

*Do not use this form if submitting a Planned Development rezoning, use the Planned Development Rezoning application form.

Application Submittal Requirements

- Supply one unbound copy of the Application Materials (see checklist below). Staff will have up to 5 working days following the application deadline day to review the application for completeness. If incomplete, the application will be returned with a description of the reasons why the application is incomplete. The applicant may resubmit the application any time prior to the next application deadline day.
- Once deemed complete, the applicant will be notified that the application has been logged-in. The applicant is then required to supply one electronic copy, in PDF format, of all documents. Additional copies of certain items will be required prior to the public hearing dates. *Do not* submit the additional copies to the Building and Growth Management Department until requested by a staff member of the department.
- If deemed complete, the application will be logged in and assigned to a P&Z and BCC hearing cycle (see attached Application Schedule). Staff will commence review.
 - o The applicant is responsible for promptly providing any information that needs to be updated, modified, or newly submitted as part of the review; otherwise the petition may be continued to a later cycle or a recommendation of denial will be necessary.
- No additional changes may be made to any information in an application subsequent to one week before the hearing packet is due to be compiled for the Planning and Zoning Board members or the NOVUS Agenda item deadline for the Board of County Commissioners. The planner in charge of the petition will be able to inform the applicant of the drop-dead date.

Consistency with the Comprehensive Plan

The changes proposed by this application will be reviewed with regard to consistency with the Goals, Objectives, and Policies (GOPs) of the Smart Charlotte 2050 comprehensive plan. Inconsistency with Smart Charlotte will be a basis for a recommendation of denial by Staff.

The review will also be concerned with impacts to infrastructure (i.e. roads, water and sewer facilities, libraries, public buildings, parks, and schools), services (i.e. garbage collection, police protection, and fire/EMS service), the environment (i.e. impact to listed plant and animals species, soil content, erosion, generation of hazardous waste, water quality), and the potential for natural disasters (i.e. hurricanes and flooding).

Application Materials Checklist

	Completed Application form
	Survey and accurate legal description (including acreage), signed and sealed by a registered land
	surveyor
	• For unplatted property, one original boundary survey — one hard copy and one copy in AutoCAD format
	• For platted land, provide one original surveyor's sketch
N/A 🗖	Most current Title Insurance Policy or an Ownership and Encumbrance Report for subject property
	Notarized authorization from each owner, as applicable (Form A)
	Notarized authorization for agent to submit petition, as applicable (Form B)
N/A 🗖	A copy of any covenants, easements or restrictions that have been recorded for the subject site
N/A 📮	Environmental Assessment Report
N/A 📮	Traffic Impact Report
N/A 🗆	Letters of availability of utility service from water and sewer utilities that would provide service to
	the site and Estimated Potable Water and Sanitary Sewer Usage Report
N/A 🔲	Archeological/Historical Memo indicating whether or not listed objects are located on the subject site
	• Archeological/Historical Survey, as applicable
	Narrative addressing rezoning standards of approval
N/A	Adjacent property owners map and an electronic copy of the adjacent property owners list in text
	format (txt file) provided on disc.
	Affidavits A & B, signed and notarized
	Filing fee: \$2,490.00 with check made payable to the Charlotte County Board of County
	Commissioners, or CCBCC.

Additional Copies for Board Packet

10 copies each of the following when requested by department staff:

- any bound items
- any maps or other graphics sized larger than 11 X 17 (except surveys)
- any items in color

ATTENTION

If you are submitting an application that, if approved, will increase the amount of density allowed to be developed on your property, read this notice.

FLU Policy 1.2.7 of Smart Charlotte County outlines those situations wherein the Transfer of Density Units program is applicable.

"The TDU program shall be used during the review and approval process for all plan amendments and rezonings that propose to increase the base density on land and street vacations that would result in an accumulation of acreage allowing development of new units of density; this requirement shall continue to apply to lands that have been annexed by the City of Punta Gorda."

Property may be exempted from the TDU program if located within a Revitalizing Neighborhood with an adopted Revitalization Plan. The exemption would need to be consistent with policies adopted into Smart Charlotte.

