

34 County, Florida; Commission District III; and more particularly described in
35 Exhibit "A" which is attached hereto and by this reference provided herein
36 ("Property"); and

37 WHEREAS, at its March 28, 2023 meeting, the Board also
38 considered the associated request submitted by the Applicant, for a small scale
39 plan amendment for a portion of the Property, under Petition PAS-22-00005; and

40 WHEREAS, the Applicant seeks to rezone the property from
41 Commercial General (CG) and Residential Multi-family 10 (RMF-10) to Planned
42 Development (PD), in order to develop a self-storage facility with outdoor storage
43 as an accessory use on the Property; and

44 WHEREAS, Petition PD-22-00007 has previously been heard by
45 the Charlotte County Planning and Zoning Board ("P&Z Board") and, based on
46 the findings and analysis provided by County Staff and the evidence presented to
47 the P&Z Board, has been recommended for approval on March 13, 2023; and

48 WHEREAS, after due consideration, based on the findings and
49 analysis provided by County Staff and the evidence presented to it, the Board
50 has found that approval of Petition PD-22-00007 is consistent with the County's
51 Comprehensive Plan, and that it meets the requirements for the granting of a
52 rezone; and

53 WHEREAS, based on the above findings, the Board has
54 determined it to be in the best interests of the County to rezone the subject
55 property from Commercial General (CG) and Residential Multi-family 10
56 (RMF-10) to Planned Development (PD).

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

SECTION 1. The following petition, made by applicant, Rapid Building Solutions, LLC, for an amendment to the Charlotte County Zoning Atlas is hereby approved subject to the conditions contained in the attached Exhibit “B”:

Petition PD-22-00007 requesting a rezoning from Commercial General (CG) and Residential Multi-family 10 (RMF-10) to Planned Development (PD), and adopting the General PD Concept Plan, for 7.37 acres more or less of property that includes three lots, one lot located at 1918 South McCall Road (SR 776), and two lots located north of SR 776, south of East 2nd Street, west of Manor Road, and east of Hickory Drive, in the Englewood area, Commission District III; Charlotte 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, PAS-22-00005, to this rezoning, becomes effective. The effective date of PAS-22-00005, if not timely challenged, shall be 31 days after adoption. If challenged within 30 days after adoption, PAS-22-00005 may not become effective until the state land planning agency or the Administration Commission, respectively, issues a final order determining that PAS-22-00005 is in compliance.

PASSED AND DULY ADOPTED this 28th day of March, 2023.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: _____
William G. Truex, 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



LR2022-0560

LEGAL DESCRIPTION

LOT 37, ENGLEWOOD GARDENS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 57, OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA, LESS ROAD RIGHT-OF-WAY.

AND

LOTS 38 AND 39, ENGLEWOOD GARDENS, AS RECORDED IN PLAT BOOK 2, PAGE 57, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA.

LESS AND EXCEPT:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 38 OF SAID ENGLEWOOD GARDENS, THENCE NORTH 30°59'42" EAST, 27.04 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 776, AS SHOWN ON FLORIDA D.O.T. RIGHT-OF-WAY MAP, SECTION NO. 01050-2152, AND THE POINT OF BEGINNING. THENCE CONTINUE NORTH 30°59'42" EAST, ALONG THE WESTERLY LINE OF SAID LOT 38, A DISTANCE OF 310.00 FEET; THENCE SOUTH 56°27'34" EAST, A DISTANCE OF 301.95 FEET TO A POINT ON THE EASTERLY LINE OF SAID LOT 39. THENCE SOUTH 31°31'41" WEST, ALONG SAID EASTERLY LINE A DISTANCE OF 273.50 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF SAID STATE ROAD NO. 776. THENCE NORTH 63°25'19" WEST, ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 300.00 FEET TO THE POINT OF BEGINNING.



BOUNDARY SURVEY
OF
A PARCEL LYING IN
SECTION 5, TOWNSHIP 41 SOUTH,
RANGE 20 EAST



DESCRIPTION

LOT 37, ENGLEWOOD GARDENS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2, PAGE 57, OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA, LESS ROAD RIGHT-OF-WAY.

