



MEMORANDUM

Date: February 22, 2024

To: Honorable Board of County Commissioners (Board)

From: Jenny Shao, Project Coordinator

Subject: SV-23-11-07 Jeffrey M Devine 15-ft Unnamed Alley

Request:

The applicant, Jeffrey M. Devine, is requesting to vacate the unnamed 15-foot alleyway (See Attachment 1) lying between Lots A through G and the remainder of Lot 1, Block 29, Holyman's Subdivision, as recorded in Plat Book 1, Page 22, of the Public Records of Charlotte County, Florida (See Attachment 2). Furthermore, during the presentation of this application to the Planning and Zoning Board on February 12, 2024, the applicant requested waiver of the fees associated with the application since approval of his request would resolve outstanding issues for multiple properties with structures that have been built over 50 years ago.

Analysis and Background:

The site contains 3,123± square feet (See Attachment 3) and is generally located north and parallel to Cleveland Avenue (Ave), north and perpendicular to Beechwood Street, south of Riverside Drive and parallel to Griffith Ave, within the Punta Gorda area and located in Commission District II. The proposed area to be vacated lies in between and within the properties located at 27492 Cleveland Ave and 27502 Cleveland Ave. The alleyway abuts the property located at 27470 Cleveland Ave from the southeast. The applicant, Jeffrey M. Devine owns the property located at 27492 Cleveland Ave and letters of no objection were provided from the property owners of 27502 Cleveland Ave and 27470 Cleveland Ave (See Attachment 4).

The subject area to be vacated lies inside the Urban Service Area. The underlying Future Land Use Map (FLUM) designation is Low Density Residential (LDR). The underlying Zoning District is Manufactured Home Conventional (MHC). It lies within Flood Zone 10AE and Storm Surge Evacuation Zone A.

If approved, the petition would bring the existing structures, such as the swimming pool, carport, detached garage, etc., constructed within and adjacent to the alley into compliance with the required setbacks of the MHC zoning district and allow for more developable space on the properties. However, the residential development rights will remain the same. Currently each of

the two subject properties has one single-family home. No residents will be denied reasonable access to their property as a result of this petition. All pertinent departments have reviewed the petition (See Attachment 5). All the affected utilities have been notified. None have offered any objections or comments.

Staff Summary:

Based upon the analysis and conclusions set forth herein, in staff's professional opinion, the application, **SV-23-11-07**, is generally consistent with Charlotte County's Comprehensive Plan, Charlotte County's Code of Laws and Ordinances and other applicable guidelines.

There are existing nonconforming structures on the property. Per Sec. 3-9-9. - Legal nonconformities., nonconforming structures that have been legally existing before the ordinance became effective may be continued; however, nonconformities shall not be enlarged, expanded, intensified or extended, nor shall they be used as a basis for the addition of other structures or uses otherwise prohibited in the same district. Because the zoning review for the applicant's application to extend the patio and remodel the swimming pool under deck permit #20230436804 was rejected, the applicant has made this request to vacate the alleyway. Therefore, although approval of this request would allow for existing nonconforming structures to comply with the land development standards of the zoning district, it is not necessary, as the nonconforming structures that were legally existing before Sec. 3-9-9. - Legal nonconformities. became effective are legally existing.

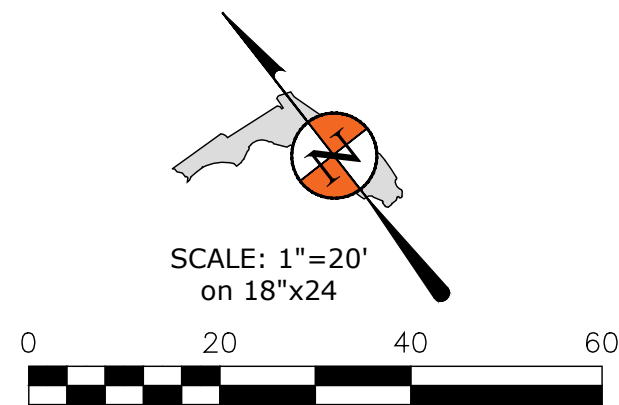
Planning and Zoning Board recommendations on February 12, 2024:

A motion to forward application **SV-23-11-07** to the Board of County Commissioners with a recommendation of **Approval/Denial**, based on the findings and analysis in the staff memo dated **January 22, 2024**, Charlotte County's Comprehensive Plan, and the evidence and testimony presented at the public hearing before the Planning and Zoning Board.

A motion to forward application **SV-23-11-07** to the Board of County Commissioners with a recommendation of waiving the fees involved with the application.

Attachment 1
Survey of Proposed Area to be Vacated

BOUNDARY SURVEY
Section 27, Township 40 South, Range 23 East
A Portion of a 15' Alley, Tract 19
Holyman's Subdivision
Punta Gorda Florida, 33982



DESCRIPTION: (Created by MSB Surveying, Inc.)

The alley lying between Lots A through G and the remainder of Lot 1, Block 29, Holyman's Subdivision, recorded in Plat Book 1, Page 22, Public Records of Charlotte County, Florida, being a portion of Lands described in Official Records Book 4078, Page 860 and Official Records Book 4614, Page 1889, said Public Records lying in Section 27, Township 40 South, Range 23 East, more particularly described as follows:

Commence at the most easterly corner of said Lot 1, also being the most easterly corner of said lands described in Official Records Book 4078, Page 860, monumented with a 5/8" iron rod, no #; thence S.38°51'34"W., along the northwesterly Right of Way Line of Beechwood Street, a distance of 104.26 feet to the POINT OF BEGINNING, monumented with a nail & disk set, LB 7044, in concrete; thence continue S.38°51'34"W., along said northwesterly Right of Way Line, a distance of 15.00 feet to a 5/8" capped iron rod set, LB 7044, at the most easterly corner of aforesaid Lot A; thence N.51°56'33"W., along the northeasterly line of Lots A through G, a distance of 208.31 feet to a 5/8" capped iron rod set, LB 7044, at the most northerly corner of aforesaid Lot G; thence N.39°35'29"E., along the northeasterly extension of said Lot G, a distance of 15.01 feet to a 5/8" capped iron rod set, LB 7044, on the northeasterly line of aforesaid alley; thence S.51°56'33"E., along said northeasterly line, a distance of 208.11 feet to the POINT OF BEGINNING.

Parcel contains 3,123 square feet, more or less.

REPORT OF SURVEY

Accuracy:
Horizontal — The accuracy obtained by measurement and calculation of a closed geometric figure was found to be 1 foot in 40,839 feet.

Data Sources:

1. General Warranty Deed recorded in Official Records Book 4614, Page 1889, Public Records of Charlotte County, Florida.
2. Special Warranty Deed recorded in Official Records 4078, Page 860, Public Records of Charlotte County, Florida.
3. Warranty Deed recorded in Official Records Book 3544, Pages 1594 and 1595, Public Records of Charlotte County, Florida.
4. A Boundary Survey by All County Surveyors, Invoice #: 17-44537, Dated 1/4/2017.
5. A Boundary Survey by Nexgen Surveying, LLC., Order #: 1000001606, Dated 04/26/2016.
6. A Boundary & Topographic Survey by Tri-County Survey, Inc., Job Number 1104032, Dated 6/28/11.
7. Plat of Holyman's Subdivision recorded in Plat Book 1, Page 22, Public Records of Charlotte County, Florida.
8. 2020 geo-rectified aerial imagery furnished by Charlotte County.
9. Charlotte County Property Appraiser's web site — www.ccappraiser.com.
10. No other information was researched or furnished.

