

ORDINANCE  
NUMBER 2013 - 023

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING CHAPTER 3-9, ARTICLE II, SECTION 3-9-50.6(a), CHARLOTTE HARBOR ARCHITECTURAL DESIGN REQUIREMENTS, OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA, BY AMENDING THE MANDATORY DESIGN REQUIREMENTS USED WITHIN THE CHARLOTTE HARBOR COMMUNITY OVERLAY DISTRICT; PROVIDING FOR CONFLICT WITH OTHER ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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RECITALS

WHEREAS, the Zoning Code of Charlotte County, Florida (the "County") is set forth in Chapter 3-9 of the Code of Laws and Ordinances of Charlotte County, Florida, (the "Code"); and

WHEREAS, pursuant to Ordinance No. 96-011 dated February 20, 1996, the Board of Commissioners of Charlotte County, Florida (the "Board") created Section 3-9-50 of the Code which sets forth the Charlotte Harbor Community Code ("CHCC"); and

WHEREAS, the CHCC governs land development within the Charlotte Harbor Community Redevelopment Area (the "CHCRA"); and

WHEREAS, Section 3-9-50.3 (a) and Section 3-9-50.6 (a) of the Code provide for the establishment of the Charlotte Harbor Architectural Design Guidelines by the Board; and

WHEREAS, Section 3-9-50.6 (a) provides that the guidelines shall become an attachment to the Code as Addendum 1 and shall be applicable throughout the CHCRA

24 MIN

1 as provided in Section 3-9-50.3 (a); and

2 WHEREAS, Section 3-9-50.6 (a) of the Code authorizes the Board to amend the  
3 Charlotte Harbor Architectural Design Guidelines from time to time; and

4 WHEREAS, Section 3-9-50.6 (a) of the Code initially provided that the guidelines  
5 "...are not intended to be mandatory and are intended to be used in an advisory  
6 capacity only"; and

7 WHEREAS, the Board enacted non-mandatory or advisory architectural design  
8 guidelines for the CHCRA (the "Original Guidelines") pursuant to Resolution No. 96-026  
9 dated February 20, 1996; and

10 WHEREAS, the Board subsequently enacted Ordinance No. 96-052 on July 17,  
11 1998, which amended Section 3-9-50.6 (a) of the Code to eliminate references to the  
12 Original Guidelines as non-mandatory or advisory in nature; and

13 WHEREAS, the Board amended Resolution No. 96-026 to delete the Original  
14 Guidelines and to replace them with mandatory design criteria and requirements that  
15 are consistent with the aforementioned amendment to Section 3-9-50.6 (a) of the Code;  
16 and

17 WHEREAS, the Board adopted Resolution No. 2002-119 that provided for  
18 mandatory architectural design standards in the CHCC; and

19 WHEREAS, the Board deems an amendment to the aforementioned Resolution  
20 No. 2002-119 and incorporation of those standards into the Code to be in the best  
21 interests of Charlotte County and the citizens of the Charlotte Harbor CRA.

22  
23 NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners

1 of Charlotte County, Florida, that Section 3-9-50.6 is hereby amended as set forth in this  
2 ordinance.

3 Section 1. Chapter 3-9, Article II, Section 3-9-50.6, of the Code of Laws and  
4 Ordinances of Charlotte County, Florida is hereby amended by adding the underlined  
5 language and by ~~deleting the stricken~~ language to provide as follows:

6  
7 **Section 3-9-50.6.** - ~~Charlotte Harbor Community architectural design requirements~~  
8 ~~Community Redevelopment Area Design Requirements (“CHCRA Design~~  
9 ~~Requirements”). Pursuant to Section 3-9-50.6 of the Zoning Code, the CRA Design~~  
10 ~~Requirements shall become an attachment to the Zoning Code as Addendum 1 and~~  
11 ~~shall be applicable throughout the CRA as provided in Section 3-9-50.3.~~

12 (a) ~~The Charlotte Harbor Community architectural design requirements (the “design~~  
13 ~~requirements”)~~ CHCRA Design Requirements are hereby provided for and shall  
14 regulate the design of new construction and the repair, rehabilitation or remodeling of  
15 existing structures throughout the Charlotte Harbor CRA. The design requirements shall  
16 be established by resolution of the board of county commissioners and may be  
17 amended by resolution of the Board of County Commissioners (Board) at such times  
18 as the Board deems necessary. ~~The design requirements are attached to the zoning~~  
19 ~~code as addendum 1 and shall apply throughout the Charlotte Harbor CRA.~~

