

MEMORANDUM

Date: 7-15-20

To: Charlotte County Board of County Commissioners,
Planning and Zoning Board

From: Maryann Franks, Zoning Coordinator
Community Development/Zoning
(Statement of Qualifications attached)

Subject: PV-20-05-03 Plat Vacation – Dubbland Development LLC
Applicant: Dubbland Development LLC

Dubbland Development LLC has requested a Plat Vacation to vacate lots, streets and a park strip in a portion of Replat Port Charlotte Subdivision Section 30, including an access road and adjacent park strip, a total of 5.31 acres, more or less, as recorded in Plat Book 5, Page 49, 23A-23F, of the Public Records of Charlotte County, Florida, and located at the northeast corner of US 41 and Chamberlain Boulevard, in Section 02, Township 40, Range 21 in Port Charlotte.

The site is located within the boundaries of the Urban Service Area. The Future Land Use Map designation is Commercial. The Zoning District is Commercial General (CG). The project lies in Flood Zone X, and in Storm Surge Evacuation Zone B.

The applicant's stated intent is to vacate a described portion of Replat Port Charlotte Section 30 including portions of an access road and adjacent park strip, converting it to a single acreage parcel of 5.31 acres, more or less.

The 1958 recorded plat of the Replat Port Charlotte Section 30 dedicated the "streets and avenues" to the public. No residents will be denied reasonable access to their property as a result of this vacation. All pertinent departments have reviewed the petition, resulting in a total of one condition.

1. The applicant shall grant a drainage easement to Charlotte County over the existing ditch currently located in the North Tamiami Trail Access Road Right-of-Way between Chamberlin Boulevard and the Crestwood Waterway. The plat vacation shall not be recorded until the drainage easement is granted. The easement may be modified at a later



date to move the location or to reduce the width if the applicant chooses to pipe the drainage. Any such modifications must be reviewed and approved by Public Works.

Recommendation

Community Development recommends approval with conditions of Petition # PV-20-05-03



Qualifications of Maryann Franks

Position: Zoning Coordinator

Years with Charlotte County: 21

Position Summary & Experience: I have worked as a Zoning Tech I, Zoning Tech II, Permitting, Licensing & Zoning Supervisor and Zoning Coordinator for Charlotte County Community Development Department for 21 years. My duties include reviewing and making recommendations of compliance with Charlotte County zoning regulations on preliminary and final detail site plans to the Board of County Commissioners. I also coordinate and compile the recommendations and conditions of the reviewing departments and agencies into the final recommendation to the Board of County Commissioners.



MEMORANDUM

Date: June 10, 2020
To: Maryann Franks
From: Ryan Pieper, Environmental Specialist
Subject: PV-20-05-03 Dubbland Development LLC

The Zoning Environmental Review Section has conducted a cursory review (additional wildlife or environmental reviews may be required by state or federal agencies) of the above referenced petition for compliance with Environmental, Tree and Landscaping codes or ordinances and offers the following comments:


- ❖ A current listed species assessment and Florida Land Use Code and Classification Systems (FLUCCS) map. If listed species are documented on site all required U.S. Fish and Wildlife Service (FWS) and Florida Fish and Wildlife Conservation Commission (FWCC) permits (if applicable) must be provided to staff prior to the land clearing activities.
- ❖ All applicable county, state and federal authorization/permits, and mitigation (if necessary) will be required.
- ❖ If this proposal moves forward, it will be reviewed for compliance with:
 - Chapter 3-9-100
 - Article IV. Buffers, Landscape and Tree Requirements
 - Chapter 3-5:
 - Article IV, CLEARING, FILLING AND SOIL CONSERVATION
 - Article XV, SURFACE WATER AND WETLAND PROTECTION
- ❖ The project must also comply with the Charlotte County Smart Charlotte 2050 Comprehensive Plan.

If there are any questions pertaining to this review, please feel free contact me in the Community Development Department at 941.743.1290.

RP



MEMORANDUM

Date: June 1, 2020
To: Maryann Franks, Zoning Coordinator
From: Ken Quillen, AICP, Senior Planner 
Subject: Review of proposed Plat Vacation: **PV-20-05-03**

Below are comments from the Current Planning and Zoning Division regarding the proposed partial plat vacation of **Block 1180, a portion of Bamboo Drive, a portion of North Tamiami Trail Access Road, and a Park Lot** located in Section 02, Township 40 South, Range 21 East.

Future Land Use Map (FLUM): Subject property has a FLUM designation of Commercial (COM). This FLUM classification is intended to allow a range of commercial sales and service activities along the north side of Tamiami Trail, south of the Willingdon Waterway and west of the Crestwood Waterway.

Zoning: The lands within this proposed plat vacation have zoning classifications of Commercial General (CG). This zoning classification is intended to allow a mix of general commercial uses and activities.

Flood Zone: The existing streets and surrounding lands are located in flood zone "X", which are areas where flood hazards are determined to be outside the 0.2 percent annual chance floodplain. Lands in this area are also located in the Storm Surge Evacuation Zone "B".

Comments: The proposed plat vacation is intended to eliminate 16 platted lots, a portion of Bamboo Drive and a portion of North Tamiami Trail Access Road, located east of Chamberlain Boulevard, to allow consolidation into a single parcel for future redevelopment. The proposed vacation of these lots and a portion of these streets will not create any access issues for any of the remaining lots or surrounding properties.