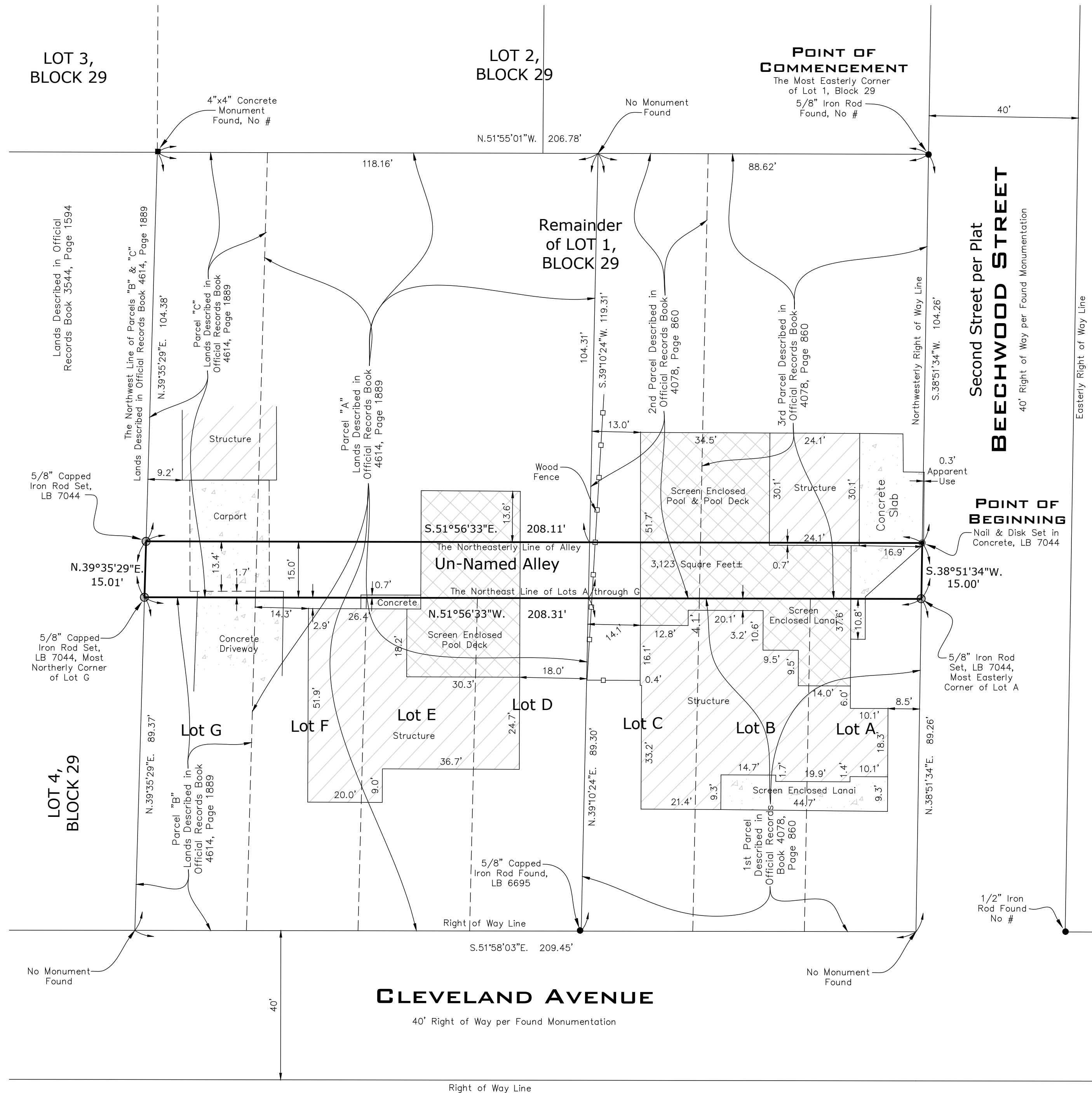
Apparent Physical Use:
Residential

Easements:

1. No easements are shown on the Plat of Record.
2. No other easements were researched or furnished.

Notes:

1. This map represents a Boundary Survey for the purpose of vacating an alley.
2. Horizontal datum is based on the North American Datum (NAD) of 1983 (2011 adjustment), Florida State Plane, West Zone, and was derived from real-time kinematic GPS observations utilizing the Florida Permanent Reference Network (FPRN) producing a bearing of N.38°51'34"E., along the northwesterly Right of Way of Beechwood Street.
3. There may exist other underground fixed interior improvements that are not visible and are not a part of this survey.
4. Description shown hereon was created by MSB Surveying, Inc.
5. Subject to easements and rights of way of record, if any.
6. This map has been prepared without the benefit of a Commitment for Title Insurance or a Title Policy.
7. Parcel shown hereon is situated in Flood Zone "AE", base flood elevation is 10 feet, per Flood Insurance Rate Map Number 12015C0253G, Effective Date December 15, 2022. Flood zones are scaled from said map and are subject to interpretation.



536 INTERSTATE COURT
SARASOTA, FLORIDA 34240
PHONE NO.: (941) 341-9935
CERTIFICATE OF AUTHORIZATION NO. L.B. 7044
DRAWN BY: RRG



RICHARD C. ABERNATHY,
REGISTERED SURVEYOR & MAPPER, FLA. CERT. NO. LS 6689
NOTE: NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED
OR ELECTRONIC SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