20 (b) ~~This section shall not be interpreted to restrict, regulate, or limit the use of the design~~  
21 ~~requirements outside of the Charlotte Harbor CRA.~~

22  
23 **(a) Purpose.** The purpose of the CHCRA Design Requirements is to regulate  
24 the design of new construction and the repair, rehabilitation or remodeling of existing  
25 structures throughout the CRA.

26  
27 **(b) Intent.** The intent of the CHCRA Design Requirements is to enhance and  
28 maintain the character of the CHCRA by establishing design requirements that serve  
29 two primary functions. The first is to enhance the integrity of existing structures. The  
30 second is to create a community whose character is consistent with the “old Florida”  
31 vernacular style of architecture. The latter development is anticipated over time,  
32 particularly as the CHCRA Design Requirements are applied to new construction.

33  
34 **(c) Old Florida Vernacular.** The “old Florida” vernacular style is adopted as  
35 the architectural pattern for the CHCRA.

36  
37 **(d) Classes of CHCRA Design Requirements.** The CHCRA Design  
38 Requirements consist of General Requirements and Specifications, Period  
39 Requirements, and Design Requirements.

1  
2 **(e) Classes of Construction.** There are four classes of construction projects  
3 in the CHCRA. Each class of construction must comply with all of the General  
4 Requirements and Specifications and the Design Requirements that are applicable to  
5 that class of construction. Only Class I and II Projects must comply with the Period  
6 Requirements. The four classes of construction are:

7  
8 **Class I Projects**

9 Class I Projects consist of the building of a new structure, or modification  
10 or addition to an existing structure such that the existing structure must be  
11 elevated to meet base flood elevation requirements pursuant to the  
12 Floodplain Management provisions of the County Code. Class I Projects  
13 are intended over time to create a community whose character is  
14 consistent with the Period style of architecture.

15  
16 **Class II Projects**

17 Class II Projects are rehabilitation of commercial structures. Class II  
18 Projects consist of any repair, rehabilitation or remodeling of an existing  
19 commercial structure valued at fifty percent (50%) or more of the value of  
20 the existing structure over a five (5) year period regardless of whether  
21 such repair, rehabilitation or remodeling requires elevation of the existing  
22 structure to regulatory base flood levels pursuant to the Floodplain  
23 Management provisions of the County Code.

24  
25 **Class III Projects**

26 Class III Projects are residential rehabilitation not requiring the elevation of  
27 existing structures to regulatory base flood levels. Class III Projects also  
28 include commercial rehabilitation, reconstruction, remodeling, or additions  
29 valued at forty-nine percent (49%) or less of the value of the existing  
30 structure over a five (5) year period.

31  
32 **Class IV Projects**

33 Class IV Projects consist of decks, patios; permanent swimming pools;  
34 fences, walls, gazebos, sheds and other outbuildings, vending booths,  
35 carts, and other miscellaneous displays.

36  
37 **(f) Materials.** Wherever the General Requirements and Specifications,  
38 Period Requirements, or Design Requirements reference the use of Period materials,  
39 nothing shall preclude the use of modern materials that are the visual equivalent of  
40 Period materials and which are equal or superior to Period materials in regard to

1 strength and durability.

2  
3 **(g) General Requirements and Specifications.**

4  
5 **(1) Applicability.** The General Requirements and Specifications apply  
6 to all development in the CHCRA. Development includes, but is not limited to, Class I  
7 Projects, Class II Projects, Class III Projects and Class IV Projects.

8  
9 **(2) Generally.** Due to the broadness of the General Requirements and  
10 Specifications, each General Requirement and Specification will not pertain to every  
11 type of development activity in the CHCRA. If a development includes renovations to or  
12 new construction for any of the architectural elements listed in this subsection, the  
13 development activity will need to comply with the General Requirement and  
14 Specification pertaining to that element. The Charlotte Harbor CRA Advisory  
15 Committee, or designee, may make a recommendation to the Zoning Official, or  
16 designee, that the change is minor and that an architectural requirement not apply to a  
17 particular portion of a development. The Zoning Official will make the final  
18 determination of which architectural element requirements apply to the development.