Finding: The Current Planning and Zoning Division has no objections to the proposed plat vacation and recommends approval of the requested plat vacation.

cc: Shaun Cullinan, Zoning Official
File, PV-20-05-03

INTEROFFICE MEMORANDUM
Development Review Division

To: Maryann Franks

From: Jordan Silver
Design Technician - Addressing

Date: July 2, 2020

RE: Addressing Comments
Plat Vacation application for
July 13, 2020 P&Z/Sept. 8, 2020 BCC

PV-20-05-03- Applicant: Dubbland Development LLC.

I have no comments on this application.

Franks, Maryann

From: Benjamin, Roy
Sent: Monday, June 1, 2020 6:31 AM
To: Franks, Maryann
Cc: Benjamin, Roy
Subject: RE: PV--20-05-03

No objections or comments.

From: Franks, Maryann
Sent: Friday, May 29, 2020 12:34 PM
To: Prince, Tara <Tara.Prince@charlottecountyfl.gov>; Parkman, Matthew V. <Matthew.Parkman@charlottecountyfl.gov>; Kamarajugadda, Ravi Shankar <Ravi.Kamarajugadda@charlottecountyfl.gov>; Pieper, Ryan <Ryan.Pieper@charlottecountyfl.gov>; Ford, Steven <Steven.Ford@charlottecountyfl.gov>; Kalev, Stefan <Stefan.Kalev@charlottecountyfl.gov>; Pederzolli, Gary <Gary.Pederzolli@charlottecountyfl.gov>; Conrado, Maria <Maria.Conrado@charlottecountyfl.gov>; Vernon, Joanne <Joanne.Vernon@charlottecountyfl.gov>; Benjamin, Roy <Roy.Benjamin@charlottecountyfl.gov>; Aiuto, Phil <Phil.Aiuto@charlottecountyfl.gov>; Powell, Rob <Rob.Powell@charlottecountyfl.gov>; Ouimet, Jason <Jason.Ouimet@charlottecountyfl.gov>; Greene, Karly <Karly.Greene@charlottecountyfl.gov>; Vance, David <David.Vance@charlottecountyfl.gov>; Horton, Maggie <Maggie.Horton@charlottecountyfl.gov>; Stefan, Patricia <Patricia.Stefan@charlottecountyfl.gov>; Lee, Robert <Robert.Lee@charlottecountyfl.gov>; Weaver, Sandra <Sandra.Weaver@charlottecountyfl.gov>; Benak, Karen <Karen.Benak@charlottecountyfl.gov>; Anspach, Dawn <Dawn.Anspach@charlottecountyfl.gov>; Quillen, Ken <Ken.Quillen@charlottecountyfl.gov>; Mortimer, Travis <Travis.Mortimer@charlottecountyfl.gov>; Hunter, Judy <Judy.Hunter@charlottecountyfl.gov>; Danielson, Kelly <Kelly.Danielson@charlottecountyfl.gov>
Cc: Cullinan, Shaun <Shaun.Cullinan@charlottecountyfl.gov>; Clim, Diane <Diane.Clim@charlottecountyfl.gov>
Subject: PV--20-05-03

Good Afternoon,

I have attached the Distribution Memo and a copy of the application for review. Please send all your comments to me by June 15, 2020.

Thank you.

Maryann Franks | Zoning Coordinator
Charlotte County Community Development
18400 Murdock Circle | Port Charlotte, FL. 33948
941.743.1208
Maryann.Franks@charlottecountyfl.gov
Delivering Exceptional Service



Delivering Exceptional Service



From: Ford, Steven <Steven.Ford@charlottecountyfl.gov>
Sent: Wednesday, June 3, 2020 2:06 PM
To: Franks, Maryann <Maryann.Franks@charlottecountyfl.gov>
Cc: Vernon, Joanne <Joanne.Vernon@charlottecountyfl.gov>; Schermerhorn, Scott <Scott.Schermerhorn@charlottecountyfl.gov>
Subject: RE: PV--20-05-03

After review, I have the following comments: 1) the road within the 70' Tamiami Access area has been used by the Public to access the Crestwood waterway has rights within that area for access to a public waterway, 2) the Public Works Mosquito Control Dept. uses that as canal access for their assigned duties-we DO NOT want to give up a Public Works Access Point-if the Developer agrees to and provides access either at the existing site or somewhere else on their length of canal and dedicates a perpetual easement to access the waterway then the Public Works Dept. would be agreeable to the vacation request.

Steven Ford, PSM
-County Surveyor
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Punta Gorda, FL 33950

941-575-3616 Office
941-628-5308 Cell

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Cc: Cullinan, Shaun <Shaun.Cullinan@charlottecountyfl.gov>; Clim, Diane <Diane.Clim@charlottecountyfl.gov>
Subject: PV--20-05-03

We are not vacating access to the canal. The access road between Lot 1 and the U.S. 41 ROW adjacent to the Crestwood Waterway is not proposed to be vacated. Is this area sufficient for Public Works?

Geri L. Waksler
Of Counsel

McCrory Law Firm
309 Tamiami Trail
Punta Gorda, FL 33950
(941) 205-1122 x306 (o)
(941) 205-1133 (f)
www.mccrorylaw.com
geri@mccrorylaw.com

My personal office hours are Monday – Thursday from 9:00 am – 5:00 pm.

Until further notice, our office will remain open with limited staff on site where we have added an outdoor private conference area. Our office staff and attorneys are also available remotely during this time to assist you with matters by phone, email and video conference. We thank you for your understanding.



Wills, Trusts & Estate Planning
Probate & Trust Administration
Business Law • Tax Law
Marital & Family Law
Civil Litigation • Mediation
Real Estate • Title Insurance
Zoning & Land Use Law
BP Oil Spill Claims

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From: Franks, Maryann <Maryann.Franks@charlottecountyfl.gov>
Sent: Wednesday, June 3, 2020 2:23 PM
To: Geri Waksler <geri@mccrorylaw.com>
Subject: FW: PV--20-05-03

Good Afternoon,
The County Engineer has sent his comments for PV-20-05-03. See below.
Thank you.

