

ORDINANCE
NUMBER 2025 -

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.

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

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

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

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

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

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

NOW, THEREFORE, BE IT ORDAINED by the Board of County 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.

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

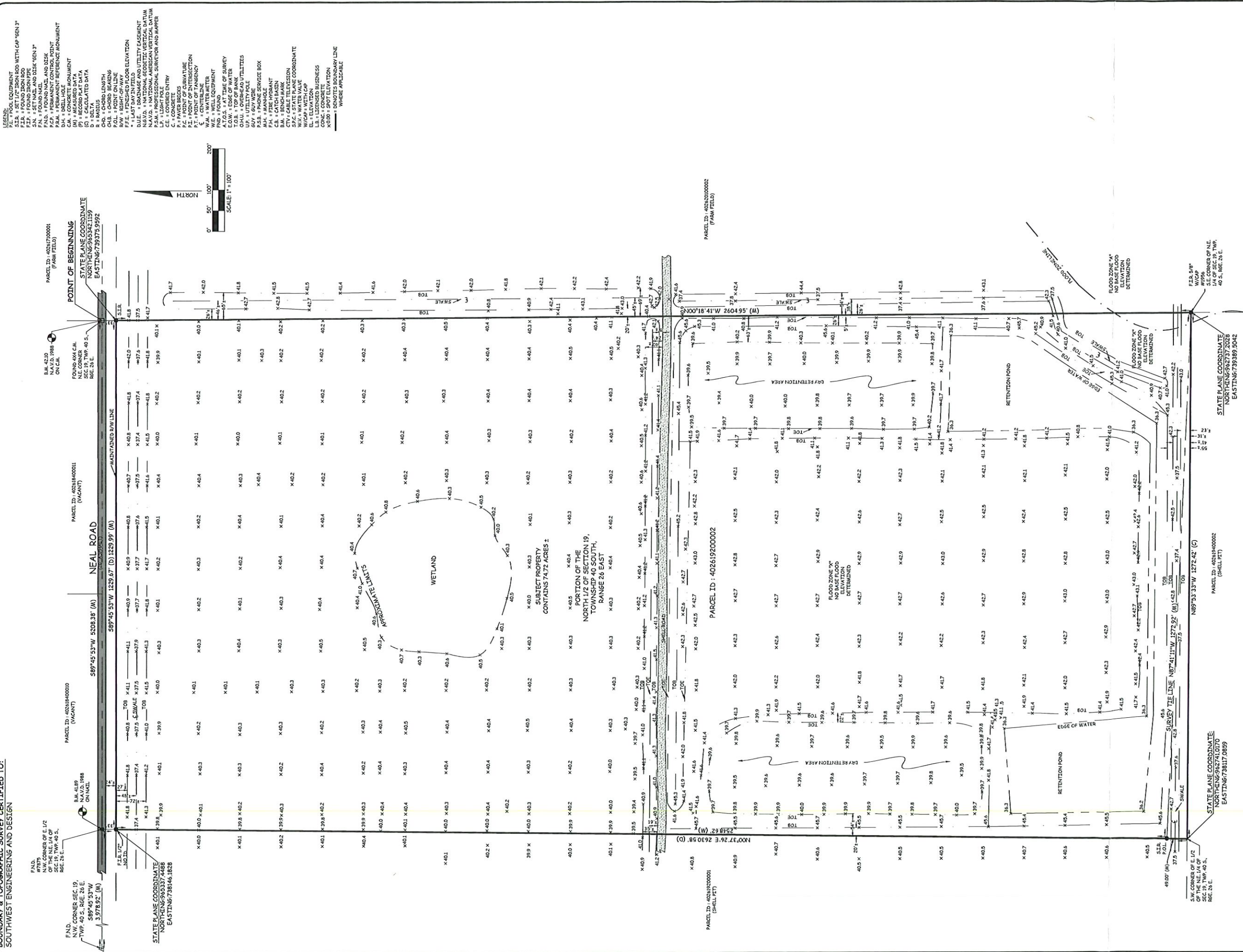
By: _____
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

