

ORDINANCE
NUMBER 2024 -

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

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.

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

 LR2023-0447



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.

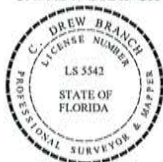
CONTAINING 536.22 ARES, MORE OR LESS.

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



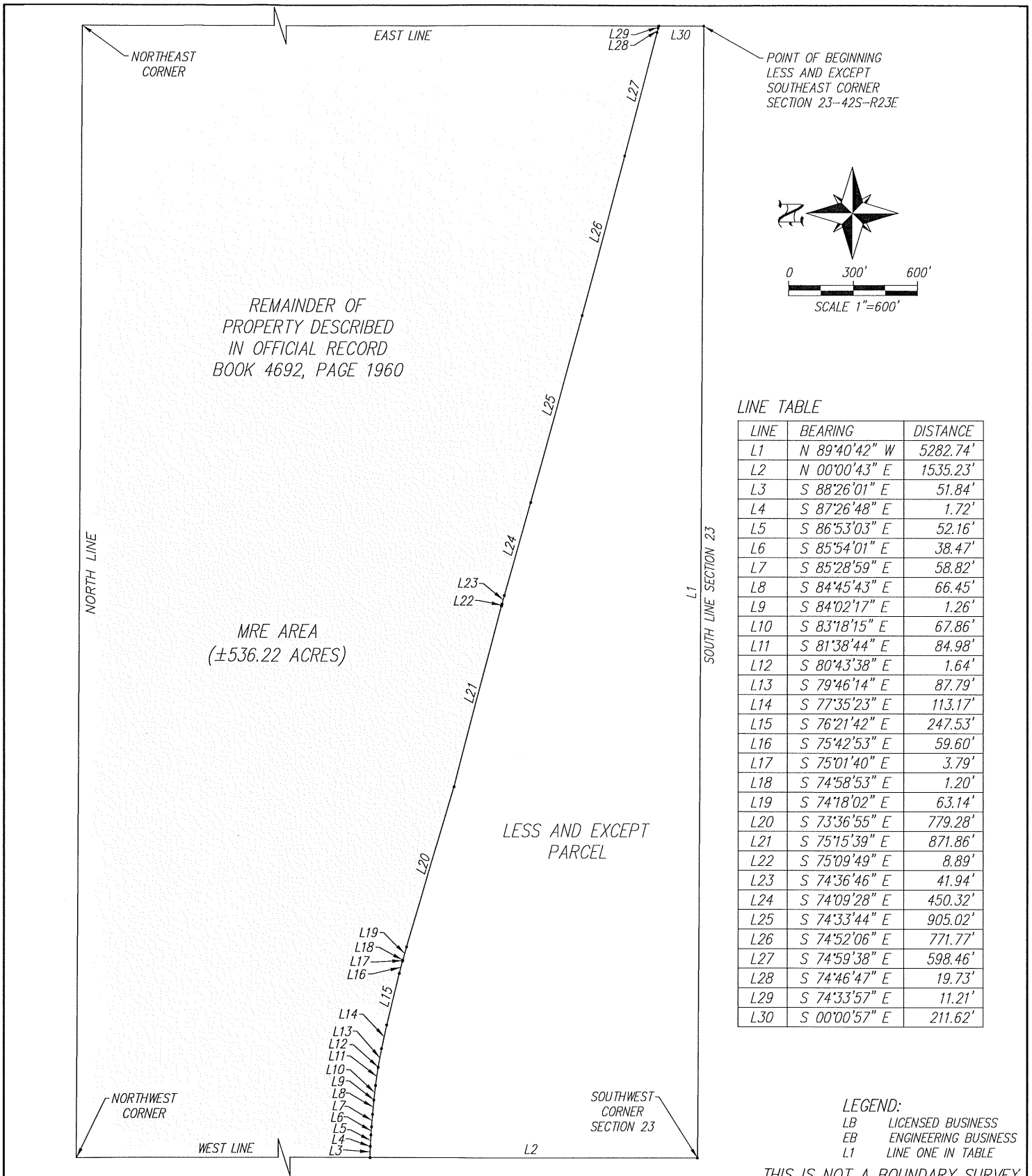
Date:
2023.08.07
10:08:27
-04'00'

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

SHEET 1 OF 2
SERVING THE STATE OF FLORIDA

4161 Tamiami Trail – Building 5, Unit 501, Port Charlotte, FL 33952
(941) 625-1165 • Fax (941) 625-1149 www.bankseng.com





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' |

BANKS
ENGINEERING

Professional Engineers, Planners, & Land Surveyors
Serving The State Of Florida

4161 TAMiami TRAIL - BLDG 5 UNIT 501
PORT CHARLOTTE, FLORIDA 33952
PHONE: (941) 625-1165 FAX: (941) 625-1149

ENGINEERING LICENSE # EB 6469
SURVEY LICENSE # LB 6690

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 | DDB | CDB | 1"=600' | 2 of 2 |