If not exempted, property must meet one of these requirements in order to be an acceptable Receiving Zone:

FLU Policy 1.2.10 TDU Receiving Zones

Receiving zones inside the Urban Service Area include lands within the following designations of FLUM Series Map #2: 2050 Framework:

- 1. Emerging Neighborhoods.
- 2. Maturing Neighborhoods.
- 3. Economic Corridors and Centers.
- 4. CRAs
- 5. Revitalizing Neighborhoods prior to adoption of a Revitalization Plan and also what may be required in accordance with a Revitalization Plan.

Receiving Zones within the Rural Service Area include lands within:

- 1. Rural Community Mixed Use areas.
- 2. The Rural Settlement Area Overlay District.

AND

Must not be in a prohibited Receiving Zone:

FLU Policy 1.2.11 Prohibited Receiving Zones

Density shall not be transferred into:

- 1. Lands within Managed Neighborhoods (FLUM Series Map #2).
- 2. Lands within the Resource Conservation and Preservation FLUM categories.
- 3. Land containing historical or archeological resources, or land deemed to contain environmentally sensitive resources; when a portion of a property contains resources, that area deemed not to contain resources may receive density if it meets one of the criteria of a receiving zone, a conservation easement will be required over the resource along with an undeveloped buffer of at least 100 feet. An historical structure that is to be integrated into a development will not need to be buffered.
- 4. Lands within the Prime Aquifer Recharge Area (FLUM Series Map #6).
- 5. Lands within the one-half mile setback of the Watershed Overlay District and Tippen Bay and Long Island Marsh (FLUM Series Map #4).
- 6. Land within a Public Water System Wellhead Protection Area (FLUM Series Map #7).
- 7. Land on a barrier island.



CHARLOTTE COUNTY COMMUNITY DEVELOPMENT DEPARTMENT

APPLICATION for REZONING

Date Received:	Time Received:
D. O.	Petition #:
Date of Log-in:	Accela#:
Receipt #:	Amount Paid:
1. PARTIES TO THE APPLICATION	
Name of Applicant: Eco-South Services	
Mailing Address: 2110 West I-65 Service I	Road South
City: Mobile State: AL	Zip Code: 36693
Phone Number: 281-515-7445	Fax Number:
Email Address: joe.burkel@ecosouthse	ervices.net
Name of Agent: Robert H. Berntsson	
Mailing Address: 3195 S. Access Road	
City: Englewood State: FL	Zip Code: 34224
Phone Number: 941-627-1000 x5	Fax Number:
Email Address: rberntsson@bigwlaw.con	1
12-111	
4777 84 ' 01 ' 0 ''	o Trenton Strackbein, PE
Mailing Address: 1777 Main Street, Suite 2	
City: Sarasota State: FL	Zip Code: 34236
Phone Number: 941-379-7622	Fax Number:
Email Address: trenton.strackbein@kimley	r-horn.com
Name of Property Owner (if more than one property Charlotte County	owner, attach a separate sheet with a list of all owners):
Mailing Address: 18500 Murdock Circle	1
City: Port Charlotte State: FL	Zip Code: 33948
Phone Number: 941-743-1922	Fax Number:
Email Address: shaun.cullinan@charlotted	

2. PROPERTY INFORMATION

If more than one account number exists, attach a separate sheet listing all information required by this section

Property Account #: Por	tion of 402205901002			
Section: 8	Township: 40	Range: 22		
Parcel/Lot #: PCH034 0000 GNBL	Block #:	Subdivision: PCH 34		
Total acreage or square feet of the property: 0.542 +/- acres				

3. SURVEY:

- For unplatted property, provide one original boundary survey that is **signed and sealed** by a registered land surveyor and an accurate legal description (including acreage) of the property.
- For platted land, provide one original surveyor's sketch that is **signed and sealed** by a registered land surveyor and an accurate legal description (including acreage) of the property.
- **4. PROOF OF LAND OWNERSHIP:** Provide the most current *Title Insurance Policy* or an *Ownership and Encumbrance Report* on the subject property.

5. NOTARIZED AUTHORIZATION:

- If the applicant is not the owner of the property, a written, notarized authorization from each owner must be provided with this application use Form A, attached. Property owner authorization is required. If the property owner withdraws permission at any point during the review and approval process, the application is considered null and void.
- If an agent is submitting the application for the applicant authorization from the applicant is required use Form B, attached.
- **6. RESTRICTIONS:** Provide a copy of any covenants, easements or restrictions that have been recorded for the subject site.