CERTIFIED TO: Jeffrey M Devine

DATE OF SURVEY 09/14/2023 FIELD BOOK/PAGE: 193/26,27
230816

JOB NUMBER

Attachment 2

**Plat Book 1, Page 22, of the Public Records of Charlotte County,
Florida**

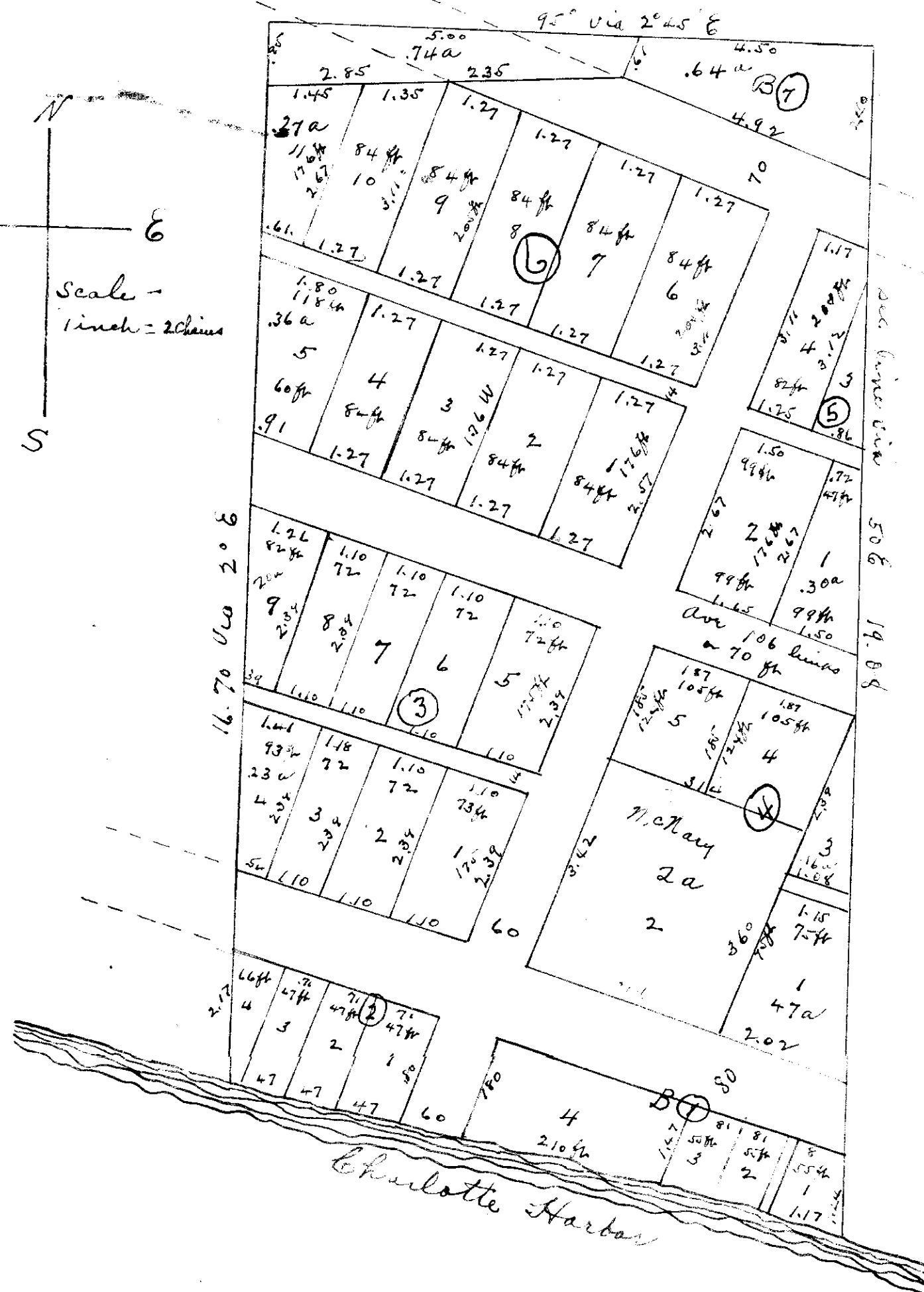
LASTINGERS ADDITION TO CHARLOTTE HARBOR

BEING
formerly a portion of the land of M. J. Williams also a portion of tract of L. H. 1 on the NW 1/4 of the NE 1/4
Sec. 36 Twp. 40 S Rge. 22 E. Containing 8 1/2 acres.



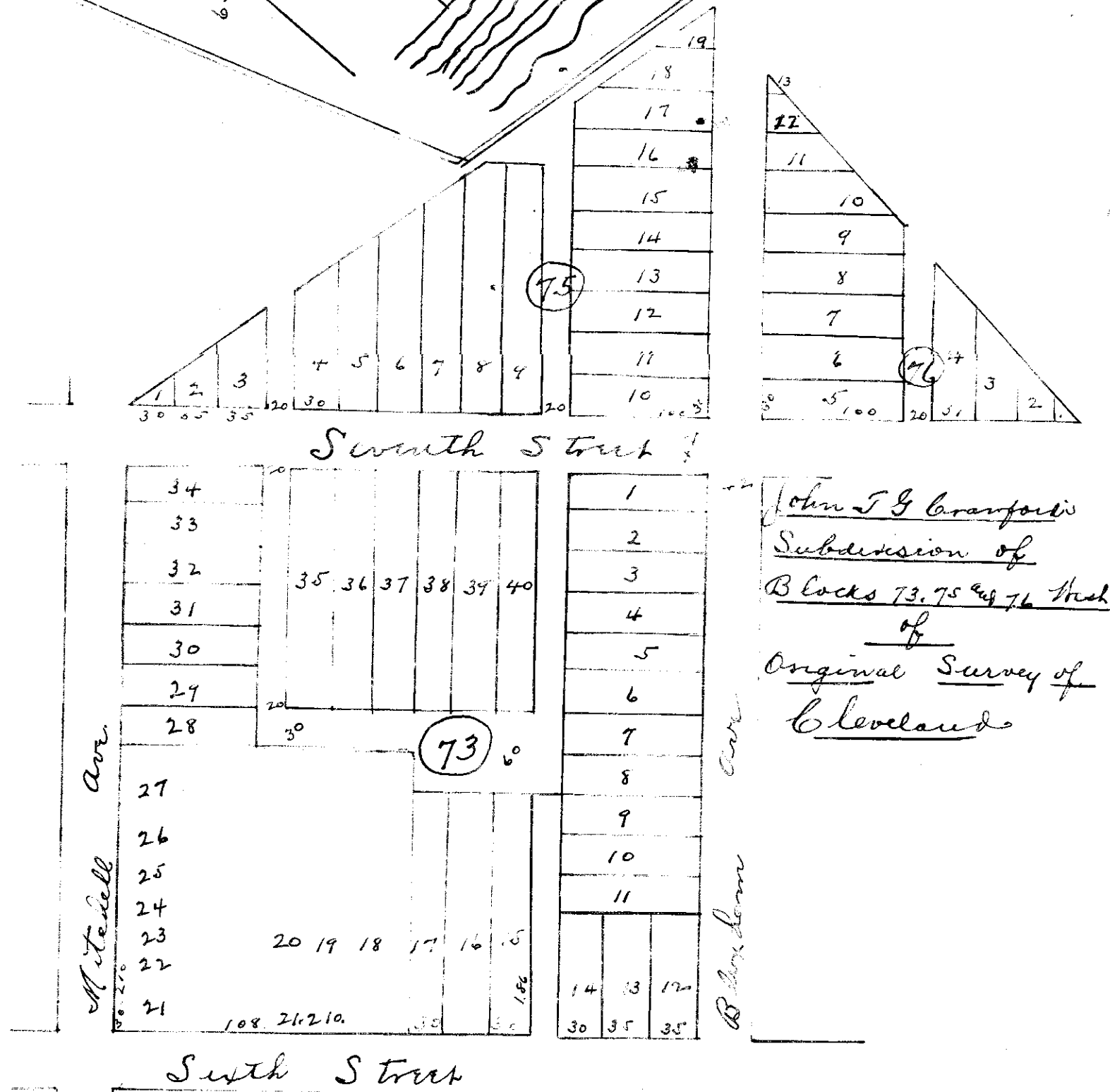
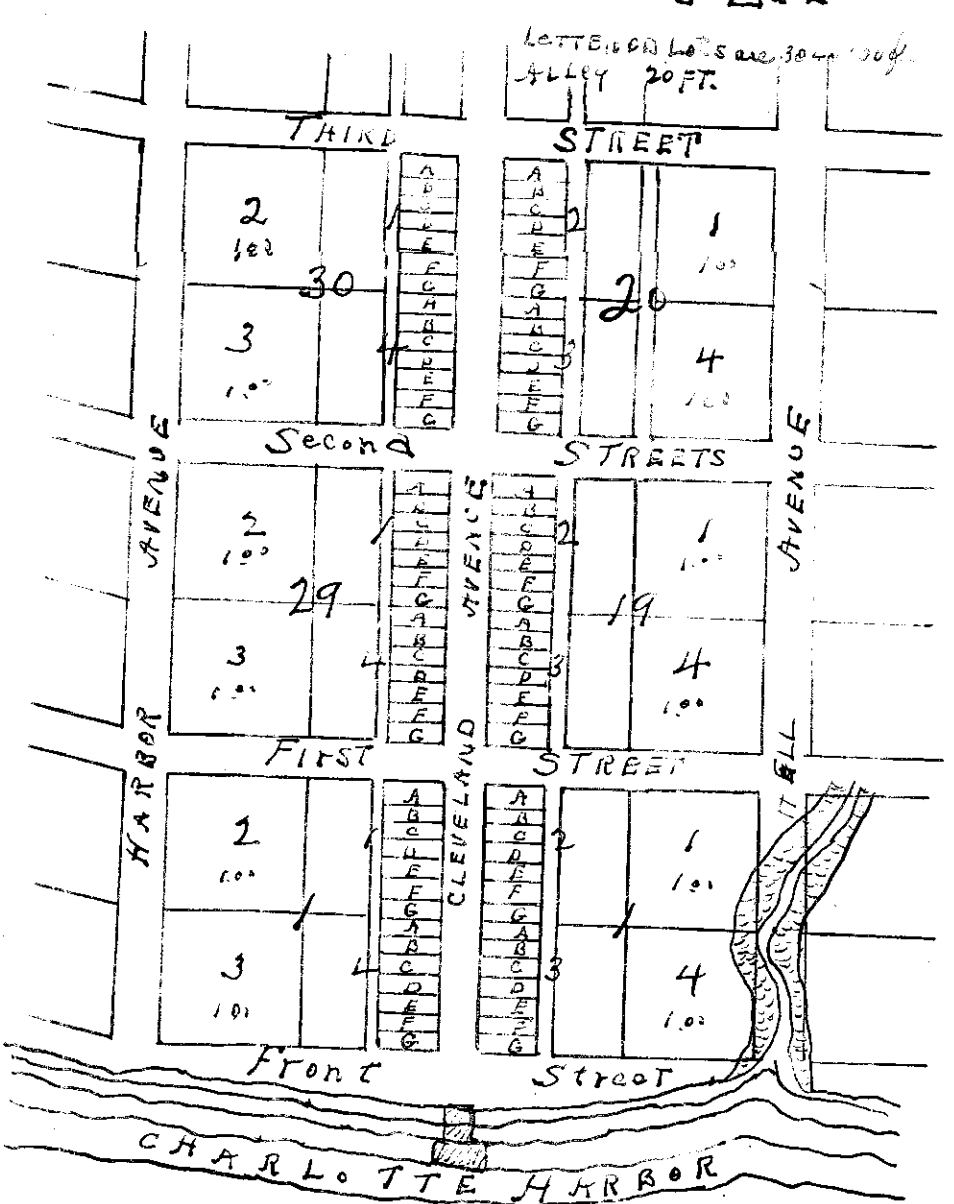
KNIGHTS ADD TO CHARLOTTE HARBOR.