19  
20 **(3) Building Orientation.** Building entrance shall be oriented to the  
21 primary street with the main entrance visible from the primary street. Buildings located  
22 on corner parcels are encouraged to frame the building to relate to the street and  
23 provide the best use of the location.

24  
25 **(4) Exteriors.** Wood is the most commonly used material for  
26 architectural features such as clapboards, cornices, brackets, entablatures, shutters,  
27 columns and balustrades. These wooden features are important in defining the  
28 character of a structure. The retention, protection and repair of all wood features shall  
29 be required in all rehabilitation projects.

30  
31 **(i) Exterior Siding Options**

- 32 1. Weatherboard, clapboard or lapped siding.  
33 2. Wood, vertical board-and-batten siding with 1" x 2" or 1"  
34 x 3" battens.  
35 3. Wood, horizontal novelty or drop siding.

36  
37 **(ii)** A combination of exterior siding materials is prohibited  
38 unless Period evidence indicates otherwise or additions were clad differently than the  
39 original structure.

1                    (iii) The introduction of a new wood feature that is incompatible  
2 in size, scale, material, and color is prohibited.

3  
4                    (iv) Exterior siding shall be painted.

5  
6                    **(5) Balustrades.** Wooden balustrades are significant in defining the  
7 Period character of frame structures.

8  
9                    (i) Wooden balustrades shall be retained and preserved.

10  
11                    (ii) When replacement is necessary, balustrades shall be  
12 replaced with materials that are compatible with the structure.

13  
14                    (iii) New balusters shall match the original balusters in size and  
15 height above the porch floor.

16  
17                    **(6) Masonry.** Masonry features (such as brick cornices and door  
18 pediments, stone window architraves, terra cotta brackets and railings) as well as  
19 masonry surfaces (molding, bonding patterns, joint size and color) are important in  
20 defining the Period character of a building. It should be noted that while masonry is  
21 among the most durable of building materials, it is also the most susceptible to damage  
22 by improper maintenance or repair techniques and by harsh and abrasive cleaning  
23 methods.

24  
25                    (i) Masonry features that are important in defining the overall  
26 Period character of the building such as walls, brackets, railings, cornices, window  
27 architraves, door pediments, steps, and columns shall be identified, retained, and  
28 preserved.

29  
30                    (ii) Masonry features shall be repaired using recognized  
31 preservation methods. Where masonry features are too deteriorated to repair, they  
32 shall be replaced in kind using physical evidence to guide the work.

33  
34                    **(7) Roofing (Materials).**

35  
36                    (i) The replacement or substitution of Period roofing materials  
37 on Period structures with roof treatments that are inconsistent with the Period (e.g.  
38 Spanish tile) is prohibited.

39  
40                    (ii) Masonry joints must be repointed and deteriorated mortar

1 must be removed by hand.

2  
3 **(8) Roofs (Shape).** The roof with its shape, features such as dormers,  
4 widow's walks, and chimneys, and the size, color, and patterns of the roofing material  
5 are extremely important in defining the building's overall character.

6  
7 (i) A roof's shape and features such as dormers, widow's walks,  
8 chimneys, scuttles, or roof porches shall be retained and preserved. The form and  
9 configuration of a roof must not be altered in pitch, design or shape unless such change  
10 will enhance the character and period design of a structure.

11  
12 (ii) Changing the configuration of a roof such that the Period  
13 character is diminished is prohibited.

14  
15 **(9) Gutters.** Gutter style is reflective of the property's history in terms  
16 of appearance and technology.

17  
18 (i) Only the half-rounded style of gutter shall be installed on  
19 structures erected prior to 1900.

20  
21 (ii) Only half-round or "ogee" style shall be installed on  
22 structures erected after 1900.

23  
24 **(10) Dormers.**

25  
26 (i) A dormer addition shall be in scale and harmony with the  
27 existing building, shall have a roof consistent with that of the existing structure, and shall  
28 have windows of the same design as the existing structure.

29  
30 (ii) The juncture of the dormer roof with the main roof shall be  
31 below the ridgeline of the main roof.

