square feet or 0.142 acres and is generally located north of Deep Creek Boulevard, southwest of the Peace River, and east of Seminole Road, within the Punta Gorda area and located in Commission District I.

PAL-24-07

Legislative

Commission District I

Pursuant to Section 163.3184(3), Florida Statutes, adopt a Large Scale Plan Amendment to amend Charlotte County F.L.U.M Series Map #1: 2030 Future Land Use from Agriculture (AG) to Mineral Resource Extraction (MRE), for property located at 42811 Neal Road, 3300, 3440, 3450 and 3460 SR 31, in the Punta Gorda area and within the East County area, containing 308.01 acres. Commission District I, Petition No. PAL-24-07. Applicant: Bluegrass Land & Mine, providing an effective date.

Z-24-18

Quasi-Judicial

Commission District I

An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Agriculture (AG) to Excavation and Mining (EME), for property located at 42811 Neal Road, 3300, 3440, 3450 and 3460 SR 31, in the Punta Gorda area and within the East County area, containing 308.01 acres, Commission District I, Petition No. Z-24-18. Applicant: Bluegrass Land & Mine, providing an effective date.

PAS-25-01

Legislative

Commission District III

Pursuant to Section 163.3187, Florida Statutes, adopt a Small Scale Plan Amendment to Charlotte County F.L.U.M Series Map #1: 2030 Future Land Use, from Medium Density Residential (MDR) to Commercial (COM), for lots 19 and 20, in Block 3571, Port Charlotte Subdivision, Section 84, located at 3973 S. Access Road, in the Ingleswood area and within the West County area, containing 0.452 acres. Commission District III, Petition No. PAS-25-01. Applicant: Trues Preferred Construction LLC, providing an effective date.

PD-25-06

Quasi-Judicial

Commission District III

An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Commercial General (CG) (0.2292 acres) and Residential Multi-Family (RMF-1) (0.452 acres) to Planned Development (PD) to allow for expansion of existing commercial uses, and adopting a General PD Concept Plan, for lots 5, 19, and 20, in Block 3571, Port Charlotte Subdivision, Section 84, located at 3973 S. Access Road, in the Ingleswood area and within the West County area, containing 0.6792 acres; Commission District III, Petition No. PD-25-06. Applicant: Trues Preferred Construction LLC, providing an effective date.

PAL-24-04

Legislative

Commission District IV

Pursuant to Section 163.3184(3), Florida Statutes, adopt a Large Scale Plan Amendment to 1) amend Charlotte County F.L.U.M Series Map #1: 2030 Future Land Use from Compact Growth Mixed Use (CGMU) (1,081.752 acres) and Preservation (PR) (92.395 acres) to CGMU (1,010,696 acres) and PR (163,452 acres) in order to allow for a mixture of residential up to 3.25 units (a reduction of 485 units), commercial and high industrial uses up to 1,400,000 square feet (a reduction of 109,807 square feet); increasing the base density from 1,831 units to 1,790 units with an approved PD ordinance restricting development on Area A as identified on Figure 1-A under Section 1 of 111, Appendix VII, Compact Growth Mixed Use Master Development Plan in low impact recreational uses/passive recreational uses; 2) amend Charlotte County F.L.U.M Series Map #2: 2050 Framework, from Agricultural/Rural to Emerging Neighborhood for 28.011 acres of properties and 99.132 acres of properties from Emerging Neighborhood to Agricultural/Rural; and 3) amend Charlotte County F.L.U.M Series Map #3: 2030 Service Area Delineation, to extend the Urban Service Area boundary to include 28.011 acres of properties and to concurrently remove 99.132 acres of properties from the Urban Service Area, for properties generally located southeast of McCall Road (SR 776) and southwest of the Myakka River in the West County area, containing 1,174.144 acres. Commission District IV, Petition No. PAL-24-04. Applicant: Maronda Homes LLC of Florida, providing an effective date.

PD-24-14

Quasi-Judicial

Commission District IV

An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Planned Development (PD) (408.392 acres, including 0.7 acres of Cattle Dock Point Road), Residential Single-Family 2 (RSF-2) (428.202 acres) and Residential Multi-Family 5 (RMF-5) (4.412 acres) to Planned Development (PD), and adopting its associated General PD Concept Plan in order to have a mixture of residential and commercial development, increasing the base density from 1,114 units to 2,000 units, and requiring a transfer of 806 density units to reach the maximum of 2,000 units, for property generally located north of Delamere Boulevard, southeast of McCall Road (SR 776), east of Casparilla Road (CR 771), and west of Bluffwater Waterway, in the West County area, containing 840.302 acres. Commission District IV, Petition No. PD-24-14. Applicant: Maronda Homes, LLC of Florida, providing an effective date.

TCP-24-03

Legislative

Commission District IV

Pursuant to Section 163.3184(3), Florida Statutes, an application to adopt a Large Scale Plan Amendment (Text Amendment) to the Department of Commerce and other State agencies for review and comment to amend Future Land Use (F.L.U.) Appendix VII: Compact Growth Mixed Use Master Development Plan by revising Section 1: West County Town Center, specifically, 1) changing the name of Section 1 from "West County Town Center" to "Harbor Village"; 2) amending the total acreage of the project from 1,187.2 to 1,174.144 acres; amending a) L.A. Base Residential Density to decrease the base density from 1,831 units to 1,790 units; b) L.B. Maximum Residential Density to reduce the residential development rights from 3,960 units to 3,475 units; c) L.C. to rename and amend "Maximum Floor Area Ratio" to "Maximum Commercial and Light Industrial Intensity" (J) 1.1; to remove "Perpetual Conservation Easement" and replace with "Uses Permitted Within Area A As Shown on Figure 1-C Above"; and e) L.E. Master Development Plan to adopt a new Master Land Use Plan/Pattern Book, 1) adding new L.E. Traffic Concurrence, new L.G. Buffer Between the Proposed Development Areas and State-owned Lands, and new L.H. Slip Count Approval, for properties generally located southeast of McCall Road (SR 776) and southwest of the Myakka River, in the West County area. Petition No. TCP-24-03. Applicant: Maronda Homes LLC of Florida, providing an effective date.

SHOULD ANY AGENCY OR PERSON DECIDE TO APPEAL ANY DECISION MADE BY THE BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING, A RECORD OF THE PROCEEDING, AND FOR SUCH PURPOSE, A VERBATIM RECORD OF THE PROCEEDING IS REQUIRED. WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

Charlotte County Board of County Commissioners does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the County's functions, including access to and participation in meetings, programs and activities. For Social Inclusion/Inclusion Units for the Hearing Impaired are available at the Front Security Desk, Building A of the Murdock Administration Complex. Anyone needing other reasonable accommodation or auxiliary aids and services please contact our office at 941-764-4191, TDD/TTY 941-743-1234, or by email to David.Lytle@charlottecountyfl.gov.

Published July 6, 2025



Attachment 3

Ordinance Number 2023-022

CHG
Bcc

FILED WITH THE DEPARTMENT OF STATE May 24, 2023

ORDINANCE
NUMBER 2023 - 022

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AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3184, FLORIDA STATUTES, AMENDING THE COUNTY'S COMPREHENSIVE PLAN BY AMENDING CHARLOTTE COUNTY FLUM SERIES MAP #1: 2030 FUTURE LAND USE, FROM AGRICULTURE (AG) TO MINERAL RESOURCE EXTRACTION (MRE) WITH AN ANNOTATION TO THE 2030 FUTURE LAND USE MAP REQUIRING A CONSERVATION EASEMENT IN A FORM ACCEPTABLE TO THE COUNTY ATTORNEY'S OFFICE AND THE BOARD OF COUNTY COMMISSIONERS PRIOR TO ISSUANCE OF A COMMERCIAL EXCAVATION PERMIT; FOR PROPERTY LOCATED AT 43521 NEAL ROAD, IN THE PUNTA GORDA AREA AND WITHIN THE EAST COUNTY AREA; CONTAINING 159.50 ACRES MORE OR LESS; CHARLOTTE COUNTY, FLORIDA, COMMISSION DISTRICT I; PETITION PAL-22-00005; APPLICANTS, KYE AND DEBORAH BISHOP; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR TRANSMITTAL OF ADOPTED ORDINANCE.

RECITALS

WHEREAS, applicants, Kye and Deborah Bishop ("Applicants"), filed Petition PAL-22-00005, seeking a large scale plan amendment to the County's Comprehensive Plan by amending Charlotte County FLUM Series Map #1: 2030 Future Land Use from Agriculture (AG) to Mineral Resource Extraction (MRE) with an annotation requiring a conservation easement in a form acceptable to the County Attorney's Office and the Board of County Commissioners prior to issuance of a commercial excavation permit; for property located at 43521 Neal Road, in the Punta Gorda area and in the East County area, containing 159.50 acres more or less, which is owned by Applicants, and more particularly described in Exhibit "A" attached hereto and by this reference incorporated herein; and

ROGER D. EATON, CHARLOTTE COUNTY CLERK OF
CIRCUIT COURT
PAGE: 7
INSTR #: 3269468 Doc Type: GOV
Recorded: 05/24/2023 at 02:59 PM
Rec. Fee: RECORDING \$61.00

min

38 WHEREAS, on February 13, 2023, Petition PAL-22-00005 was heard before
39 the Charlotte County Planning and Zoning Board ("P&Z Board") and, based on the findings
40 and analysis provided by County Staff and the evidence presented to the P&Z Board,
41 Petition PAL-22-00005 was found to be consistent with the County's Comprehensive Plan
42 and the P&Z Board recommended approval for transmittal of Petition PAL-22-00005 to the
43 Department of Economic Opportunity ("DEO") and other state agencies for review; and

44 WHEREAS, in a public hearing held on Tuesday, February 28, 2023, the
45 Board of County Commissioners of Charlotte County, Florida ("Board") reviewed plan
46 amendment Petition PAL-22-00005 and, based on the findings and analysis provided by
47 County Staff regarding the amendment and the evidence presented to the Board, approved
48 transmittal of Petition PAL-22-00005 to DEO and other state agencies for review and
49 comment; and

50 WHEREAS, Petition PAL-22-00005 was transmitted to DEO and other state
51 agencies for review and comment; and

52 WHEREAS, the comments received by the reviewing agencies, if any, have
53 been considered and addressed by the Applicants and incorporated into the findings and
54 analysis provided by County Staff; and

55 WHEREAS, after due consideration regarding Petition PAL-22-00005 in a
56 public hearing held on May 23, 2023, and based on the findings and analysis presented to
57 the Board, the Board has found that the proposed amendment is consistent with the
58 County's Comprehensive Plan, and that the requirements and conditions of Chapter 163,
59 Florida Statutes, as they relate to the Petition have been met, and that it is in the best
60 interests of the County to approve Petition PAL-22-00005.

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

63 Section 1. Approval. Petition PAL-22-00005 requesting a large scale plan
64 amendment to the County's Comprehensive Plan by amending Charlotte County FLUM
65 Series Map #1: 2030 Future Land Use, from AG to MRE with an annotation to the 2030
66 Future Land Use Map requiring a conservation easement in a form acceptable to the
67 County Attorney's Office and the Board of County Commissioners prior to issuance of a
68 commercial excavation permit, for property located at 43521 Neal Road, in the Punta
69 Gorda area and within the East County area, containing 159.50 acres more or less,
70 Charlotte County, Florida, Commission District I, and more particularly described in Exhibit
71 "A" attached hereto and by this reference incorporated herein, is hereby approved.

72 Section 2. Effective date. The effective date of this plan amendment, if the
73 amendment is not timely challenged, shall be 31 days after the state land planning agency
74 notifies the local government that the plan amendment package is complete. If timely
75 challenged, this amendment shall become effective on the date the state land planning
76 agency or the Administration Commission enters a final order determining this adopted
77 amendment to be in compliance. No development orders, development permits, or land
78 uses dependent on this amendment may be issued or commence before its effective date.
79 If a final order of noncompliance is issued by the Administration Commission, this
80 amendment may nevertheless be made effective by adoption of a resolution affirming its
81 effective status, a copy of which resolution shall be sent to the state land planning agency.

82 Section 3. Transmittal. County Staff is hereby directed to forward a copy of
83 this Ordinance and its attachments to the DEO, 107 East Madison Street, Tallahassee, FL

84 32399-4120, and to the Executive Director, Southwest Florida Regional Planning Council,
85 1400 Colonial Boulevard, Suite 1, Fort Myers, FL 33907.

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[SIGNATURE PAGE FOLLOWS]

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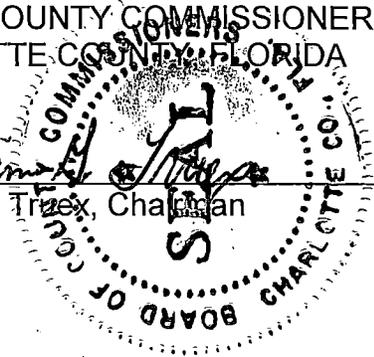
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PASSED AND DULY ADOPTED this 23rd day of May, 2023.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: William G. Trex
William G. Trex, Chairman



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

By: Roger D. Eaton
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: Janette S. Knowlton
Janette S. Knowlton, County Attorney
LR2022-0615 JNK



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

May 24, 2023

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

Attention: Dawn Johnston

Dear Roger Eaton,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Charlotte County Ordinance No. 2023-022, which was filed in this office on May 24, 2023.

Sincerely,

Anya Owens
Administrative Code and Register Director

ACO/wlh

A list of recent high-profile shootings in the United States

BY THE ASSOCIATED PRESS

The latest high-profile mass shooting in the United States happened Saturday in Allen, Texas, where eight people were killed and seven were wounded at a busy outdoor shopping center before police killed the gunman.

The attack is the country's 22nd mass killing — in which four or more people died, not including the assailant — of 2023, according to a database maintained by The Associated Press and USA Today in partnership with Northeastern University.

Here are some other notable U.S. mass shootings over the past 12 months:

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An Oklahoma sex offender shot his wife, her three children and their two friends in the head on April 30 before he killed himself. The shooter had moved the victims' bodies, which were found in a heavily wooded area on a rural Oklahoma property.

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A man shot and killed five of his neighbors, including a 9-year-old boy, on April 28 after

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Four people were killed in a home and three others were wounded by gunfire April 18 on a busy highway in a neighboring community. A man who was released from prison a few days earlier is charged in the killings.

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Four young people were killed and 32

others were wounded by gunfire at a girl's Sweet 18 party in Budeville on April 15. Police arrested two teenagers and a 20-year-old man on murder charges.

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An employee shot and killed five people and wounded eight others inside the Old National Bank in Louisville while livestreaming the attack on April 10. Police later shot and killed the gunman.

NASHVILLE, TENNESSEE
Three students and three adults were killed inside The Covenant

School in Nashville on March 27. The suspect, a former student, was killed by police.

HALF MOON BAY, CALIFORNIA
A farmworker killed seven people in back-to-back shootings at two Northern California mushroom farms on Jan. 22, authorities said. He is facing charges.

MONTEREY PARK, CALIFORNIA
A 72-year-old man killed 11 people and wounded nine others in a shooting at a Lunar New Year dance in Monterey Park on

Jan. 21. The suspect later died of an apparent self-inflicted gunshot wound.

CHESAPEAKE, VIRGINIA
The manager at a Walmart in Chesapeake killed six people and wounded six others during an employee meeting on Nov. 22. Police say the suspect shot himself.

COLORADO SPRINGS, COLORADO
An attacker shot and killed five people and wounded 17 others at a gay nightclub in Colorado Springs on Nov. 19. The suspected assailant was subdued by patrons and is awaiting trial.

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

A PUBLIC MEETING AND HEARING ON PROPOSALS AND PETITIONS AS DESCRIBED BELOW WILL BE CONDUCTED BY THE BOARD OF COUNTY COMMISSIONERS AT A REGULAR MEETING ON TUESDAY, MAY 23, 2023, AT 2:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD DURING THE COURSE OF ACTION. THE MEETING AND HEARING WILL BE HELD IN COMMISSION CHAMBERS, ROOM 419, FIRST FLOOR, BUILDING 2, THE CHARLOTTE COUNTY ADMINISTRATION CENTER, 1400 SOUTHWEST CORNER, FORT CHARLOTTE, FLORIDA. THE BOARD IS NOT BOUND TO CONSIDER THE PETITIONS IN THE ORDER LISTED IN THIS NOTICE AND OTHER PETITIONS MAY BE CONSIDERED AS SOON AS THE MEETING COMMENCES.

COPIES OF SAID PETITIONS WITH COMPLETE LEGAL DESCRIPTIONS AND SUBSEQUENT STATE REFORMS WILL BE AVAILABLE FOR REVIEW AT THE CHARLOTTE COUNTY COMMISSIONER DEVELOPMENT DEPARTMENT AND ALL CHARLOTTE COUNTY PUBLIC WORKS. A MEETING AGENDA AND PETITION PACKETS MAY BE REVIEWED AT THE FOLLOWING INTERNET ADDRESS: <http://www.charlottecountyfl.gov/boards/commissioners/planning-coming-locat-02018.html>

ALL INTERESTED PERSONS ARE URGED TO ATTEND THE PUBLIC MEETING TO SPEAK. TIME LIMITS ARE SET BY BOARD RULES IF YOU HAVE SPECIFIC QUESTIONS OR COMMENTS, YOU ARE ENCOURAGED TO CONTACT A STAFF PERSON AT ANY TIME IN ADVANCE OF THE PUBLIC HEARING(S). PLEASE CALL 910-764-4603 AND MENTION THE PETITION NUMBER OF THE MATTER YOU WANT TO DISCUSS.

- PETITIONS**
- LAND USE CONSISTY AGENDA**
- DRC-22-00226** *Quasi-Judicial* *Commission District 9*
Seachon Engineering and Design is requesting PU Final Detail Site Plan approval for Harpoon Party 4 Shops at Rayburn. The project consists of a 22,354 SF retail and 24,589 SF retail buildings. This project site is 16.1 acres and located at 2201 Bryher Rd, Post Charlotte, FL in Section 18, Township 09, Range 22 in Commission District 9.
- FD-23-05-12** *Quasi-Judicial* *Commission District 1*
Duke's Property (Madison) LLC is requesting final plat approval for a subdivision into named. The tracts are located at Babcock Ranch, comprising 74.6 and 23 tracts, and also being a replat of 79.1 & 16. Babcock Ranch Community Space Road US 4 & GGS. The proposed subdivision is a residential development that received Preliminary Plat approval from the Board of County Commissioners under PD 22-05-12 on January 26, 2023. The property contains 89.31 acres and is partially located south of Cypress Highway, north of the Lee County line, west of Shady Grove Road, and east of SR 34, in the boundary of the Babcock Ranch Community Development of Regional Impact (DRI) Tract 1, within the Lee County area and Commission District 1.
- TDU-23-02** *Quasi-Judicial* *Commission District 11*
A Resolution of the Board of County Commissioners of Charlotte County, Florida, approving a petition for a transfer of 311 density units onto a Recreasing Zone located at 2591 or 2200 Fern Road, in the Punta Gorda area, within the boundary of the Punta Gorda Area Plan area, and in Commission District 11, containing 318.924 acres, in compliance with Part III Land Development and Growth Management, Chapter 179 Zoning, Article V Environmental Requirements and Other Requirements, Section 179-139 Transfer of Density Units (TDU), of the Code of Laws and Ordinances of Charlotte County, Florida, Petition No. TDU-23-02; Applicant: Lorinda Mark L. Truett; providing an effective date.
- LAND USE REGULAR AGENDA**
- FP-23-12-25** *Quasi-Judicial* *Commission District 11*
B.B. Haines Inc is requesting Preliminary Plat approval for a subdivision to be named 3802 Oaks, consisting of 11 tracts, family lots and 11 tracts. The site contains 40,241 acres and is generally located north of Brennan Road, south of Amherst Circle, west of Quail Drive, and east of Dunbar Road, within the East County area and in Commission District 11.
- FP-23-12-224** *Quasi-Judicial* *Commission District 11*
Loren Haines, LLC is requesting Preliminary Plat approval for a subdivision with the named Harbor East, consisting of 82 single-family lots and six tracts. The site contains 31,803 acres and is generally located north of Tate Way, south of Dunbar Parkway, east of Highway 17, west of Highway 17, within the East County area and in Commission District 11.
- FD-22-00314** *Quasi-Judicial* *Commission District 1*
An Ordinance pursuant to Section 115.04, Florida Statutes, amending the Charlotte County Zoning Atlas from Agriculture (AG) to Unincorporated (U) and adopting a General PD Concept Plan and currently allow for an existing plan to be amended to permit a property generally located north of Highway 17, south of Washington Road, east of Dunbar Road (US 17) and west of CR 31, in the East County area, containing 7101 acres, Commission District 1, Petition No. FD-22-00314; Applicant: Brentwood Properties and TMV Inc; providing an effective date.
- PA-23-00011** *Legislative* *Commission District 11*
Pawnee in Section 143-1182, Florida Statutes, adopt a small scale Plan Amendment to change Charlotte County PLUM Series Map 41, 2020 Future Land Use, from Low Density Residential (LDR) to Commercial (CDS), and to add to amendments to the 2010 Future Land Use Map limiting commercial intensity of the subject property to 1) permitted uses and conditional uses under Section 3-9-06, Unincorporated Neighborhood, as may be amended. 2) permitted uses under Section 1-9-01, Commercial Neighborhood, as may be amended and approved by the Board of Planning Approval and 3) the maximum floor area ratio (FAR) of 0.6, for property located at 1411 Appleton Boulevard, in the South Collier area, containing 2,952 acres, Commission District 11; Petition No. PA-23-00011; Applicant: American Prime, LLC; providing an effective date.
- PA-22-00069** *Legislative* *Commission District 1*
Pawnee in Section 143-1184(1), Florida Statutes, adopt a Large Scale Plan Amendment to amend the amendment to change Charlotte County PLUM Series Map 41: 2019 Future Land Use, from Agriculture (AG) to Mineral Resource Extraction (MRE) with an amendment requiring a conservation easement in a form acceptable to the County Attorney and the Board of County Commissioners prior to issuance of commercial extraction permits for property located at 43524 Neal Road, in the Punta Gorda area and within the East County area, containing 159,301 acres; Commission District 1; Petition No. PA-22-00069; Applicant: Hye and Hye with subplots; providing an effective date.
- Z-22-08-18** *Quasi-Judicial* *Commission District 1*
An Ordinance pursuant to Section 115.04, Florida Statutes, amending the Charlotte County Zoning Atlas from Agriculture (AG) to Extraction and Mining (EM), for property located at 43524 Neal Road, in the Punta Gorda area and within the East County area, containing 159,301 acres; Commission District 1; Petition No. Z-22-08-18; Applicant: Hye and Debra's Bishop; providing an effective date.
- PA-23-00066** *Legislative* *Commission District 1*
Pawnee in Section 143-1184(1), Florida Statutes, adopt a Large Scale Plan Amendment to amend the amendment to change Charlotte County PLUM Series Map 71: 2019 Future Land Use, from Agriculture (AG) to Mineral Resource Extraction (MRE) with an amendment requiring a conservation easement in a form acceptable to the County Attorney and the Board of County Commissioners prior to issuance of commercial extraction permits for property located at 43524 Neal Road, in the Punta Gorda area and within the East County area, containing 478,322 acres; Commission District 1; Petition No. PA-23-00066; Applicant: Hye and Hye with subplots; providing an effective date.
- Z-23-12-19** *Quasi-Judicial* *Commission District 1*
An Ordinance pursuant to Section 115.04, Florida Statutes, amending the Charlotte County Zoning Atlas from Agriculture (AG) to Extraction and Mining (EM), for property located at 43761 and 44511 Neal Road, in the Punta Gorda area and within the East County area, containing 478,322 acres; Commission District 1; Petition No. Z-23-12-19; Applicant: Hye and Hye with subplots; providing an effective date.

SHOULD ANY AGENCY OR PERSON DECIDE TO APPEAL ANY DECISION MADE BY THE BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING, A RECORD OF THE PROCEEDING, AND FOR SUCH PURPOSE, A VERBATIM RECORD OF THE PROCEEDING IS REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

Charlotte County Board of County Commissioners does not discriminate on the basis of disability. This nondiscrimination policy includes every aspect of the County's business, including access to and participation in meetings, programs and activities. For Special Requirements Plans for the Hearing Impaired are available at the First Security Bldg., Building A of the Sheriff's Administration Complex. Any hearing or other reasonable accommodations or alternative means and services should be requested at 910.764.4199. TDD: 910.764.4122, web page at: www.charlottecountyfl.gov

Published May 8, 2023

RALEIGH, NORTH CAROLINA
A 15-year-old boy shot and killed five people and wounded two others in Raleigh on Oct. 13, authorities said. The suspect eluded officers for hours before he was cornered in a home and arrested.