Being a subdivision of E 1/4 Sec. 36, Twp. 40 S, Rge. 22 E.

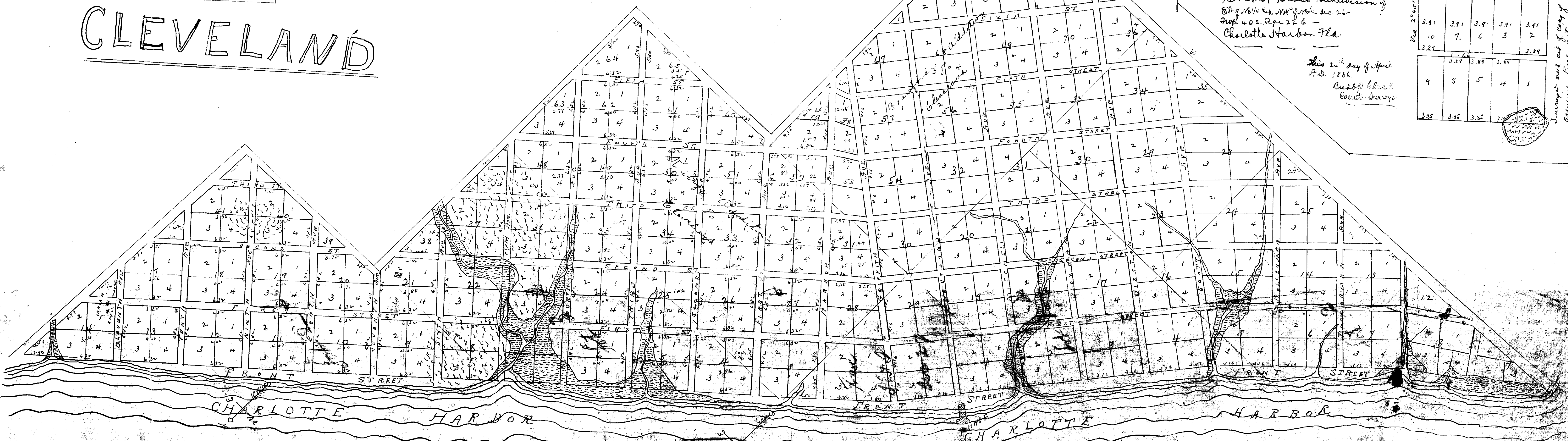


PB. 1, P. 22

HOLYMAN'S SUBDIVISION OF BLOCKS 1, 19 & 20 SOUTH BLOCKS 1, 24 & 30 NORTH CLEVELAND FLA.

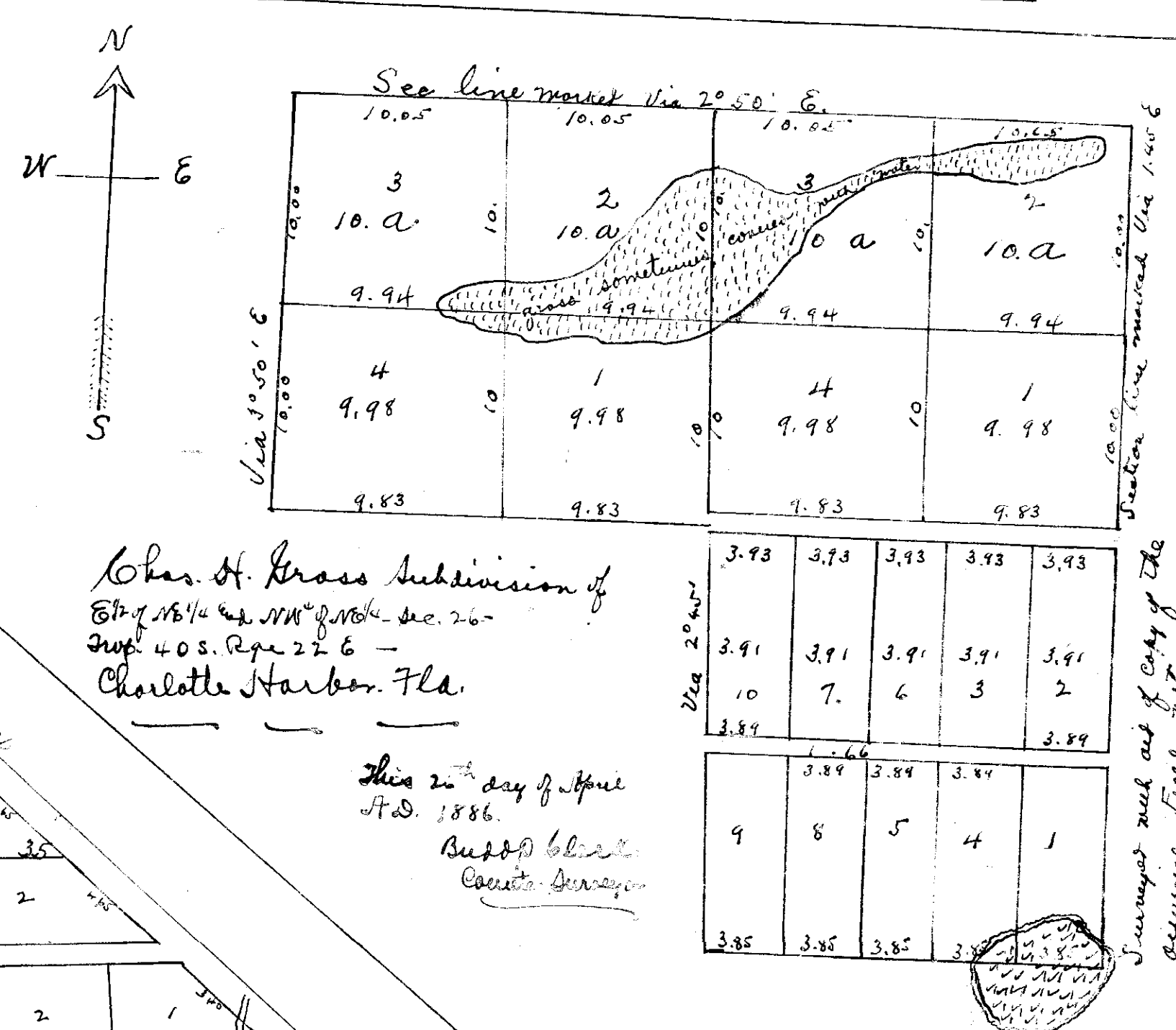


CLEVELAND



STATE OF FLORIDA
County of CLAY
I, the undersigned, being personally appeared
Alphonso Henry, and being duly sworn, depose and say that the above subdivision
of Lots 1, 2 and 3 Block 23, Cleveland, Florida, is the
true and correct subdivision of the same, and that the
same has been duly approved by the proper
authorities, and that the same is being
subscribed and sworn to this 16th day of June,
1886.