7. EXISTING LAND USE DESIGNATIONS

Future Land Use Map (FLUM) designation(s)	Acreage
_ow Intensity Industrial	0.542 +/- acres
Zoning District(s)	Acreage
	0.542 +/- acres
RSF 3.5	0.342 +/- acres
RSF 3.5	0.342 +/- acres

APPLICANT'S PROPOSED CHANG	GE(S):
Amending Zoning designation(s) to:	Industrial General to correct inconsistency with FLUM.
	·

If the proposed change involves an increase in density, which of the Receiving Zone criteria does the property meet, or would this be an exemption consistent with a Revitalization Plan?

	TWY
9.	REASON FOR PROPOSED CHANGE(S): To correct inconsistency with FLUM., and allow driveway crossing from adjacent property owned by
	applicant to connect with Kennilworth Blvd.
10.	CURRENT LAND USE OF SUBJECT PROPERTY (example: house, vacant land, barn, etc.): Vacant ROW
11.	SURROUNDING LAND USES:
	North: Kennilworth Boulevard then primarily vacant residential
	South: Vacant industrial zoned land owned by applicant.
	East: Vacanct industrial land.
	West: Cochran Blvd, then commercially developed land.

12. ENVIRONMENTAL ASSESSMENT:

- Provide an *Environmental Assessment Report*, conducted within one year or less from the date of submittal, that includes:
 - Maps and surveys of the subject site illustrating the existing land cover according to Level 3 of the FLUCCS
 - o Locations of listed flora and fauna species, if present.
 - o If any wetlands are identified on site, provide a survey showing delineations of any wetlands, acreages, and the wetland Category (ENV Policy 3.1.3) under which they fall.
 - o If the property is adjacent to any Federal, State, or County wildlife management areas, parks, preserves or reserves, supply a science-based analysis of possible impacts to the environmental resources of these lands and the manner in which these impacts can be eliminated. Where elimination is not possible, the analysis shall detail how these impacts can be reduced and mitigated.

13. INFRASTRUCTURE:

A. Roadway

i. List the roads or streets upon which vehicles may travel to gain access to the site (generally within ½ mile radius):

Kewnnilworth Blvd.		

ii. *Traffic Impact Report*: This narrative does not need to be authored by a registered professional engineer. Address the potential impact to the surrounding road network that would result from the number of vehicle trips that may be generated by development of the subject site at maximum

buildout allowed under the proposed FLUM and Zoning.

B. Potable Water and Sanitary Sewer

- i. Submit a letter from any water or sewer utilities that will be serving the subject site stating availability of utility service to the property.
- ii. Attach an *Estimated Potable Water and Sanitary Sewer Usage Report* showing the gallons per day that may be generated by development of the subject site at maximum buildout allowed under the proposed Zoning.
- **14. HISTORICAL OR ARCHEOLOGICAL SITES:** When the property under review is within the area determined to contain potential historic and archeological resources by the Archaeological Predictive Model (depicted on SPAM Series Map #3), the applicant must submit an *Archeological/Historical Memo* indicating that a review of the National Register of Historic Places, the Florida Master Site File and the Local Historic Register (when available) has been performed and the results of that review. If the subject site contains any object listed in these resources, the applicant must provide an *Archeological/Historical Survey* performed by a professional archeologist licensed in the State of Florida.

15. REZONING NARRATIVE

Charlotte County Code Section 3-9-10(h) lists the following standards for approval. A narrative stating the applicant's justification for the rezoning based upon the following standards of approval is required:

- A. Whether the proposed change would be contrary to the Comprehensive Plan.
- B. The existing land use pattern in adjacent areas.
- C. The capacity of public facilities and services, including but not limited to schools, roads, recreational facilities, wastewater treatment, water supply, and stormwater drainage facilities.
- D. Whether the proposed change will adversely influence living conditions or property values in adjacent areas.
- E. Whether the proposed change will affect public safety.