HIGHLAND PARK, ILLINOIS
Seven people were killed and at least 30 wounded when a gunman on a rooftop opened fire on a July 4 parade in the Chicago suburb of Highland Park. The suspected gunman is awaiting trial. The suspect's father was indicted for helping his son obtain a gun license despite his son's history of making violent threats.

PHILADELPHIA
Three people were shot and killed and 11 others were wounded on June 4 on a busy Philadelphia street during a melee that began with a fistfight and was followed by random gunfire. Two men were later arrested in two of the killings, and other people have been arrested in connection with the melee.

TULSA, OKLAHOMA
A gunman killed his surgeon and three other people at a medical office on June 1. The shooter killed himself as police arrived.

UVALDE, TEXAS
An 18-year-old gunman killed 19 children and two adults at Robb Elementary School on May 24 in the deadliest school shooting in nearly a decade. More than 15 other people were wounded. Law enforcement killed the attacker.

LACUNA WOODS, CALIFORNIA
One person was killed and five were wounded on May 15 after a man opened fire on Taiwanese prisoners in Southern California. Authorities have said the gunman was motivated by hatred for Taiwan. He has been charged with murder and other counts.

BUFFALO, NEW YORK
A white supremacist opened fire on May 14, 2022, at a supermarket in a predominantly Black neighborhood, killing 10 people and wounding several others. The shooter pleaded guilty to murder and other charges and was sentenced to life in prison.





Ticket# 3891097-1
05-23-23 Page 1
AD ID# 3891099
5 x 16
Submitted by: Heather Bennett
Publish: 05/08/2023
163352 3891099

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

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

05/08/23

as well as being posted online at www.yoursun.com and www.floridapublicnotices.com.

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

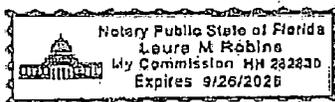
Melinda Prescott

(Signature of Affiant)

Sworn and subscribed before me this 8th day of
May, 2023

Laura M Robins

(Signature of Notary Public)



Personally known OR Produced Identification

Attachment 4
Ordinancem Number 2023-023

CHG
BCC

FILED WITH THE DEPARTMENT OF STATE May 24, 2023

ORDINANCE
NUMBER 2023 - 023

ROGER D. EATON, CHARLOTTE COUNTY CLERK OF
CIRCUIT COURT
PAGE: 6
INSTR #: 3269488 Doc Type: GOV
Recorded: 05/24/2023 at 03:31 PM
Rec. Fee: RECORDING \$52.50

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AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM AGRICULTURE (AG) TO EXCAVATION AND MINING (EM) FOR PROPERTY LOCATED AT 43521 NEAL ROAD, IN THE PUNTA GORDA AREA AND WITHIN THE EAST COUNTY AREA, CONTAINING 159.90 ACRES MORE OR LESS, COMMISSION DISTRICT I, CHARLOTTE COUNTY, FLORIDA; PETITION Z-22-48-18; APPLICANTS, KYE AND DEBORAH BISHOP; PROVIDING AN EFFECTIVE DATE.

15

RECITALS

16

WHEREAS, in a public hearing held on Tuesday, May 23, 2023, the

17

Board of County Commissioners of Charlotte County, Florida ("Board") reviewed

18

Petition Z-22-48-18, submitted by applicants, Kye and Deborah Bishop,

19

("Applicants"), which requested a rezoning from Agriculture (AG) to Excavation

20

and Mining (EM) on 159.90 acres more or less of property owned by Applicants,

21

and described as property located at 43521 Neal Road, in the Punta Gorda area

22

and within the East County area, Commission District I, Charlotte County,

23

Florida, and more particularly described in Exhibit "A" which is attached hereto

24

and provided herein ("Property"); and

25

WHEREAS, at its May 23, 2023 meeting, the Board also

26

considered the associated request submitted by the Applicant, for a large scale

27

plan amendment for the Property, under Petition PAL-22-00005; and

28

WHEREAS, the Applicants seek a rezoning from AG to EM

29

because the EM zoning district is required by and consistent with the Mineral

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Resource Extraction (MRE) Future Land Use Map designation granted under

MIN

31 Petition PAL-22-00005, and to allow Applicants to apply for a commercial
32 excavation permit; and

33 WHEREAS, Petition Z-22-48-18 has previously been heard by the
34 Charlotte County Planning and Zoning Board ("P&Z Board") and, based on the
35 findings and analysis provided by County Staff and the evidence presented to the
36 P&Z Board, has been recommended for approval on February 13, 2023; and

37 WHEREAS, after due consideration, based on the findings and
38 analysis provided by County Staff and the evidence presented to it, the Board
39 has found that approval of Petition Z-22-48-18 is consistent with the County's
40 Comprehensive Plan, and that it meets the requirements for the granting of a
41 rezone; and

42 WHEREAS, based on the above findings, the Board has
43 determined it to be in the best interests of the County to rezone the subject
44 property from AG to EM.

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

47 SECTION 1. The following petition, made by applicants, Kye and
48 Deborah Bishop, for an amendment to the Charlotte County Zoning Atlas is
49 hereby approved:

50 Petition Z-22-48-18 requesting rezoning from
51 Agriculture (AG) to Excavation and Mining (EM) for
52 159.90 acres more or less of property, located at
53 43521 Neal Road, in the Punta Gorda area and within
54 the East County area, Charlotte County, Florida, and
55 more particularly described in Exhibit "A".

56
57 SECTION 2. That the zoning for this property shall run with the

58 property and shall apply to any subsequent owners, heirs and assigns.

59 SECTION 3. This Ordinance shall take effect upon (1) filing in the
60 Office of the Secretary of State, State of Florida, but, (2) only after the companion
61 plan amendment, PAL-22-00005, to this rezoning, becomes effective. The
62 effective date of PAL-22-00005, if not timely challenged, shall be 31 days after
63 adoption. If challenged within 30 days after adoption, PAL-22-00005 may not
64 become effective until the state land planning agency or the Administration
65 Commission, respectively, issues a final order determining that PAL-22-00005 is
66 in compliance.

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[SIGNATURE PAGE FOLLOWS]

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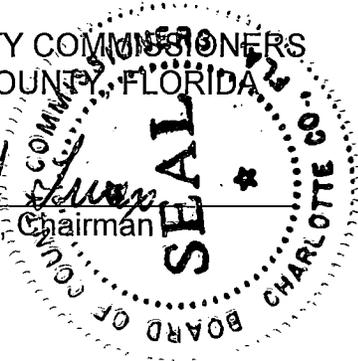
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PASSED AND DULY ADOPTED this 23rd day of May, 2023.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: William G. Truex
William G. Truex, Chairman



ATTEST:

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

By: Dawn Johnston
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: Janette S. Knowlton
Janette S. Knowlton, County Attorney
LR2022-0614



FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

May 24, 2023

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

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Sincerely,

Anya Owens
Administrative Code and Register Director

ACO/wlh

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School in Nashville on March 27. The suspect, a former student, was killed by police.

HALF MOON BAY, CALIFORNIA
A farmworker killed seven people in back-to-back shootings at two Northern California mushroom farms on Jan. 23, authorities said. He is facing charges.

MONTEREY PARK, CALIFORNIA
A 72-year-old man killed 11 people and wounded nine others in a shooting at a Lunar New Year dance in Monterey Park on

Jan. 21. The suspect later died of an apparent self-inflicted gunshot wound.

CHESAPEAKE, VIRGINIA
The manager of a Walmart in Chesapeake killed six people and wounded six others during an employee meeting on Nov. 22. Police say the suspect shot himself.

COLORADO SPRINGS, COLORADO
An attacker shot and killed five people and wounded 17 others at a gay nightclub in Colorado Springs on Nov. 19. The suspected assailant was subdued by patrons and is awaiting trial.

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

A PUBLIC MEETING AND HEARING ON PROPOSALS AND PETITIONS AS DESCRIBED BELOW WILL BE CONDUCTED BY THE BOARD OF COUNTY COMMISSIONERS AT A REGULAR MEETING ON TUESDAY, MAY 23, 2023, AT 10:00 A.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD DURING THE COURSE OF ACTION. THE MEETING AND HEARING WILL BE HELD IN COUNCILMAN CHAMBERS, ROOM 119, FIRST FLOOR, BUILDING A, THE CHARLOTTE COUNTY ADMINISTRATIVE CENTER, 1465 MURDOCK CIRCLE, FORT CHARLOTTE 1, U.S.A. THE BOARD IS NOT BOUND TO CONSIDER THE PETITIONS IN THE ORDER LISTED IN THIS NOTICE. LIST OF THE PETITIONS MAY BE CONSIDERED AS SOON AS THE MEETING COMMENCES.

COPIES OF SAID PETITIONS WITH COMPLETE LEGAL DESCRIPTIONS AND SUBSEQUENT STAFF REPORTS WILL BE AVAILABLE FOR REVIEW AT THE CHARLOTTE COUNTY COMMISSIONERS DEVELOPMENT DEPARTMENT AND ALL CHARLOTTE COUNTY PUBLIC LIBRARIES. A MEETING AGENDA AND PETITION PACKETS MAY BE VIEWED AT THE FOLLOWING INTERNET ADDRESS: <http://www.charlottecountyfl.com/board-commissioners/planning-zoning-board.aspx>

ALL INTERESTED PERSONS ARE URGED TO ATTEND. THE PUBLIC IS WELCOME TO SPEAK. TIME LIMITS ARE SET BY BOARD RULES. IF YOU HAVE SPECIFIC QUESTIONS OR COMMENTS, YOU ARE ENCOURAGED TO CONTACT A STAFF PERSON AT ANY TIME IN ADVANCE OF THE PUBLIC HEARING(S). PLEASE CALL 904-764-6523 AND MENTION THE PETITION NUMBER OF THE MATTER YOU WISH TO DISCUSS.

- PETITIONS**
- LAND USE COMPREHENSIVE AGENDA**
- DRC 22-0022A** *Quasi-Judicial* *Commission District V*
Sunbeam Engineering and Design requesting Final Plat Detail Strip Plan approval for Hampton Hwy 7 & Shops at Bayshore. The project consists of a 12,351 SF restaurant, and 24,549 SF of retail building. This project sits on 16.1 ± acres and is located at 22091 Bayshore Rd, Fort Charlotte, FL in Section 16, Township 02, Range 22 and Commission District V.
- PP-22-05-12** *Quasi-Judicial* *Commission District I*
Lifeworks Property Holdings LLC is requesting final plat approval for a subdivision to be named. The Plat would include 240 lots and 23 tracts, and also including a tract of 2000 C-38, Bayhawk Ranch Community Specific Use & GDS. The proposed subdivision is a residential development that received Preliminary Plat approval from the Board of County Commissioners under PP-22-05-12 on January 24, 2023. The property consists of 69.51 ± acres and is generally located south of Cypress Parkway, on the east of the Lee County area, west of Mundy Grove Road, and east of SR 31. In the boundary of the Bayhawk Ranch Community Development of Regional Impact (CDRI) Improvement 1, within the East County area and Commission District I.
- TDU-23-02** *Quasi-Judicial* *Commission District II*
A Resolution of the Board of County Commissioners of Charlotte County, Florida, approving a petition for a transfer of 311 density units into a Receiving Zone located at 26901 or 27001 Zoned Road in the Punta Gorda area, within the boundary of the Miami Zone Area Plan area, and in Commission District II, containing 336,024 acres in compliance with Part III Land Development and Growth Management, Chapter 3-9 Zoning, Article V Environmental Requirements and Other Requirements, Section 3-9-19 Transfer of Density Units (TDU), of the Code of Laws and Ordinances of Charlotte County, Florida; Petition No. TDU-23-02; Applicant: Lenore Mick L. Dancer; providing an effective date.
- LAND USE REGULAR AGENDA**
- PP-22-12-14** *Quasi-Judicial* *Commission District II*
D. B. Hooten, Inc. is requesting Preliminary Plat approval for a subdivision to be named Shoal Oaks, consisting of 110 single-family lots and 11 tracts. The site contains 40.84 acres and is generally located north of Repton Road, south of Amwood Circle, west of Quail Drive, and east of Dunton Road, within the East County area and in Commission District II.
- PP-22-12-26** *Quasi-Judicial* *Commission District III*
Lumina Homes, LLC is requesting Preliminary Plat approval for a subdivision to be named Harbor East, consisting of 62 single-family lots and six tracts. The site contains 31.04 acres and is generally located north of Water Viewway, south of Interstate Lagoon, and east of Aquatica Wayway, within the Port Charlotte area and in Commission District III.
- PP-22-00014** *Quasi-Judicial* *Commission District I*
An Ordinance pursuant to Section 125.64, Florida Statutes, amending the Charlotte County Zoning Atlas from Agriculture (AG) to Planned Development (PD) and adopting a Conditional Use Ordinance (CZO) in order to allow for a residential property to be converted to a grocery with retail, vegetable, and property generally located north of Highway 100 (SR 74) south of Washington Loop Road, east of Dunton Road (US 17) and west of CR 31, in the East County area, containing 7.06 acres. Commission District I; Petition No. PP-22-00014; Applicant: Baymont Real Estate and TRM Inc.; providing an effective date.
- PAL-22-00011** *Legislative* *Commission District III*
Pursuant to Section 163.2187, Florida Statutes, adopt a Final Plat Amendment to change Charlotte County PLUM Series Map #1: 2030 Future Land Use from Low Density Residential (LDR) to Commercial (COM), and to add to annexation to the 2010 Future Land Use Map funding commercial density of the subject property to D permitted uses and conditional uses under Section 3-9-40, Commercial Neighborhood, as may be amended. All special exceptions under Section 3-9-10, Commercial Neighborhood, as may be amended and rules approved by the Board of Zoning Appeal and 3) Determination Flow Area Ratio (DFAR) of 0.8; for property located at 1433 Appleton Boulevard in the South Gulf Cove area, containing 2.95 ± acres; Commission District III; Petition No. PAL-22-00011; Applicant: American Prime, LLC; providing an effective date.
- PAL-22-00045** *Legislative* *Commission District I*
Pursuant to Section 163.2184(1), Florida Statutes, adopt a Large Scale Plat Amendment to change Charlotte County PLUM Series Map #1: 2030 Future Land Use from Agriculture (AG) to Mixed-Use Residential (MUR) with an amendment requiring a minimum investment in a farm as applicable to the County Property Ordinance and the Board of County Commissioners prior to issuance a conditional use permit for property located at 4521 Neal Road, in the Punta Gorda area and within the East County area, containing 159.26 ± acres; Commission District I; Petition No. PAL-22-00045; Applicant: Rye and Nicholas Bishop; providing an effective date.
- Z-22-48-18** *Quasi-Judicial* *Commission District I*
An Ordinance pursuant to Section 125.64, Florida Statutes, amending the Charlotte County Zoning Atlas from Agriculture (AG) to Executive and Mining (EM), for property located at 4521 Neal Road, in the Punta Gorda area and within the East County area, containing 159.26 ± acres; Commission District I; Petition No. Z-22-48-18; Applicant: Rye and Nicholas Bishop; providing an effective date.
- PAL-22-00065** *Legislative* *Commission District I*
Pursuant to Section 163.2184(1), Florida Statutes, adopt a Large Scale Plat Amendment to change Charlotte County PLUM Series Map #1: 2030 Future Land Use from Agriculture (AG) to Mixed-Use Residential (MUR) with an amendment requiring a minimum investment in a farm as applicable to the County Property Ordinance and the Board of County Commissioners prior to issuance a conditional use permit for property located at 4521 Neal Road, in the Punta Gorda area and within the East County area, containing 159.26 ± acres; Commission District I; Petition No. PAL-22-00065; Applicant: Rye and Nicholas Bishop; providing an effective date.
- Z-22-22-19** *Quasi-Judicial* *Commission District I*
An Ordinance pursuant to Section 125.64, Florida Statutes, amending the Charlotte County Zoning Atlas from Agriculture (AG) to Executive and Mining (EM), for property located at 4521 Neal Road, in the Punta Gorda area and within the East County area, containing 159.26 ± acres; Commission District I; Petition No. Z-22-22-19; Applicant: Rye and Nicholas Bishop; providing an effective date.

SHOWED ANY AGENCY OR PERSON DECIDE TO APPEAL ANY DECISION MADE BY THE BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING, A RECORD OF THE PROCEEDING, AND FOR SUCH PURPOSE, A VERBATIM RECORD OF THE PROCEEDING IS REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

Charlotte County Board of County Commissioners does not discriminate on the basis of disability. This non-discrimination policy involves every aspect of the County's business, including access to and participation in meetings, programs and activities. All Board Commissioners and staff for the Hearing Impaired are available at the Board of County Commissioners office to provide a reasonable accommodation for people with disabilities. People may file complaints with the Commission on our hearing web and services phone contact our office at 904.764.6414, TDD/VI 904.764.1122, or by email to hearing@charlottecountyfl.com

Published May 8, 2023

NALICH, NORTH CAROLINA
A 15-year-old boy shot and killed five people and wounded six others in Hargeth on Oct. 13, authorities said. The suspect eluded officers for hours before he was cornered in a home and arrested.

HIGHLAND PARK, ILLINOIS
Seven people were killed and at least 30 wounded when a gunman on a rooftop opened fire on a July 4 parade in the Chicago suburb of Highland Park. The suspected gunman is awaiting trial. The suspect's father was indicted for helping his son obtain a gun license despite his son's history of making violent threats.

PHILADELPHIA
Three people were shot and killed and 11 others were wounded on June 4 on a busy Philadelphia street during a melee that began with a fistfight and was followed by random gunfire. Two men were later arrested in two of the killings, and other people have been arrested in connection with the melee.

JULIA, OKLAHOMA
A gunman killed his surgeon and three other people at a medical office on June 1. The shooter killed himself as police arrived.

DUVALDE, TEXAS
An 18-year-old gunman killed 13 children and two adults at Robb Elementary School on May 24 in the deadliest school shooting in nearly a decade. More than 15 other people were wounded. Law enforcement killed the attacker.

LAGUNA WOODS, CALIFORNIA
One person was killed and five were wounded on May 15 after a man opened fire on Taiwanese parishioners in Southern California. Authorities have said the gunman was motivated by hatred for Taiwan. He has been charged with murder and other counts.

BUFFALO, NEW YORK
A white supremacist opened fire on May 14, 2022, at a supermarket in a predominantly Black neighborhood, killing 10 people and wounding several others. The shooter pleaded guilty to murder and other charges and was sentenced to life in prison.





Ticket# 3891097-1
05-23-23 Page 1
AD ID# 3891099
5 x 16
Submitted by: Heather Bennett
Publish: 05/08/2023
163352 3891099

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

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

05/08/23

as well as being posted online at www.yoursun.com and www.floridapublicnotices.com.

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

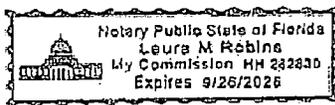
Melinda Prescott

(Signature of Affiant)

Sworn and subscribed before me this 8th day of
May, 2023

Laura M Robins

(Signature of Notary Public)



Personally known OR Produced Identification

Attachment 5

Ordinance Number 2023-024

CHG
BCC

FILED WITH THE DEPARTMENT OF STATE may 24, 2023

ORDINANCE
NUMBER 2023 - 024

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AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3184, FLORIDA STATUTES, AMENDING THE COUNTY'S COMPREHENSIVE PLAN BY AMENDING CHARLOTTE COUNTY FLUM SERIES MAP #1: 2030 FUTURE LAND USE, FROM AGRICULTURE (AG) TO MINERAL RESOURCE EXTRACTION (MRE) WITH AN ANNOTATION TO THE 2030 FUTURE LAND USE MAP REQUIRING A CONSERVATION EASEMENT IN A FORM ACCEPTABLE TO THE COUNTY ATTORNEY'S OFFICE AND THE BOARD OF COUNTY COMMISSIONERS PRIOR TO ISSUANCE OF A COMMERCIAL EXCAVATION PERMIT; FOR PROPERTY LOCATED AT 43761 AND 44511 NEAL ROAD, IN THE PUNTA GORDA AREA AND WITHIN THE EAST COUNTY AREA; CONTAINING 478.32 ACRES MORE OR LESS; CHARLOTTE COUNTY, FLORIDA, COMMISSION DISTRICT I; PETITION PAL-22-00006; APPLICANT, HARBORVIEW PROPERTIES NEAL ROAD, LLC; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR TRANSMITTAL OF ADOPTED ORDINANCE.

RECITALS

WHEREAS, applicant, Harborview Properties Neal Road, LLC ("Applicant"), filed Petition PAL-22-00006, seeking a large scale plan amendment to the County's Comprehensive Plan by amending Charlotte County FLUM Series Map #1: 2030 Future Land Use from Agriculture (AG) to Mineral Resource Extraction (MRE) with an annotation requiring a conservation easement in a form acceptable to the County Attorney's Office and the Board of County Commissioners prior to issuance of a commercial excavation permit; for property located at 43761 and 44511 Neal Road, in the Punta Gorda area and in the East County area, containing 478.32 acres more or less, which is owned by Applicant, and

ROGER D. EATON, CHARLOTTE COUNTY CLERK OF
CIRCUIT COURT
PAGE: 6
INSTR #: 3269489 Doc Type: GOV
Recorded: 05/24/2023 at 03:33 PM
Rec. Fee: RECORDING \$52.50

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37 more particularly described in Exhibit "A" attached hereto and by this reference
38 incorporated herein; and

39 WHEREAS, on February 13, 2023, Petition PAL-22-00006 was heard before
40 the Charlotte County Planning and Zoning Board ("P&Z Board") and, based on the findings
41 and analysis provided by County Staff and the evidence presented to the P&Z Board,
42 Petition PAL-22-00006 was found to be consistent with the County's Comprehensive Plan
43 and the P&Z Board recommended approval for transmittal of Petition PAL-22-00006 to the
44 Department of Economic Opportunity ("DEO") and other state agencies for review; and

45 WHEREAS, in a public hearing held on Tuesday, February 28, 2023, the
46 Board of County Commissioners of Charlotte County, Florida ("Board") reviewed plan
47 amendment Petition PAL-22-00006 and, based on the findings and analysis provided by
48 County Staff regarding the amendment and the evidence presented to the Board, approved
49 transmittal of Petition PAL-22-00006 to DEO and other state agencies for review and
50 comment; and

51 WHEREAS, Petition PAL-22-00006 was transmitted to DEO and other state
52 agencies for review and comment; and

53 WHEREAS, the comments received by the reviewing agencies, if any, have
54 been considered and addressed by the Applicant and incorporated into the findings and
55 analysis provided by County Staff; and

56 WHEREAS, after due consideration regarding Petition PAL-22-00006 in a
57 public hearing held on May 23, 2023, and based on the findings and analysis presented to
58 the Board, the Board has found that the proposed amendment is consistent with the
59 County's Comprehensive Plan, and that the requirements and conditions of Chapter 163,

60 Florida Statutes, as they relate to the Petition have been met, and that it is in the best
61 interests of the County to approve Petition PAL-22-00006.

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

64 Section 1. Approval. Petition PAL-22-00006 requesting a large scale plan
65 amendment to the County's Comprehensive Plan by amending Charlotte County FLUM
66 Series Map #1: 2030 Future Land Use, from AG to MRE with an annotation to the 2030
67 Future Land Use Map requiring a conservation easement in a form acceptable to the
68 County Attorney's Office and the Board of County Commissioners prior to issuance of a
69 commercial excavation permit, for property located at 43761 and 44511 Neal Road, in the
70 Punta Gorda area and within the East County area, containing 478.32 acres more or less,
71 Charlotte County, Florida, Commission District I, and more particularly described in Exhibit
72 "A" attached hereto and by this reference incorporated herein, is hereby approved.

73 Section 2. Effective date. The effective date of this plan amendment, if the
74 amendment is not timely challenged, shall be 31 days after the state land planning agency
75 notifies the local government that the plan amendment package is complete. If timely
76 challenged, this amendment shall become effective on the date the state land planning
77 agency or the Administration Commission enters a final order determining this adopted
78 amendment to be in compliance. No development orders, development permits, or land
79 uses dependent on this amendment may be issued or commence before its effective date.
80 If a final order of noncompliance is issued by the Administration Commission, this
81 amendment may nevertheless be made effective by adoption of a resolution affirming its
82 effective status, a copy of which resolution shall be sent to the state land planning agency.