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NOTES:

1. PREPARED AS A BOUNDARY SURVEY. DATE OF LAST FIELDWORK: 09-26-2021.
2. PARCEL MAY BE SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD. (RECORDED, UNRECORDED, WRITTEN AND UNWRITTEN).
3. IMPROVEMENTS OTHER THAN THOSE SHOWN NOT LOCATED.
4. MAP BASED ON TITLE POLICY NUMBER: A02-0208758 DATED DECEMBER 31, 2003, AT 8:51 AM AND TITLE SEARCH REPORT FUND FILE NUMBER 1219535 DATED FEBRUARY 6, 2022 AT 11:00 PM AND TITLE SEARCH REPORT: 1219535 DATED FEBRUARY 6, 2022 AT 11:00 PM.
5. THIS SURVEY WAS NOT INTENDED TO DELINEATE OR DEFINE ANY WETLANDS, ENVIRONMENTALLY SENSITIVE AREAS, WILDLIFE HABITATS OR JURISDICTIONAL LINES OF ANY FEDERAL, STATE, REGIONAL OR LOCAL AGENCY, BOARD, COMMISSION OR OTHER ENTITY.
6. PARCEL LIES IN FLOOD ZONE "X", AS SHOWN ON FEDERAL INSURANCE RATE MAP NUMBER 12071C0445F, DATED 08-28-08.
7. DIMENSIONS OF IMPROVEMENTS SHOWN SHOULD NOT BE USED TO RECONSTRUCT BOUNDARY LINES.
8. THE LOCATION OF UTILITIES PER ON-SITE OBSERVATIONS OF ABOVE GROUND MARKINGS BY THE UTILITY COMPANIES AND WATER AND SEWER RECORD DRAWINGS.
9. BASIS OF BEARING: THE NORTHERLY RIGHT-OF-WAY LINE OF SAID STATE ROAD NO. 776, BEARS NORTH 63°25'15" WEST.

LEGEND:

- | | |
|--|-------------------------------|
| ▲ = SET PK NAIL AND DISC | ○ = CENTER LINE |
| ■ = SET 5/8" IRON ROD AND CAP | ○ = CLEAN OUT |
| ■ = SET 1/4" CONCRETE MONUMENT | ○ = DRAINAGE STRUCTURE |
| ▲ = FOUND NAIL AND DISC | ○ = FIRE HYDRANT |
| ▲ = FOUND PK | ○ = FIRE VALVE |
| ▲ = FOUND PK NAIL | ○ = STORM MANHOLE |
| ○ = FOUND IRON ROD | ○ = WATER METER |
| ○ = FOUND 5/8" IRON ROD AND CAP (FIRC) | ○ = WATER VALVE |
| ○ = FOUND 5/8" CONCRETE MONUMENT (FCM) | ○ = TELEPHONE RISER |
| ○ = FOUND 1" IRON PIPE (PIP) | ○ = WATER BACK FLOW PREVENTER |
| ○ = FOUND DRILL & X-OUT | |
| ○ = BACK OF CURB | |
| BOC = BACK OF CURB | |
| EDP = EDGE OF PAVEMENT | |
| LB = LICENSED BUSINESS | |
| N.G.V.D. = NATIONAL GEODETIC VERTICAL DATUM (1929) | |
| OR = OPTICAL RECORDS | |
| P.B. = PLAT BOOK | |
| P.G. = PAGE | |
| P.L. = PARKER KEYLON | |
| BOC = BACK OF CURB | |
| EDP = EDGE OF PAVEMENT | |
| TOB = TOP OF BANK | |
| TOC = TOP OF CURB | |
| LCUE = LES COUNTY UTILITY EASEMENT | |
| PUE = PUBLIC UTILITY EASEMENT | |
| PI = POINT OF INTERSECTION | |
| LDC = LES COUNTY DEVELOPMENT CODE | |
| ROW = RIGHT OF WAY | |
| CB = CATCH BASIN | |
| ○ = LIGHT POLE | |
| ○ = CABLE RISER | |
| ○ = PLAD POLE | |
| CLF = CHAIN LINKED FENCE | |
| ○ = BENCHMARK | |
| | ○ = EXISTING GRADES |
| | ○ = GUY WIRE |
| | ○ = GATE VALVE |
| | ○ = WOOD POWER POLE |
| | ○ = SINGLE POLE SIGN |
| | ○ = DOUBLE POLE SIGN |
| | ○ = OVERHEAD ELECTRIC |
| | ○ = FENCE |
| | ○ = WALBOX |
| | ○ = SEWER VALVE |
| | ○ = BACKFLOW PREVENTER |

PROJECT NO. 2021-001

SCALE: 1"=100'

DRAWN BY: JLM

CHECKED BY: JLM

DATE DRAWN: 01/11/22

FIELD BOOK/AGE: 55

CERTIFIED TO:

THE D12 GROUP, LLC

RICHARD ELLSWORTH REDDING, JR.