32  
33 **(11) Widow's Walks.**

34  
35 (i) A widow's walk addition shall be in scale and harmony with  
36 the existing structure.

37  
38 (ii) Period evidence of the prior existence of a widow's walk  
39 shall be the best justification for such an addition.

1                                   **(12) Secondary Roof Structures, Skylights and Scuttles.**

2  
3                                   (i) Whenever possible, original skylights and wood roof scuttles  
4 shall be retained and preserved.

5  
6                                   (ii) Flat, scuttles and skylights shall be located on the side that  
7 is least visible from a public street.

8  
9                                   **(13) Entrances, Porches, and Doors.**

10  
11                                   (i) Entrances and their functional and decorative elements that  
12 are important in defining the Period character of a building, such as doors and door  
13 openings, fanlights, sidelights, pediments, hardware, pilasters, columns, balustrades,  
14 and stairs shall be identified retained and preserved.

15  
16                                   (ii) Whenever possible, four- or six-paneled wood doors or  
17 horizontal panel doors as featured on late 19<sup>th</sup> and early 20<sup>th</sup> century buildings shall be  
18 utilized. Larger buildings may have paired entry doors. Sliding glass doors may be  
19 appropriate for side or back entry but not front. French doors may be appropriate  
20 throughout the structure.

21  
22                                   (iii) The additions of sidelights and entryway surrounds that are  
23 not original to the entrance are prohibited.

24  
25                                   (iv) A porch on an existing structure, which contributes to the  
26 Period character of the structure, shall not be removed. If a porch is to be enclosed, it  
27 shall be done in a manner consistent with the style and materials of the existing  
28 structure in a manner that preserves the character of the building.

29  
30                                   (v) Whenever possible, entrances and porches shall be repaired  
31 by reinforcing existing materials. When repair is not possible, limited replacement in  
32 kind or with compatible substitute materials shall be allowed.

33  
34                                   (vi) An entire entrance or porch that is too deteriorated to repair  
35 shall be replaced in kind. If the form and detailing are still evident, the physical  
36 evidence shall be used to guide the new work. If using the same kind of materials is not  
37 technically or economically feasible, then a compatible substitute material shall be used.

38  
39                                   (vii) In constructing a new entrance or porch, the design shall be  
40 compatible in size, scale, material, and color with the character of the building.

1  
2 **14) Columns, Posts, and Pillars**  
3

4 (i) Existing posts or columns that contribute to defining the  
5 character of the building shall be retained and preserved.  
6

7 (ii) When columns must be replaced, they shall be replaced with  
8 columns compatible in size, scale and material.  
9

10 (iii) Columns that have historically defined a building shall not be  
11 replaced with posts or pillars that are uncharacteristic of a building's style. For example,  
12 simple 4" x 4" wood square posts, not rounded, decorative columns, shall be utilized for  
13 a shotgun style house.  
14

15 **(15) Exterior Stairs.**  
16

17 (i) Exterior staircases shall be retained, preserved and, when  
18 necessary, replaced with materials that are compatible with both the individual structure  
19 and the CHCRA. Replacement of wood stairs with concrete stairs is prohibited.  
20

21 (ii) The balusters, newel posts, and rails of an exterior staircase  
22 shall be replaced with the same material, and shall be proportional to the main  
23 structure.  
24

25 (iii) Period stairways shall be upgraded to meet health and  
26 safety codes in a manner that assures their preservation.  
27

28 **(16) Ramps.**  
29

30 (i) Ramps, where required, shall be concealed with landscaping  
31 as much as possible, and shall blend with the scale and architectural features of the  
32 building.  
33

34 (ii) Construct ramps on less visible elevation using wrap-around  
35 design to achieve needed grade change.  
36

37 **(17) Windows.**  
38

39 (i) Windows and their functional features that contribute to defining  
40 the Period character of the building shall be identified, retained and preserved. Such

1 features include frames, sash, muntins, glazing, sills, paneled or decorated jambs and  
2 moldings, and interior and exterior shutters and blinds.

3  
4 (ii) When the replacement of windows in a structure is  
5 unavoidable, the replacement windows shall maintain the character of the structure.

6  
7 (iii) Changing of the number, locations, size, or glazing pattern of  
8 windows by cutting new openings, blocking in windows, and installing replacement sash  
9 that does not fit a window opening is prohibited, except in the case of life/safety  
10 requirements.

