

Sept. 26, 2005

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BARBARA T. SCOTT, CLERK, CHARLOTTE COUNTY
REC 35.50

ORDINANCE
NO. 2005 - 072

AN ORDINANCE PERTAINING TO FRONT YARD REQUIREMENTS IN THE CHARLOTTE HARBOR COMMUNITY DEVELOPMENT CODE; PROVIDING FOR THE AMENDMENT OF SUBSECTION 3-9-50.5(B(2)(f) OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA; PROVIDING FOR CHANGES TO THE REQUIRED FRONT YARD SETBACKS IN THE RESIDENTIAL USES IN ALL ZONING DISTRICTS IN THE CHARLOTTE HARBOR COMMUNITY REDEVELOPMENT AREA; PROVIDING FOR CONFLICT WITH OTHER ORDINANCES; PROVIDING FOR SEVERABILITY; AND, PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, the Charlotte Harbor Community Redevelopment Area (hereinafter "Charlotte Harbor CRA") was created by Resolution No. 92-251 on November 3, 1992, by the Board of County Commissioners of Charlotte County ("Board"); and

WHEREAS, the Charlotte Harbor Community Development Code was enacted by the Board on February 20, 1996, pursuant to Ordinance No. 96-0110A0, and included in the Code of Laws and Ordinances of Charlotte County ("Code") as Section 3-9-50 through 3-9-50.7; and

WHEREAS, the Charlotte County CRA Committee, an advisory committee to the Board (hereinafter "CRAC"), in consultation with Charlotte County staff, has recommended that the minimum front yard requirements for the residential uses in all zoning districts be reduced to ten (10) feet and that the maximum front yard requirement be twenty-five (25) feet; and

CERTIFIED TRUE COPY
OF THE ORIGINAL
BARBARA T. SCOTT
CLERK OF THE CIRCUIT COURT
CHARLOTTE COUNTY, FLORIDA

BY: *[Signature]*
DEPUTY CLERK

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10-28-05
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1 WHEREAS, the Charlotte County Planning and Zoning Board has
2 recommended approval of the changes recommended by the CRAC; and

3 WHEREAS, the Board agrees with the changes recommended by the
4 CRAC and the Planning and Zoning Board; and

5 WHEREAS, the Board has determined that the proposed changes will
6 promote the Charlotte Harbor CRA's aesthetic and visual environment and
7 character, enhance property values and create a more attractive residential
8 climate.

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

11 **Section 1.** That portion of the graphic set forth in Subsection 3-9-
12 50.5(B)(2)(f) pertaining to yard requirements for the Coastal Residential zoning
13 district is hereby amended by adding the underlined language and by deleting
14 ~~the stricken~~ language to provide as follows:

15

16	Minimum lot requirement				
17					
18	Front yard, feet:	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>
19		<u>25</u>	<u>25</u>	<u>25</u>	<u>25</u>
20					
21	<u>Maximum lot requirement</u>				
22					
23	<u>Front yard, feet:</u>	<u>25</u>	<u>25</u>	<u>25</u>	<u>25</u>
24					
25					

26 **Section 2.** Minimum front yard setback requirements for all
27 residential uses in all zoning districts within the Charlotte Harbor Community
28 Redevelopment Area are hereby established at ten (10) feet.

29

1 **Section 3.** Maximum front yard setback requirements for all
2 residential uses in all zoning districts within the Charlotte Harbor Community
3 Redevelopment Area are hereby established at twenty-five (25) feet.

4 **Section 4.** Conflict With Other Ordinances. The provisions of this
5 article shall supersede any provisions of existing ordinances in conflict herewith
6 to the extent of said conflict.

7 **Section 5.** Severability. In the event that any portion of this article
8 is for any reason held invalid or unconstitutional by any court of competent
9 jurisdiction, such portion shall be deemed a separate, distinct and independent
10 provision, and such holding shall not affect the validity of the remaining portions
11 of this article.

12 **Section 6.** Effective Date. This Ordinance shall take effect upon
13 filing in the office of the Secretary of State.

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PASSED AND DULY ADOPTED this 20th day of September, 2005.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: Thomas G. Moore
Thomas G. Moore, Vice Chairman

ATTEST:
Barbara T. Scott, Clerk of Circuit Court
and Ex-Officio Clerk to the Board of
County Commissioners

By: Barbara T. Scott
Deputy

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

By: Janette S. Knowlton
Janette S. Knowlton, County Attorney

RB
LR 2005-420