83 Section 3. Transmittal. County Staff is hereby directed to forward a copy of
84 this Ordinance and its attachments to the DEO, 107 East Madison Street, Tallahassee, FL
85 32399-4120, and to the Executive Director, Southwest Florida Regional Planning Council,
86 1400 Colonial Boulevard, Suite 1, Fort Myers, FL 33907.

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[SIGNATURE PAGE FOLLOWS]

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PASSED AND DULY ADOPTED this 23rd day of May, 2023.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: William G. Truex
William G. Truex, Chairman



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

By: Roger D. Eaton
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: Janette S. Knowlton
Janette S. Knowlton, County Attorney
LR2022-1019 JK



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

May 24, 2023

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

Attention: Dawn Johnston

Dear Roger Eaton,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Charlotte County Ordinance No. 2023-024, which was filed in this office on May 24, 2023.

Sincerely,

Anya Owens
Administrative Code and Register Director

ACO/wlh

A list of recent high-profile shootings in the United States

By THE ASSOCIATED PRESS

The latest high-profile mass shooting in the United States happened Saturday in Allen, Texas, where eight people were killed and seven were wounded at a busy outdoor shopping center before police killed the gunman.

The attack is the country's 22nd mass killing — in which four or more people died, not including the assailant — of 2023, according to a database maintained by The Associated Press and USA Today in partnership with Northeastern University.

Here are some other notable U.S. mass shootings over the past 12 months:

HERSHEY, OKLAHOMA
An Oklahoma sex offender shot his wife, her three children and their two friends in the hood on April 20 before he killed himself. The shooter had moved the victims' bodies, which were found in a heavily wooded area on a rural Oklahoma property.

CLEVELAND, TEXAS
A man shot and killed five of his neighbors, including a 9-year-old boy, on April 28 after

they asked him to stop driving rounds in his yard because a baby was trying to sleep. The shooter was arrested after a multi-day manhunt.

BOWDOIN, MAINE
Four people were killed in a home and three others were wounded by gunfire April 19 on a busy highway in a neighboring community. A man who was released from prison a few days earlier is charged in the killings.

DADEVILLE, ALABAMA
Four young people were killed and 32

others were wounded by gunfire in a girl's Sweet 16 party in Dadeville on April 15. Police arrested two teenagers and a 26-year-old man on murder charges.

LOUISVILLE, KENTUCKY
An employee shot and killed five people and wounded eight others inside the Old National Bank in Louisville while livestreaming the attack on April 10. Police later shot and killed the gunman.

NASHVILLE, TENNESSEE
Three students and three adults were killed inside The Covenant

School in Nashville on March 27. The suspect, a former student, was killed by police.

HALF MOON BAY, CALIFORNIA
A farmworker killed seven people in back-to-back shootings at two Northern California mushroom farms on Jan. 23, authorities said. He is facing charges.

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A 22-year-old man killed 11 people and wounded nine others in a shooting at a Lunar New Year dance in Monterey Park on

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The manager at a Walmart in Chesapeake killed six people and wounded six others during an employee meeting on Nov. 22. Police say the suspect shot himself.

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One person was killed and five were wounded on May 15 after a man opened fire on Taiwanese parishioners in Southern California. Authorities have said the gunman was motivated by hatred for Taiwan. He has been charged with murder and other crimes.

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A white supremacist opened fire on May 14, 2022, at a supermarket in a predominantly Black neighborhood, killing 10 people and wounding several others. The shooter pleaded guilty to murder and other charges and was sentenced to life in prison.

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A PUBLIC MEETING AND HEARING ON PROPOSALS AND PETITIONS AS SET FORTH BELOW WILL BE CONDUCTED BY THE BOARD OF COUNTY COMMISSIONERS AT A REGULAR MEETING ON THURSDAY, MAY 22, 2023, AT 2:00 PM, OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD DURING THE COURSE OF ACTION. THE MEETING AND HEARING WILL BE HELD IN COMMISSIONERS' CHAMBERS, ROOM 101, FIRST FLOOR, INCLUDING A PUBLIC COMMENT PERIOD, AT THE COUNTY ADMINISTRATION CENTER, 1650 MERIDOCK CIRCLE, FORT CHARLOTTE, FLORIDA. THE BOARD IS NOT BOUND TO CONSIDER THE PETITIONS OR THE MATTERS LISTED IN THIS NOTICE. ANY OF THESE MATTERS MAY BE CONSIDERED AS SOON AS THE MEETING COMMENCES.

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

ALL INTERESTED PERSONS ARE URGED TO ATTEND THE PUBLIC MEETING TO SPEAK, TIME LIMITS ARE SET BY BOARD RULES. IF YOU HAVE SPECIFIC QUESTIONS OR COMMENTS, YOU ARE ENCOURAGED TO CONTACT A STAFF PERSON AT ANY TIME IN ADVANCE OF THE PUBLIC HEARING(S). PLEASE CALL 941-764-4995 AND MENTION THE PETITION NUMBER OF THE MATTER YOU WISH TO DISCUSS.

- PETITIONS**
- LAND USE CONSENT AGENDA**
- PRC-21-00093** *Quasi-Judicial* *Commission District V*
Southwest Engineering and Design is requesting PUD Final Detail Set (an approval for Homestead) for Shop at Piquette. The project consists of a 22,354 SF restaurant, and 34,569 SF of retail buildings. This project sits on 16.31 acres and is located at 12400 Blythe Rd, Port Charlotte, FL on Section 26, Township 12, Range 12, Commission District V.
- PR-21-05-13** *Quasi-Judicial* *Commission District 1*
Hoback Property Holdings LLC is requesting Final Plat approval for a subdivision to be formed. The subdivision at Hoback Ranch, consisting of 246 lots and 23 tracts, and also being a split of Lot 1-3E, Hoback Ranch Community, in the Road ECR & GGS. The proposed subdivision is a residential development that received Preliminary Plat approval from the Board of County Commissioners on 01-23-05-12 on January 24, 2023. The property contains 69.51 acres and is generally located south of Express Parkway, north of the Lee County line, south of Mandy Grove Road, and east of SR 31, in the boundary of the Hoback Ranch Community Development of Regional Impact (DR) Incentive 1, within the East County area and Commission District 1.
- TDU-23-02** *Quasi-Judicial* *Commission District II*
A Resolution of the Board of County Commissioners of Charlotte County, Florida, approving a petition for a transfer of 211 density units into a receiving zone located at 26901 or 27001 Zander Road, in the Punta Gorda area, within the boundary of the Punta Gorda area, and in Commission District II, containing 336,024 acres in compliance with Part III Land Development and Growth Management, Chapter 3-9 Zoning, Article 5, Environmental Requirements and Other Requirements, Section 3-9-150 Transfer of Density Units (TDU) of the Code of Laws and Ordinances of Charlotte County, Florida; Petition No. TDU-23-02; Applicant: Lisa Lee WALK, Trustee, providing an effective date.
- LAND USE REGULAR AGENDA**
- PR-22-12-25** *Quasi-Judicial* *Commission District II*
J.R. Horton, Inc. is requesting Preliminary Plat approval for a subdivision to be named SHILOH, consisting of 120 single-family lots and 11 tracts. The site contains 40.242 acres and is generally located north of Fernwood Road, south of Arrowhead Circle, west of Quail Drive, and east of Devereaux Road, within the East County area and in Commission District II.
- PR-22-12-26** *Quasi-Judicial* *Commission District III*
Leland Homes, LLC is requesting Preliminary Plat approval for a subdivision to be named Harbor Cove, consisting of 82 single-family lots and six tracts. The site contains 11.044 acres and is generally located north of The Waterway, north of Interstate Lagoon, and east of Aqueduct Waterway, within the Port Charlotte area, and in Commission District III.
- PR-21-00014** *Quasi-Judicial* *Commission District I*
An Ordinance pursuant to Section 125-66, Florida Statutes, amending the Charlotte County Zoning Atlas from Agriculture (AG) to Planned Development (PD) and adjusting a General PD Overlay (PDU) in order to only allow for a zoning permit to be issued to a property with existing vegetation for property generally located north of Highway Road (SR 74) north of Washington Cove Road, east of Devereaux Road (US 97) and west of US 97 in the East County area, containing 706 acres Commission District I, Petition No. PR-21-00014; Applicant: Southern Road Partnership and TMY Inc., providing an effective date.
- PR-22-00011** *Legislative* *Commission District III*
Pursuant to Section 163.3187, Florida Statutes, adopt a Small Scale Park Amendment to change Charlotte County PLUM Series Map 01, 1030 Future Land Use from Low Density Residential (LDR) to Commercial (COM), and to add in connection to the 2019 Future Land Use Map zoning commercial intensity of the subject property to its present use and conditional use under Section 3-9-98, Commercial Neighborhood, as may be amended. A special exception under Section 3-9-98, Commercial Neighborhood, as may be amended and can be approved by the Board of Zoning Approval and 5) the Commission Plan Area (PAA) of C-4; for property located at 11133 Applebee Boulevard in the South Oak Cove area, containing 2.971 acres; Commission District III; Petition No. PR-22-00011; Applicant: American Parks, LLC, providing an effective date.
- PR-22-00005** *Legislative* *Commission District I*
Pursuant to Section 163.3187(3), Florida Statutes, adopt a Large Scale Plan Amendment; the amendment request is to change Charlotte County TUCM Series Map 21, 2030 Future Land Use from Agriculture (AG) to Mixed-Use (MU) with an amendment requiring a conversion element in a form acceptable to the County Attorney's Office and the Board of County Commissioners prior to issuance of a conditional use permit for property located at 43281 Neal Road, in the Punta Gorda area and within the East County area, containing 159.30+ acres; Commission District I; Petition No. PR-22-00005; Applicant: KJ and Pasha's Fishery, providing an effective date.
- PR-22-00018** *Quasi-Judicial* *Commission District I*
An Ordinance pursuant to Section 125-64, Florida Statutes, amending the Charlotte County Zoning Atlas from Agriculture (AG) to Vacant and Mining (VM) for property located at 43281 Neal Road, in the Punta Gorda area and within the East County area, containing 159.30+ acres; Commission District I; Petition No. PR-22-00018; Applicant: KJ and Pasha's Fishery, providing an effective date.
- PR-22-00004** *Legislative* *Commission District I*
Pursuant to Section 163.3187(3), Florida Statutes, adopt a Large Scale Plan Amendment; the amendment request is to change Charlotte County TUCM Series Map 21, 2030 Future Land Use from Agriculture (AG) to Mixed-Use (MU) with an amendment requiring a conversion element in a form acceptable to the County Attorney's Office and the Board of County Commissioners prior to issuance of a conditional use permit for property located at 43281 and 43511 Neal Road, in the Punta Gorda area and within the East County area, containing 476.32+ acres; Commission District I; Petition No. PR-22-00004; Applicant: Harborview Properties, LLC, providing an effective date.
- PR-22-21-19** *Quasi-Judicial* *Commission District I*
An Ordinance pursuant to Section 125-64, Florida Statutes, amending the Charlotte County Zoning Atlas from Agriculture (AG) to Executive and Mining (EM) for property located at 43761 and 43511 Neal Road, in the Punta Gorda area and within the East County area, containing 476.32+ acres. Commission District I; Petition No. 21-21-19; Applicant: Harborview Properties, LLC, providing an effective date.

SHOULD ANY AGENCY OR PERSON DECIDE TO APPEAL ANY DECISION MADE BY THE BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING A RECORD OF THE PROCEEDING, AND FOR SUCH PURPOSE, A VERBATIM RECORD OF THE PROCEEDING IS REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

Charlotte County Board of County Commissioners does not discriminate on the basis of disability. The nondiscrimination policy applies to every aspect of the County's activities, including access to and participation in meetings, programs, and activities. For more information, visit the Board's website at www.charlottecounty.com or contact the Board of County Commissioners at 941.764.4995, 7007771 or 764.1234, or by email at Board@charlottecounty.com and www@charlottecounty.com.





Ticket# 3891097-1
05-23-23 Page 1
AD ID# 3891099
5 x 16
Submitted by: Heather Bennett
Publish: 05/08/2023
163352 3891099

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

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

05/08/23

as well as being posted online at www.yoursun.com and www.floridapublicnotices.com.

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

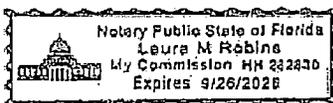
Melinda Prescott

(Signature of Affiant)

Sworn and subscribed before me this 8th day of
May, 2023

Laura M Robins

(Signature of Notary Public)



Personally known OR Produced Identification

Attachment 6

Ordinance Number 2023-025

CHG
BCC

FILED WITH THE DEPARTMENT OF STATE

May 24, 2023

ORDINANCE
NUMBER 2023 - 025

ROGER D. EATON, CHARLOTTE COUNTY CLERK OF
CIRCUIT COURT
PAGE: 5
INSTR #: 3269490 Doc Type: GOV
Recorded: 05/24/2023 at 03:34 PM
Rec. Fee: RECORDING \$44.00

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AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM AGRICULTURE (AG) TO EXCAVATION AND MINING (EM) FOR PROPERTY LOCATED AT 43761 AND 44511 NEAL ROAD, IN THE PUNTA GORDA AREA AND WITHIN THE EAST COUNTY AREA, CONTAINING 478.32 ACRES MORE OR LESS, COMMISSION DISTRICT I, CHARLOTTE COUNTY, FLORIDA; PETITION Z-22-22-19; APPLICANT, HARBORVIEW PROPERTIES NEAL ROAD, LLC; PROVIDING AN EFFECTIVE DATE.

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RECITALS

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WHEREAS, in a public hearing held on Tuesday, May 23, 2023, the

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Board of County Commissioners of Charlotte County, Florida ("Board") reviewed

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Petition Z-22-22-19, submitted by applicant, Harborview Properties Neal Road,

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LLC ("Applicant"), which requested a rezoning from Agriculture (AG) to

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Excavation and Mining (EM) on 478.32 acres more or less of property owned by

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Chastain Family, LLC, whose address is 37180 Washington Loop Road, Punta

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Gorda, Florida 34266, and described as property located at 43761 and 44511

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Neal Road, in the Punta Gorda area and within the East County area,

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Commission District I, Charlotte County, Florida, and more particularly described

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in Exhibit "A" which is attached hereto and provided herein ("Property"); and

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WHEREAS, at its May 23, 2023 meeting, the Board also

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considered the associated request submitted by the Applicant, for a large scale

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plan amendment for the Property, under Petition PAL-22-00006; and

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WHEREAS, the Applicant seeks a rezoning from AG to EM

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because the EM zoning district is required by and consistent with the Mineral

MIN

32 Resource Extraction (MRE) Future Land Use Map designation granted under
33 Petition PAL-22-00006, and to allow Applicant to apply for a commercial
34 excavation permit; and

35 WHEREAS, Petition Z-22-22-19 has previously been heard by the
36 Charlotte County Planning and Zoning Board ("P&Z Board") and, based on the
37 findings and analysis provided by County Staff and the evidence presented to the
38 P&Z Board, has been recommended for approval on February 13, 2023; and

39 WHEREAS, after due consideration, based on the findings and
40 analysis provided by County Staff and the evidence presented to it, the Board
41 has found that approval of Petition Z-22-22-19 is consistent with the County's
42 Comprehensive Plan, and that it meets the requirements for the granting of a
43 rezone; and

44 WHEREAS, based on the above findings, the Board has
45 determined it to be in the best interests of the County to rezone the subject
46 property from AG to EM.

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

49 SECTION 1. The following petition, made by applicant, Harborview
50 Properties Neal Road, LLC, for an amendment to the Charlotte County Zoning
51 Atlas is hereby approved:

52 Petition Z-22-22-19 requesting rezoning from
53 Agriculture (AG) to Excavation and Mining (EM) for
54 478.32 acres more or less of property, located at
55 43761 and 44511 Neal Road, in the Punta Gorda
56 area and within the East County area, Charlotte

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County, Florida, and more particularly described in Exhibit "A".

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

SECTION 3. This Ordinance shall take effect upon (1) filing in the Office of the Secretary of State, State of Florida, but, (2) only after the companion plan amendment, PAL-22-00006, to this rezoning, becomes effective. The effective date of PAL-22-00006, if not timely challenged, shall be 31 days after adoption. If challenged within 30 days after adoption, PAL-22-00006 may not become effective until the state land planning agency or the Administration Commission, respectively, issues a final order determining that PAL-22-00006 is in compliance.

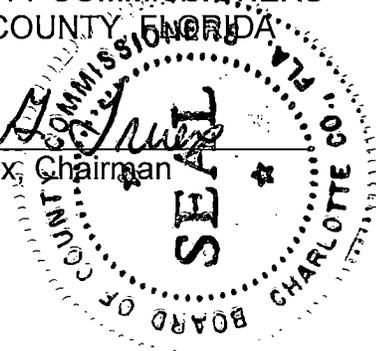
[SIGNATURE PAGE FOLLOWS]

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PASSED AND DULY ADOPTED this 23rd day of May, 2023.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: William G. Truex
William G. Truex, Chairman



ATTEST:

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

By: Dawn Johnston
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: Janette S. Knowlton
Janette S. Knowlton, County Attorney
LR2022-1020 *JK*



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

May 24, 2023

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

Attention: Dawn Johnston

Dear Roger Eaton,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Charlotte County Ordinance No. 2023-025, which was filed in this office on May 24, 2023.

Sincerely,

Anya Owens
Administrative Code and Register Director

ACO/wlh

A list of recent high-profile shootings in the United States

BY THE ASSOCIATED PRESS

The latest high-profile mass shooting in the United States happened Saturday in Austin, Texas, where eight people were killed and seven were wounded at a busy outdoor shopping center before police killed the gunman.

The attack is the country's 22nd mass killing — in which four or more people died, not including the assailant — of 2023, according to a database maintained by The Associated Press and USA Today in partnership with Northeastern University.

Here are some other notable U.S. mass shootings over the past 12 months:

HERRYETTA, OKLAHOMA
An Oklahoma sex offender shot his wife, her three children and their two friends in the head on April 30 before he killed himself. The shooter had moved the victims' bodies, which were found in a heavily wooded area on a rural Oklahoma property.

CLEVELAND, TEXAS
A man shot and killed five of his neighbors, including a 9-year-old boy, on April 28 after

they asked him to stop firing rounds in his yard because a baby was trying to sleep. The shooter was arrested after a multi-day manhunt.

BONDUR, MAINE
Four people were killed in a home and three others were wounded by gunfire April 16 on a busy highway in a neighborhood community. A man who was released from prison a few days earlier is charged in the killings.

DADEVILLE, ALABAMA
Four young people were killed and 92

others were wounded by gunfire at a girl's Sweet 16 party in Dadeville on April 15. Police arrested two teenagers and a 26-year-old man on murder charges.

LOUISVILLE, KENTUCKY
An employee shot and killed five people and wounded eight others inside the Old National Bank in Louisville while livestreaming the attack on April 10. Police later shot and killed the gunman.

NASHVILLE, TENNESSEE
Three students and three adults were killed inside The Covenant

School in Nashville on March 27. The suspect, a former student, was killed by police.

HALT MOON BAY, CALIFORNIA
A farmworker killed seven people in back-to-back shootings at two Northern California mushroom farms on Jan. 23, authorities said. He is facing charges.

MONTEREY PARK, CALIFORNIA
A 12-year-old man killed 11 people and wounded nine others in a shooting at a Lunar New Year dance in Monterey Park on

Jan. 21. The suspect later died of an apparent self-inflicted gunshot wound.

CHESAPEAKE, VIRGINIA
The manager at a Wal-Mart in Chesapeake killed six people and wounded six others during an employee meeting on Nov. 22. Police say the suspect shot himself.

COLORADO SPRINGS, COLORADO
An attacker shot and killed five people and wounded 17 others at a gay nightclub in Colorado Springs on Nov. 19. The suspect's assault was subdued by patrons and is awaiting trial.

RALEIGH, NORTH CAROLINA
A 15-year-old boy shot and killed five people and wounded five others in Raleigh on Oct. 13, authorities said. The suspect eluded officers for hours before he was cornered in a home and arrested.

HIGHLAND PARK, ILLINOIS
Seven people were killed and at least 39 wounded when a gunman on a rooftop opened fire on a July 4 parade in the Chicago suburb of Highland Park. The suspected gunman is awaiting trial. The suspect's father was indicted for helping his son obtain a gun license despite his son's history of making violent threats.

PHILADELPHIA
Three people were shot and killed and 11 others were wounded on June 4 on a busy Philadelphia street during a melee that began with a fistfight and was followed by random gunfire. Two men were later arrested in two of the killings, and other people have been arrested in connection with the melee.

TULSA, OKLAHOMA
A gunman killed his surgeon and three other people at a medical office on June 1. The shooter killed himself as police arrived.

UVALDE, TEXAS
An 18-year-old gunman killed 19 children and two adults at Robb Elementary School on May 24 in the deadliest school shooting in nearly a decade. More than 15 other people were wounded. Law enforcement killed the attacker.

LAOHA WOODS, CALIFORNIA
One person was killed and five were wounded on May 15 after a man opened fire on Taiwanese parishioners in Southern California. Authorities have said the gunman was motivated by hatred for Taiwan. He has been charged with murder and other crimes.

BUFFALO, NEW YORK
A white supremacist opened fire on May 14, 2022, at a supermarket in a predominantly Black neighborhood, killing 10 people and wounding several others. The shooter pleaded guilty to murder and other charges and was sentenced to life in prison.

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

A PUBLIC MEETING AND HEARING ON PETITIONS AND PETITIONS AS MEMBERSHIP MEETINGS WILL BE CONDUCTED BY THE BOARD OF COUNTY COMMISSIONERS AT A REGULAR MEETING ON WEDNESDAY, MAY 23, 2023, AT 2:00 PM, OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD DURING THE COURSE OF ACTION. THE MEETING AND HEARING WILL BE HELD IN COMMISSION CHAMBERS, PLUM 400, FIRST FLOOR, INCLUDING A CHAIRLIFT, COUNTY GOVERNMENT ADMINISTRATION CENTER, 1600 S. WURDACK CIRCLE, FORT CHARLOTTE, FLORIDA. THE BOARD IS NOT BOUND TO CONSIDER THE PETITIONS IN THE ORDER LISTED IN THIS NOTICE, AND ALL OF THESE PETITIONS MAY BE CONSIDERED AS SOON AS THE MEETING COMMENCES.

COPIES OF YOUR PETITIONS WITH COMPLETE LEGAL DESCRIPTIONS AND SUBSEQUENT STAFF REPORTS WILL BE AVAILABLE FOR REVIEW AT THE CHARLOTTE COUNTY COMMUNITY DEVELOPMENT DEPARTMENT AND ALL CHARLOTTE COUNTY PUBLIC CLUBS. A MEETING AGENDA AND PETITION PACKETS MAY BE REVIEWED AT THE FOLLOWING INTERNET ADDRESS: <http://www.charlottecounty.com/land-use-and-zoning/planning-and-zoning-board/petitions.html>

ALL INTERESTED PERSONS ARE URGED TO ATTEND THE PUBLIC MEETING. TIME LIMITS ARE SET BY BOARD RULES. IF YOU HAVE SPECIFIC QUESTIONS OR COMMENTS, YOU ARE ENCOURAGED TO CONTACT A STAFF PERSON AT ANY TIME IN ADVANCE OF THE PUBLIC HEARING. PLEASE CALL 910-761-4923 AND MENTION THE PETITION NUMBER OF THE MATTER YOU WISH TO DISCUSS.