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

KNW

SOUTHWEST ENGINEERING AND DESIGN



SURVEYOR'S NOTES:
 SEE PLAT FLOOD ZONE "AS SHOWN", BASE FLOOD ELEVATION "AS SHOWN", COMMUNITY
 MAP #210001, PANEL C0256, DATE PRINTED 12-15-22.
 ELEVATIONS ARE BASED ON N.A.S.D. 1988.
 DISTANCES ARE BASED ON NAD 83, E.L. = 38.72 N.A.S.D. 1988.
 BEARINGS ARE BASED ON DEED DATA.
 ALL DISTANCES AND ELEVATIONS ARE EXPRESSED IN DECIMAL FEET.
 THE SURVEYOR HAS NOT SCALED AND FOR INFORMATION PURPOSES ONLY,
 LANDSCAPING, UNDERGROUND UTILITIES AND NON-PERMANENT IMPROVEMENTS HAVE NOT BEEN
 LOCATED.
 STATE PLAT COORDINATES OBTAINED BY USE OF 69.5, THROUGH THE FLORIDA PERMANENT
 SURVEILLANCE NUMBER (PPN) AND ARE BASED ON FLORIDA WEST NAD 83 (2011) DATA IN DECIMAL
 FEET.

LEGAL DESCRIPTION:

A PORTION OF SECTION 19, TOWNSHIP 40 SOUTH, RANGE 26 EAST, CHARLOTTE COUNTY, FLORIDA

BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

THE NORTHEAST CORNER OF SAID SECTION 19, THENCE 39°05'39" N, ALONG THE NORTH LINE OF SAID SECTION 19, A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING, THENCE 100.00 FEET ALONG THE NORTH ONE HALF OF SAID SECTION 19, THENCE 89°03'31" E, ALONG THE SOUTH LINE OF THE NORTH ONE HALF OF SAID SECTION 19, A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING, THENCE 100.00 FEET ALONG THE SOUTH ONE HALF OF SAID SECTION 19, A DISTANCE OF 100.00 FEET TO THE POINT OF BEGINNING, THENCE 100.00 FEET ALONG THE EAST LINE OF SAID SECTION 19, A DISTANCE OF 337.89 FEET TO THE POINT OF BEGINNING.

Gen³
AND SURVEYING INC.

BOUNDARY & TOPOGRAPHIC SURVEY

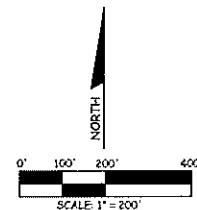
EXHIBIT

"A"
Total: 2 Pages

REVISION	DATE	I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE, AND I METED THIS COMPLIANCE WITH THE FLORIDA BOARD OF ACCOUNTS' STANDARDS AND RULES, AND THE FLORIDA STATUTES. Not a Seal R.J. Strickland, Jr., P.S.M. Florida Registration #61674 Digitally signed by R.J. Strickland, Jr., P.S.M. Florida Registration #61674 Date: 2023.05.18 13:52:17 -0400 PRINTED COPIES OF THIS DOCUMENT MAY BE OBTAINED FROM THE BOARD OF ACCOUNTS AND SHALL BE PROVIDED TO THE REQUESTING PARTY AT NO CHARGE. 23-1992
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23-1992

BOUNDARY & TOPOGRAPHIC SURVEY

[illegible]

LE=LED
PE=POOL EQUIPMENT
SE=SET (2) INTRUDD WITH CAP "60N3"
FI=FOUND IRON ROD
FIP=FOUND IRON PIPE
S=SET HAIL AND DISK "60N3"
FI=FOUND IRON
FIND=FOUND HAIL AND DISK
PCP=PERMANENT CONTROL POINT
PRM=PERMANENT REFERENCE MOVEMENT
FI=FOUND IRON
CM=CONCRETE MONUMENT
(M)=MEASURED DATA
(C)=SECOND PLAT DATA
(C)=CALCULATED DATA
O=DELTA
R=RADIUS
CHD=CHORD LENGTH
OAB=OCHORD BEARING
POL=POINT ON LINE
R=RIGHT-OF-WAY
FFE=FEED-THRU FLOOR ELEVATION
*LAST DATA IN FIELD
N=NATIONAL GEODETIC ELEVATION
NSVD=NATIONAL GEODETIC VERTICAL DATA
NABD=NATIONAL ANNALECT VERTICAL DATA
PSM=PROFESSIONAL SURVEYOR AND MAP
LE=LEAVE
CE=COVERED ENTRY
C=CONCRETE
P=PAVEMENT
PE=POINT OF CURVATURE
PI=POINT OF INTERSECTION
PT=POINT OF TANGENCY
C=CENTERLINE
WM=WATER METER
WE=WELL CURVE POINT
FO=FOUND
POB=POINT OF BEGINNING
EOW=EDGE OF WATER
T=TOP OF BANK
OHU=ODGE OF UTILITIES
UT=UTILITY FOOT
GUY=GUYS WIRE
PSB=PHONE SERVICE BOX
NH=NAIL SHOLE
FA=FIELD HYDRANT
CB=CATCH BASIN
BM=BENCH MARK
SPC=STATE PLATE LINE COORDINATE
WV=WATER VALVE
W/CAP=WITH CAP
LE=ELEVATION
LB=LICENCED BUSINESS
CO=CONCRETE
POC=POINT OF COMMENCEMENT
XOOD=SCOT ELEVATION
*****END OF LINE
WHERE APPLICABLE