Alphonso Henry
Notary Public



Attachment 3
Legal Description of Proposed Area to be Vacated

Job #230816

DESCRIPTION: (Created by MSB Surveying, Inc.)

The alley lying between Lots A through G and the remainder of Lot 1, Block 29, Holyman's Subdivision, recorded in Plat Book 1, Page 22, Public Records of Charlotte County, Florida, being a portion of Lands described in Official Records Book 4078, Page 860 and Official Records Book 4614, Page 1889, said Public Records lying in Section 27, Township 40 South, Range 23 East, more particularly described as follows:

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Parcel contains 3,123 square feet, more or less.

Attachment 4
Letters of No Objection from Adjacent Property Owners

November, 2023

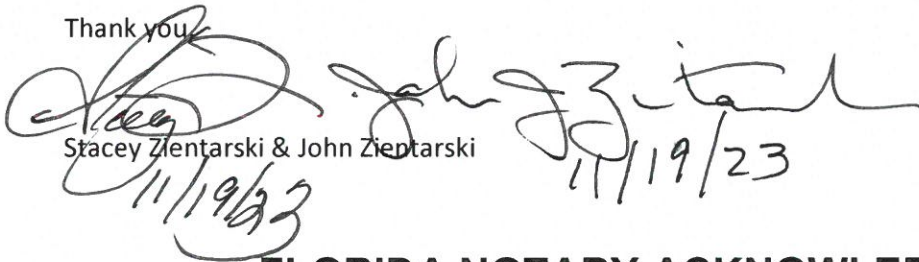
Mr. Jeffrey Devine
27492 Cleveland Ave
Punta Gorda FL 33982

Mr. Devine,

This Letter is in response to the request to Vacate the 15' un-named alley in block 29 of Holyman's Subdivision adjacent to lots A-G, Punta Gorda FL.

As owners of the adjacent parcel (402327481003) 27470 Cleveland Ave, we have no interest or objection to the vacating and or release of any easement or public access associated with the unnamed alley.

Thank you,


Stacey Zientarski & John Zientarski
11/19/23

FLORIDA NOTARY ACKNOWLEDGEMENT

STATE OF FLORIDA

COUNTY OF CHARLOTTE

The foregoing instrument was acknowledged before me by means of ☒ physical presence ☐ online notarization, this 19 day of NOVEMBER, 2023, by MICHAEL PREELEY
(Name of Person Acknowledging).

(Seal)

Signature of Notary Public

Print, Type or Stamp Name of Notary



Personally Known: X

OR Produced Identification: X

Type of Identification Produced: Driver's License

October, 2023

Mr. Jeffrey Devine

27492 Cleveland Ave

Punta Gorda Fl 33982

Mr. Devine,

This Letter is in response to the request to Vacate the 15' un-named alley in block 29 of Holyman's Subdivision adjacent to lots A-G, Punta Gorda Fl.

As owners of the adjacent parcel (402334229002) 27502 Cleveland Ave, we have no interest or objection to the vacating and or release of any easement or public access associated with the unnamed alley.

We are of understanding that this "vacating of the alley" way includes the section that transects our parcel.

Thank you,

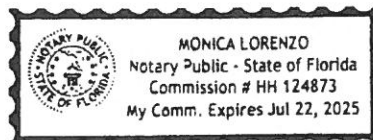
Marjorie Roberts

Kevin Roberts

Marjorie Roberts & Kevin Roberts

Notarized by:

Monica Lorenzo



Attachment 5
Staff Review and Comments

Staff Review SV-23-11-07 – Jeffrey M. Devine Unnamed 15-foot Alleyway

Shao, Jenny <Jenny.Shao@charlottecountyfl.gov>

Tue 11/28/2023 2:48 PM

To: Anspach, Dawn <Dawn.Anspach@charlottecountyfl.gov>; Benak, Karen <Karen.Benak@charlottecountyfl.gov>; Danielson, Kelly <Kelly.Danielson@charlottecountyfl.gov>; Elliott, Denise <Denise.Elliott@charlottecountyfl.gov>; Weaver, Sandra <Sandra.Weaver@charlottecountyfl.gov>; Duffy, Kathleen <Kathleen.Duffy@charlottecountyfl.gov>; Shao, Jie <Jie.Shao@charlottecountyfl.gov>; Dangerfield, Faith <Faith.Dangerfield@charlottecountyfl.gov>; Parkman, Matthew V. <Matthew.Parkman@charlottecountyfl.gov>; Lee, Robert <Robert.Lee@charlottecountyfl.gov>; DiPiazza, Samantha <Samantha.DiPiazza@charlottecountyfl.gov>; Finnerty, Thomas <Thomas.Finnerty@charlottecountyfl.gov>; Kamarajugadda, Ravi Shankar <Ravi.Kamarajugadda@charlottecountyfl.gov>; Pieper, Ryan <Ryan.Pieper@charlottecountyfl.gov>; Keltner, Jim <Jim.Keltner@charlottecountyfl.gov>; Benjamin, Roy <Roy.Benjamin@charlottecountyfl.gov>; Davis, James K. <James.Davis@charlottecountyfl.gov>; Davison, Denise <Denise.Davison@charlottecountyfl.gov>; Jorge, Danielle <Danielle.Jorge@charlottecountyfl.gov>; Lukasek, Katie <Katie.Lukasek@charlottecountyfl.gov>
Cc: Franks, Maryann <Maryann.Franks@charlottecountyfl.gov>; Kipa, Stephen <Stephen.Kipa@charlottecountyfl.gov>

 6 attachments (2 MB)

DEVINE 27492 Cleveland Alley vacate 18x24 BNDY 09-28-2023 signed.pdf; DEVINE 27492 Cleveland Alley vacate Description.doc; Devine 27492 Cleveland Vacate Application.pdf; Devine 27492 Cleveland Vacate letters of no objection (2x).pdf; Devine 27492 Cleveland Alley Vacate Narrative.pdf; SV-23-11-07 Comment Memo.docx;

MEMORANDUM

Date: November 28, 2023

To:

Dawn Anspach, CAO
Karen Benak, CAO
Kelly Danielson, CCU
Denise Elliott, CCU
Sandra Weaver, CCU
Kathleen Duffy, IT GIS
Jie Shao, Planning/Zoning
Faith Dangerfield, Property Appraiser's Office
Matthew Parkman, Property Appraiser's Office
Bob Lee, ROW
Samantha DiPiazza, SPD Addressing
Tom Finnerty, SPD
Ravi Kamarajugadda, Transportation
Ryan Pieper, Zoning/Environmental
Jim Keltner, Zoning/Environmental
Roy Benjamin, PW Engineering
James Kelly Davis, PW Engineering
Denise Davison, PW Engineering
Danielle Jorge, PW Engineering
Katie Lukasek, Public Works
Joanne Vernon, PW Engineering
Karly Greene, PW M&O
Jason Ouimet, PW M&O
Jason Thomas, PW Stormwater
Jeannine Fullerton, Real Estate Services

Patty Stefan, Real Estate Services
Laurie Anderson, CCSO
Diane Barton, CCSO
Johanna Whelan, Environmental Health

CC:
Maryann Franks, Zoning
Stephen Kipa, Real Estate Services

From: Jenny Shao, Project Coordinator
Community Development/Zoning

Subject: Street Vacation application for SV-23-11-07 – Jeffrey M. Devine Unnamed 15-foot Alleyway
Meeting Dates March 11, 2024 P&Z / April 2024 BCC

Along with this memo, you are receiving a PDF of the file material and the alternative, a OneDrive link to the file materials for your review.