- PETITIONS**
- LAND USE CONSENT AGENDA**
- PRC-22-0922A** **Quasi-Judicial** **Commission District V**
Southwest Engineering and Design is requesting PUD Final Detail Site Plan approval for Hittopon Hunt's # 2 Shops at Bayshore. The project consists of a 11,354 SF restaurant, and 24,589 SF of retail buildings. This project site is 16.1 acres and is located at 22401 Bayshore Rd, Port Charlotte, FL in Section 25, Township 09, Range 22 and Commission District V.
- PR-23-05-12** **Quasi-Judicial** **Commission District I**
Berkow Property LLC is requesting final plat approval for a subdivision to be named The Flatswoods at Berkow Ranch, consisting of 240 lots and 23 tracts, and also being a replat of tract C-16, Berkow Ranch Community Special District # 605. The proposed subdivision is a residential development that received Preliminary Plat approval from the Board of County Commissioners under PRC 22-05-12 on January 24, 2023. The property contains 45.51 acres, and is generally located south of Express Parkway, north of De Lee County line, west of Woody Grove Road, and east of SR 34, in the boundary of the Berkow Ranch Community Development of Regional Impact (DRI) (excepting 1), within the First County area and Commission District I.
- TDU-23-02** **Quasi-Judicial** **Commission District II**
A Resolution of the Board of County Commissioners of Charlotte County, Florida, approving a petition for a transfer of 311 density units into a Rezoning Zone located at 29734 to 29740 Zimel Road, in the Punta Gorda area, within the boundary of the Punta Gorda Area Plan area, and in Commission District II, containing 348.02 acres, in compliance with Part III Land Development and Growth Management, Chapter 3-9 Zoning, Article V Environmental Requirements and Other Requirements, Section 3-9-110 Transfer of Density Units (TDU), of the Code of Laws and Ordinances of Charlotte County, Florida Petition No. TDU-23-02; Applicant: Landstar Mark L. Towner, providing an effective date.
- LAND USE REGULATORY ANNUA**
- PR-22-12-05** **Quasi-Judicial** **Commission District II**
D.R. Horton, Inc. is requesting Preliminary Plat approval for a subdivision to be named 34th Oaks, consisting of 110 single-family lots and 11 tracts. The site contains 60.24 acres and is generally located north of Briarwood Road, south of Arrowhead Circle, west of Quail Trace, and east of Dunbar Road, within the East County area and in Commission District II.
- PR-22-12-26** **Quasi-Judicial** **Commission District III**
Emmett Homes, LLC is requesting Preliminary Plat approval for a subdivision to be named Harbor Farm, consisting of 82 single-family lots and six tracts. The site contains 31.66 acres and is generally located north of Yulee Highway, west of Interstate 10, and east of Aquarius Wineryway, within the West Charlotte area and in Commission District III.
- PR-22-06-014** **Quasi-Judicial** **Commission District I**
An Ordinance pursuant to Section 115.04, Florida Statutes, amending the Charlotte County Zoning rules from Agriculture (AG) to Planned Development (PD) and adopting a General PD Concept Plan in order to study other for an existing project to be located on a property with other residential for a property generally located south of Monument Road (SR 168) 741, south of Washington Camp Road, east of Dunbar Road (US 17) and west of CR 34 in the East County area, containing 319.12 acres; Commission District I; Petition No. PR-22-06-014; Applicant: Berkow Ranch Properties and TMY Inc., providing an effective date.
- PLS-22-00011** **Legislative** **Commission District III**
Pursuant to Section 163.3181, Florida Statutes, adopt a Small Scale Wetland Amendment to change Charlotte County PLUM Series Map 41, 2020 Future Land Use from Low Density Residential (LDR) to Commercial (CUBS), and to add an amendment to the 2019 Future Land Use Map limiting commercial intensity of the subject property to 1) permitted uses and conditional uses under Section 163-06, Commercial Neighborhood, as may be amended, 2) special exceptions under Section 3-9-01, Commercial Neighborhood, as may be amended and shall be approved by the Board of Zoning Appeals and 3) the maximum Floor Area Ratio (FAR) of 0.6, for property located at 14331 Appleton Boulevard, in the South Gulf Cove area, containing 1.982 acres; Commission District III; Petition No. PLS-22-00011; Applicant: American Plims, LLC, providing an effective date.
- PR-22-06-009** **Legislative** **Commission District I**
Pursuant to Section 163.3181(3), Florida Statutes, adopt a Large Scale Wetland Amendment to change Charlotte County PLUM Series Map 41, 2020 Future Land Use from Low Density Residential (LDR) to Commercial (CUBS), and to add an amendment to the 2019 Future Land Use Map limiting commercial intensity of the subject property to 1) permitted uses and conditional uses under Section 163-06, Commercial Neighborhood, as may be amended, 2) special exceptions under Section 3-9-01, Commercial Neighborhood, as may be amended and shall be approved by the Board of Zoning Appeals and 3) the maximum Floor Area Ratio (FAR) of 0.6, for property located at 14331 Appleton Boulevard, in the South Gulf Cove area, containing 1.982 acres; Commission District I; Petition No. PR-22-06-009; Applicant: American Plims, LLC, providing an effective date.
- PR-22-06-009** **Legislative** **Commission District I**
Pursuant to Section 163.3181(3), Florida Statutes, adopt a Large Scale Wetland Amendment to change Charlotte County PLUM Series Map 41, 2020 Future Land Use from Low Density Residential (LDR) to Commercial (CUBS), and to add an amendment to the 2019 Future Land Use Map limiting commercial intensity of the subject property to 1) permitted uses and conditional uses under Section 163-06, Commercial Neighborhood, as may be amended, 2) special exceptions under Section 3-9-01, Commercial Neighborhood, as may be amended and shall be approved by the Board of Zoning Appeals and 3) the maximum Floor Area Ratio (FAR) of 0.6, for property located at 14331 Appleton Boulevard, in the South Gulf Cove area, containing 1.982 acres; Commission District I; Petition No. PR-22-06-009; Applicant: American Plims, LLC, providing an effective date.
- PR-22-06-009** **Legislative** **Commission District I**
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- PR-22-06-009** **Legislative** **Commission District I**
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- PR-22-06-009** **Legislative** **Commission District I**
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- PR-22-06-009** **Legislative** **Commission District I**
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- PR-22-06-009** **Legislative** **Commission District I**
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Ticket# 3891097-1
05-23-23 Page 1
AD ID# 3891099
5 x 16
Submitted by: Heather Bennett
Publish: 05/08/2023
163352 3891099

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

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

05/08/23

as well as being posted online at www.yoursun.com and www.floridapublicnotices.com.

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

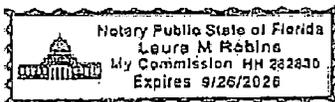
Melinda Prescott

(Signature of Affiant)

Sworn and subscribed before me this 8th day of
May, 2023

Laura M Robins

(Signature of Notary Public)



Personally known OR Produced Identification

Attachment 7

Ordinance Number 2020-038

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BCC



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ORDINANCE
NUMBER 2020 - 038

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3184, FLORIDA STATUTES, AMENDING THE COUNTY'S COMPREHENSIVE PLAN BY AMENDING CHARLOTTE COUNTY FLUM SERIES MAP #1: 2030 FUTURE LAND USE, FROM AGRICULTURE (AG) TO MINERAL RESOURCE EXTRACTION (MRE), FOR PROPERTY LOCATED AT 2351 STATE ROAD (SR) 31, IN THE EAST COUNTY AREA, CONTAINING 53.59 ACRES MORE OR LESS; CHARLOTTE COUNTY, FLORIDA, COMMISSION DISTRICT I; PETITION PA-20-01-02-LS; APPLICANT, PROBITAS ENTERPRISES LLC; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR TRANSMITTAL OF ADOPTED ORDINANCE.

CHARLOTTE COUNTY CLERK OF CIRCUIT COURT
OR BOOK: 4657 PAGE: 206 PAGE: 1 OF 5
INSTR # 2869231 Doc Type: GOV
Recorded: 11/4/2020 at 10:04 AM
Rec. Fee: RECORDING \$44.00
Cashier By: CARLENEG

RECITALS

WHEREAS, applicant, Probitas Enterprises LLC ("Applicant"), filed Petition PA-20-01-02-LS, seeking a large scale plan amendment to the County's Comprehensive Plan by amending Charlotte County FLUM Series Map #1: 2030 Future Land Use from Agriculture (AG) to Mineral Resource Extraction (MRE), for property located at 2351 State Road (SR) 31, in the East County area, containing 53.59 acres more or less, which is owned by applicant, and more particularly described in Exhibit "A" attached hereto and by this reference incorporated herein; and

WHEREAS, on June 8, 2020, Petition PA-20-01-02-LS 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 the P&Z Board, Petition PA-20-01-02-LS was found to be consistent with the County's Comprehensive Plan and the P&Z Board recommended approval for transmittal of Petition PA-20-01-02-LS

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35 to the Department of Economic Opportunity (“DEO”) and other state agencies for review;
36 and

37 WHEREAS, in a public hearing held on Tuesday, July 28, 2020, the Board of
38 County Commissioners of Charlotte County, Florida (“Board”) reviewed plan amendment
39 Petition PA-20-01-02-LS and, based on the findings and analysis provided by County Staff
40 regarding the amendment and the evidence presented to the Board, approved transmittal
41 of Petition PA-20-01-02-LS to DEO and other state agencies for review and comment; and

42 WHEREAS, Petition PA-20-01-02-LS was transmitted to DEO and other state
43 agencies for review and comment; and

44 WHEREAS, the comments received by the reviewing agencies, if any, have
45 been considered and addressed by the Applicant and incorporated into the findings and
46 analysis provided by County Staff; and

47 WHEREAS, after due consideration regarding Petition PA-20-01-02-LS in a
48 public hearing held on October 27, 2020, and based on the findings and analysis
49 presented to the Board, the Board has found that the proposed amendment is consistent
50 with the County’s Comprehensive Plan, and that the requirements and conditions of
51 Chapter 163, Florida Statutes, as they relate to the Petition have been met, and that it is in
52 the best interests of the County to approve Petition PA-20-01-02-LS.

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

55 Section 1. Approval. Petition PA-20-01-02-LS requesting a large scale plan
56 amendment to the County’s Comprehensive Plan by amending Charlotte County FLUM
57 Series Map #1: 2030 Future Land Use from Agriculture (AG) to Mineral Resource

58 Extraction (MRE), for property located at 2351 State Road (SR) 31, in the East County
59 area, containing 53.59 acres more or less, Charlotte County, Florida, Commission District I,
60 and more particularly described in Exhibit "A" attached hereto and by this reference
61 incorporated herein, is hereby approved.

62 Section 2. Effective date. The effective date of this plan amendment, if the
63 amendment is not timely challenged, shall be 31 days after the state land planning agency
64 notifies the local government that the plan amendment package is complete. If timely
65 challenged, this amendment shall become effective on the date the state land planning
66 agency or the Administration Commission enters a final order determining this adopted
67 amendment to be in compliance. No development orders, development permits, or land
68 uses dependent on this amendment may be issued or commence before it has become
69 effective. If a final order of noncompliance is issued by the Administration Commission,
70 this amendment may nevertheless be made effective by adoption of a resolution affirming
71 its effective status, a copy of which resolution shall be sent to the state land planning
72 agency.

73 Section 3. Transmittal. County Staff is hereby directed to forward a copy of
74 this Ordinance and its attachments to the Department of Economic Opportunity, 107 East
75 Madison Street, Tallahassee, FL 32399-4120, and to the Executive Director, Southwest
76 Florida Regional Planning Council, 1400 Colonial Boulevard, Suite 1, Fort Myers, FL
77 33907.

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PASSED AND DULY ADOPTED this 27th day of October, 2020.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: William G. Truex
William G. Truex, Chairman

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

By: Michelle S. Bearden
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: Janette S. Knowlton
Janette S. Knowlton, County Attorney
 LR2020-0138



FLORIDA DEPARTMENT OF STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

November 4, 2020

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

Attention: Ms. Michelle DiBerardino

Dear Mr. Eaton:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Charlotte County Ordinance No. 2020-038, which was filed in this office on November 4, 2020.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb



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

Before the undersigned authority personally appeared Melinda Prescott, who on oath says that she is the Legal Clerk of the Sun Newspapers, a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a Legal Notice was published in said newspaper in the issues of:

10/12/2020

as well as being posted online at www.yoursun.com and www.floridapublicnotices.com.

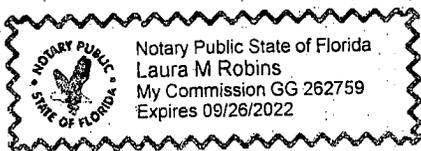
Affiant further says that the said newspaper is a newspaper published at Charlotte Harbor, in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in said Charlotte County, Florida, Sarasota County, Florida and DeSoto County, Florida, each day and has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

Melinda Prescott (Signature of Affiant)

Sworn and subscribed before me this 12th day of October, 2020.

Laura M Robins (Signature of Notary Public)

Personally known X OR Produced Identification



RECEIVED PURCHASING DEPT CHARLOTTE COUNTY FLORIDA 2020 OCT 16 AM 9:57

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

A PUBLIC MEETING AND HEARING ON PROPOSALS AND PETITIONS AS DESCRIBED BELOW WILL BE CONDUCTED BY THE BOARD OF COUNTY COMMISSIONERS AT A REGULAR MEETING ON **TUESDAY, OCTOBER 27, 2020, at 2:00 P.M.** OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD DURING THE COURSE OF ACTION. THE MEETING AND HEARING WILL BE HELD IN COMMISSION CHAMBERS, ROOM 119, FIRST FLOOR, BUILDING A, THE CHARLOTTE COUNTY ADMINISTRATION CENTER, 18500 MURDOCK CIRCLE, PORT CHARLOTTE, FLORIDA. THE BOARD IS NOT BOUND TO CONSIDER THE PETITIONS IN THE ORDER LISTED IN THIS NOTICE. ANY OF THESE PETITIONS MAY BE CONSIDERED AS SOON AS THE MEETING COMMENCES.

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

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

PETITIONS

LAND USE PUBLIC HEARING AGENDA

20LAD-00000-00002

Quasi-Judicial

Commission Districts IV

A Resolution pursuant to Section 380.06(7), Florida Statutes (F.S.) and Section 3-9-10.1; Development of Regional Impact (DRI) Development Order (DO) Amendment Process and Procedure under Chapter 3-9, Zoning, the County's Land Development Regulations, amending Development Orders for Increment II and Increment III of the Murdock Center Development of Regional Impact (DRI) to extend the buildout date of these Development Orders to March 15, 2025 and the expiration date of these Development Orders to March 15, 2027; for properties within Increment II generally located at the intersection of Tamiami Trail (U.S. 41) and El Jobean Road (S.R. 776), containing 132.4± acres, in the Port Charlotte area; for properties within Increment III containing 76± acres in two non-contiguous parcels, in the Port Charlotte area; the first parcel generally located east of Collingswood Boulevard, southeast of S.R. 776, southwest of Murdock Circle, west of Education Way, and north of Cochran Boulevard; the second parcel generally located east of Education Way, southeast of Murdock Circle, and northwest of Cochran Boulevard; Commission District IV, Petition No. 20LAD-00000-00002; Applicant: Robert H. Berntsson; providing an effective date.

PA-20-01-02-LS

Legislative

Commission District I

Pursuant to Section 163.3184(3), Florida Statutes, adopt a Large Scale Plan Amendment; the amendment request is to change Charlotte County FLUM Series Map #1: 2030 Future Land Use, from Agriculture (AG) to Mineral Resource Extraction (MRE); for property located at 2351 State Road (SR) 31, in the East County area, containing 53.59± acres; Commission District I; Petition No. PA-20-01-02-LS; applicant: Probitas Enterprises LLC; providing an effective date.

Z-20-01-03

Quasi-Judicial

Commission District I

An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Agriculture (AG) to Excavation and Mining (EM); for property located at 2351 State Road (SR) 31 in the East County area, containing 53.59± acres; Commission District I; Petition No. Z-20-01-03; applicant: Probitas Enterprises LLC;

PD-20-00003**Quasi-Judicial****Commission District II**

An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Agriculture (AG) to Planned Development (PD) for completion of the existing mine and a reservoir use in the existing lake area; for property located north of the Lee County Line, south of Zemel Road, east of Tamiami Trail (US 41) and west of I-75, in the South County area, containing 1,203.84± acres; Petition No. PD-20-00003; Applicant: Richard Neslund, Neslund Family Ltd. Partnership II; providing an effective date.

TLDR-20-01**Conditional Use - Accessory chicken keeping****Legislative****County-Wide**

An Ordinance pursuant to Section 125.66, Florida Statutes, amending Charlotte County Code Chapter 3-9, Zoning; by adding Accessory chicken keeping as a conditional use to Article II: District Regulations, Section 3-9-26.3: Use Table - Residential Zoning Districts; by creating new item (7) Accessory chicken keeping under Article II: District Regulations, Section 3-9-33: Residential single-family (RSF), subsection (d) Conditional uses and structures (C); by creating new item (14) Accessory Chicken Keeping under Article III: Special Regulation, Section 3-9-69: Conditional uses and structures, subsection (g) Residential uses to provide standard conditions; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

TLDR-20-02**Revisions to Planned Development (PD) Zoning District****Legislative****Countywide**

An Ordinance of the Board of County Commissioners of Charlotte County, Florida, amending Charlotte County Code Chapter 3-9: Zoning, Article II: District Regulations, by 1) by revising Land Development Regulations Table of Contents to add new Section 3-9-45.1: Planned Development (PD) Open Space and Setback Special Requirements; 2) revising Section 3-9-45: Planned Development (PD); providing for revised intent; providing for revised uses permitted; providing for revised design criteria and development standards; providing for revised procedures for rezoning to PD; and providing for PD rezoning flow chart; and 3) creating new Section 3-9-45.1: Planned Development (PD) Open Space and Setback Special Requirements; providing for intent; providing for development requirements within the US 41 Overlay District (41OD); providing for development requirements within the Burnt Store Limited Development (BSLD) and Burnt Store Village Residential (BSVR) Future Land Use Map (FLUM) designations; providing for development within the Compact Growth Mixed Use (CGMU) FLUM designation; and providing for development requirements within the Rural Community Mixed Use (RCMU) FLUM designation or Conservation Subdivision; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

TLDR-20-03**Mixed-Use (MU) Zoning District****Legislative****County-Wide**

An Ordinance pursuant to Section 125.66, Florida Statutes, amending Charlotte County Code, Chapter 3-9: Zoning, Article II: District Regulations, (1) by revising Land Development Regulations Table of Contents to add new Section 3-9-26.5: Use Table - Mixed Use Districts, and to rename Section 3-9-46 from Compact Mixed Use (CGM) to Mixed-Use (MU); (2) by creating new Section 3-9-26.5: Use Table - Mixed Use Districts; (3) by creating Section 3-9-46: Mixed-Use (MU) to provide for intent; provide for applicability; provide for mixed-use categories; provide for uses and structures permitted; and provide for development standards; and (4) by amending Section 3-9-69: Conditional uses and structures, to add conditional uses under Section 3-9-46: Mixed-Use (MU) to this section, and to provide for standard conditions; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

TLDR-20-04**Revisions to Manasota and Sandpiper Key Zoning District Overlay (MSKZDO) Zoning District****Legislative****Commission District III**

An Ordinance of the Board of County Commissioners of Charlotte County, Florida, amending Charlotte County Code Chapter 3-9: Zoning, Article II: District Regulations, by revising Section 3-9-50: Manasota and Sandpiper Key Zoning District Overlay (MSKZDO) to revise subsection (a) Definitions, item (9) Peripheral landscape strip under subsection (i) Development standards, and item (3) under subsection (k) Landscaping, in order to add "artificial turf" as a permitted landscaping material within peripheral landscaping strips; providing for conflict with other ordinances; providing for severability; and providing for an effective date; Petition No. TLDR-20-04; Applicant: Charlotte County of County Commissioners.

SHOULD ANY AGENCY OR PERSON DECIDE TO APPEAL ANY DECISION MADE BY THE BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING, A RECORD OF THE PROCEEDING, AND FOR SUCH PURPOSE, A VERBATIM RECORD OF THE PROCEEDING IS REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

Charlotte County Board of County Commissioners does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the County's functions, including access to and participation in meetings, programs and activities. FM Sound Enhancement Units for the Hearing Impaired are available at the Front Security Desk, Building A of the Murdock Administration Complex. Anyone needing other reasonable accommodation or auxiliary aids and services please contact our office at 941.764.4191, TDD/TTY 941.743.1234, or by email to David.Lyles@CharlotteCountyFL.gov.



Attachment 8

Ordinance Number 2020-039

CHB
BCC

FILED WITH THE DEPARTMENT OF STATE : November 4, 2020



ORDINANCE
NUMBER 2020 - 039

CHARLOTTE COUNTY CLERK OF CIRCUIT COURT
OR BOOK: 4657 PAGE 1136 PAGE: 1 OF 5
INSTR # 2868669 Doc Type: GOV
Recorded: 11/4/2020 at 3:34 PM
Rec. Fee: RECORDING \$44.00
Cashier By: CARLENEG

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AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM AGRICULTURE (AG) TO EXCAVATION AND MINING (EM) FOR PROPERTY LOCATED AT 2351 STATE ROAD (SR) 31, IN THE EAST COUNTY AREA, CONTAINING 53.59 ACRES MORE OR LESS, COMMISSION DISTRICT I, CHARLOTTE COUNTY, FLORIDA; PETITION Z-20-01-03; APPLICANT, PROBITAS ENTERPRISES LLC; PROVIDING AN EFFECTIVE DATE.

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RECITALS

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WHEREAS, in a public hearing held on Tuesday, October 27, 2020, the Board of County Commissioners of Charlotte County, Florida ("Board") reviewed Petition Z-20-01-03, submitted by applicant, Probitas Enterprises LLC, ("Applicant"), which requested a rezoning from Agriculture (AG) to Excavation and Mining (EM) on 53.59 acres more or less of property owned by Applicant, and described as property located at 2351 State Road (SR) 31, in the East County area, Commission District I, Charlotte County, Florida, and more particularly described in Exhibit "A" which is attached hereto and provided herein ("Property"); and

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WHEREAS, at its October 27, 2020 meeting, the Board also considered the associated request submitted by the Applicant, for a large scale plan amendment for the Property, under Petition PA-20-01-02-LS; and

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WHEREAS, the Applicant seeks a rezoning from Agriculture (AG) to Excavation and Mining (EM) to allow for sand, shell, and rock mining operation

mm
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30 to continue for the existing mining operation at Florida Shell Mine which is
31 located to the northwest of the Property; and

32 WHEREAS, Petition Z-20-01-03 has previously been heard by the
33 Charlotte County Planning and Zoning Board ("P&Z Board") and, based on the
34 findings and analysis provided by County Staff and the evidence presented to the
35 P&Z Board, has been recommended for approval on June 8, 2020; and

36 WHEREAS, after due consideration, based on the findings and
37 analysis provided by County Staff and the evidence presented to it, the Board
38 has found that approval of Petition Z-20-01-03 is consistent with the County's
39 Comprehensive Plan, and that it meets the requirements for the granting of a
40 rezone; and

41 WHEREAS, based on the above findings, the Board has
42 determined it to be in the best interests of the County to rezone the subject
43 property from Agriculture (AG) to Excavation and Mining (EM).

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

46 SECTION 1. The following petition, made by applicant, Probitas
47 Enterprises LLC, for an amendment to the Charlotte County Zoning Atlas is
48 hereby approved:

49 Petition Z-20-01-03 requesting rezoning from
50 Agriculture (AG) to Excavation and Mining (EM) for
51 53.59 acres more or less of property, located at 2351
52 State Road (SR) 31, in the East County area,
53 Charlotte County, Florida, and more particularly
54 described in Exhibit "A".

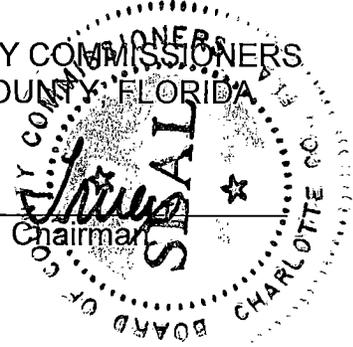
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PASSED AND DULY ADOPTED this 27th day of October, 2020.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: William G. Truex
William G. Truex, Chairman



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

By: Michelle DeBeaudin
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: Janette S. Knowlton
Janette S. Knowlton, County Attorney
 LR2020-0139



FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

November 4, 2020

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

Attention: Ms. Michelle DiBerardino

Dear Mr. Eaton:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Charlotte County Ordinance No. 2020-039, which was filed in this office on November 4, 2020.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb



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

Before the undersigned authority personally appeared Melinda Prescott, who on oath says that she is the Legal Clerk of the Sun Newspapers, a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a Legal Notice was published in said newspaper in the issues of:

10/12/2020

as well as being posted online at www.yoursun.com and www.floridapublicnotices.com.