Maryann Franks | Zoning Coordinator
Charlotte County Community Development
18400 Murdock Circle | Port Charlotte, FL. 33948
941.743.1208
Maryann.Franks@charlottecountyfl.gov

Franks, Maryann

From: Ford, Steven
Sent: Wednesday, June 3, 2020 3:13 PM
To: Franks, Maryann
Subject: RE: PV--20-05-03

Yes, although I will be diligent and check this during the DRC process.
Steve

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: "Franks, Maryann" <Maryann.Franks@charlottecountyfl.gov>
Date: 6/3/20 2:52 PM (GMT-05:00)
To: "Ford, Steven" <Steven.Ford@charlottecountyfl.gov>
Subject: FW: PV--20-05-03

Steve,
See below Geri's comments. Is this acceptable?
Thank you.

Maryann Franks | Zoning Coordinator
Charlotte County Community Development
18400 Murdock Circle | Port Charlotte, FL. 33948
941.743.1208
Maryann.Franks@charlottecountyfl.gov
Delivering Exceptional Service



From: Geri Waksler <geri@mccrorylaw.com>
Sent: Wednesday, June 3, 2020 2:39 PM
To: Franks, Maryann <Maryann.Franks@charlottecountyfl.gov>
Subject: RE: PV--20-05-03

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.

Maryann,

Franks, Maryann

From: Danielson, Kelly
Sent: Wednesday, June 3, 2020 7:11 AM
To: Franks, Maryann
Subject: FW: PV--20-05-03
Attachments: County-Logo-Memorandum Plat Vacation.docx; PV-20-05-03.pdf

Maryann,

Charlotte County Utilities approves.

Kelly Danielson, Engineering Coordinator

The Utilities - Engineering Dept
25550 Harbor View Rd, #1
Port Charlotte, FL 33980
Phone: 941.764.4300 Opt 3

From: Franks, Maryann
Sent: Friday, May 29, 2020 12:34 PM
To: Prince, Tara <Tara.Prince@charlottecountyfl.gov>; Parkman, Matthew V. <Matthew.Parkman@charlottecountyfl.gov>; Kamarajugadda, Ravi Shankar <Ravi.Kamarajugadda@charlottecountyfl.gov>; Pieper, Ryan <Ryan.Pieper@charlottecountyfl.gov>; Ford, Steven <Steven.Ford@charlottecountyfl.gov>; Kalev, Stefan <Stefan.Kalev@charlottecountyfl.gov>; Pederzolli, Gary <Gary.Pederzolli@charlottecountyfl.gov>; Conrado, Maria <Maria.Conrado@charlottecountyfl.gov>; Vernon, Joanne <Joanne.Vernon@charlottecountyfl.gov>; Benjamin, Roy <Roy.Benjamin@charlottecountyfl.gov>; Aiuto, Phil <Phil.Aiuto@charlottecountyfl.gov>; Powell, Rob <Rob.Powell@charlottecountyfl.gov>; Ouimet, Jason <Jason.Ouimet@charlottecountyfl.gov>; Greene, Karly <Karly.Greene@charlottecountyfl.gov>; Vance, David <David.Vance@charlottecountyfl.gov>; Horton, Maggie <Maggie.Horton@charlottecountyfl.gov>; Stefan, Patricia <Patricia.Stefan@charlottecountyfl.gov>; Lee, Robert <Robert.Lee@charlottecountyfl.gov>; Weaver, Sandra <Sandra.Weaver@charlottecountyfl.gov>; Benak, Karen <Karen.Benak@charlottecountyfl.gov>; Anspach, Dawn <Dawn.Anspach@charlottecountyfl.gov>; Quillen, Ken <Ken.Quillen@charlottecountyfl.gov>; Mortimer, Travis <Travis.Mortimer@charlottecountyfl.gov>; Hunter, Judy <Judy.Hunter@charlottecountyfl.gov>; Danielson, Kelly <Kelly.Danielson@charlottecountyfl.gov>
Cc: Cullinan, Shaun <Shaun.Cullinan@charlottecountyfl.gov>; Clim, Diane <Diane.Clim@charlottecountyfl.gov>
Subject: PV--20-05-03

Good Afternoon,

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Thank you.

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Charlotte County Community Development
18400 Murdock Circle | Port Charlotte, FL. 33948
941.743.1208

Maryann.Franks@charlottecountyfl.gov

Delivering Exceptional Service

Franks, Maryann

From: Pederzolli, Gary
Sent: Tuesday, June 2, 2020 8:18 AM
To: Franks, Maryann
Subject: RE: PV--20-05-03

Maryann,
I see no issues with PV-20-05-03.