Please review the above-referenced petition and return your graphics, findings, and analyses to me as soon as possible (**No later than December 20, 2023**). This is a legislative public hearing. If you have any questions about the material in this distribution, or the information below, please contact me. Thank you.

The OneDrive link is below:

 [SV-23-11-07 Jeffrey M Devine Unnamed Alley](#)

SV-23-11-07

Legislative

Commission District II

Jeffrey M. Devine is requesting to vacate the unnamed 15-foot alleyway lying between Lots A through G and the remainder of Lot 1, Block 29, Holyman's Subdivision, recorded in Plat Book 1, Page 22, of the Public Records of Charlotte County, Florida. The total area to be vacated is 3,123± square feet and is generally located north and parallel to Cleveland Avenue (Ave), north and perpendicular to Beechwood Street, south of Riverside Drive and parallel to Griffith Ave, within the Punta Gorda area and located in Commission District II.

Kind regards,



Jenny Shao | Project Coordinator
Charlotte County Community Development
18400 Murdock Circle
941.764.4954
CharlotteCountyFL.gov
Delivering Exceptional Service

Shao, Jenny

From: Lee, Robert
Sent: Wednesday, November 29, 2023 6:23 AM
To: STEPHEN.WAIDLEY@FTR.COM; Wolford, Alice J; Evener, Chad; Easement, Nre; Peacock, Jerry A[Faulk and Foster Real Estate]
Cc: Lee, Robert; Jackson, Joey; Shao, Jenny
Subject: Review- SV-23-11-07
Attachments: SV-23-11-07 Jeffrey M Devine Unnamed 15-foot Alleyway Devine 27492 Cleveland Vacate letters of no objection (2x).pdf

For your review
Please respond back to Jenny Shao with any comments or concerns

Thank You,
Robert Lee
Charlotte County Right of Way Technician
O-941 743 1264
Robert.lee@charlottescountyfl.gov



COMMENT MEMORANDUM

Date: 11/28/2023

To: Jenny Shao, Project Coordinator
Community Development/Zoning

From: Samantha DiPiazza – Design Technician - Addressing

Subject: SV-23-11-07 – Jeffrey M. Devine Unnamed 15-foot Alleyway

I have no comments on this application.

Shao, Jenny

From: Walker, Kimlyn
Sent: Friday, December 1, 2023 10:52 AM
To: Shao, Jenny; LSRAdmin (Legal Service Requests); David, Thomas; Benak, Karen; Anspach, Dawn
Subject: RE: SV-23-11-07 Jeffrey M Devine 15-foot Unnamed Alley LSR

Jenny,

I have reviewed the file. Please proceed.

Respectfully,



Kimlyn M. Walker | Assistant County Attorney
OFFICE OF THE COUNTY ATTORNEY
18500 Murdock Circle, Port Charlotte, FL 33948
941.743.1330
941.743.1550 fax
CharlotteCountyFL.gov
Delivering Exceptional Service

From: Shao, Jenny <Jenny.Shao@charlottecountyfl.gov>
Sent: Tuesday, November 28, 2023 2:58 PM
To: LSRAdmin (Legal Service Requests) <LSRAdmin@charlottecountyfl.gov>; David, Thomas <Thomas.David@charlottecountyfl.gov>; Walker, Kimlyn <Kimlyn.Walker@charlottecountyfl.gov>; Benak, Karen <Karen.Benak@charlottecountyfl.gov>; Anspach, Dawn <Dawn.Anspach@charlottecountyfl.gov>
Subject: SV-23-11-07 Jeffrey M Devine 15-foot Unnamed Alley LSR

Good afternoon,

Please see the attachments for the documents associated with this request to vacate an alleyway and LSR. Please let me know if you may require any additional information.

Kind regards,



Jenny Shao | Project Coordinator
Charlotte County Community Development
18400 Murdock Circle
941.764.4954
CharlotteCountyFL.gov
Delivering Exceptional Service

Shao, Jenny

From: Elliott, Denise
Sent: Monday, December 4, 2023 2:56 PM
To: Shao, Jenny
Cc: Baster, Basia; Tarnecki, Amber
Subject: RE: Staff Review SV-23-11-07 – Jeffrey M. Devine Unnamed 15-foot Alleyway

Good afternoon Jenny,

This is not a CCU certified area. This is serviced by the City of Punta Gorda Utilities.
Phone: 941-575-3339

Thank you,



Denise Elliott
Engineering Services Coordinator
Engineering Services
Charlotte County Utilities
941-764-4318
CharlotteCountyFL.gov
Delivering Exceptional Service

From: Shao, Jenny <Jenny.Shao@charlottecountyfl.gov>
Sent: Tuesday, November 28, 2023 2:48 PM
To: Anspach, Dawn <Dawn.Anspach@charlottecountyfl.gov>; Benak, Karen <Karen.Benak@charlottecountyfl.gov>; Danielson, Kelly <Kelly.Danielson@charlottecountyfl.gov>; Elliott, Denise <Denise.Elliott@charlottecountyfl.gov>; Weaver, Sandra <Sandra.Weaver@charlottecountyfl.gov>; Duffy, Kathleen <Kathleen.Duffy@charlottecountyfl.gov>; Shao, Jie <Jie.Shao@charlottecountyfl.gov>; Dangerfield, Faith <Faith.Dangerfield@charlottecountyfl.gov>; Parkman, Matthew V. <Matthew.Parkman@charlottecountyfl.gov>; Lee, Robert <Robert.Lee@charlottecountyfl.gov>; DiPiazza, Samantha <Samantha.DiPiazza@charlottecountyfl.gov>; Finnerty, Thomas <Thomas.Finnerty@charlottecountyfl.gov>; Kamarajugadda, Ravi Shankar <Ravi.Kamarajugadda@charlottecountyfl.gov>; Pieper, Ryan <Ryan.Pieper@charlottecountyfl.gov>; Keltner, Jim <Jim.Keltner@charlottecountyfl.gov>; Benjamin, Roy <Roy.Benjamin@charlottecountyfl.gov>; Davis, James K. <James.Davis@charlottecountyfl.gov>; Davison, Denise <Denise.Davison@charlottecountyfl.gov>; Jorge, Danielle <Danielle.Jorge@charlottecountyfl.gov>; Lukasek, Katie <Katie.Lukasek@charlottecountyfl.gov>; Vernon, Joanne <Joanne.Vernon@charlottecountyfl.gov>; Greene, Karly <Karly.Greene@charlottecountyfl.gov>; Ouimet, Jason <Jason.Ouimet@charlottecountyfl.gov>; Thomas, Jason <Jason.Thomas@charlottecountyfl.gov>; Fullerton, Jeannine <Jeannine.Fullerton@charlottecountyfl.gov>; Stefan, Patricia <Patricia.Stefan@charlottecountyfl.gov>; Laurene Anderson <landerson@ccsofl.net>; Barton, Diane <dbarton@ccsofl.net>; 'Whelan, Johanna M' <Johanna.Whelan@flhealth.gov>
Cc: Franks, Maryann <Maryann.Franks@charlottecountyfl.gov>; Kipa, Stephen <Stephen.Kipa@charlottecountyfl.gov>
Subject: Staff Review SV-23-11-07 – Jeffrey M. Devine Unnamed 15-foot Alleyway

MEMORANDUM

Shao, Jenny

From: Jorge, Danielle
Sent: Thursday, December 14, 2023 8:05 AM
To: Shao, Jenny
Cc: Davis, James K.
Subject: RE: Staff Review SV-23-11-07 – Jeffrey M. Devine Unnamed 15-foot Alleyway

Good morning,
We approve this SV.