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

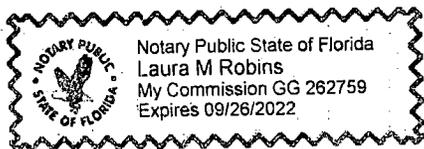
Melinda Prescott (Signature of Affiant)

Sworn and subscribed before me this 12th day of October, 2020.

Laura M Robins (Signature of Notary Public)

Personally known X OR Produced Identification

RECEIVED PURCHASING DEPT CHARLOTTE COUNTY FLORIDA 2020 OCT 16 AM 9:57



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PETITIONS

LAND USE PUBLIC HEARING AGENDA

20LAD-00000-00002

Quasi-Judicial

Commission Districts IV

A Resolution pursuant to Section 380.06(7), Florida Statutes (F.S.) and Section 3-9-10.1, Development of Regional Impact (DRI) Development Order (DO) Amendment Process and Procedure under Chapter 3-9, Zoning, the County's Land Development Regulations, amending Development Orders for Increment II and Increment III of the Murdock Center Development of Regional Impact (DRI) to extend the buildout date of these Development Orders to March 15, 2025 and the expiration date of these Development Orders to March 15, 2027; for properties within Increment II generally located at the intersection of Tamiami Trail (U.S. 41) and El Jobean Road (S.R. 776), containing 132.4± acres, in the Port Charlotte area; for properties within Increment III containing 76± acres in two non-contiguous parcels, in the Port Charlotte area; the first parcel generally located east of Collingswood Boulevard, southeast of S.R. 776, southwest of Murdock Circle, west of Education Way, and north of Cochran Boulevard; the second parcel generally located east of Education Way, southeast of Murdock Circle, and northwest of Cochran Boulevard; Commission District IV, Petition No. 20LAD-00000-00002; Applicant: Robert H. Bernsson; providing an effective date.

PA-20-01-02-LS

Legislative

Commission District I

Pursuant to Section 163.3184(3), Florida Statutes, adopt a Large Scale Plan Amendment; the amendment request is to change Charlotte County FLUM Series Map #1: 2030 Future Land Use, from Agriculture (AG) to Mineral Resource Extraction (MRE); for property located at 2351 State Road (SR) 31, in the East County area, containing 53.59± acres; Commission District I; Petition No. PA-20-01-02-LS; applicant: Probitas Enterprises LLC; providing an effective date.

Z-20-01-03

Quasi-Judicial

Commission District I

An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Agriculture (AG) to Excavation and Mining (EM); for property located at 2351 State Road (SR) 31, in the East County area, containing 53.59± acres; Commission District I; Petition No. Z-20-01-03; applicant: Probitas Enterprises LLC;

PD-20-00003

Quasi-Judicial

Commission District II

An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Agriculture (AG) to Planned Development (PD) for completion of the existing mine and a reservoir use in the existing lake area; for property located north of the Lee County Line, south of Zemel Road, east of Tamiami Trail (US 41) and west of I-75, in the South County area, containing 1,203.84± acres; Petition No. PD-20-00003; Applicant: Richard Neslund, Neslund Family Ltd. Partnership II; providing an effective date.

TLDR-20-01

Conditional Use - Accessory chicken keeping

Legislative

County-Wide

An Ordinance pursuant to Section 125.66, Florida Statutes, amending Charlotte County Code Chapter 3-9, Zoning; by adding Accessory chicken keeping as a conditional use to Article II: District Regulations, Section 3-9-26.3: Use Table - Residential Zoning Districts; by creating new item (7) Accessory chicken keeping under Article II: District Regulations, Section 3-9-33: Residential single-family (RSF), subsection (d) Conditional uses and structures (C); by creating new item (14) Accessory Chicken Keeping under Article III: Special Regulation, Section 3-9-69: Conditional uses and structures, subsection (g) Residential uses to provide standard conditions; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

TLDR-20-02

Revisions to Planned Development (PD) Zoning District

Legislative

Countywide

An Ordinance of the Board of County Commissioners of Charlotte County, Florida, amending Charlotte County Code Chapter 3-9: Zoning, Article II: District Regulations, by 1) by revising Land Development Regulations Table of Contents to add new Section 3-9-45.1: Planned Development (PD) Open Space and Setback Special Requirements; 2) revising Section 3-9-45: Planned Development (PD); providing for revised intent; providing for revised uses permitted; providing for revised design criteria and development standards; providing for revised procedures for rezoning to PD; and providing for PD rezoning flow chart; and 3) creating new Section 3-9-45.1: Planned Development (PD) Open Space and Setback Special Requirements; providing for intent; providing for development requirements within the US 41 Overlay District (41OD); providing for development requirements within the Burnt Store Limited Development (BSLD) and Burnt Store Village Residential (BSVR) Future Land Use Map (FLUM) designations; providing for development within the Compact Growth Mixed Use (CGMU) FLUM designation; and providing for development requirements within the Rural Community Mixed Use (RCMU) FLUM designation or Conservation Subdivision; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

TLDR-20-03

Mixed-Use (MU) Zoning District

Legislative

County-Wide

An Ordinance pursuant to Section 125.66, Florida Statutes, amending Charlotte County Code, Chapter 3-9: Zoning, Article II: District Regulations, (1) by revising Land Development Regulations Table of Contents to add new Section 3-9-26.5: Use Table - Mixed Use Districts, and to rename Section 3-9-46 from Compact Mixed Use (CGM) to Mixed-Use (MU); (2) by creating new Section 3-9-26.5: Use Table - Mixed Use Districts; (3) by creating Section 3-9-46: Mixed-Use (MU) to provide for intent; provide for applicability; provide for mixed-use categories; provide for uses and structures permitted; and provide for development standards; and (4) by amending Section 3-9-69: Conditional uses and structures, to add conditional uses under Section 3-9-46: Mixed-Use (MU) to this section, and to provide for standard conditions; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

TLDR-20-04

Revisions to Manasota and Sandpiper Key Zoning District Overlay (MSKZDO) Zoning District

Legislative

Commission District III

An Ordinance of the Board of County Commissioners of Charlotte County, Florida, amending Charlotte County Code Chapter 3-9: Zoning, Article II: District Regulations, by revising Section 3-9-50: Manasota and Sandpiper Key Zoning District Overlay (MSKZDO) to revise subsection (a) Definitions, item (9) Peripheral landscape strip under subsection (i) Development standards, and item (3) under subsection (k) Landscaping, in order to add "artificial turf" as a permitted landscaping material within peripheral landscaping strips; providing for conflict with other ordinances; providing for severability; and providing for an effective date; Petition No. TLDR-20-04; Applicant: Charlotte County Board of County Commissioners.

SHOULD ANY AGENCY OR PERSON DECIDE TO APPEAL ANY DECISION MADE BY THE BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING, A RECORD OF THE PROCEEDING, AND FOR SUCH PURPOSE, A VERBATIM RECORD OF THE PROCEEDING IS REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

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Attachment 9

Ordinance Number 2024-002

CHG
BEC

FILED WITH THE DEPARTMENT OF STATE February 27, 2024

ORDINANCE
NUMBER 2024 -002

ROGER D. EATON, CHARLOTTE COUNTY CLERK OF
CIRCUIT COURT
PAGE: 6
INSTR #: 3374862 Doc Type: GOV
Recorded: 02/28/2024 at 02:20 PM
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AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3184, FLORIDA STATUTES, AMENDING THE COUNTY'S COMPREHENSIVE PLAN BY AMENDING CHARLOTTE COUNTY FLUM SERIES MAP #1: 2030 FUTURE LAND USE, FROM AGRICULTURE (AG) TO MINERAL RESOURCE EXTRACTION (MRE) FOR PROPERTY LOCATED AT 3771 SR 31, IN THE PUNTA GORDA AREA AND WITHIN THE EAST COUNTY AREA; CONTAINING 536.22 ACRES MORE OR LESS; CHARLOTTE COUNTY, FLORIDA, COMMISSION DISTRICT I; PETITION PAL-23-00002; APPLICANT, JDI FARMS INC.; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR TRANSMITTAL OF ADOPTED ORDINANCE.

RECITALS

WHEREAS, applicant, JDI Farms Inc. ("Applicant"), filed Petition PAL-23-00002, seeking a large scale plan amendment to the County's Comprehensive Plan by amending Charlotte County FLUM Series Map #1: 2030 Future Land Use from Agriculture (AG) to Mineral Resource Extraction (MRE), for property located at 3771 SR 31, in the Punta Gorda area and in the East County area, containing 536.22 acres more or less, which is owned by Applicant, and more particularly described in Exhibit "A" attached hereto and by this reference incorporated herein; and

WHEREAS, on October 9, 2023, Petition PAL-23-00002 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 the P&Z Board, Petition PAL-22-00002 was found to be consistent with the County's Comprehensive Plan and the

MM

34 P&Z Board recommended approval for transmittal of Petition PAL-23-00002 to the Florida
35 Department of Commerce and other state agencies for review; and

36 WHEREAS, in a public hearing held on Tuesday, November 28, 2023, the
37 Board of County Commissioners of Charlotte County, Florida (“Board”) reviewed plan
38 amendment Petition PAL-23-00002 and, based on the findings and analysis provided by
39 County Staff regarding the amendment and the evidence presented to the Board, approved
40 transmittal of Petition PAL-23-00002 to the Florida Department of Commerce and other
41 state agencies for review and comment; and

42 WHEREAS, Petition PAL-23-00002 was transmitted to the Florida
43 Department of Commerce and other state agencies for review and comment; and

44 WHEREAS, the comments received by the reviewing agencies, if any, have
45 been considered and addressed by the Applicant and incorporated into the findings and
46 analysis provided by County Staff; and

47 WHEREAS, after due consideration regarding Petition PAL-23-00002 in a
48 public hearing held on February 27, 2024, and based on the findings and analysis
49 presented to the Board, the Board finds that the proposed amendment is consistent with
50 the County’s Comprehensive Plan, and that the requirements of Chapter 163, Florida
51 Statutes, as they relate to the Petition have been met, and that it is in the best interests of
52 the County and its citizens to approve Petition PAL-23-00002.

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

55 Section 1. Approval. Petition PAL-23-00002 requesting a large scale plan
56 amendment to the County’s Comprehensive Plan by amending Charlotte County FLUM

57 Series Map #1: 2030 Future Land Use, from AG to MRE, for property located at 3771 SR
58 31, in the Punta Gorda area and within the East County area, containing 536.22 acres
59 more or less, Charlotte County, Florida, Commission District I, and more particularly
60 described in Exhibit "A" attached hereto and by this reference incorporated herein, is
61 hereby approved.

62 Section 2. Effective date. The effective date of this plan amendment, if the
63 amendment is not timely challenged, shall be 31 days after the state land planning agency
64 notifies the local government that the plan amendment package is complete. If timely
65 challenged, this amendment shall become effective on the date the state land planning
66 agency or the Administration Commission enters a final order determining this adopted
67 amendment to be in compliance. No development orders, development permits, or land
68 uses dependent on this amendment may be issued or commence before its effective date.
69 If a final order of noncompliance is issued by the Administration Commission, this
70 amendment may nevertheless be made effective by adoption of a resolution affirming its
71 effective status, a copy of which resolution shall be sent to the state land planning agency.

72 Section 3. Transmittal. County Staff is hereby directed to forward a copy of
73 this Ordinance and its attachments to the Florida Department of Commerce, 107 East
74 Madison Street, Tallahassee, FL 32399-4120, and to the Executive Director, Southwest
75 Florida Regional Planning Council, 1400 Colonial Boulevard, Suite 1, Fort Myers, FL
76 33907.

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80 PASSED AND DULY ADOPTED this 27th day of February, 2024.

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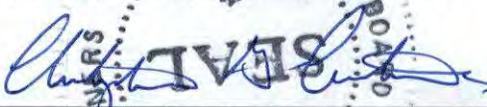
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BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

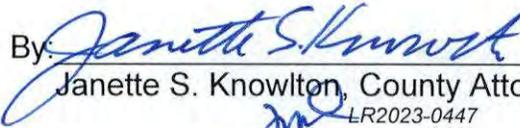
By: 
Christopher G. Constance, Vice Chairman



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

By: 
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: 
Janette S. Knowlton, County Attorney
LR2023-0447

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Professional Engineers, Planners & Land Surveyors

DESCRIPTION OF A PARCEL OF LAND
LYING IN SECTION 17, T-42-S, R-23-E,
CHARLOTTE COUNTY, FLORIDA.

MRE AREA

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF CHARLOTTE, LYING IN SECTION 23, TOWNSHIP 40 SOUTH, RANGE 25 EAST, BEING A PART OF THE PROPERTY DESCRIBED IN OFFICIAL RECORD BOOK 4692, PAGE 1960, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA, LESS AND EXCEPT THE FOLLOWING:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 23; THENCE N.89°40'42"W., ALONG THE SOUTH LINE OF SAID SECTION 23, FOR 5282.74 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 23; THENCE N.00°00'43"E., ALONG THE WEST LINE OF SAID PROPERTY DESCRIBED IN OFFICIAL RECORD BOOK 4692, PAGE 1960, FOR 1535.23 FEET; THENCE S.88°26'01"E. FOR 51.84 FEET; THENCE S.87°26'48"E. FOR 1.72 FEET; THENCE S.86°53'03"E. FOR 52.16 FEET; THENCE S.85°54'01"E. FOR 38.47 FEET; THENCE S.85°28'59"E. FOR 58.82 FEET; THENCE S.84°45'43"E. FOR 66.45 FEET; THENCE S.84°02'17"E. FOR 1.26 FEET; THENCE S.83°18'15"E. FOR 67.86 FEET; THENCE S.81°38'44"E. FOR 84.98 FEET; THENCE S.80°43'38"E. FOR 1.64 FEET; THENCE S.79°46'14"E. FOR 87.79 FEET; THENCE S.77°35'23"E. FOR 113.17 FEET; THENCE S.76°21'42"E. FOR 247.53 FEET; THENCE S.75°42'53"E. FOR 59.60 FEET; THENCE S.75°01'40"E. FOR 3.79 FEET; THENCE S.74°58'53"E. FOR 1.20 FEET; THENCE S.74°18'02"E. FOR 63.14 FEET; THENCE S.73°36'55"E. FOR 779.28 FEET; THENCE S.75°15'39"E. FOR 871.86 FEET; THENCE S.75°09'49"E. FOR 8.89 FEET; THENCE S.74°36'46"E. FOR 41.94 FEET; THENCE S.74°09'28"E. FOR 450.32 FEET; THENCE S.74°33'44"E. FOR 905.02 FEET; THENCE S.74°52'06"E. FOR 771.77 FEET; THENCE S.74°59'38"E. FOR 598.46 FEET; THENCE S.74°46'47"E. FOR 19.73 FEET; THENCE S.74°33'57"E. FOR 11.21 FEET TO THE EAST LINE OF SAID PROPERTY DESCRIBED IN OFFICIAL RECORD BOOK 4692, PAGE 1960, THENCE S.00°00'57"E., ALONG SAID EAST LINE, FOR 211.62 FEET TO THE POINT OF BEGINNING.

CONTAINING 536.22 ARES, MORE OR LESS.

BEARINGS ARE BASED ON "THE STATE PLANE COORDINATE SYSTEM" FLORIDA ZONE WEST, NORTH AMERICAN DATUM OF 1983 (2011 ADJUSTMENT - EPOCH 2010) AND WERE DERIVED FROM THE FLORIDA PERMANENT REFERENCE NETWORK SITE CODE "PNTA", IN U.S. FEET WHEREIN THE SOUTH LINE OF SECTION 23, TOWNSHIP 40 SOUTH, RANGE 25 EAST (PER CERTIFIED CORNER DOCUMENTS AND EXISTING MONUMENTATION) BEARS S.89°40'42"E.

BANKS ENGINEERING
FLORIDA LICENSED BUSINESS NO. LB6690

AUGUST 07, 2023

DIGITALLY SIGNED BY:
C. DREW BRANCH

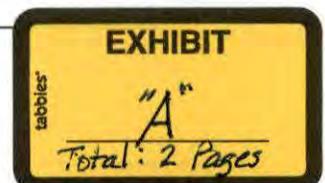


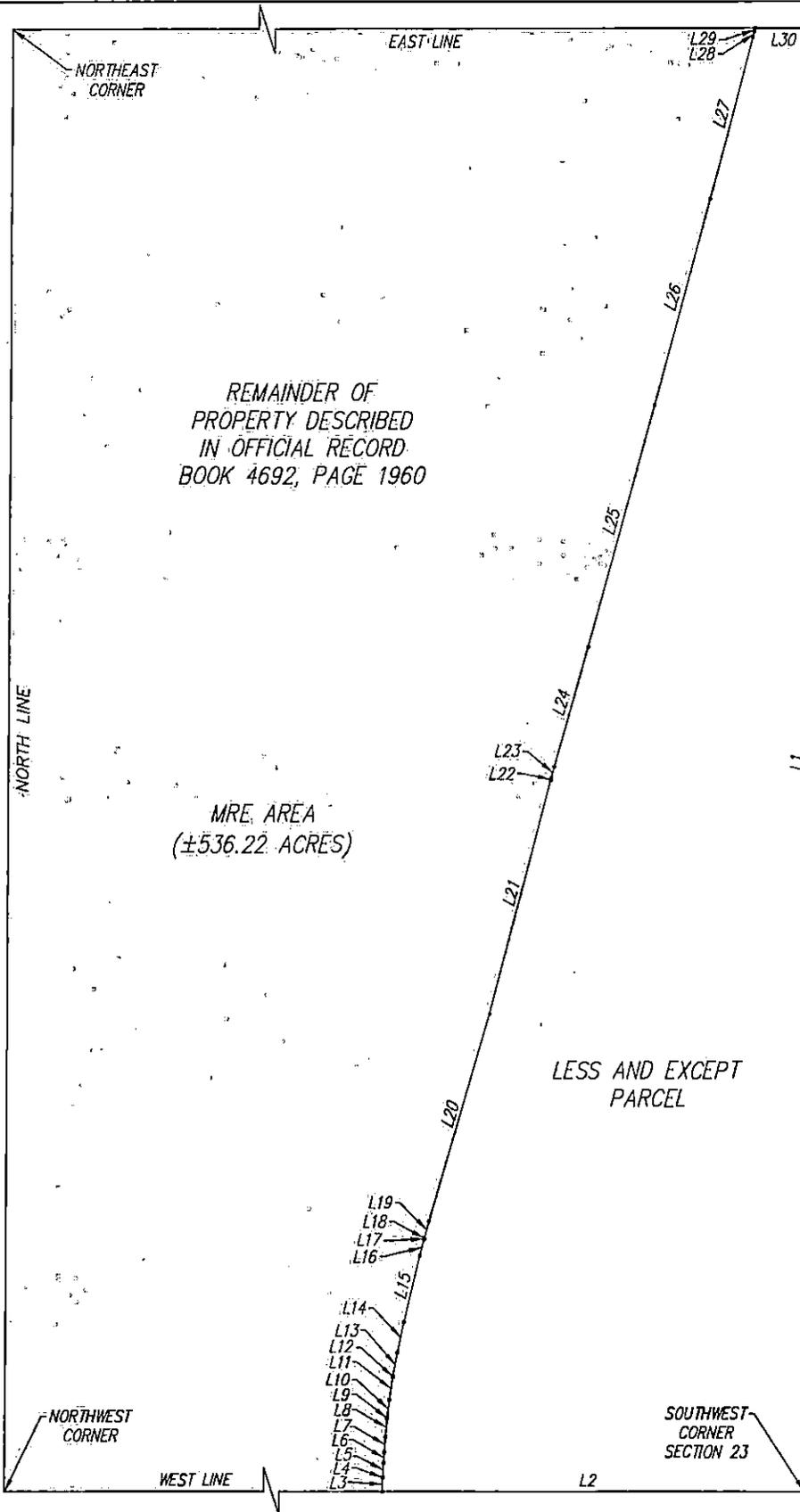
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C. DREW BRANCH, P.S.M.
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATION NO. 5542

SHEET 1 OF 2
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(941) 625-1165 • Fax (941) 625-1149 www.bankseng.com



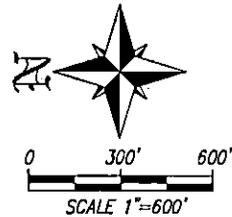


REMAINDER OF
PROPERTY DESCRIBED
IN OFFICIAL RECORD
BOOK 4692, PAGE 1960

MRE AREA
(±536.22 ACRES)

LESS AND EXCEPT
PARCEL

POINT OF BEGINNING
LESS AND EXCEPT
SOUTHEAST CORNER
SECTION 23-42S-R23E



LINE TABLE

LINE	BEARING	DISTANCE
L1	N 89°40'42" W	5282.74'
L2	N 00°00'43" E	1535.23'
L3	S 88°26'01" E	51.84'
L4	S 87°26'48" E	1.72'
L5	S 86°53'03" E	52.16'
L6	S 85°54'01" E	38.47'
L7	S 85°28'59" E	58.82'
L8	S 84°45'43" E	66.45'
L9	S 84°02'17" E	1.26'
L10	S 83°18'15" E	67.86'
L11	S 81°38'44" E	84.98'
L12	S 80°43'38" E	1.64'
L13	S 79°46'14" E	87.79'
L14	S 77°35'23" E	113.17'
L15	S 76°21'42" E	247.53'
L16	S 75°42'53" E	59.60'
L17	S 75°01'40" E	3.79'
L18	S 74°58'53" E	1.20'
L19	S 74°18'02" E	63.14'
L20	S 73°36'55" E	779.28'
L21	S 75°15'39" E	871.86'
L22	S 75°09'49" E	8.89'
L23	S 74°36'46" E	41.94'
L24	S 74°09'28" E	450.32'
L25	S 74°33'44" E	905.02'
L26	S 74°52'06" E	771.77'
L27	S 74°59'38" E	598.46'
L28	S 74°46'47" E	19.73'
L29	S 74°33'57" E	11.21'
L30	S 00°00'57" E	211.62'

LEGEND:

- LB LICENSED BUSINESS
- EB ENGINEERING BUSINESS
- L1 LINE ONE IN TABLE

THIS IS NOT A BOUNDARY SURVEY

BANKS
ENGINEERING

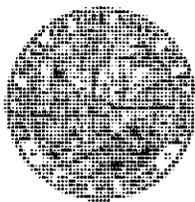
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ENGINEERING LICENSE # EB 8469
SURVEY LICENSE # LD 8690
WWW.BANKSENG.COM

DESCRIPTION AND SKETCH

MRE AREA
CHARLOTTE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
08-07-2023	4644	MRE-SK	N/A	DOB	COB	1"=600'	2of2



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

February 27, 2024

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

Dear Roger Eaton,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Charlotte County Ordinance No. 2024-002, which was filed in this office on February 27, 2024.

Sincerely,

Matthew Hargreaves
Administrative Code and Register Director

MJH/wlh

Allies fear US is becoming less reliable, with growing concern over a possible Trump return

JILL LAWLESS
Associated Press

LONDON — As chances rise of a Joe Biden-Donald Trump rematch in the U.S. presidential election, America's allies are bracing for a bumpy ride.

Many worry that a second term for Trump would be an earthquake, but tremors already abound — and concerns are rising that the U.S. could grow less dependable regardless of who wins. With a divided electorate and gridlock in Congress, the next American president could easily become consumed by manifold challenges at home — before even beginning to address flashpoints around the world, from Ukraine to the Middle East.

French President Emmanuel Macron's recent verdict was blunt: America's "first priority is itself."

The first Trump administration stressed the bond between the U.S. and its allies, particularly in Europe. Trump derided the leaders of some friendly nations, including Germany's Angela Merkel and Britain's Theresa May, while praising authoritarianism such as Turkish President Recep Tayyip Erdogan and Russian leader Vladimir Putin. He has called China's Xi Jinping "brilliant" and Hungary's Viktor Orbán "a great leader."

In campaign speeches, Trump remains skeptical of organizations such as NATO, often lamenting the billions the U.S. spends on the military alliance whose support has been critical to Ukraine's fight against Russia's invasion.

He said at a rally on Saturday that, as president, he'd warned NATO allies he would encourage Russia "to do whatever it had to do" to countries that didn't pay their way in the alliance. Trump also wrote on his social media network that in future the U.S. should end all foreign aid donations and replace them with loans.