SURVEYER'S NOTATIONS:
 REPERA FLOOD MAP: FLOOD ZONE "A", BASE FLOOD ELEVATION: "14", COMMUNITY MAP #102031, PAVEMENT: 01366, DATE PLOTTED: 10-15-22.
 ELEVATIONS ARE BASED ON THE U.S. 1985 DATUM.
 BASE "M" = NATIONAL GEOGRAPHIC SURVEY "M" #6118, E = 1872.14' ELEV. 1985.
 READINGS ARE BASED ON REED DATA.
 ALL DISTANCES AND ANGLES ARE MEASURED EXPRESSED IN DECIMAL FEET.
 SYMBOLS DEPICTED ON THIS SKECH ARE NOT TO SCALE AND FOR INFORMATIONAL PURPOSES ONLY.
 1. LATERAL FLOODING, UNDERGROUND UTILITIES AND NON PERMANENT IMPROVEMENTS HAVE NOT BEEN LOCATED.
 STATE PLANE COORDINATES OBTAINED BY USE OF GPS, THROUGH THE FLOODZILLA ENGINEERING FLOODZILLA SOFTWARE (F7510) AND ARE BASED ON FLORIDA STATE HED (NAD 83) DATUM 11'26" FEET.

LEGAL DESCRIPTION:
THE NORTH ONE HALF OF SECTION 19, TOWNSHIP 40 SOUTH, RANGE 26 EAST,
CHARLOTTE COUNTY FLORIDA, FLORIDA.

LESS AND EXCEPT:
MAINTAINED RIGHT OF WAY FOR NEAL ROAD

LESS AND EXCEPT:
MAINTAINED RIGHT OF WAY FOR STATE ROAD #31

LESS AND EXCEPT:
A PORTION OF SECTION 19, TOWNSHIP 43 SOUTH, RANGE 26 EAST, CHARLOTTE
COUNTY, FLORIDA BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID SECTION 19, THENCE S89°45'53"W, ALONG THE NORTH LINE OF SAID SECTION 19, A DISTANCE OF 1227.67 FEET; THENCE S00°31'28"W, A DISTANCE OF 6630.58 FEET TO SOUTHLINE OF THE NORTH ONE HALF OF SAID SECTION 19, A DISTANCE OF 51°53'13" ALONG THE SOUTHLINE OF THE NORTH ONE HALF OF SAID SECTION 19, A DISTANCE OF 1272.42 FEET TO THE SOUTHEAST CORNER OF THE NORTH ONE HALF OF SAID SECTION 19, THENCE N00°18'23"W, ALONG THE EAST LINE OF SAID SECTION 19, A DISTANCE OF 2837.83 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT:
A PORTION OF SECTION 13, TOWNSHIP 43 SOUTH, RANGE 26 EAST, CHARLOTTE COUNTY FLORIDA BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 19, THENCE S 89°45' 53" W, ALONG THE NORTHLINE OF SAID SECTION 19, A DISTANCE OF 1229.67 FEET; THENCE 00°37' 28" W, A DISTANCE OF 1477.93, THENCE N 89°22' 34" W, A DISTANCE OF 330.51 FEET TO THE POINT OF BEGINNING, THENCE S 01°11' 09" E, A DISTANCE OF 60.30 FEET; THENCE N 86°48' 42" E, A DISTANCE OF 60.30 FEET, THENCE N 01°11' 13" W, A DISTANCE OF 60.30 FEET; THENCE S 86°48' 42" W, A DISTANCE OF 60.30 FEET TO THE POINT OF BEGINNING.

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I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE "STANDARDS OF PRACTICE FOR SURVEYS" AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPER CHAPTER 53, F.L.A.C. ADMINISTRATIVE CODE, PURSUANT TO SECTION

R.J. Strickland, Jr., P.S.M.
Florida Registration #6144

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