Thank you!



Danielle Jorge
Surveying Project Manager
Charlotte County Public Works
Phone: (941)575-3622
CharlotteCountyFL.gov
Delivering Exceptional Service

From: Shao, Jenny <Jenny.Shao@charlottecountyfl.gov>
Sent: Tuesday, November 28, 2023 2:48 PM
To: Anspach, Dawn <Dawn.Anspach@charlottecountyfl.gov>; Benak, Karen <Karen.Benak@charlottecountyfl.gov>; Danielson, Kelly <Kelly.Danielson@charlottecountyfl.gov>; Elliott, Denise <Denise.Elliott@charlottecountyfl.gov>; Weaver, Sandra <Sandra.Weaver@charlottecountyfl.gov>; Duffy, Kathleen <Kathleen.Duffy@charlottecountyfl.gov>; Shao, Jie <Jie.Shao@charlottecountyfl.gov>; Dangerfield, Faith <Faith.Dangerfield@charlottecountyfl.gov>; Parkman, Matthew V. <Matthew.Parkman@charlottecountyfl.gov>; Lee, Robert <Robert.Lee@charlottecountyfl.gov>; DiPiazza, Samantha <Samantha.DiPiazza@charlottecountyfl.gov>; Finnerty, Thomas <Thomas.Finnerty@charlottecountyfl.gov>; Kamarajugadda, Ravi Shankar <Ravi.Kamarajugadda@charlottecountyfl.gov>; Pieper, Ryan <Ryan.Pieper@charlottecountyfl.gov>; Keltner, Jim <Jim.Keltner@charlottecountyfl.gov>; Benjamin, Roy <Roy.Benjamin@charlottecountyfl.gov>; Davis, James K. <James.Davis@charlottecountyfl.gov>; Davison, Denise <Denise.Davison@charlottecountyfl.gov>; Jorge, Danielle <Danielle.Jorge@charlottecountyfl.gov>; Lukasek, Katie <Katie.Lukasek@charlottecountyfl.gov>; Vernon, Joanne <Joanne.Vernon@charlottecountyfl.gov>; Greene, Karly <Karly.Greene@charlottecountyfl.gov>; Ouimet, Jason <Jason.Ouimet@charlottecountyfl.gov>; Thomas, Jason <Jason.Thomas@charlottecountyfl.gov>; Fullerton, Jeannine <Jeannine.Fullerton@charlottecountyfl.gov>; Stefan, Patricia <Patricia.Stefan@charlottecountyfl.gov>; Laurene Anderson <landerson@ccsofl.net>; Barton, Diane <dbarton@ccsofl.net>; 'Whelan, Johanna M' <Johanna.Whelan@flhealth.gov>
Cc: Franks, Maryann <Maryann.Franks@charlottecountyfl.gov>; Kipa, Stephen <Stephen.Kipa@charlottecountyfl.gov>
Subject: Staff Review SV-23-11-07 – Jeffrey M. Devine Unnamed 15-foot Alleyway

MEMORANDUM

Date: November 28, 2023

To:
Dawn Anspach, CAO
Karen Benak, CAO



FRONTIER

2185 Range Rd
Clearwater, FL 33765
(941) 266-9218
stephen.waidley@ftr.com

11/29/2023

Attn: Robert Lee
Charlotte County Right-of-Way Technician
(941) 743-1264
robert.lee@charlottecountyfl.gov

RE: Vacation of Alley – 27492 Cleveland Ave, Punta Gorda, FL

Dear Mr. Lee,

☐ Our records do not indicate that there are Frontier facilities in the area of the Plat request as per the attachment provided.

☒ Frontier has no objection to the above referenced request as per the attachment.

☐ Frontier has facilities within the proposed vacate area. A recordable non-exclusive Easement in favor of Frontier will be required for Frontier facilities to remain in the proposed vacated R.O.W.

☐ Frontier has facilities in the area, which may be in conflict with your proposed construction plans. Please contact Sunshine 811 by dialing 811, 2 full business days prior to the start of your work to have these facilities located for you. Please take all necessary precautions to protect and avoid damage of these facilities during your construction.

☐ Frontier has facilities in the area, which may be in conflict with your proposed construction plans. Please send a set of construction plans and references to the Frontier Engineering Department with regards to the above project.

☐ Frontier has facilities in the area of your proposed construction. Prepayment is required to markup a set of construction plans in order to confirm and accurately depict Frontier facilities. There will also be a reimbursement of all costs required for relocation/adjustments of Frontier facilities needed to accommodate the proposed construction project.

Please call me if you have any questions or need any additional information at (941) 266-9218.

Sincerely,

Stephen Waidley

Stephen Waidley
Frontier Florida LLC
Regional Rights of Way & Municipal Affairs Manager



COMMENT MEMORANDUM

Date: 11/28/2023

To: Jenny Shao, Project Coordinator
Community Development/Zoning

From:

Subject: SV-23-11-07 – Jeffrey M. Devine Unnamed 15-foot Alleyway

Shao, Jenny

From: Kipa, Stephen
Sent: Tuesday, November 28, 2023 2:59 PM
To: Shao, Jenny
Cc: Kipa, Stephen
Subject: RE: Staff Review SV-23-11-07 – Jeffrey M. Devine Unnamed 15-foot Alleyway

Jenny:

Real Estate Services has reviewed the request and we have no objections to the vacation of this platted alleyway.



Thank you,

Stephen Kipa
Real Estate Services Manager
18500 Murdock Circle, Room B208
Port Charlotte, FL 33948
941.764.5584 Direct
941.764.5580 Office
941.764.5590 Fax
Stephen.Kipa@CharlotteCountyFL.gov
Delivering Exceptional Service

From: Shao, Jenny <Jenny.Shao@charlottecountyfl.gov>
Sent: Tuesday, November 28, 2023 2:48 PM
To: Anspach, Dawn <Dawn.Anspach@charlottecountyfl.gov>; Benak, Karen <Karen.Benak@charlottecountyfl.gov>; Danielson, Kelly <Kelly.Danielson@charlottecountyfl.gov>; Elliott, Denise <Denise.Elliott@charlottecountyfl.gov>; Weaver, Sandra <Sandra.Weaver@charlottecountyfl.gov>; Duffy, Kathleen <Kathleen.Duffy@charlottecountyfl.gov>; Shao, Jie <Jie.Shao@charlottecountyfl.gov>; Dangerfield, Faith <Faith.Dangerfield@charlottecountyfl.gov>; Parkman, Matthew V. <Matthew.Parkman@charlottecountyfl.gov>; Lee, Robert <Robert.Lee@charlottecountyfl.gov>; DiPiazza, Samantha <Samantha.DiPiazza@charlottecountyfl.gov>; Finnerty, Thomas <Thomas.Finnerty@charlottecountyfl.gov>; Kamarajugadda, Ravi Shankar <Ravi.Kamarajugadda@charlottecountyfl.gov>; Pieper, Ryan <Ryan.Pieper@charlottecountyfl.gov>; Keltner, Jim <Jim.Keltner@charlottecountyfl.gov>; Benjamin, Roy <Roy.Benjamin@charlottecountyfl.gov>; Davis, James K. <James.Davis@charlottecountyfl.gov>; Davison, Denise <Denise.Davison@charlottecountyfl.gov>; Jorge, Danielle <Danielle.Jorge@charlottecountyfl.gov>; Lukasek, Katie <Katie.Lukasek@charlottecountyfl.gov>; Vernon, Joanne <Joanne.Vernon@charlottecountyfl.gov>; Greene, Karly <Karly.Greene@charlottecountyfl.gov>; Ouimet, Jason <Jason.Ouimet@charlottecountyfl.gov>; Thomas, Jason <Jason.Thomas@charlottecountyfl.gov>; Fullerton, Jeannine <Jeannine.Fullerton@charlottecountyfl.gov>; Stefan, Patricia <Patricia.Stefan@charlottecountyfl.gov>; Laurene Anderson <landerson@ccsofl.net>; Barton, Diane <dbarton@ccsofl.net>; 'Whelan, Johanna M' <Johanna.Whelan@flhealth.gov>
Cc: Franks, Maryann <Maryann.Franks@charlottecountyfl.gov>; Kipa, Stephen <Stephen.Kipa@charlottecountyfl.gov>
Subject: Staff Review SV-23-11-07 – Jeffrey M. Devine Unnamed 15-foot Alleyway