Gary Pederzolli
GIS Specialist
Charlotte County BOCC
18500 Murdock Circle, #229
Port Charlotte, FL 33948
Phone: 941-764-5512
Fax: 941-743-1957
Gary.Pederzolli@charlottecountyfl.gov

From: Franks, Maryann
Sent: Friday, May 29, 2020 12:34 PM
To: Prince, Tara <Tara.Prince@charlottecountyfl.gov>; Parkman, Matthew V. <Matthew.Parkman@charlottecountyfl.gov>; Kamarajugadda, Ravi Shankar <Ravi.Kamarajugadda@charlottecountyfl.gov>; Pieper, Ryan <Ryan.Pieper@charlottecountyfl.gov>; Ford, Steven <Steven.Ford@charlottecountyfl.gov>; Kalev, Stefan <Stefan.Kalev@charlottecountyfl.gov>; Pederzolli, Gary <Gary.Pederzolli@charlottecountyfl.gov>; Conrado, Maria <Maria.Conrado@charlottecountyfl.gov>; Vernon, Joanne <Joanne.Vernon@charlottecountyfl.gov>; Benjamin, Roy <Roy.Benjamin@charlottecountyfl.gov>; Aiuto, Phil <Phil.Aiuto@charlottecountyfl.gov>; Powell, Rob <Rob.Powell@charlottecountyfl.gov>; Ouimet, Jason <Jason.Ouimet@charlottecountyfl.gov>; Greene, Karly <Karly.Greene@charlottecountyfl.gov>; Vance, David <David.Vance@charlottecountyfl.gov>; Horton, Maggie <Maggie.Horton@charlottecountyfl.gov>; Stefan, Patricia <Patricia.Stefan@charlottecountyfl.gov>; Lee, Robert <Robert.Lee@charlottecountyfl.gov>; Weaver, Sandra <Sandra.Weaver@charlottecountyfl.gov>; Benak, Karen <Karen.Benak@charlottecountyfl.gov>; Anspach, Dawn <Dawn.Anspach@charlottecountyfl.gov>; Quillen, Ken <Ken.Quillen@charlottecountyfl.gov>; Mortimer, Travis <Travis.Mortimer@charlottecountyfl.gov>; Hunter, Judy <Judy.Hunter@charlottecountyfl.gov>; Danielson, Kelly <Kelly.Danielson@charlottecountyfl.gov>
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Charlotte County Community Development
18400 Murdock Circle | Port Charlotte, FL. 33948

Franks, Maryann

From: Stefan, Patricia
Sent: Tuesday, June 2, 2020 8:37 AM
To: Franks, Maryann
Subject: RE: PV--20-05-03

No comments

From: Franks, Maryann <Maryann.Franks@charlottecountyfl.gov>
Sent: Friday, May 29, 2020 12:34 PM
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Delivering Exceptional Service



Franks, Maryann

From: Ford, Steven
Sent: Wednesday, June 3, 2020 2:06 PM
To: Franks, Maryann
Cc: Vernon, Joanne; Schermerhorn, Scott
Subject: RE: PV--20-05-03

After review, I have the following comments: 1) the road within the 70' Tamiami Access area has been used by the Public to access the Crestwood waterway has rights within that area for access to a public waterway, 2) the Public Works Mosquito Control Dept. uses that as canal access for their assigned duties-we DO NOT want to give up a Public Works Access Point-if the Developer agrees to and provides access either at the existing site or somewhere else on their length of canal and dedicates a perpetual easement to access the waterway then the Public Works Dept. would be agreeable to the vacation request.

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-County Surveyor
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Cc: Cullinan, Shaun <Shaun.Cullinan@charlottecountyfl.gov>; Clim, Diane <Diane.Clim@charlottecountyfl.gov>
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Thank you.

Franks, Maryann

From: Aiuto, Phil
Sent: Tuesday, June 2, 2020 1:13 PM
To: Franks, Maryann
Cc: Powell, Rob
Subject: RE: PV--20-05-03

Miss Maryann,

The Public Works Engineering Dept., Stormwater Division, has no objection to vacating the Bamboo Drive Right-of-Way.

The Public Works Engineering Dept., Stormwater Division, can recommend approval to vacate the North Tamiami Trail Access Road Right-of-Way under the following condition:

The applicant shall provide an easement back to the County to accommodate the existing drainage and ability to maintain the system. The vacation shall not be recorded until the county has the signed easement in hand. The applicant shall coordinate the location and width of the new easement with the Public Works Engineering Dept., Stormwater Division.

Should you have any questions or need additional information, please let me know.

Thanks,

R. Phil Aiuto, P.E.
Stormwater Projects Engineer
Public Works - Engineering
Phone: 941.575.3650
CharlotteCountyFL.gov
Delivering Exceptional Service

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Sent: Friday, May 29, 2020 12:34 PM
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Cc: Cullinan, Shaun <Shaun.Cullinan@charlottecountyfl.gov>; Clim, Diane <Diane.Clim@charlottecountyfl.gov>
Subject: PV--20-05-03

Franks, Maryann

From: Aiuto, Phil
Sent: Tuesday, June 2, 2020 7:44 AM
To: Franks, Maryann
Cc: Powell, Rob
Subject: RE: PV--20-05-03

Miss Maryann,

Stormwater from upstream properties and other County road drainage in the area flows in the existing ditch in the North Tamiami Trail Access Road Right-of-Way between Chamberlin Blvd. and the Crestwood Waterway. Vacating this Right-of-Way would remove the right and ability of the Public and the County to utilize and maintain the existing drainage system that discharges to the Crestwood Waterway. Therefore the Right-of-Way should not be vacated.

Stormwater Dept. has no objection to vacating the Bamboo Drive Right-of-Way.

Should you have any questions or need additional information, please let me know.