16. ADJACENT PROPERTY OWNERS INFORMATION:

Provide an *electronic text file (.txt)* that includes the names and addresses of all property owners within 200 feet of the subject property (excluding street right-of-ways), and a map indicating which properties are included in the address list. The Adjacent Property Owner List must be based upon the latest available property records of the Property Appraiser's Office. The list shall include property owner's name, mailing address, and parcel(s) or lot(s) description or account number so each parcel can be referenced on the Adjacent Property Owner Map. Refer to the Geographic Information System Internet site for mapping and owner information at http://www.ccgis.com/. (Use a buffer of 250 feet or larger in order to account for right-of-ways, canals, etc.) Every property owner within 200 feet of every parcel of land involved will be notified of the schedule of public hearings

FORM A. PROPERTY OWNER AUTHORIZATION TO APPLICANT

I, the undersigned, being first duly sworn, de and which is the subject matter of the propost I give authorization for Eco-South Services REZONING.	epose and say that I am the owner of the property described sed hearing. to be the applicant for this
	d before me this day of November, 20 23, by
Hector Flores	who is personally known to me or has/have produced
	as identification and who did/did not take an oath.
Juntalle	Heckn Horse
Notary Public Signature	Signature of Owner
Judithtaulu	Hector Flores, County Administrator on behalf of Charlotte County, Florida
Notary Printed Signature	Printed Signature of Owner
	18500 Murdock Circle
Title	Address
	Port Charlotte FL 33948
Commission Code	City, State, Zip
	941-743-1944
ic - State of Florida	Telephone Number
Cur. Ession = H4 227045 Ay Comin, Expires Feb 9, 2026 Burned through National Notary Assn.	
JUDITH T FAULY Notary Public - State of Florida Commission # HH 227045 My Comm. Expires Feb 9, 2026 Bonded through National Notary Assn.	

FORM B. APPLICANT AUTHORIZATION TO AGENT

say that I am the applicant for the REZONING of of the proposed hearing.
to be my agent for this
~,
ale
the this $\frac{13}{2023}$ day of November, 2023 , by
o is personally known to me or has/has produced
identification and who did/did not take an oath.
Evick Joseph Burkel
re of Applicant
Persola Joseph Burland Signature of Applicant
^
WIGService Mel 5
1 1 1
5, le, Al 366'3 ate, Zip
ate, Zip
1) 277-4743
ne Number

APPLICATION FOR REZONING 5/20/2016

AFFIDAVIT A

I, the undersigned, being first duly sworn, depose and say that I am the owner or agent of the property described and which is the subject matter of the proposed hearing; that all answers to the questions in this application, and all sketches, data and other supplementary matter attached to and made a part of the application are honest and true to the best of my knowledge and belief. I understand this application must be complete and accurate before the hearing can be advertised, and that if I am not the owner of the property I have attached a notarized authorization from the owner(s) to submit this application. I acknowledge that all items listed in the application must be submitted concurrent at the time the County accepts the application. I swear that the attached list of adjacent property owners is complete, including all property owners within 200 feet of the subject properties (excluding right-of-ways), that it is correct, providing addresses as listed in the County Tax Roll.

STATE OF Florida, COUNTY (OF Charlotte
The foregoing instrument was acknowledg	ed before me this 3 day of November, 2023,
byRobert H. Berntsson	who is personally known to me or has/have produced
as ide	ntification and who stixt/did not take an oath.
Mariae Farks	(602
Notary Public Signature	Signature of Applicant or Agent
Maryann Frank	Robert H. Berntsson
Notary Printed Signature	Printed Signature of Applicant or Agent
Loning Supervisor	3195 S. Access Road
T LIE MARYANN FRANKS	Address
Notary Public - State of Florida Commission # HH 48248 My Comm, Expires Nov 15, 2024	Englewood, FI 34224
Commission through National Notary Assn.	City, State, Zip
	941-627-1000 x5
	Telephone Number

AFFIDAVIT B

The applicant/owner hereby acknowledges and agrees that any staff discussion about conditions of approval are preliminary only, and are not final, nor are they the specific conditions or demands required to gain approval of the application, unless the conditions or demands are actually included in writing in the final development order or the final denial determination or order.