11  
12 (iv) Period windows shall only be replaced with Period windows.  
13 Repair and restoration of Period windows shall maintain the Period character of the  
14 windows.

15  
16 (v) Window glazing shall be clear, transparent, untinted and  
17 non-reflective. Stained glass may not be used on primary facades, except as an accent  
18 to the primary door or window covering no more than 10% of the total area. Original  
19 transoms or sidelights may not be removed or changed.

## 20 21 **(18) Shutters.**

22  
23 (i) Existing shutters and their functional and decorative  
24 elements shall be retained, repaired and preserved.

25  
26 (ii) If the overall form and detailing are still evident, a set of  
27 shutters that is too deteriorated to repair shall be replaced in kind using the physical  
28 evidence to guide the work. If using the same kind of material is not technically or  
29 economically feasible, a compatible substitute material shall be utilized.

30  
31 (iii) Hurricane shutters or panels shall be architecturally  
32 compatible with the building. When traditional shutters are not feasible or are  
33 inappropriate, removable storm panels shall be utilized (panels are stored except during  
34 a storm). Tracks for removable panels shall be painted to match the wall. Roll-down  
35 shutters shall be utilized on commercial buildings so as to allow concealment of the  
36 overhead casing. Accordion shutters shall be utilized on existing commercial buildings  
37 only if the stacked shutter is not conspicuous within the opening.

38  
39 **(19) Awnings.** Historically, the canvas or metal awning was an  
40 important design element in the traditional storefront, providing cover and added color.

1 Awnings served as a transition between the storefront and the upper facade.

2  
3 (i) Standard street level awnings shall be mounted so that the  
4 valance is at least 8 feet above the sidewalk elevation.

5  
6 (ii) Awnings shall be attached above the display window and  
7 below the cornice. An awning shall reinforce the frame of the storefront and shall not  
8 cover the space between the second story windowsills and the storefront cornice.

9  
10 (iii) The size, scale, and shape of awnings shall be appropriate  
11 to the specific building.

12  
13 (iv) If a flat canopy exists, it shall be dressed up with a 12- to 24-  
14 inch awning valance. Round or dome-shaped awnings must be compatible with the  
15 structures on which they are to be placed, and shall be in proportion to the entryway.

16  
17 (v) Signage on an awning valance shall be approved on a case-  
18 by-case basis, taking into consideration the total number of signs per building or  
19 business establishment as provided by the County Code. Lettering shall be one-half the  
20 height of the valance.

21  
22 (vi) Free standing fabric covered structures are allowed if they  
23 meet building code.

24  
25 **(20) Exterior Paint.**

26  
27 (i) Neon and fluorescent colors shall not be used on any  
28 structure in the CHCRA.

29  
30 (ii) The use of black paint shall be limited to trim.

31  
32 **(21) Building Environment.**

33  
34 (i) Features such as gardens, walkways, streets, alleys, plants,  
35 trees, fencing, and building setbacks which have traditionally linked buildings to their  
36 environment and which reflect the property's development shall be utilized and, in the  
37 case of existing structures, retained.

38  
39 (ii) For walkways in residential areas, brick or paver type  
40 treatment shall be used whenever possible.

1  
2 (iii) Traditional lawn and garden arrangements, with emphasis  
3 given to regional flora, shall be utilized whenever possible.  
4

5 (iv) Concrete or gravel lawns, and permanent aboveground or  
6 in-ground swimming pools or hot tubs are prohibited in front yards. At least 25 percent  
7 of a front yard shall be landscaped, and shall not be covered by brick, concrete, or  
8 gravel.  
9

10 (v) Widening of existing streets, changing the paving materials,  
11 and introducing new streets and new parking lots shall be done in a manner which is  
12 compatible with the character of the neighborhood and maintains the relationship of the  
13 buildings to the environment.  
14

15 **(22) Gazebos, Sheds, and other Outbuildings.**  
16

17 (i) The design of any gazebo, shed, or other outbuilding greater  
18 than 100 square feet in area shall be complementary in terms of design, scale,  
19 proportion, color, finish, and details to the main building.  
20

21 (ii) Sheds of less than 100 square feet in area shall be limited to  
22 two on any one residential parcel.  
23