Thanks,

R. Phil Aiuto, P.E.
Stormwater Projects Engineer
Public Works - Engineering
Phone: 941.575.3650
CharlotteCountyFL.gov
Delivering Exceptional Service

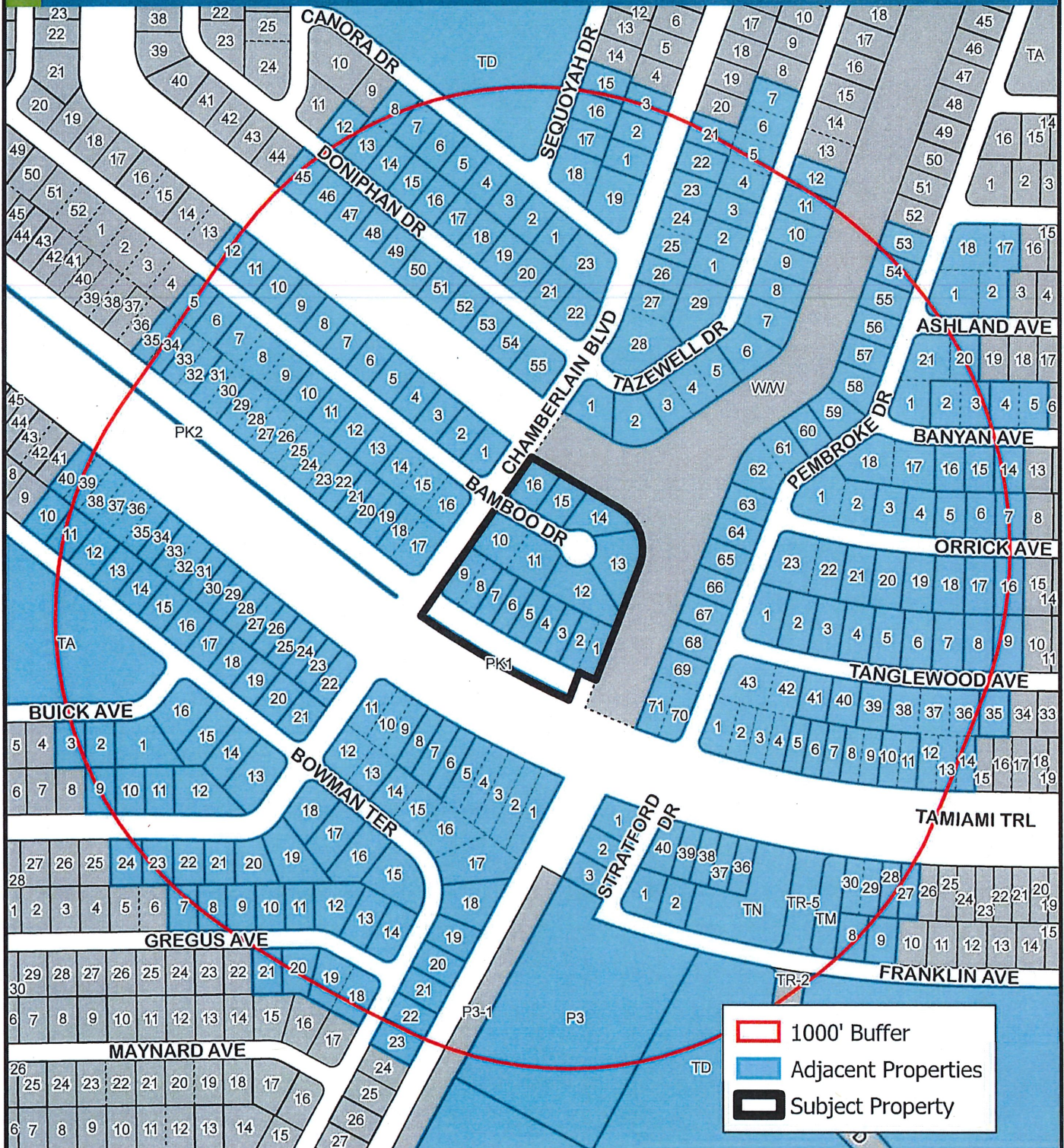
From: Franks, Maryann
Sent: Friday, May 29, 2020 12:34 PM
To: Prince, Tara <Tara.Prince@charlottecountyfl.gov>; Parkman, Matthew V. <Matthew.Parkman@charlottecountyfl.gov>; Kamarajugadda, Ravi Shankar <Ravi.Kamarajugadda@charlottecountyfl.gov>; Pieper, Ryan <Ryan.Pieper@charlottecountyfl.gov>; Ford, Steven <Steven.Ford@charlottecountyfl.gov>; Kalev, Stefan <Stefan.Kalev@charlottecountyfl.gov>; Pederzolli, Gary <Gary.Pederzolli@charlottecountyfl.gov>; Conrado, Maria <Maria.Conrado@charlottecountyfl.gov>; Vernon, Joanne <Joanne.Vernon@charlottecountyfl.gov>; Benjamin, Roy <Roy.Benjamin@charlottecountyfl.gov>; Aiuto, Phil <Phil.Aiuto@charlottecountyfl.gov>; Powell, Rob <Rob.Powell@charlottecountyfl.gov>; Ouimet, Jason <Jason.Ouimet@charlottecountyfl.gov>; Greene, Karly <Karly.Greene@charlottecountyfl.gov>; Vance, David <David.Vance@charlottecountyfl.gov>; Horton, Maggie <Maggie.Horton@charlottecountyfl.gov>; Stefan, Patricia <Patricia.Stefan@charlottecountyfl.gov>; Lee, Robert <Robert.Lee@charlottecountyfl.gov>; Weaver, Sandra <Sandra.Weaver@charlottecountyfl.gov>; Benak, Karen <Karen.Benak@charlottecountyfl.gov>; Anspach, Dawn <Dawn.Anspach@charlottecountyfl.gov>; Quillen, Ken <Ken.Quillen@charlottecountyfl.gov>; Mortimer, Travis <Travis.Mortimer@charlottecountyfl.gov>; Hunter, Judy <Judy.Hunter@charlottecountyfl.gov>; Danielson, Kelly <Kelly.Danielson@charlottecountyfl.gov>
Cc: Cullinan, Shaun <Shaun.Cullinan@charlottecountyfl.gov>; Clim, Diane <Diane.Clim@charlottecountyfl.gov>
Subject: PV--20-05-03

Good Afternoon,

I have attached the Distribution Memo and a copy of the application for review. Please send all your comments to me by June 15,2020.