NATO Secretary-General Jens Stoltenberg warned that Trump risked endangering U.S. troops and their allies. "Any suggestion that allies will not defend each other undermines all of our security, including that of the U.S., and puts American and European soldiers at increased risk," he said in a statement Sunday.

Biden, meanwhile, has made support for Ukraine a key priority and moral imperative. But Biden's assertion after his election in 2020 that "America is back" on the jobs stage has not been entirely borne out. Congressional Republicans have stalled more military aid for Ukraine, while American influence has been unable to contain conflict in the Middle East. Thomas Giff, director of the Centre on U.S. Politics at University College London, said that whoever wins the presidential race, the direction of travel will be the same — toward a multipolar planet in which the United States is no longer "the indisputable world superpower."

Most allied leaders refrain from commenting directly on the U.S. election, sticking to the line that it's for Americans to pick their leader.

They are conscious that they will have to work with the eventual winner, whoever it is — and behind the scenes, governments will be doing the "backroom work" of quietly establishing links

with the contenders' political teams, said Richard Dalton, a former senior British diplomat.

But many of America's European NATO allies are worried that with or without Trump, the U.S. is becoming less reliable. Some have started to talk openly about the need for members to ramp up military spending, and to plan for an alliance without the United States.

German Chancellor Olaf Scholz said he was "currently on the phone a lot with my colleagues and asking them to do more" to support Ukraine. Germany is the second-largest donor of military aid in Kyiv, behind the U.S., but Scholz recently told German weekly Die Zeit that the country couldn't fill any gap on its own if "the U.S.A. ceased to be a supporter."

Trump's comments on Saturday about NATO rang alarm bells in Poland, which shares a border with Ukraine. "We know how war at our border," Polish Prime

Minister Donald Tusk said Sunday.

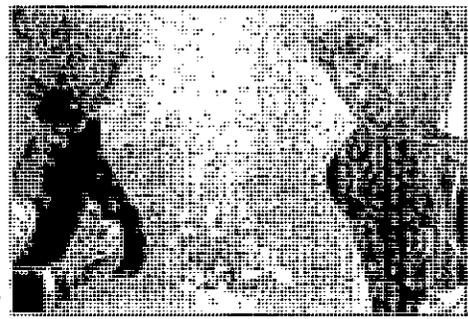
He warned: "We must realize that the EU cannot be an economic and civilizational giant and a dwarf when it comes to defense, because the world has changed."

Russia, meanwhile, is busy bolstering ties with China, Iran and North Korea and trying to chip away at Ukraine's international support.

Macron also suggested American attention was focused far from Europe. If Washington's top priority is the U.S., he said its second is China.

"This is also why I want a stronger Europe, that knows how to protect itself and isn't dependent on others," Macron said at a January news conference.

Trump does have supporters in Europe, notably pro-Russia populists such as Hungary's Orbán. But former British Prime Minister Boris Johnson raised some eyebrows when he argued recently that "a Trump



Then-U.S. President Donald Trump, right, meets with Russian President Vladimir Putin at the G20 Summit in Hamburg, Germany, July 7, 2017. While in power, Trump derided the leaders of some friendly nations while praising authoritarianism such as Putin. As chances rise of a Joe Biden-Trump rematch in the U.S. presidential election race, America's allies are bracing for a bumpy ride.

presidency could be just what the world needs." Johnson is a strong supporter of Ukraine in its struggle against Russian invasion, whereas Trump has frequently praised Putin and said he'd end the war within 24 hours. However, Johnson said in a Daily Mail column that he didn't believe Trump would "itch the Ukrainians" but instead would help Ukraine win the war, leaving the West stronger "and the world more stable."

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

A PUBLIC MEETING AND HEARING ON PROPOSALS AND PETITIONS AS DESCRIBED BELOW WILL BE CONDUCTED BY THE BOARD OF COUNTY COMMISSIONERS AT A REGULAR MEETING ON TUESDAY, FEBRUARY 27, 2024, AT 9:00 A.M. OR SOON THEREAFTER AS THE MATTER MAY BE HELD DURING THE COURSE OF ACTION. THE MEETING AND HEARING WILL BE HELD IN COMMISSION CHAMBERS, ROOM 119, FIRST FLOOR, BUILDING A, THE CHARLOTTE COUNTY ADMINISTRATION CENTER, 18500 HUACOCK CIRCLE, PORT CHARLOTTE, FLORIDA. THE BOARD IS NOT BOUND TO CONSIDER THE PETITIONS IN THE ORDER LISTED IN THIS NOTICE. ANY OF THESE PETITIONS MAY BE CONSIDERED AS SOON AS THE MEETING COMMENCES.

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

ALL INTERESTED PERSONS ARE URGED TO ATTEND. THE PUBLIC IS WELCOME TO SPEAK; TIME LIMITS ARE SET BY BOARD RULES. IF YOU HAVE SPECIFIC QUESTIONS OR COMMENTS, YOU ARE ENCOURAGED TO CONTACT A STAFF PERSON AT ANY TIME IN ADVANCE OF THE PUBLIC HEARING(S). PLEASE CALL 941-764-4001 AND MENTION THE PETITION NUMBER OF THE MATTER YOU WISH TO DISCUSS.

- PETITIONS**
- LAND USE CONSENT AGENDA**
- DRC-23-0020** **Quasi-Judicial** **Commission District I**
Site Engineering Group is requesting DP Final Detail Site Plan approval for Old Landfill Road Outdoor Storage facility. The project consists of a 600 SF office and vehicle storage with canopy. This project site is 10.573 acres and is located at 25305 Old Landfill Road, Port Charlotte, FL 33980 in Section 15, Township 10, Range 23.
- FP-22-12-27** **Quasi-Judicial** **Commission District I**
Lennar Homes, LLC is requesting Final Plat approval for a residential subdivision to be named, Tuckers Cove, consisting of 659 single-family lots and 44 tracts for future development of multi-family homes, lakes, recreation areas, roads, common areas, and an amenity area. The proposed subdivision is a residential development that received Preliminary Plat approval from the Board of County Commissioners on September 12, 2023. They also seek approval of a Developer's Agreement and surety to cover the construction of the plat infrastructure. This site contains 723.41 acres and is generally located south of Belmont Road, north of Babcock Trail, and east of SR 31, inside the boundary of the Babcock Ranch Community Development of Regional Impact (ORD) Increment 2, in the East County area, and in Commission District I.
- FP-23-03-01** **Quasi-Judicial** **Commission District I**
Lennar Homes, LLC is requesting Final Plat approval for a residential subdivision to be named, Webb's Reserve, consisting of 174 single-family lots and 37 tracts for lakes, recreation areas, roads, common areas, a future amenity site and pool course. The proposed subdivision is a residential development that received Preliminary Plat approval from the Board of County Commissioners under FP-23-03-04 on September 12, 2023. They also seek approval of a Developer's Agreement and surety to cover the construction of the plat infrastructure. This site contains 648.51 acres and is generally located south of Belmont Road, north of Babcock Trail, west of the County line with Glades County, and east of SR 31, in the boundary of the Babcock Ranch Community Development of Regional Impact (ORD) Increment 2, within the East County area, and in Commission District I.

- LAND USE REGULAR AGENDA**
- CD-23-02** **Legislative** **Commission District II**
An Ordinance of the Board of County Commissioners of Charlotte County, Florida, pursuant to Chapter 190, Florida Statutes, amending Part IV, Municipal Service Benefit and Tasting Units, Chapter 4-15 Municipal Service Districts, by creating new Article XIX, Firelight East Community Development District (CDD); providing for new Section 4-13-240, Authority providing for new Section 4-13-241, District Powers; providing for new Section 4-13-242, District Boundary Boundaries; providing for new Section 4-13-243, District Powers and Functions; providing for new Section 4-13-244, Board of Supervisors; providing for additional requirements and providing for severability; Amended CD-23-02, Applicant: Zemel Land Partners, LLC, providing for an effective date. The proposal CD is located at 36001 or 27061 Zemel Road, in the Punta Gorda area, within the home lot of the Burnt Store Area 19a area, and in Commission District II. The site contains 531.021 acres.
- FAL-23-00002** **Legislative** **Commission District I**
Pursuant to Section 103.21(4)(3), Florida Statutes, adopt a Large Scale Plan Amendment; the amendment request is to change Charlotte County HCM Series Maps #1, 2010 Future Land Use, from Agriculture (AG) to Mineral Resource Protection (MRP); for property located at 3771 SR 31, in the Punta Gorda area and within the East County area, containing 546.221 acres; Commission District I; Petition No. 191-23-0002; Applicant: DJ Farms Inc.; providing an effective date.
- Z-23-59-13** **Quasi-Judicial** **Commission District I**
An Ordinance pursuant to Section 115.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Agriculture (AG) to Easement and Mining (EM) for property located at 3771 SR 31, in the Punta Gorda area and within the East County area, containing 536.221; Commission District I; Petition No. Z-23-59-13; Applicant: DJ Farms Inc.; providing an effective date.
- Z-23-13-18** **Quasi-Judicial** **Commission District V**
An Ordinance pursuant to Section 115.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Residential Single-Family-3.5 to Industrial General (IG) in order to correct an inconsistency between the Future Land Use Map designation and Zoning District; for a portion of Charlotte County Right-of-Way, located at 19445 Kenworthy Boulevard, in the Port Charlotte area, containing 0.5432 acres; Commission District V; Petition No. Z-23-13-18; Applicant: Eau-South Services; providing an effective date.

SHOULD ANY AGENCY OR PERSON DECIDE TO APPEAL ANY DECISION MADE BY THE BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING, A RECORD OF THE PROCEEDING, AND FOR SUCH PURPOSES, A VERBATIM RECORD OF THE PROCEEDING IS REQUIRED WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

Charlotte County Board of County Commissioners does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the County's functions, including access to and participation in meetings, programs and activities. EM Sound Enhancement Units for the hearing impaired are available at the First Security Desk, Building A of the Main Administration Complex. Anyone needing other reasonable accommodations or auxiliary aids and services please contact our office at 941-764-4191, TDD/TTY 941-764-1236, or by email at: land.use@charlottecountyfl.gov.

Published: February 12, 2024





Ticket# 3919419-1
BCC 02.27.24
AD ID# 3919420
5 x 13
Submitted by: Heather Bennett
Publish: 02/12/2024
163352 3919420

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

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

02/12/24

as well as being posted online at www.yoursun.com and www.floridapublicnotices.com.

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

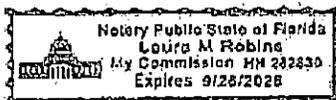
Melinda Prescott

(Signature of Affiant)

Sworn and subscribed before me this 12th day of February, 2024

Laura M Robins

(Signature of Notary Public)



Personally known OR Produced Identification

Attachment 10
Ordinance Number 2024-003

JHG
RCC

FILED WITH THE DEPARTMENT OF STATE

February 27, 2024

ROGER D. EATON, CHARLOTTE COUNTY CLERK OF
CIRCUIT COURT
PAGE: 6
INSTR #: 3374871 Doc Type: GOV
Recorded: 02/28/2024 at 02:22 PM
Rec. Fee: RECORDING \$52.50

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ORDINANCE
NUMBER 2024 - 003

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM AGRICULTURE (AG) TO EXCAVATION AND MINING (EM), FOR PROPERTY LOCATED AT 3771 SR 31, IN THE PUNTA GORDA AREA AND WITHIN THE EAST COUNTY AREA; CONTAINING A TOTAL OF 536.22 ACRES MORE OR LESS; COMMISSION DISTRICT I, CHARLOTTE COUNTY, FLORIDA; PETITION Z-23-59-13; APPLICANT, JDI FARMS INC.; PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, in a public hearing held on Tuesday, February 27, 2024, the Board of County Commissioners of Charlotte County, Florida ("Board") reviewed Petition Z-23-59-13, submitted by applicant, JDI Farms Inc. ("Applicant"), which requested a rezoning to amend the Charlotte County Zoning Atlas from Agriculture (AG) to Excavation and Mining (EM), for property located at 3771 SR 31, containing a total of 536.22 acres more or less, in the Punta Gorda area and within the East County area, Commission District I, Charlotte County, Florida, and more particularly described in Exhibit "A" which is attached hereto and provided herein ("Property"); and

WHEREAS, at its February 27, 2024 meeting, the Board also considered the associated request submitted by the Applicant for a large scale plan amendment for the Property under Petition PAL-23-00002; and

WHEREAS, the Applicant seeks to rezone the Property from AG to EM because the EM zoning district is required by and consistent with the Mineral Resource Extraction (MRE) Future Land Use Map designation granted under

MW

31 Petition PAL-23-00002, and to allow Applicant to apply for a commercial
32 excavation permit; and

33 WHEREAS, Petition Z-23-59-13 was heard by the Charlotte County
34 Planning and Zoning Board ("P&Z Board") and, based on the findings and
35 analysis provided by County Staff and the evidence presented to the P&Z Board,
36 the P&Z Board recommended approval on October 9, 2023; and

37 WHEREAS, after due consideration, based on the findings and
38 analysis provided by County Staff and the evidence presented to it, the Board
39 finds that approval of Petition Z-23-59-13 is consistent with the County's
40 Comprehensive Plan and meets the requirements for the granting of a rezone;
41 and

42 WHEREAS, the Board finds that approval of Petition Z-23-59-13 to
43 rezone the subject property from AG to EM to be in the best interests of the
44 County.

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

47 SECTION 1. The following petition, made by applicant,
48 Z-23-59-13, for an amendment to the Charlotte County Zoning Atlas is hereby
49 approved:

50 Petition Z-23-59-13 requesting to amend the Charlotte
51 County Zoning Atlas from Agriculture (AG) to
52 Excavation and Mining (EM), for property located at
53 3771 SR 31, in the Punta Gorda area and within the
54 East County area, containing a total of 536.22 acres
55 more or less; Commission District I, Charlotte County,
56 Florida, and more particularly described in Exhibit "A"
57 which is attached hereto and provided herein.
58

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

61 SECTION 3. This Ordinance shall take effect upon (1) filing in the
62 Office of the Secretary of State, State of Florida, but, (2) only after the companion
63 plan amendment, PAL-23-00002, to this rezoning, becomes effective. The
64 effective date of PAL-23-00002, if not timely challenged, shall be 31 days after
65 adoption. If challenged within 30 days after adoption, PAL-23-00002 may not
66 become effective until the state land planning agency or the Administration
67 Commission, respectively, issues a final order determining that PAL-23-00002 is
68 in compliance.

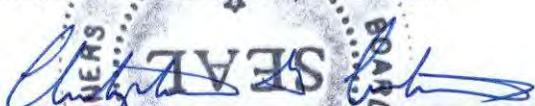
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[SIGNATURE PAGE FOLLOWS]

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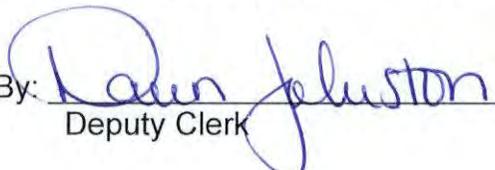
PASSED AND DULY ADOPTED this 27th day of February, 2024.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: 
Christopher G. Constance, Vice Chairman



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

By: 
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: 
Janette S. Knowlton, County Attorney
LR2023-0448



Professional Engineers, Planners & Land Surveyors

DESCRIPTION OF A PARCEL OF LAND
LYING IN SECTION 17, T-42-S, R-23-E,
CHARLOTTE COUNTY, FLORIDA.

MRE AREA

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF CHARLOTTE, LYING IN SECTION 23, TOWNSHIP 40 SOUTH, RANGE 25 EAST, BEING A PART OF THE PROPERTY DESCRIBED IN OFFICIAL RECORD BOOK 4692, PAGE 1960, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA, LESS AND EXCEPT THE FOLLOWING:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 23; THENCE N.89°40'42"W., ALONG THE SOUTH LINE OF SAID SECTION 23, FOR 5282.74 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 23; THENCE N.00°00'43"E., ALONG THE WEST LINE OF SAID PROPERTY DESCRIBED IN OFFICIAL RECORD BOOK 4692, PAGE 1960, FOR 1535.23 FEET; THENCE S.88°26'01"E. FOR 51.84 FEET; THENCE S.87°26'48"E. FOR 1.72 FEET; THENCE S.86°53'03"E. FOR 52.16 FEET; THENCE S.85°54'01"E. FOR 38.47 FEET; THENCE S.85°28'59"E. FOR 58.82 FEET; THENCE S.84°45'43"E. FOR 66.45 FEET; THENCE S.84°02'17"E. FOR 1.26 FEET; THENCE S.83°18'15"E. FOR 67.86 FEET; THENCE S.81°38'44"E. FOR 84.98 FEET; THENCE S.80°43'38"E. FOR 1.64 FEET; THENCE S.79°46'14"E. FOR 87.79 FEET; THENCE S.77°35'23"E. FOR 113.17 FEET; THENCE S.76°21'42"E. FOR 247.53 FEET; THENCE S.75°42'53"E. FOR 59.60 FEET; THENCE S.75°01'40"E. FOR 3.79 FEET; THENCE S.74°58'53"E. FOR 1.20 FEET; THENCE S.74°18'02"E. FOR 63.14 FEET; THENCE S.73°36'55"E. FOR 779.28 FEET; THENCE S.75°15'39"E. FOR 871.86 FEET; THENCE S.75°09'49"E. FOR 8.89 FEET; THENCE S.74°36'46"E. FOR 41.94 FEET; THENCE S.74°09'28"E. FOR 450.32 FEET; THENCE S.74°33'44"E. FOR 905.02 FEET; THENCE S.74°52'06"E. FOR 771.77 FEET; THENCE S.74°59'38"E. FOR 598.46 FEET; THENCE S.74°46'47"E. FOR 19.73 FEET; THENCE S.74°33'57"E. FOR 11.21 FEET TO THE EAST LINE OF SAID PROPERTY DESCRIBED IN OFFICIAL RECORD BOOK 4692, PAGE 1960, THENCE S.00°00'57"E., ALONG SAID EAST LINE, FOR 211.62 FEET TO THE POINT OF BEGINNING.

CONTAINING 536.22 ARES, MORE OR LESS.

BEARINGS ARE BASED ON "THE STATE PLANE COORDINATE SYSTEM" FLORIDA ZONE WEST, NORTH AMERICAN DATUM OF 1983 (2011 ADJUSTMENT - EPOCH 2010) AND WERE DERIVED FROM THE FLORIDA PERMANENT REFERENCE NETWORK SITE CODE "PNTA", IN U.S. FEET WHEREIN THE SOUTH LINE OF SECTION 23, TOWNSHIP 40 SOUTH, RANGE 25 EAST (PER CERTIFIED CORNER DOCUMENTS AND EXISTING MONUMENTATION) BEARS S.89°40'42"E.

BANKS ENGINEERING
FLORIDA LICENSED BUSINESS NO. LB6690

AUGUST 07, 2023

DIGITALLY SIGNED BY:
C. DREW BRANCH

Date:
2023.08.07
10:08:27
-04'00'

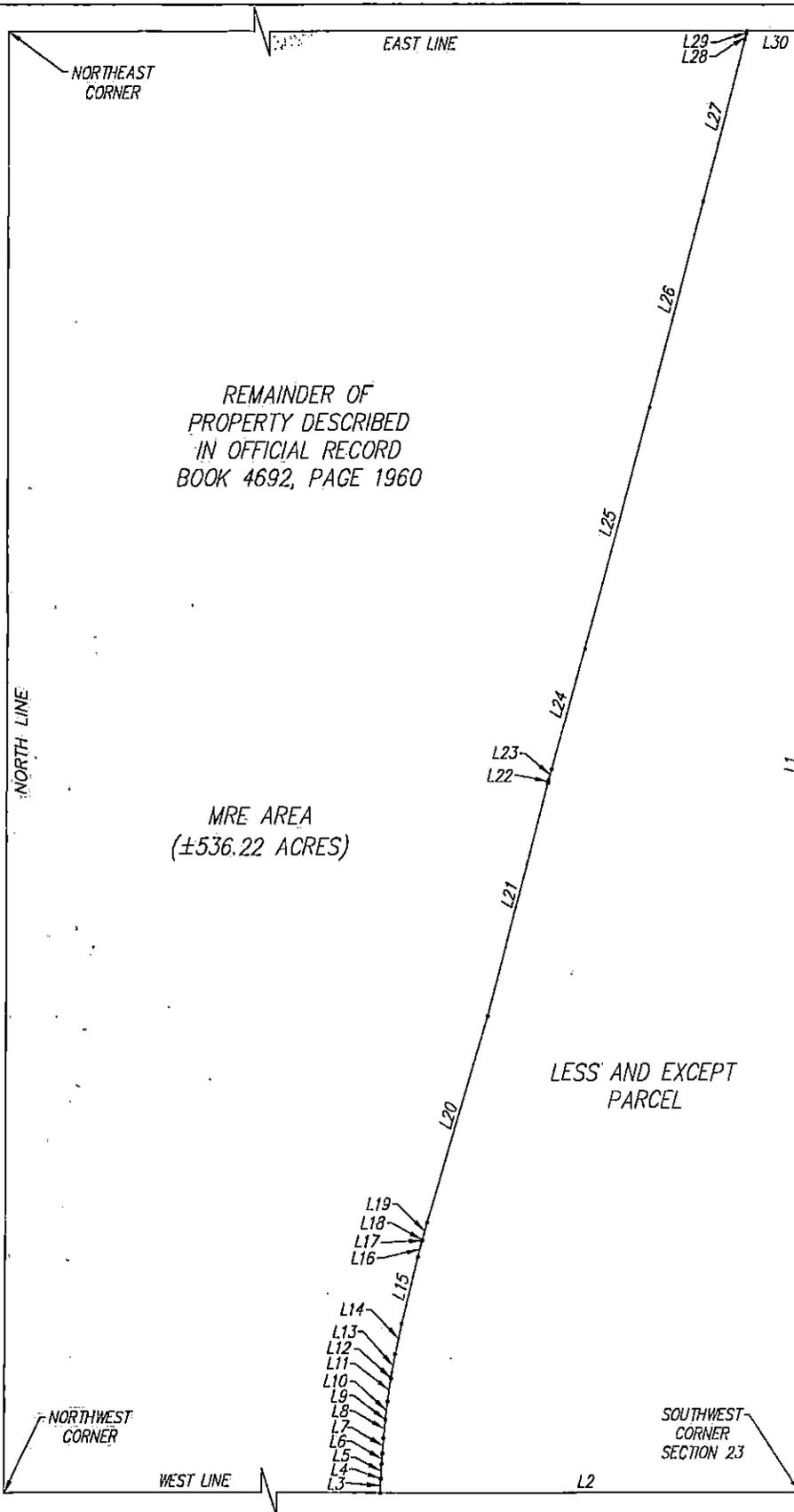


C. DREW BRANCH, P.S.M.
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA CERTIFICATION NO. 5542

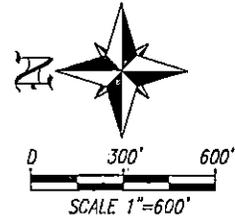
SHEET 1 OF 2
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POINT OF BEGINNING
LESS AND EXCEPT
SOUTHEAST CORNER
SECTION 23-425-R23E



REMAINDER OF
PROPERTY DESCRIBED
IN OFFICIAL RECORD
BOOK 4692, PAGE 1960

MRE AREA
(±536.22 ACRES)

LESS AND EXCEPT
PARCEL

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 89°40'42" W	5282.74'
L2	N 00°00'43" E	1535.23'
L3	S 88°26'01" E	51.84'
L4	S 87°26'48" E	1.72'
L5	S 86°53'03" E	52.16'
L6	S 85°54'01" E	38.47'
L7	S 85°28'59" E	58.82'
L8	S 84°45'43" E	66.45'
L9	S 84°02'17" E	1.26'
L10	S 83°18'15" E	67.86'
L11	S 81°38'44" E	84.98'
L12	S 80°43'38" E	1.64'
L13	S 79°46'14" E	87.79'
L14	S 77°35'23" E	113.17'
L15	S 76°21'42" E	247.53'
L16	S 75°42'53" E	59.60'
L17	S 75°01'40" E	3.79'
L18	S 74°58'53" E	1.20'
L19	S 74°18'02" E	63.14'
L20	S 73°36'55" E	779.28'
L21	S 75°15'39" E	871.86'
L22	S 75°09'49" E	8.89'
L23	S 74°36'46" E	41.94'
L24	S 74°09'28" E	450.32'
L25	S 74°33'44" E	905.02'
L26	S 74°52'06" E	771.77'
L27	S 74°59'38" E	598.46'
L28	S 74°46'47" E	19.73'
L29	S 74°33'57" E	11.21'
L30	S 00°00'57" E	211.62'

LEGEND:
LB LICENSED BUSINESS
EB ENGINEERING BUSINESS
L1 LINE ONE IN TABLE

THIS IS NOT A BOUNDARY SURVEY

BANKS
ENGINEERING

4101 TAMiami TRAIL - BLDG 5 UNIT 501
PORT CHARLOTTE, FLORIDA 33952
PHONE: (941) 625-1185 FAX: (941) 625-1149

ENGINEERING LICENSE # EB 6469
SURVEY LICENSE # LB 6690

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DESCRIPTION AND SKETCH

MRE AREA

CHARLOTTE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
08-07-2023	4644	MRE-SK	N/A	DDB	CDB	1"=600'	2 of 2



FLORIDA DEPARTMENT of STATE

RON DESANTIS
Governor

CORD BYRD
Secretary of State

February 27, 2024

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

Dear Roger Eaton,

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Charlotte County Ordinance No. 2024-003, which was filed in this office on February 27, 2024.