24 (iii) Siting on the lot shall determine the allowable location and  
25 dimensions.  
26

27 (iv) Temporary outside storage units shall be allowed to remain  
28 on a property for no longer than 30 days in a calendar year unless the Zoning Official  
29 authorizes a greater period of time.  
30

31 **(23) Lattice Infill.**  
32

33 (i) The space between the floor of the house and the ground  
34 may be screened with lattice between supports of the house.  
35

36 (ii) Only one type of infill shall be used for each house. Lattice  
37 infill may be wood or recycled plastic. If wood, the lattice shall be a minimum of ¼ inch  
38 and pressure-treated. Posts on which the lattice is to be mounted shall be set on four  
39 foot centers.  
40

1           **(24) Storefronts.** Because storefronts play a critical role in a store's  
2 advertising strategy to draw customers, they are often altered to meet the needs of a  
3 new business. Care shall be taken when working on storefronts so that the building's  
4 character is preserved in the process of rehabilitation.

5  
6           (i) Storefronts and their functional and decorative elements that  
7 are important in defining the character of the building, such as display windows, doors,  
8 transoms, corner posts, entablatures, cornices, signs, and bulkheads shall be retained  
9 and preserved.

10  
11           (ii) Fluorescent lighting shall be baffled so that lamps are not  
12 visible from the public right-of-way. Where neon tubing is visible from the street and  
13 used to outline building facades or window/door openings, it shall be limited to signage  
14 and not extended to bands.

15  
16           (iii) The remodeling of storefronts shall be done in Period style  
17 and materials. Repairs to storefronts and their features shall maintain the existing  
18 character of the structure.

19  
20           (iv) Only appropriately scaled signs and logos that do not  
21 obscure, damage, or destroy a building's existing features shall be used.

22  
23           (v) The use of chaser lights is prohibited.

24  
25           **(25) Air Conditioning Units.**

26  
27           (i) Air conditioning units shall be installed in such a manner that  
28 Period material and features of a building are not damaged or obscured.

29  
30           (ii) Through-the-wall air conditioning units or window units shall  
31 not be installed in the front facade of a building.

32  
33           (iii) Air conditioning units shall be placed in new openings that  
34 align with the existing window frame. Molding shall be utilized as a trim element.

35  
36           (iv) Air conditioning units shall be concealed by landscaping or  
37 otherwise screened from view and shall not be placed in the front of a lot.

38  
39           **(26) Garbage and Trash**

1                    (i) When not at curbside for pick up, garbage and trash units  
2 shall be placed out of the public view.

3  
4                    (ii) A picket fence or other approved enclosure shall be utilized  
5 to screen areas where garbage and trash are stored prior to pick up or disposal.

6  
7                    **(26) Archeological Resources.**

8  
9                    (i) Significant archaeological resources affected by a project  
10 shall be protected and preserved. If such resources must be disturbed, mitigation  
11 measures shall be undertaken according to State and Federal Regulations.

12  
13                    (ii) Discovered artifacts shall be promptly reported to the  
14 Charlotte County Historic Preservation Board and the appropriate State and Federal  
15 authorities.

16  
17                    (iii) Excavation of utility trenches, cisterns, and foundations  
18 require notification in advance so that activities may be monitored.

19  
20                    **(27) Metal Carports.**

21  
22                    (i) Metal carports shall be utilized only on 1950/60's  
23 Mackle/GDC or other structures that were originally constructed with the structure.

24  
25  
26                    **(h) Period Requirements.** Only Class I Projects and Class II Projects shall be  
27 required to comply with the Period Requirements. Class I Projects and Class II Projects  
28 are required to use a minimum of four of the features listed below when designing and  
29 constructing the building. Two exceptions to the four requirements are: 1) a project that  
30 utilizes a metal roof or veranda consistent with the Period shall only be required to use  
31 two of the features below in addition to the Period metal roof or veranda And 2) a  
32 project that utilizes both a Period metal roof and veranda will not be required to use any  
33 further features from the list below.

34  
35                    **(1) Veranda.** A veranda which runs the entire length of a structure's  
36 primary facade, minus any portion of the primary facade necessary for vehicular access  
37 (e.g. garages), provided the length of veranda not located along the primary facade due  
38 to vehicular use is located along one of the sides abutting the primary facade as a  
39 continuous, "wrap-around" veranda.