CHARLOTTE COUNTY

1000' buffer for PV-20-05-03



02/40/21 Mid-County



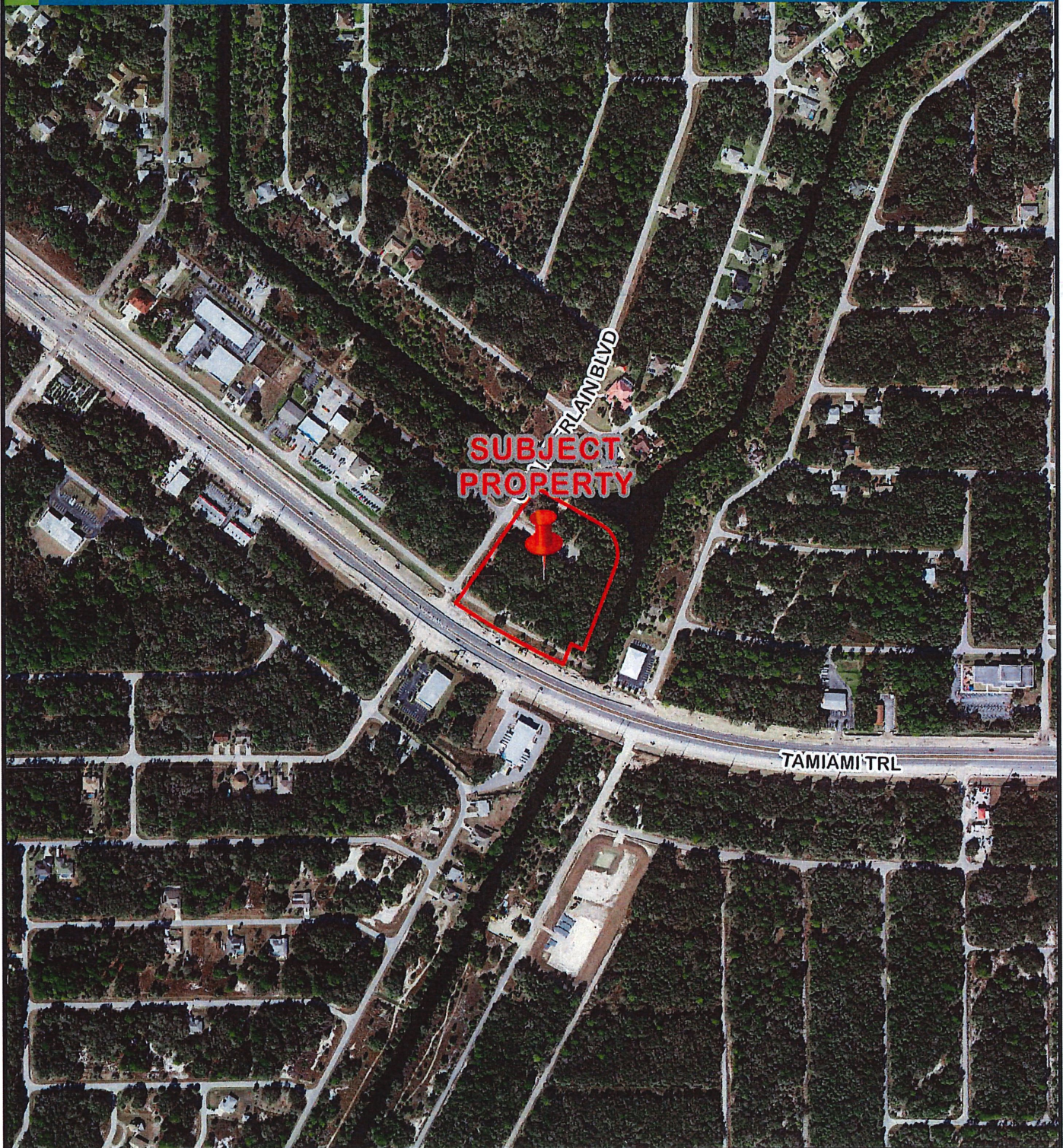
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CHARLOTTE COUNTY