MEMORANDUM



COMMENT MEMORANDUM

Date: 11/29/2023

To: Jenny Shao, Project Coordinator
Community Development/Zoning

From: Public Work- Engineering- Roy Benjamin

Subject: SV-23-11-07 – Jeffrey M. Devine Unnamed 15-foot Alleyway

No comments or concerns. Recommend approval.



COMMENT MEMORANDUM

Date: 11/28/2023

To: Jenny Shao, Project Coordinator
Community Development/Zoning

From: Johanna Whelan, Environmental Administrator
Department of Health in Charlotte County

Subject: SV-23-11-07 – Jeffrey M. Devine Unnamed 15-foot Alleyway

The Department of Health in Charlotte county has no objection for the vacation request.



COMMENT MEMORANDUM

Date: 1/8/2024

To: Jenny Shao, Project Coordinator
Community Development/Zoning

From: Jie Shao, Planner, Principal, AICP, MCP
Community Development/Planning

Subject: SV-23-11-07 – Jeffrey M. Devine Unnamed 15-foot Alleyway

Project Summary: This application is for a Street Vacation to vacate the unnamed 15-foot alleyway lying between Lots A through G and the remainder of Lot 1, Block 29, Holyman's Subdivision, recorded in Plat Book 1, Page 22, of the Public Records of Charlotte County, Florida. The total area to be vacated is 3,123± square feet and is generally located north and parallel to Cleveland Avenue (Ave), north and perpendicular to Beechwood Street, south of Riverside Drive and parallel to Griffith Ave, within the Punta Gorda area and located in Commission District II.

Future Land Use Map (FLUM) Designation: The subject property is designated as Low Density Residential (LDR). The adjacent lots are designated as LDR.

Zoning: The subject property is zoned Manufactured Home Conventional (MHC). The adjacent lots are zoned MHC.

Finding: The proposed Street Vacant shall not increase the residential development rights, and it is not contrary to the County's Comprehensive Plan; therefore, staff has no objections to or comments for the proposed Street Vacation.



COMMENT MEMORANDUM

Date: 11/28/2023

To: Jenny Shao, Project Coordinator
Community Development/Zoning

From: Anastacia DeFilippo
Environmental Inspections Coordinator

Subject: SV-23-11-07 – Jeffrey M. Devine Unnamed 15-foot Alleyway

The Zoning Environmental Review Section has conducted a cursory review of the above referenced preliminary plat for compliance with Environmental, Tree and Landscaping codes or ordinances.

As this proposal moves forward, the Environmental Review Section has no comments or objections at this point.

If there are any questions pertaining to this review, please feel free contact me in the Community Development Department at 941-764-4127.

AD



COMMENT MEMORANDUM

Date: 12/14/2023

To: Jenny Shao, Project Coordinator
Community Development/Zoning

From: Kathleen Duffy, GIS Specialist
Information Technology

Subject: SV-23-11-07 – Jeffrey M. Devine Unnamed 15-foot Alleyway

1. I found no issues with SV-23-11-07 – Jeffrey M. Devine Unnamed 15-foot Alleyway.

Shao, Jenny

From: Lee, Robert
Sent: Monday, December 4, 2023 6:55 AM
To: Shao, Jenny
Cc: Lee, Robert; Jackson, Joey
Subject: FW: P858884/Review- SV-23-11-07

Hi Jenny
FYI
See below

Thank You,
Robert Lee
Charlotte County Right of Way Technician
O-941 743 1264
Robert.lee@charlottecountyfl.gov

From: Easement, Nre <Nre.Easement@lumen.com>
Sent: Friday, December 1, 2023 9:14 AM
To: Lee, Robert <Robert.Lee@charlottecountyfl.gov>
Cc: Peacock, Jerry A[Faulk and Foster Real Estate] <Jerry.A.Peacock@lumen.com>
Subject: RE: P858884/Review- SV-23-11-07

Caution – This email originated from outside of our organization. Please do not open any attachments or click on any links from unknown sources or unexpected email.

Good morning,

We have received your request for a Vacate – Abandon and have set up a Lumen project accordingly. Your project number is P858884 and it should be referenced in all emails sent in for review.

Please do not reply to this email. Your project owner is Jerry Peacock and they can be reached by email at Jerry.A.Peacock@lumen.com. Requests are addressed in the order received; Lumen will endeavor to respond within 30 days.

Have a great day!

Best Regards,

Kelley Franklin
Faulk & Foster
1811 Auburn Ave, Monroe, LA 71201
Kelley.Franklin@lumen.com

Our fee policy applies to Lumen dedicated easements only.

If your request involves public ROW or a Public Utility easement, the fee does not apply. If this is the case, please reply all to advise.

From: Lee, Robert <Robert.Lee@charlottecountyfl.gov>

Sent: Wednesday, November 29, 2023 5:23 AM

To: STEPHEN.WAIDLEY@FTR.COM; Wolford, Alice J <Alice.J.Wolford@fpl.com>; Evener, Chad <Chad_Evener@comcast.com>; Easement, Nre <Nre.Easement@lumen.com>; Peacock, Jerry A[Faulk and Foster Real Estate] <Jerry.A.Peacock@lumen.com>

Cc: Lee, Robert <Robert.Lee@charlottecountyfl.gov>; Jackson, Joey <Joey.Jackson@charlottecountyfl.gov>; Shao, Jenny <Jenny.Shao@charlottecountyfl.gov>

Subject: P858884/Review- SV-23-11-07

CAUTION: This email originated outside of Lumen Technologies. Do not click links or open attachments unless you recognize the sender and know the content is safe.

For your review

Please respond back to Jenny Shao with any comments or concerns

Thank You,

Robert Lee

Charlotte County Right of Way Technician

O-941 743 1264

Robert.lee@charlottecountyfl.gov

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12/5/2023



Robert Lee
Charlotte County Right of Way Technician

P858884
No Reservations/No Objection

SUBJECT: **SV-23-11-07** - Vacation request for a portion of an alley lying within Holyman's Subdivision, as recorded in Plat Book 1, Page 22, in Charlotte County, Florida.

To Whom It May Concern:

CenturyLink of Florida, Inc. d/b/a CENTURYLINK ("CenturyLink") has reviewed the request for the subject vacation and has determined that it has no objections with respect to the areas proposed for vacation as shown and/or described on Exhibit "A", said Exhibit "A" attached hereto and incorporated by this reference.

It is the intent and understanding of CenturyLink that this Vacation shall not reduce our rights to any other existing easement or rights we have on this site or in the area.

This vacation response is submitted WITH THE STIPULATION that if CenturyLink facilities are found and/or damaged within the vacated area as described, the Applicant will bear the cost of relocation and repair of said facilities.

If you have any questions please contact Jerry Peacock at 850-933-8440 or jerry.a.peacock@lumen.com.

Sincerely yours,

CenturyLink Right of Way Team