1                   **(2) Metal Roof.** A metal roof of design and materials consistent with  
2 the Period.

3  
4                   **(3) A Widow's Walk.**

5  
6                   **(4) A Cupola.**

7  
8                   **(5) Windows.** Windows shall be either 6/6 or 2/2 windows.

9  
10                   **(6) Awnings/Canopies.** Placement, size, and shape must be  
11 compatible with the character of the building. They should be wide enough to cover the  
12 window or door opening and can be made of canvas or metal. Vinyl or plastic is  
13 prohibited. Fixed or retractable awnings are acceptable. They may be used on the  
14 street or upper stories as long as they are appropriate to and maintain the architectural  
15 style of the façade. Awnings on commercial structures should be open sided and  
16 valances are permitted. Awnings should not cover architectural features of the building.

17  
18                   **(7) Shutters.** Shutters shall be exterior, fixed louvered or panel that  
19 are sized appropriate to the window frame. Color should complement the color of the  
20 main façade. Bahama shutters are not permitted on the front, street level windows on  
21 commercial buildings. Bahama shutters can be used on the upper story.

22  
23                   **(8) Decorative Treatments.** The use of decorative lattice or  
24 "gingerbread" treatments at gable peaks, building corners and other appropriate areas  
25 of the structure as illustrated in the pictures adopted as references to these standards.

26  
27                   **(9) Ground Level Details.** At least two of the following elements  
28 should be included: low level decorative lighting; hanging flower baskets; planter boxes;  
29 decorative pavers leading to front door; pedestrian seating.

30  
31                   **(i) Design Requirements for Class I Projects.**

32  
33                   **(1) Site design and site preparation.** Improvements to property shall  
34 be undertaken with careful consideration to natural features, including but not limited to  
35 topography, drainage, and vegetation. To the greatest extent possible, natural features  
36 shall be incorporated into site design. For example, on-site stormwater ponds shall be  
37 located in those portions of the site which naturally occur at lower elevations in order to  
38 minimize the amount of fill material necessary to elevate the property in order to achieve  
39 drainage. This example also illustrates how proper site design will compliment other  
40 goals of the CHCRA including the preservation of canopy trees and the minimization of

1 fill within No-Fill Areas.

2  
3 **(2) Compatibility.** Class I Projects shall be compatible with the  
4 character of the CHCRA in terms of size, scale, design, materials, color and texture.

5  
6 **(3) Contemporary designs.** Contemporary designs shall complement  
7 and shall not conflict with the General Requirements and Specifications, Period  
8 Requirements, and Design Requirements. The distinction between contemporary and  
9 existing designs shall be and remain evident. Factors that shall be considered in  
10 blending contemporary with existing structures include, without limitation, size,  
11 pedestrian scale, relationship of building mass to adjacent structures, relationship to  
12 existing architectural details, elements, materials, color, texture and styles in the  
13 CHCRA, and similarity of window and door proportions.

14  
15 **(4) Materials, Textures, and Colors.** Exterior finishes in the CHCRA  
16 are wood or block/stucco with various types and colors of roofing materials. Roofing  
17 materials shall be consistent in appearance with the Period. Class I Projects shall  
18 establish a relationship with existing structures by utilizing the finishes and roofing  
19 materials required by this Code.

20  
21 **(5) Siting.** No Class I Project shall be placed closer to the sidewalk,  
22 street, or visible alley, than the distance that has been predetermined by existing  
23 structures. Areas that have traditionally been reserved for parks or open spaces shall  
24 remain. Requirements for building setbacks shall be established either by studying  
25 original zoning permits and plat maps, by establishing a uniform setback, or as provided  
26 by the Zoning Code.

27  
28 **(6) Height.** The height of all Class I Projects shall not exceed the  
29 maximum height standard established for the zoning district within which the subject  
30 property is located. There shall be a complementary relationship of height between new  
31 buildings and existing adjacent structures. An attached exterior addition shall be located  
32 at the rear or on an inconspicuous side of a structure, limiting its size and scale in  
33 relationship to the building.

