

ORDINANCE
NUMBER 2020 -

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3187, FLORIDA STATUTES, ADOPTING A SMALL SCALE PLAN AMENDMENT TO THE CHARLOTTE COUNTY FUTURE LAND USE MAP SERIES MAP #1: 2030 FUTURE LAND USE, FROM LOW DENSITY RESIDENTIAL (LDR) AND HIGH DENSITY RESIDENTIAL (HDR) TO COMMERCIAL (COM) FOR 2.47 ACRES MORE OR LESS; FOR PROPERTY LOCATED AT 3300-3506 ROSEMARY DRIVE, IN THE PUNTA GORDA AREA, CHARLOTTE COUNTY, FLORIDA, COMMISSION DISTRICT II; PETITION PAS-20-00005; APPLICANT, SEVENTEEN AND SEVENTY-FIVE, LLC; PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, in a public hearing held on Tuesday, October 13, 2020, the Board of County Commissioners of Charlotte County, Florida ("Board") reviewed land use amendment Petition PAS-20-00005, which is a small scale plan amendment; and

WHEREAS, applicant, Seventeen and Seventy-five, LLC ("Applicant"), filed Petition PAS-20-00005, seeking a small scale plan amendment to the Charlotte County FLUM Series Map #1: 2030 Future Land Use, from Low Density Residential (LDR) and High Density Residential (HDR) to Commercial (COM) for 2.47 acres more or less, as described in Exhibit "A" attached hereto and by reference incorporated herein ("Property"); and

WHEREAS, the Property is owned by Applicant, described as located at 3300-3506 Rosemary Drive, in the Punta Gorda area, Charlotte County, Florida, Commission District II; and

WHEREAS, Petition PAS-20-00005 has previously been 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 at its September 14, 2020 meeting, resulted in a 2-2 vote, which has the effect of denial; and

WHEREAS, after due consideration, based on the findings and analysis provided by County Staff and the evidence presented to it, the Board has found that approval of Petition PAS-20-00005 is consistent with the County's Comprehensive Plan, and that it meets the requirements for the granting of a small scale plan amendment; and

WHEREAS, based on the above findings, the Board has found that the requirements and conditions of Section 163.3187, F.S., as they relate to this Petition, have been met and that it is in the best interests of the County and its citizens to approve Petition PAS-20-00005.

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

Section 1. Approval. The following petition for amendment to the Charlotte County FLUM Series Map #1: 2030 Future Land Use, is hereby approved:

Petition PAS-20-00005, submitted by Seventeen and Seventy-five, LLC ("Applicant"), requesting a small scale plan amendment to the Charlotte County FLUM Series Map #1: 2030 Future Land Use, from Low Density Residential (LDR) and High Density Residential (HDR) to Commercial (COM) for 2.47 acres more or less, as described in Exhibit "A" attached hereto and by reference incorporated herein ("Property"), which is owned by Applicant, described as located at 3300-3506 Rosemary Drive, in the Punta Gorda area, Charlotte County, Florida, Commission District II.

Section 2. Effective Date. The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after adoption. If challenged within 30 days after adoption, this amendment may not become effective until the state land planning agency or the Administration Commission, respectively, issues a final order

determining that this adopted small scale development amendment is in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective.

PASSED AND DULY ADOPTED this 13th day of October, 2020.

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

 LR2020-0468

Legal Description for
Application PAS-20-00005

Lots 1, 1A, 2-14, Block A, Golf Club Estates, according to the map or plat thereof, as recorded in Plat Book 1, Page(s) 43, of the Public Records of Charlotte County, Florida.