CERTIFIED BY:

CE-SITE

civil engineering - surveying - project management

88-30188-1-187996

13850 PINE HAVEN DRIVE, SUITE 13112

Telephone (336) 954-4777

DATE

REGIONS

DATE

5/18/22

PD Conditions for Application PD-22-00007

This proposed development shall be in compliance with all applicable requirements as set forth in Charlotte County's Code of Laws and Ordinances. In addition, the following shall apply:

- a. Development on the subject property shall occur as generally illustrated in the General PD Concept Plan (Attachment 1: General PD Concept Plan – Rapid Building Storage MCP) submitted by the applicant, prepared by CE-Site, dated March 12, 2022, revised and signed January 12, 2023, except such modifications as may be required to meet the conditions of the PD zoning district. In addition, the Site Plan Review comments of recommendation of approval per the letter dated December 28, 2022, are required to be met. Such General PD Concept Plan (DRC-22-00213) shall be valid until a Final Detail Site Plan is approved per Section 3-9-45, Planned Development (PD).
- b. Permitted uses and structures:
 1. Storage building, including office uses, up to 117,599 square feet:
 - Building A, one story self-storage up to 6,500 square feet.
 - Building B, one story self-storage up to 10,000 square feet.
 - Building B2, one story self-storage up to 101,099 square feet.
 2. Accessory uses.
 - i. Open and covered parking area for trailer, RV and boat storage located to the southeast portion of the site as shown on the General PD Concept Plan (Attachment 1), up to 20,881 square feet. Such accessory use can only be established after the full landscape and buffer are in place for the entire subject property and construction of Buildings B and B2.
 3. Deviations of up to five percent (5%) of the maximum square footages of specific buildings set forth in Condition b.1 and b.2 shall be permitted and shall not be considered a deviation to the PD Concept Plan approval.
- c. Special exceptions shall not be allowed.
- d. Outside storage and outside display of items are prohibited except for item b.2.
- e. The maximum building height for the proposed one-story storage building and other structures is 20 feet from the base flood elevation. Other development standards are listed on the General PD Concept Plan.
- f. The elevations for the proposed storage buildings are subject to the provisions of Chapter 3-5, Article XXIV, Commercial Design Standards, of the Charlotte County Code. All other requirements in Chapter 3-5, Article XXIV, Commercial Design Standards, of the Charlotte County Code shall apply. Pole or standing lights will be no higher than 10 feet.
- g. No development shall occur prior to Final Detail Site Plan approval, which will be scheduled on the Board of County Commissioners land use consent agenda.
- h. Subject to approval by the Public Works Department and the Florida Department of Transportation (FDOT), only one vehicular entrance shall be permitted on SR 776.
- i. The development must utilize centralized potable water and sanitary sewer utilities. The water and sanitary sewer lines must be connected to the site prior to the issuance of any Certificate of Occupancy (CO).
- j. Landscaping and buffers: The 25-foot PD buffer will be provided along the property boundary. No pavement or other structures are permitted, except for vehicular entrances, specifically:
 1. At a minimum, a type A buffer is required along the northeastern and eastern property boundary and within the 25-foot PD setback as shown on the General PD Concept Plan (Attachment 1).
 2. A Type D buffer with at least 20 feet in width is required along a portion of the southern property boundary, and within the 25-foot PD setback as shown on the General PD Concept Plan (Attachment 1).



3. No landscaping except for sod and grass is required within the 25-foot PD setback along the western property boundary.
 4. A Type D buffer with at least 20 feet in width and a six-foot tall opaque fence or wall is required between the development area and the proposed stormwater management area as shown on the General PD Concept Plan (Attachment 1).
 5. A Type D buffer with at least 20 feet in width and a six-foot tall opaque fence or wall on top of a 2-foot tall berm is required along a portion of the eastern property boundary and within the 25-foot PD setback as shown on the General PD Concept Plan (Attachment 1).
 6. Other landscaping and buffer requirements shall be in compliance with Section 3-9-100, Buffers, Landscaping and Tree Requirements.
 7. If Conditions j.1. through j.5, regarding the location and type of buffers, creates any perceived ambiguity or confusion, the General PD Concept Plan (Attachment 1) shall control.
- k. One monument sign shall be allowed for this project.

Attachment 1
General PD Concept Plan –
Rapid Building Storage MCP