Location Map for PV-20-05-03



02/40/21 Mid-County



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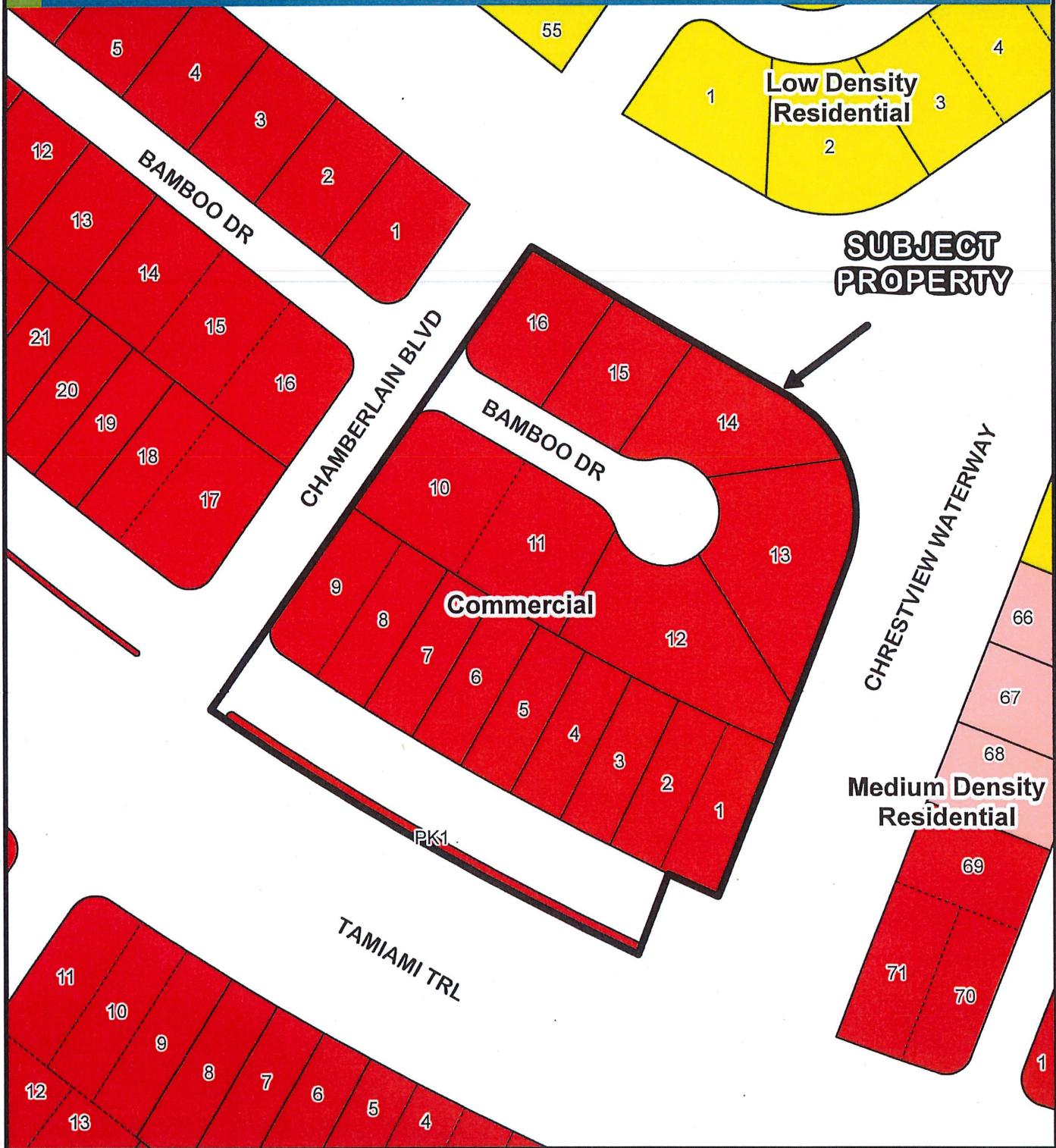
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CHARLOTTE COUNTY

Future Land Use Designations for PV-20-05-03



CHARLOTTE COUNTY
Community Development



02/40/21 Mid-County



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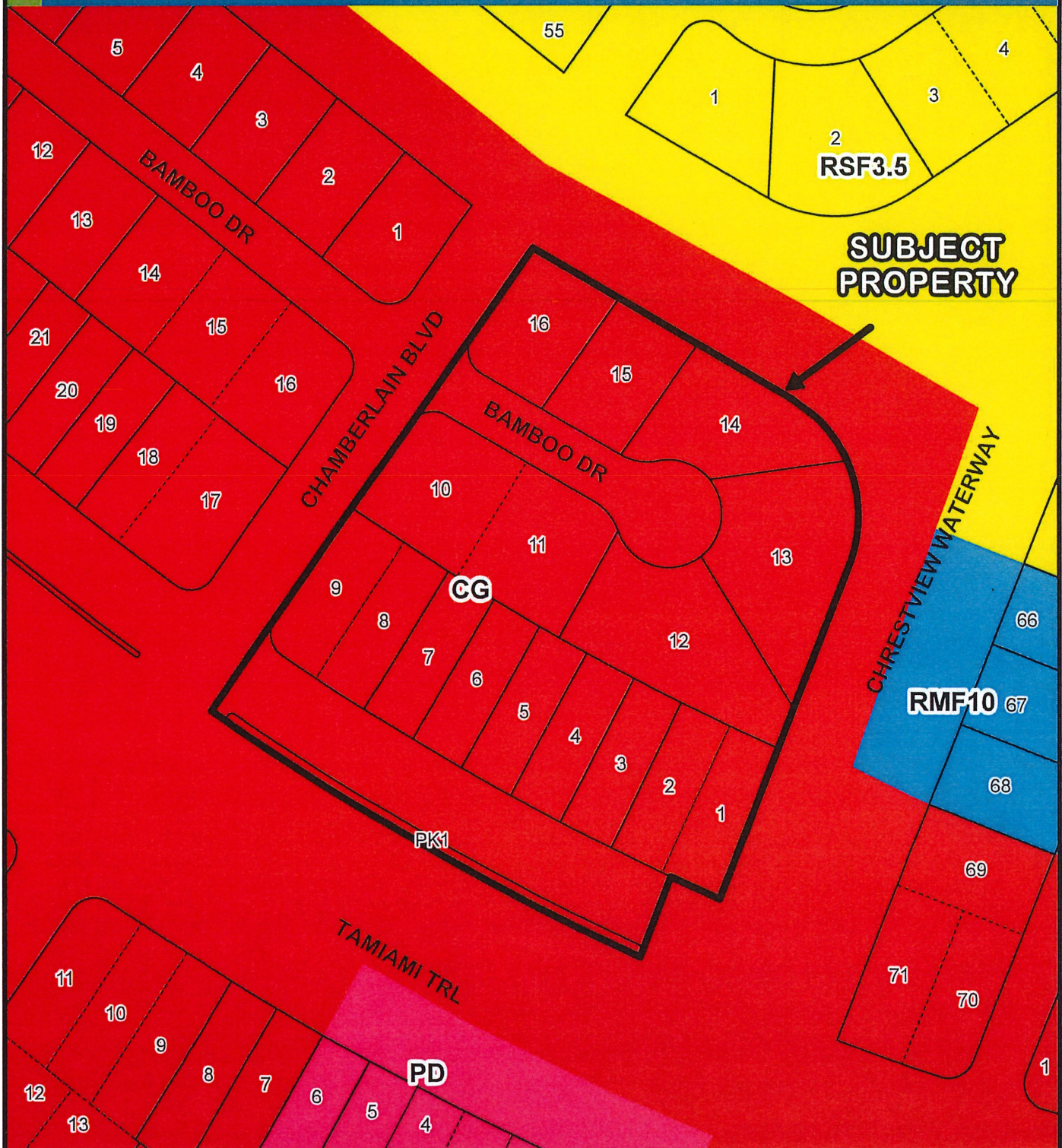
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CHARLOTTE COUNTY