Sincerely,

Matthew Hargreaves
Administrative Code and Register Director

MJH/wlh

Allies fear US is becoming less reliable, with growing concern over a possible Trump return

JILL LAWLESS
Associated Press

LONDON — As chances rise of a Joe Biden-Donald Trump rematch in the U.S. presidential election, American allies are bracing for a bumpy ride. Many worry that a second term for Trump would be an earthquake, but tremors already abound — and concerns are rising that the U.S. could grow less dependable regardless of who wins. With a divided electorate and gridlock in Congress, the next American president could easily become consumed by manifold challenges at home — before even beginning to address risks posed around the world, from Ukraine to the Middle East.

French President Emmanuel Macron's recent verdict was blunt: America's "first priority is itself." The first Trump administration stress-tested the bonds between the U.S. and its allies, particularly in Europe. Trump divided the leaders of some friendly nations, including Germany's Angela Merkel and Britain's Theresa May, while praising authoritarianism such as Turkish President Recep Tayyip Erdogan and Russian leader Vladimir Putin. He has called China's Xi Jinping "brilliant" and Hungary's Viktor Orbán "a great leader."

In campaign speeches, Trump promises skeptical organizations such as NATO often lamenting the billions the U.S. spends on the military alliance whose support has been critical to Ukraine's fight against Russia's invasion. He held a rally on Saturday that, as president, he would encourage Russia "to do whatever the hell they want" to countries that didn't pay their way in the alliance. Trump also wrote on his social media network that in future the U.S. should end all foreign aid donations and replace them with loans. NATO Secretary-General Jens Stoltenberg warned that Trump risked endangering U.S. troops and their allies. "Any suggestion that allies will not defend each other undermines all of our security, including that of the U.S. and puts American and European soldiers at increased risk," he said in a statement Sunday.

Biden, meanwhile, has made support for Ukraine a key priority and moral imperative. But Biden's assertions after his election in 2020 that "America is back" on the global stage has not been entirely borne out. Congressional Republicans have called more military aid for Ukraine, while American influence has been unable to contain conflict in the Middle East. Thomas G. Clavin, director of the Centre for U.S. Politics at University College London, said that whoever wins the presidential race, the direction of travel will be the same — toward a multipolar planet in which the United States is no longer "the indispensable superpower."

Most allied leaders refrain from commenting directly on the U.S. election, sticking to the line that it's for Americans to pick their leader. They are conscious that they will have to work with the eventual winner, whoever it is — and behind the scenes, governments will be doing the "backroom work" of quietly establishing links

with the contenders' political camps, said Richard Dalton, a former senior British diplomat. But many of America's European NATO allies are worried that with or without Trump, the U.S. is becoming less reliable. Some have started to talk openly about the need for members to ramp up military spending, and to plan for an alliance without the United States.

German Chancellor Olaf Scholz said he was "currently on the phone lot with my colleagues and asking them to do more" to support Ukraine. Germany is the second-largest donor of military aid to Kyiv, behind the U.S., but Scholz recently told German weekly Die Zeit that the country couldn't fill any gap on its own if the U.S. ceased to be a supporter.

Trump's comments on Saturday about NATO drew alarm bells in Poland, which shares a border with Ukraine. "We have a hot war at our border," Polish Prime

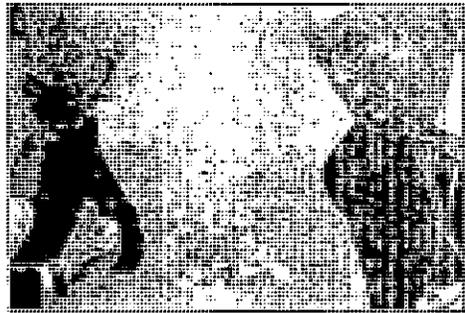
Minister Donald Tusk said Sunday. He warned: "We must realize that the EU cannot be an economic and civilizational giant and a dwarf when it comes to defense, because the world has changed."

Russia, meanwhile, is busy bolstering ties with China, Iran and North Korea and trying to chip away at Ukraine's international support.

Macron also suggested American attention was focused far from Europe. If Washington's top priority is the U.S., he said in his second to China.

"This is also why I want a stronger Europe, that knows how to protect itself and isn't dependent on others," Macron said at a January news conference.

Trump does have supporters in Europe, notably pro-Russia populists such as Hungary's Orbán. But former British Prime Minister Boris Johnson raised some eyebrows when he argued recently that "a Trump



Then-U.S. President Donald Trump, right, meets with Russian President Vladimir Putin at the G20 Summit in Hamburg, Germany, July 7, 2017. While in power, Trump defied the leaders of some friendly nations while praising authoritarianism such as Putin. As chances rise of a Joe Biden-Trump rematch in the U.S. presidential election race, America's allies are bracing for a bumpy ride.

presidency could be just what the world needs." Johnson is a strong supporter of Ukraine in its struggle against Russian invasion, whereas Trump has frequently praised Putin and said he'd end the war within 24 hours. However, Johnson said in a Daily Mail column that he didn't believe Trump would "ditch the Ukrainians" but instead would help Ukraine win the war, leaving the West stronger "and the world more stable."

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

A PUBLIC MEETING AND HEARING IN PROPOSALS AND PETITIONS AS DESCRIBED BELOW WILL BE CONDUCTED BY THE BOARD OF COUNTY COMMISSIONERS AT A REGULAR MEETING ON TUESDAY, FEBRUARY 27, 2024, AT 10:00 A.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD DURING THE COURSE OF THE ACTION. THE MEETING AND HEARING WILL BE HELD IN COMMISSION CHAMBERS, ROOM 111, FIRST FLOOR, BUILDING A, THE CHARLOTTE COUNTY ADMINISTRATION CENTER, 1850 HURDOCK CIRCLE, PORT CHARLOTTE, FLORIDA. THE BOARD IS NOT BOUND TO CONSIDER THE PETITIONS IN THE ORDER LISTED IN THIS NOTICE. ANY OF THESE PETITIONS MAY BE CONSIDERED AS SOON AS THE MEETING COMMENCES.

COPIES OF SAID PETITIONS WITH USUALLY LEGAL DESCRIPTIONS AND SUBSEQUENT STAFF REPORTS WILL BE AVAILABLE FOR REVIEW AT THE CHARLOTTE COUNTY COMMUNITY DEVELOPMENT DEPARTMENT AND ALL CHARLOTTE COUNTY PUBLIC LIBRARIES. A MEETING AGENDA AND PETITION PACKETS MAY BE REVIEWED AT THE FOLLOWING INTERNET ADDRESS: <http://www.charlottecountyfl.com/development/planning/zoning/development/petitions.shtml>.

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

- PETITIONS**
- LAND USE/ ZONING AGENDA**
- DRC-25-00016** Quasi-Judicial Commission District II
Soil Engineering Group is requesting PD Final Detail Site Plan approval for Old Landfill Road Outdoor Storage facility. The project consists of a 690 SF office and vehicle storage with canopy. This project site is 10,971 acres and is located at 25603 Old Landfill Road, Port Charlotte, FL 33980 in Section 18, Township 48, Range 22.
- FR-22-11-27** Quasi-judicial Commission District I
Janus Homes, LLC is requesting Final Plat approval for a residential subdivision to be named, Tuckers Cove, consisting of 859 single-family lots and 44 units for future development of multi-family homes, lakes, preservation areas, roads, common areas, and an amenity site. The proposed subdivision is a residential development that received Preliminary Plat approval from the Board of County Commissioners under PD-22-03-04 on September 12, 2023. They also seek approval of a Developer's Agreement and Survey to cover the construction of the plat infrastructure. This site contains 723.411 acres and is generally located south of Stewart Road, north of Babcock Trail, west of SR 31, inside the boundary of the Babcock Ranch Community Development of Regional Impact (CDI) Increment 1, in the East County area, and in Commission District I.
- FR-23-01-01** Quasi-judicial Commission District I
Lennox Homes, LLC is requesting Final Plat approval for a residential subdivision to be named, Wilks Reserve, consisting of 174 single-family lots and 37 units for lakes, preserve areas, roads, common areas, a future amenity site and golf course. The proposed subdivision is a residential development that received Preliminary Plat approval from the Board of County Commissioners under PD-23-02-04 on September 12, 2023. They also seek approval of a Developer's Agreement and Survey to cover the construction of the plat infrastructure. This site contains 648.514 acres and is generally located south of Stewart Road, north of Babcock Trail, west of SR 31, in the boundary of the Babcock Ranch Community Development of Regional Impact (CDI) Increment 2, within the East County area, and in Commission District I.
- LAND USE/ REGULAR AGENDA**
- CID-23-02** Legislative Commission District II
An ordinance of the Board of County Commissioners of Charlotte County, Florida, pursuant to Chapter 190, Florida Statutes, amending Part IV, Municipal Service Benefits and Towing Units, Chapter 4-15 Municipal Service Districts by creating new Article XIX, Flight-Cat Community Development District (CDD), providing for new Sections 4-15-240, Authority providing for new Section 4-15-241, District Name providing for new Section 4-15-242, District A External Boundaries; providing for new Sections 4-15-243 Districts Power and Function providing for new Section 4-15-244, Board of Supervisors providing for additional requirements, and providing for repealing, (Vision No. CID-23-04, Applicant: Zoned Land Patents, LLC, providing for an effective date. The proposed CID is located at 26901 or 27041 Zoned Road, in the Punta Gorda area, within the town limits of the Punta Stone Area (Plan area, and in Commission District II. The site contains 334.013 acres.
- PAE-23-00028** Legislative Commission District I
Pursuant to Section 163.3184(5), Florida Statutes, adopts a Large Scale Plan Amendment; the amendment request to be change Charlotte County HMM Series Map 11, 2010 Future Land Use, from Agriculture (AG) to Mixed-Use/ Recreation Evacuation (MRE), for property located at 3771 SR 31, in the Punta Gorda area and within the East County area, containing 5.8622 acres, Commission District I; Vision No. 23-00028, Applicant: DJ Harris LLC, providing an effective date.
- 7-23-59-13** Quasi-Judicial Commission District I
An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Agriculture (AG) to Excavation and Mining (EM), for property located at 3771 SR 31, in the Punta Gorda area and within the East County area, containing 5.8622 acres, Commission District I; Petition No. 7-23-59-11, Applicant: DJ Harris LLC, providing an effective date.
- 7-23-53-18** Quasi-Judicial Commission District V
An Ordinance pursuant to Section 128.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Residential Single-Family 5 in Industrial General (IG) in order to correct an inconsistency between the Future Land Use Map designation and Zoning District; for a portion of Charlotte County Right-of-Way, located at 19445 Kenilworth Boulevard, in the Port Charlotte area, containing 0.513 acres, Commission District V; Petition No. 7-23-53-18; Applicant: Eco-South Services, providing an effective date.
- SHOULD A NY AGENCY OR PERSON DECIDE TO APPEAL ANY DECISION MADE BY THE BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING, A RECORD OF THE PROCEEDING, AND FOR SUCH PURPOSE, A VERBATIM RECORD OF THE PROCEEDING IS REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.
- Charlotte County Board of County Commissioners does not discriminate on the basis of disability. This nondiscrimination policy involves every aspect of the County's functions, including access to and participation in meetings, programs and activities. For Special Enhancement Units for the hearing impaired are available at the Board Services Desk, Building A of the Main Administration Complex. Any person needing alternative communication accommodations at our meetings will contact our office at 941-764-4191, TDD/TTY 941-764-4214, or by email to: Accessibility@charlottecountyfl.com.*
- Published February 12, 2024



Ticket# 3919419-1
BCC 02.27.24
AD ID# 3919420
5 x 13
Submitted by: Heather Bennett
Publish: 02/12/2024
163352 3919420

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

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

02/12/24

as well as being posted online at www.yoursun.com and www.floridapublicnotices.com.

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

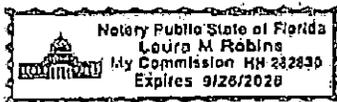
Melinda Prescott

(Signature of Affiant)

Sworn and subscribed before me this 12th day of February, 2024

Laura M Robins

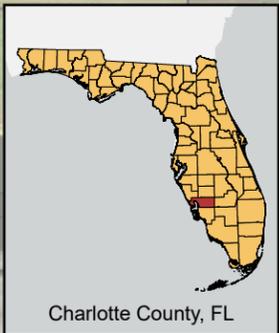
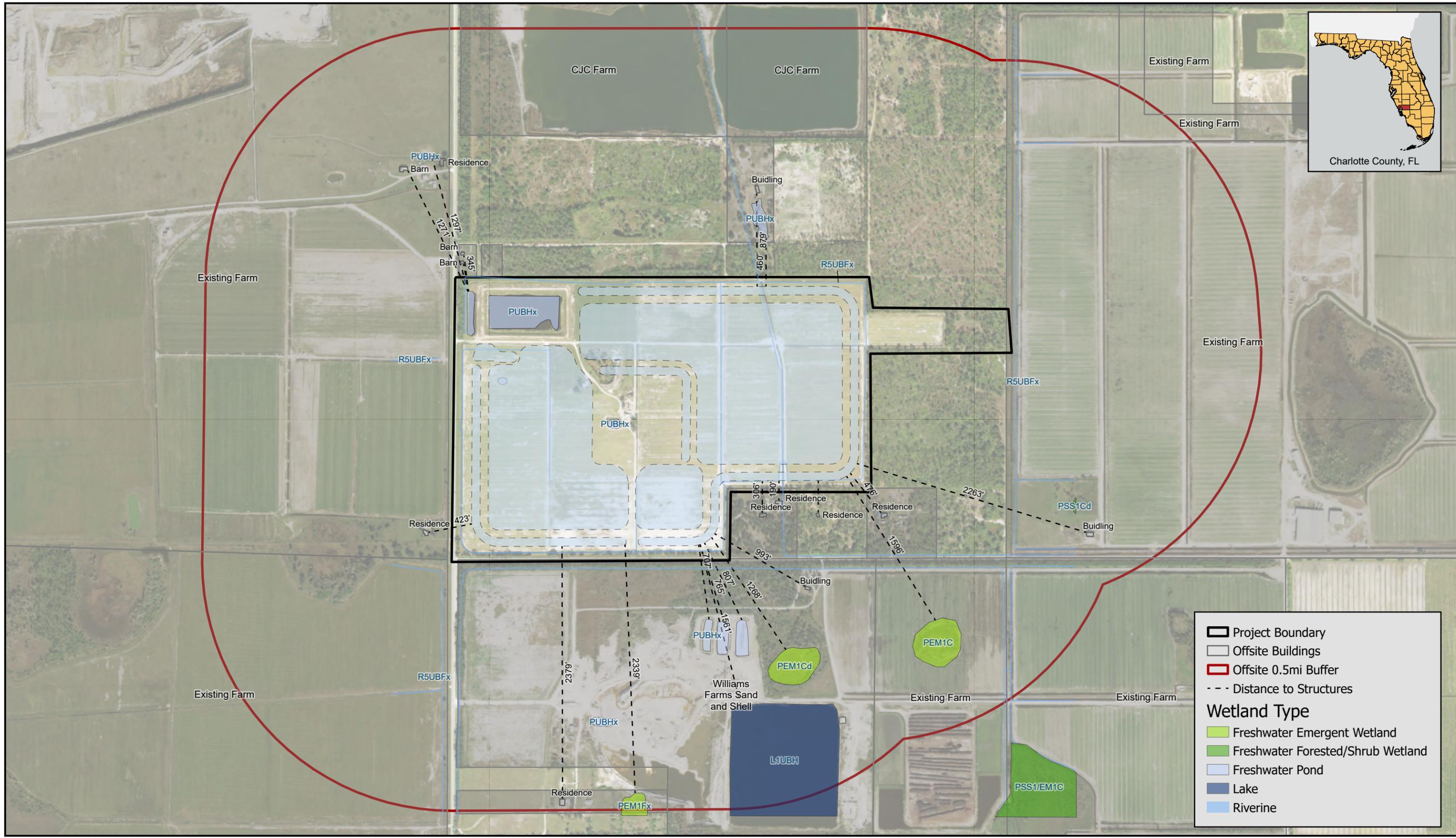
(Signature of Notary Public)



Personally known X OR Produced Identification

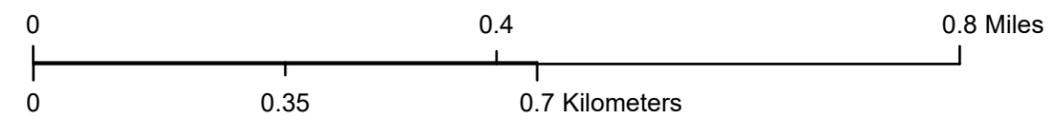
Attachment 11

Offsite Features



Service Layer Credits: World Imagery: Charlotte County, State of Florida, Maxar
 Light Gray Base: Esri, TomTom, Garmin, FAO, NOAA, USGS, EPA

Figure 1
Offsite Features



Lake Lonely Mine
 2650 SR 31, Punta Gorda, FL, 33982
 August 2024
 Map Author: JAK, RG
 Pond Project #: 1230028

Attachment 12

Overall Site Plan

1

2

3

4

5

DPR SEAL



LAKE LONELY MINE

2650 STATE ROAD 31
PUNTA GORDA, FL 33982

DRAWING ISSUE

DATE

DESCRIPTION

MARK

DESIGNED BY: CRF
 DRAWN BY: MW / JK
 CHECKED BY: CRF
 SUBMITTED BY: CRF
 DATE: 04-19-2024
 PROJECT #: 1230028

SHEET TITLE

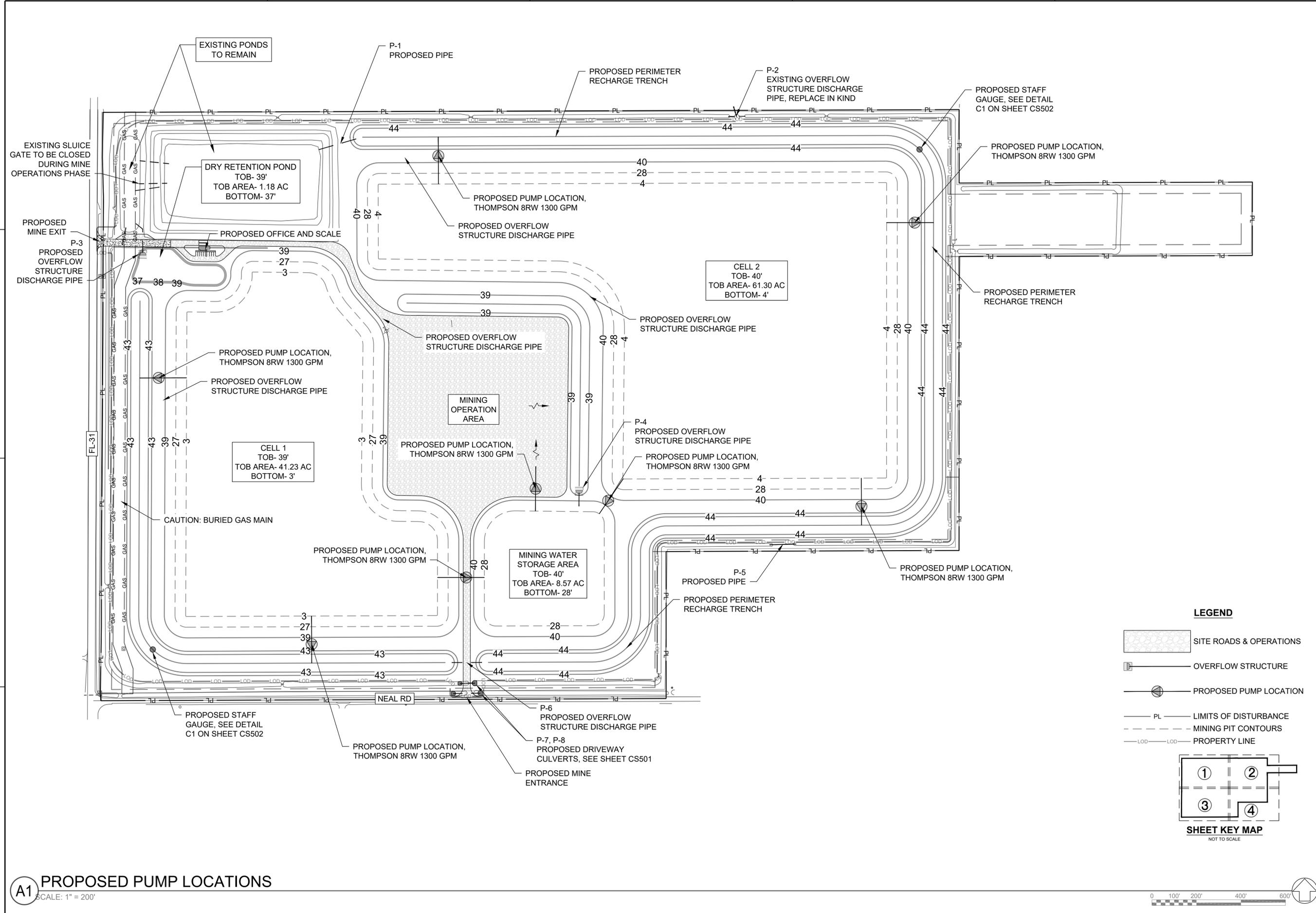
OVERALL SITE PLAN

SHEET NUMBER

CS101

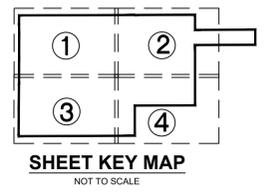
SHEET 17 OF 40

ORIGINAL SHEET SIZE:
22" X 34"



LEGEND

- SITE ROADS & OPERATIONS
- OVERFLOW STRUCTURE
- PROPOSED PUMP LOCATION
- PL LIMITS OF DISTURBANCE
- MINING PIT CONTOURS
- LOD PROPERTY LINE



A1 PROPOSED PUMP LOCATIONS
 SCALE: 1" = 200'



NOT FOR CONSTRUCTION

FILE PATH: X:\FY23\1230028\04.DRAWINGS\04.02.CAD\SHEET SET 65\%SITE\CS101 SITE PLAN PLOTTED BY: KUREY, JOSEPH DATE: 12/20/23

Attachment 13

Conservation Easement Exhibit

1

2

3

4

5



1200 RIVERPLACE BLVD., SUITE 600
JACKSONVILLE, FL 32207
PHONE (904) 543-0400
WWW.POND.CO.COM

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DPR SEAL



LAKE LONELY MINE

2650 STATE ROAD 31
PUNTA GORDA, FL 33982

DRAWING ISSUE

ISSUED FOR PERMIT
DESCRIPTION

DATE
10/07/2024

MARK
1

DESIGNED BY: CRF
DRAWN BY: MW / JK
CHECKED BY: CRF
SUBMITTED BY: CRF
DATE: 10-07-2024
PROJECT #: 1230028

SHEET TITLE
CONSERVATION EASEMENT EXHIBIT

SHEET NUMBER
CW-100

SHEET 31 OF 42

ORIGINAL SHEET SIZE:
22" X 34"



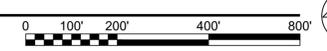
LEGEND

WILDLIFE CORRIDOR

SHEET KEY MAP
NOT TO SCALE

A1 WILDLIFE CORRIDOR CONSERVATION EASEMENT

SCALE: 1" = 200'