STATE OF Florida , COUNTY	Charlotte Charlotte
The foregoing instrument was acknowledge	ged before me this 3 day of November , 2023, by
Robert H. Berntsson	who is personally known to me or has/have produced
	as identification and who hid/did not take an oath.
Mariae Hanks	
Notary Public Signature	Signature of Applicant or Agent
Maryann Franks	Robert H. Berntsson
Notary Printed Signature	Printed Signature of Applicant or Agent
Zonina Supervisor	3195 S. Access Road
MARYANN FRANKS Notary Public - State of Florida	Address
Commission # HH 48248 My Comm. Expires Nov 15, 2024	Englewood, FI 34224
Bonded through National Notary Assn.	City, State, Zip
	941-627-1000 x5
	Telephone Number

NARRATIVE FOR REZONING

FOR ECO-SOUTH SERVICES

This is a request for a rezoning from Residential Single Family 3.5 (RSF 3.5) to Industrial General (IG) for a 0.542 +/- acre portion of right of way at the intersection of Kennilworth and Cochran Boulevards in central Charlotte County. The property was initially platted as a greenway between east and west Kennilworth Boulevards. It is currently held by Charlotte County as right of way.

This request meets the zoning standards of approval as follows:

- 1. The proposed change is consistent with the comprehensive plan. The current zoning is inconsistent with the Future Land Use designation of Industrial.
- 2. The proposed zoning is consistent with the existing land use pattern in adjacent areas. The parcel will only be used for a driveway access from the applicant's property to Kennilworth Boulevard.
- 3. No public infrastructure facilities or services will be affected.