Zoning Designations for PV-20-05-03



CHARLOTTE COUNTY
Community Development



02/40/21 Mid-County



(NOT TO SCALE)

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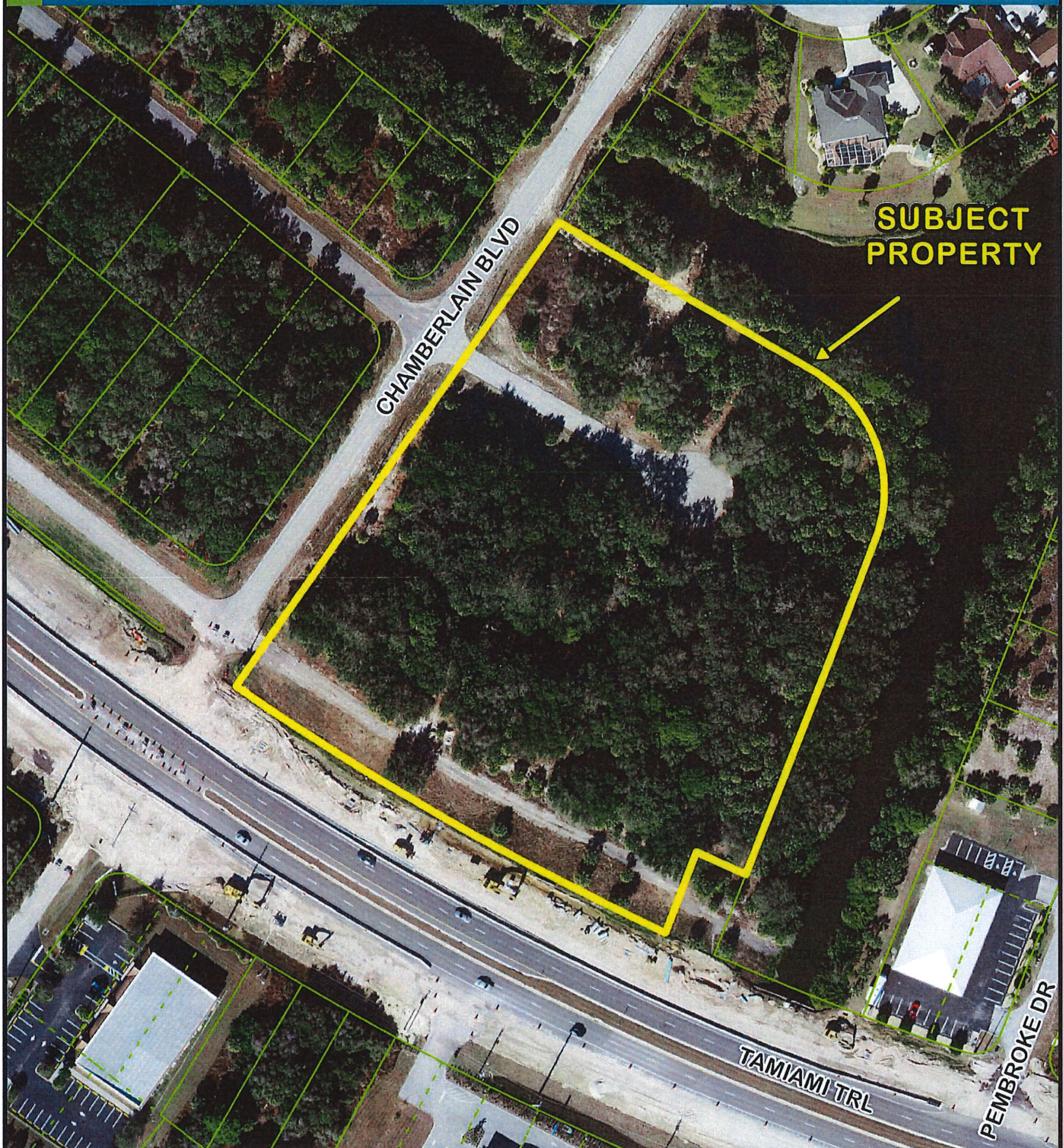
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CHARLOTTE COUNTY

Proposed Changes for PV-20-05-03



CHARLOTTE COUNTY
Community Development



**SUBJECT
PROPERTY**

02/40/21 Mid-County



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