NOT FOR CONSTRUCTION

FILE PATH: X:\FY23\1230028\04_DRAWINGS\04.02_CAD\SHEET SET 95%RECLAMATION\100 PLOTTED BY: KUREY, JOSEPH DATE: 12/20/23



CHARLOTTE COUNTY

Community Development

Qualifications of Jie Shao

Position: Principal Planner

Years with Charlotte County: 21

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

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

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

Education:

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

Professional Associations and Certifications:

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

Related Past Experience:

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

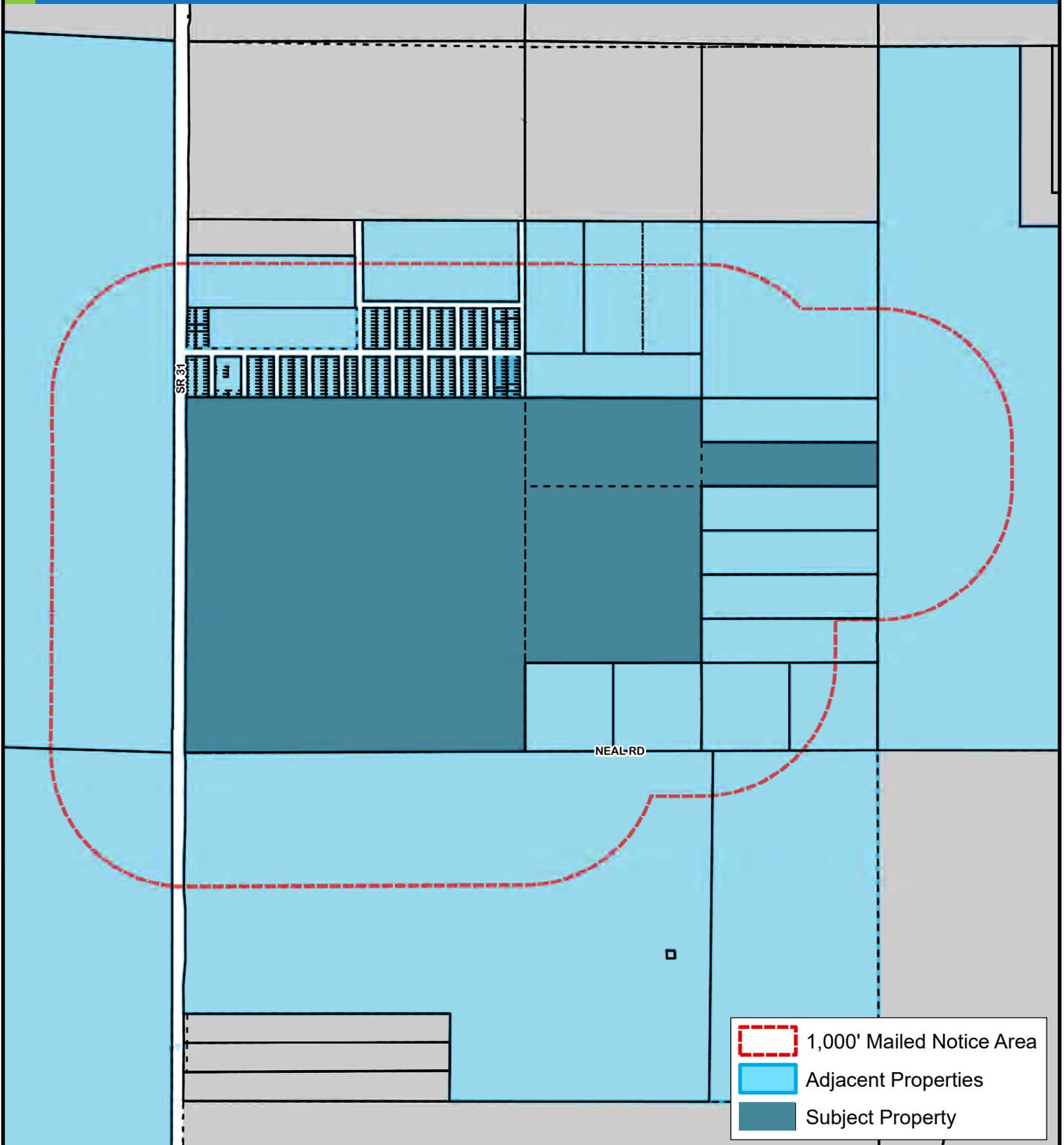
Exhibit 1

CHARLOTTE COUNTY

1,000' Foot Mailed Notice of PAL-23-00005 and Z-23-41-19



CHARLOTTE COUNTY
Community Development



	1,000' Mailed Notice Area
	Adjacent Properties
	Subject Property

18/40/26 East County



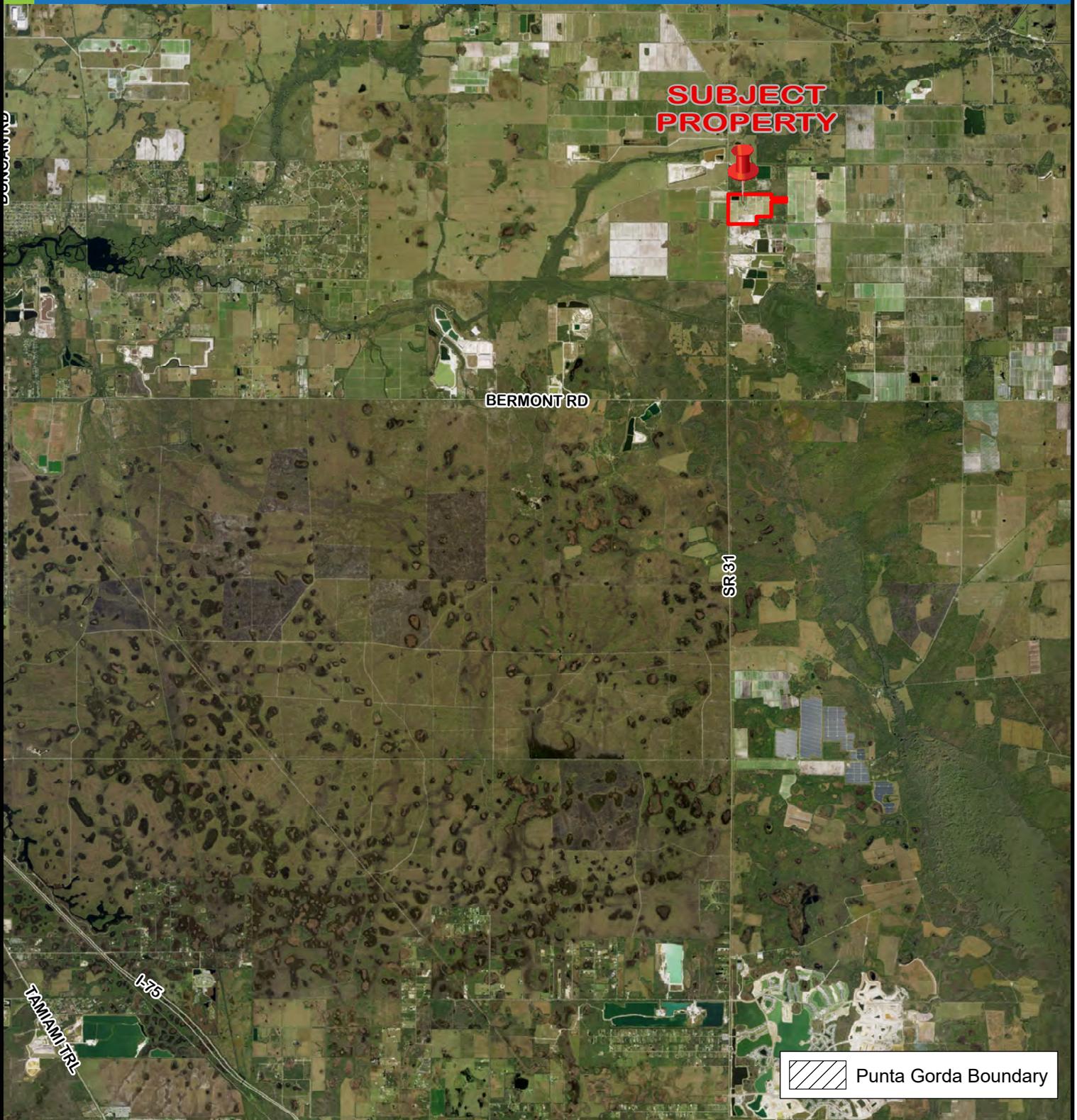
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CHARLOTTE COUNTY

Location Map for PAL-23-00005 and Z-23-41-19



CHARLOTTE COUNTY
Community Development



18/40/26 East County



(NOT TO SCALE)

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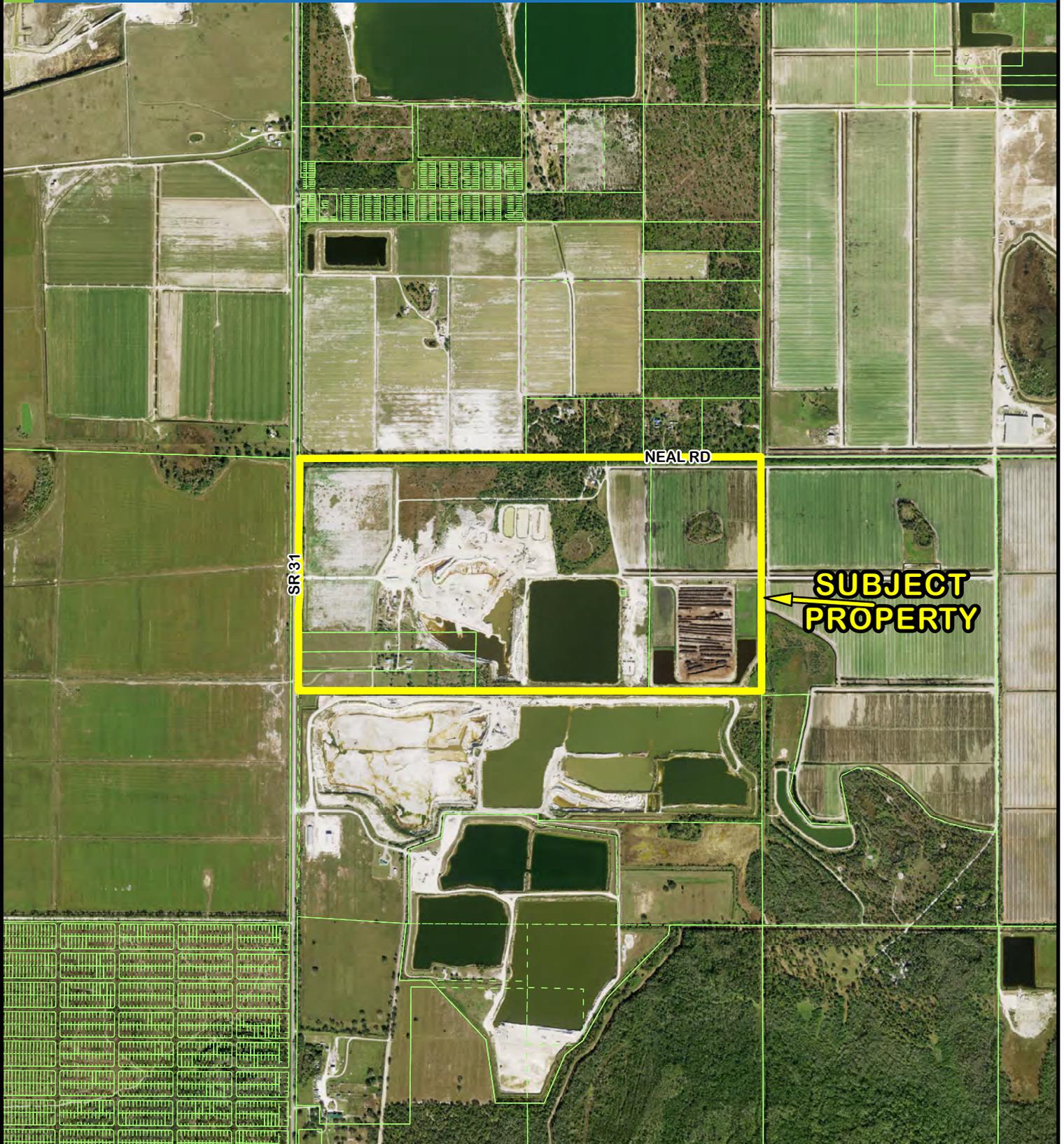
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CHARLOTTE COUNTY

Area Image for PAL-23-00005 and Z-23-41-19



CHARLOTTE COUNTY
Community Development



18/40/26 East County



(NOT TO SCALE)

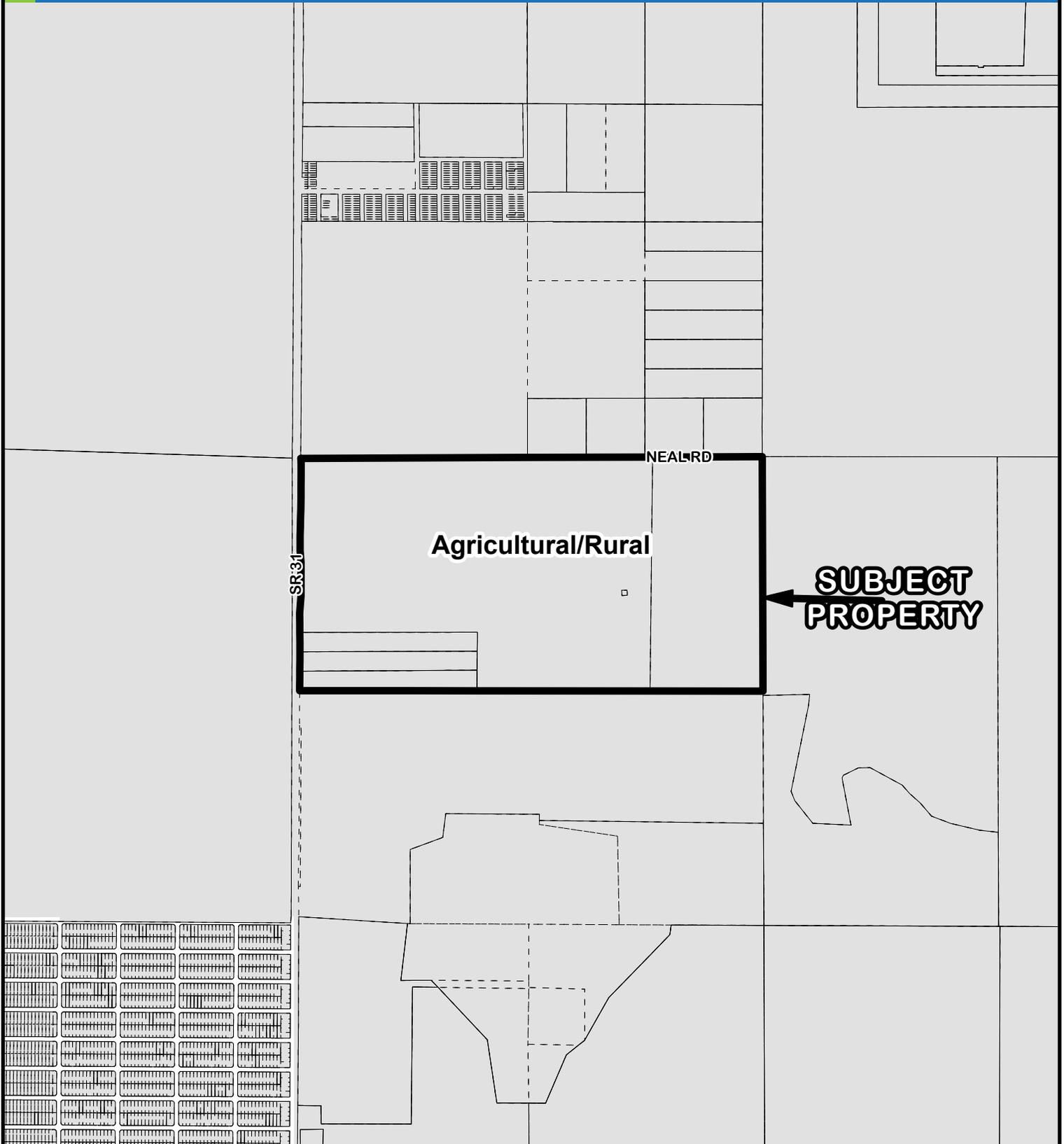
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CHARLOTTE COUNTY

Framework for PAL-23-00005 and Z-23-41-19



18/40/26 East County



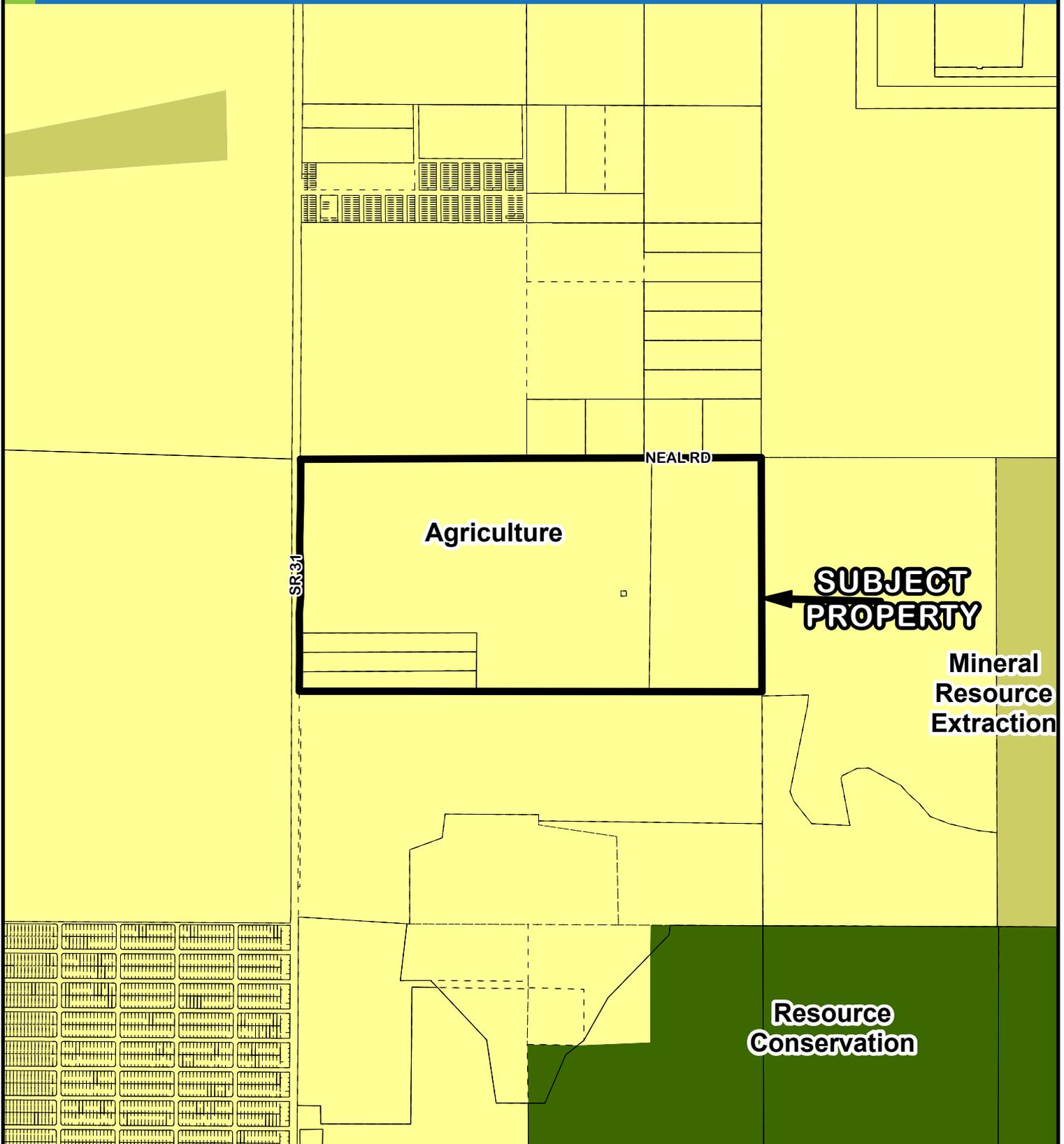
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CHARLOTTE COUNTY

FLUM Designations for PAL-23-00005 and Z-23-41-19



18/40/26 East County



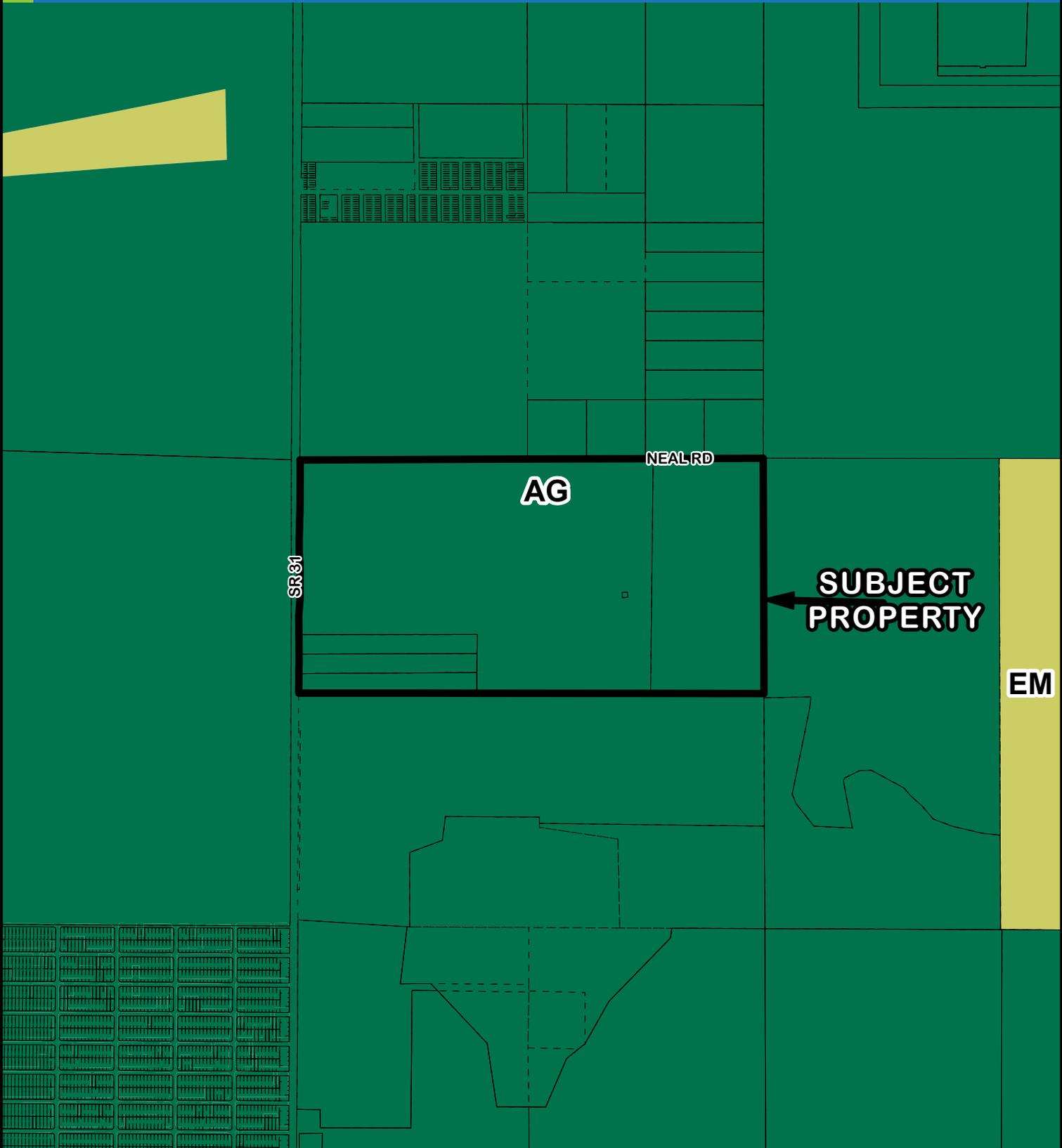
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CHARLOTTE COUNTY

Zoning Designations for PAL-23-00005 and Z-23-41-19



18/40/26 East County



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