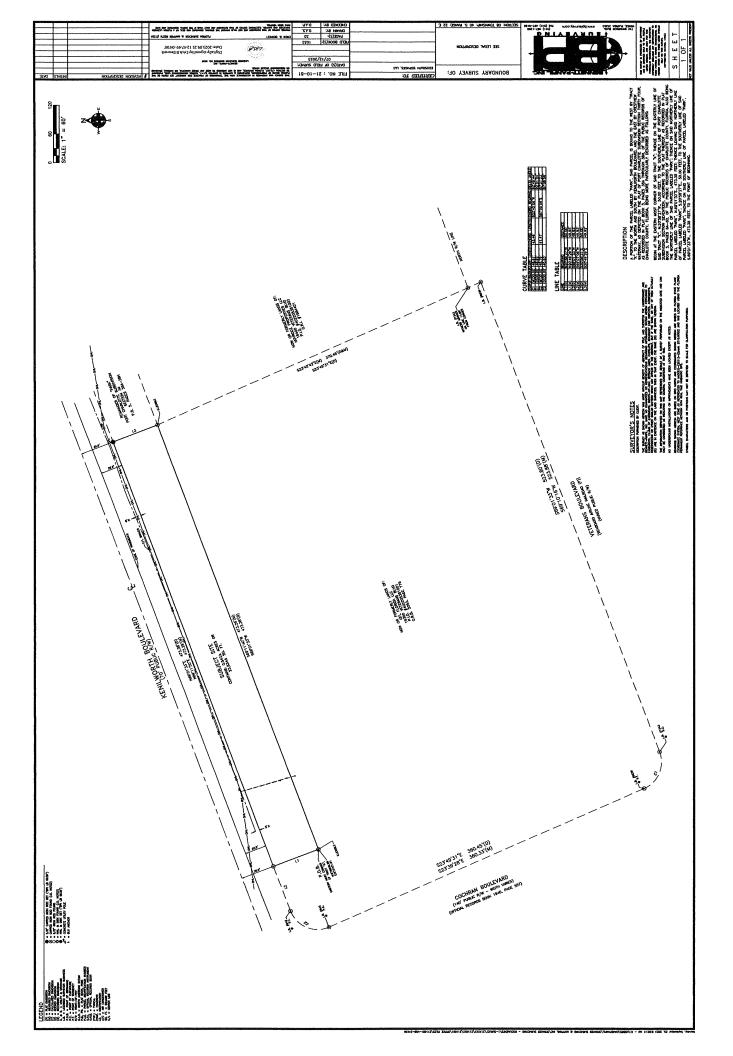
/s/ Robert H. Berntsson_

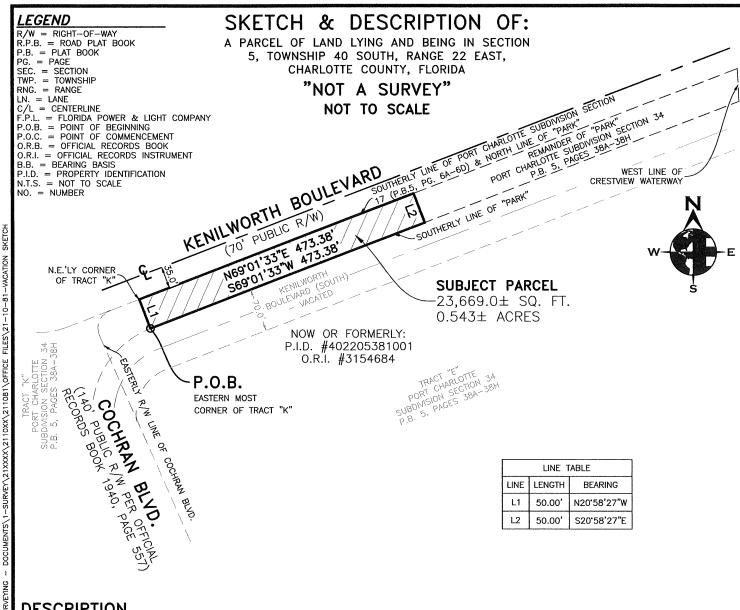
- 4. The proposed change will not adversely affect living conditions or property values in the adjacent areas. The property will only be used as a driveway, as indicated above.
- 5. The proposed zoning will have no negative effect on public safety, but will enhance public safety by allowing a driveway from the applicant's property to Kennilworth, rather than the applicants development having 2 access points on Cochran, which is more congested.

Based on the foregoing, it is respectfully requested the rezoning be approved.

Dated: November 1, 2023

Robert H. Berntsson





DESCRIPTION

A PORTION OF THE PARCEL LABELED "PARK", SAID PARCEL IS BOUND TO THE WEST BY "TRACT "K", TO THE NORTH AND SOUTH BY KENILWORTH BOULEVARD, AND THE EAST BY CRESTVIEW WATERWAY, AS DEPICTED ON THE PLAT OF PORT CHARLOTTE SUBDIVISION SECTION THIRTY FOUR, AS RECORDED IN PLAT BOOK 5, PAGES 38A THROUGH 38H, OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE EASTERN MOST CORNER OF SAID TRACT "K"; THENCE ON THE EASTERLY LINE OF SAID TRACT "K", N.20*58'27"W., 50.00 FEET, TO THE SOUTHERLY LINE OF PORT CHARLOTTE SUBDIVISION SECTION SEVENTEEN, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGES 6A-6D, OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA, ALSO BEING THE NORTHERLY LINE OF SAID PARCEL LABELED "PARK"; THENCE ON SAID NORTHERLY LINE OF PARCEL LABELED "PARK", N.69'01'33"E., 473.38 FEET; THENCE LEAVING SAID NORTHERLY LINE OF PARCEL LABELED "PARK", S.20'58'27"E., 50.00 FEET, TO THE SOUTHERLY LINE OF SAID PARCEL LABELED "PARK", S.69'01'33"W., 473.38 FEET, TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 23,669.0 SQUARE FEET, OR 0.543 ACRES, MORE OR LESS.

SURVEYOR'S NOTES

- BEARINGS SHOWN HEREON ARE BASED ON THE PLAT OF PORT CHARLOTTE SUBDIVISION SECTION THIRTY FOUR. THE SKETCH & DESCRIPTION SHOWN HEREON DOES NOT REPRESENT A BOUNDARY SURVEY.



www.bpisurvey.com

LICENSED BUSINESS NO. 6639

FILE NO. :			21-	10	-81
DRAWN BY:	E.B.B.	DATE	: 07	/11/	2023
CHECKED BY: B.G.F	2./D.J.P.	DATE	: 07	/11/	2023
PARCEL IDENTIFICAT	ION #:		4022	0590	1002
PARCEL CONTAINS:		23	,669.0	± SC). FT.
REVISIONS:					
DESCRIPTION			BY	D/	\TE
				i .	

THIS DOCUMENT WAS PREPARED IN ACCORDANCE WITH THE "STANDARDS OF PRACTICE FOR SURVEYS" SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS & MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES, AND IS NOT INTENDED TO MEET ANY OTHER MUNICIPAL OR NATIONAL STANDARD OR REQUIREMENT UNLESS NOTED.



Erick B Bennett 2023.07.11 13:20:36 -04'00'

ERICK B. BENNETT

FLORIDA SURVEYOR & MAPPER REG'N #7301

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