34  
35 **(7) Additions.** New additions shall not destroy features that  
36 characterize the property and shall be undertaken in such a manner that if removed in  
37 the future, the essential form and integrity of the property and its environment would be  
38 unimpaired.

39  
40 **(8) Infill Requirements.** Where lattice is used to enclose open areas

1 underneath buildings resulting from the use of pilings, piers, and methods of achieving  
2 elevation that do not result in opacity, only one type of lattice infill may be used for an  
3 individual structure.

4  
5 **(9) Lighting.** All street lighting, yard lighting, and, for commercial  
6 development, parking and vehicular circulation area lighting shall match the lighting  
7 standards used at the Bayshore Park and as shown on the adopted photos. Lighting  
8 shall be further designed, shielded, installed, or otherwise accomplished so as to  
9 contain all illumination within the development site. Exterior pole lighting shall not  
10 exceed 15 feet.

11  
12 **(j) Design Requirements for Class II Projects.**

13  
14 **(1) Site design and site preparation.** Where Class II Projects also  
15 trigger the need for additional site improvements (for example, additional parking or  
16 stormwater treatment), such improvements shall be undertaken with careful  
17 consideration to natural features, including but not limited to topography, drainage, and  
18 vegetation. To the greatest extent possible, natural features shall be incorporated into  
19 site design. For example, on-site stormwater ponds shall be located in those portions of  
20 the site which naturally occur at lower elevations in order to minimize the amount of fill  
21 material necessary to elevate the property in order to achieve drainage. This example  
22 also illustrates how proper site design will compliment other goals of the CHCRA  
23 including the preservation of canopy trees and the minimization of fill within No-Fill  
24 Areas.

25  
26 **(2) Landscaping.** Parking lots and vehicular circulation areas  
27 associated with commercial redevelopment within the CHCRA shall be treated as new  
28 development and must be landscaped in accordance with Article XVIII of Chapter 3-5 of  
29 the County Code. Interior and perimeter landscaping areas are included within the  
30 scope of the preceding sentence. This Class II Design Requirement shall control and  
31 supersede any exemption afforded to existing paved parking areas from compliance  
32 with landscaping standards that are applied to new paved parking areas pursuant to  
33 Sec. 3-5-392 of the County Code.

34  
35 **(3) Compatibility.** Class II Projects shall be compatible with the  
36 character of the CHCRA in terms of size, scale, design, materials, color and texture.

37  
38 **(4) Contemporary designs.** Contemporary designs shall complement  
39 and shall not conflict with the General Requirements and Specifications, Period  
40 Requirements, and Design Requirements. The distinction between contemporary and

1 existing designs shall be and remain evident. Factors that shall be considered in  
2 blending contemporary with existing structures include, without limitation, size,  
3 pedestrian scale, relationship of building mass to adjacent structures, relationship to  
4 existing architectural details, elements, materials, color, texture and styles in the  
5 CHCRA, and similarity of window and door proportions.

6  
7 **(5) Siting.** No new addition shall be placed closer to the sidewalk,  
8 street, or visible alley, than the distance that has been predetermined by existing  
9 structures. Areas that have traditionally been reserved for parks or open spaces shall  
10 remain. Criteria for building setbacks shall be established either by studying original  
11 zoning permits and plat maps, by establishing a uniform setback or as provided by the  
12 Zoning Code. Additions other than additional floors shall be located at the rear or on  
13 an inconspicuous side of a structure, limiting its size and scale in relationship to the  
14 building.

15  
16 **(6) Height.** Class II Projects shall not exceed the maximum height  
17 standard established for the zoning district within which the subject property is located.  
18 There shall be a complementary relationship of height between additions that increase  
19 the height of the structures to which they are added and existing, adjacent structures.

20  
21 **(7) Additions.** New additions shall not destroy existing Period features  
22 that characterize the property and shall be undertaken in such a manner that if removed  
23 in the future, the essential form and integrity of the property and its environment would  
24 be unimpaired.

25  
26 **(8) Infill Requirements.** Where lattice is used to enclose open areas  
27 underneath buildings resulting from the use of pilings, piers, and methods of achieving  
28 elevation that do not result in opacity, only one type of lattice infill may be used for an  
29 individual structure.

30  
31 **(9) Lighting.** All exterior lighting shall be done in Period style, and  
32 shall be further designed, shielded, installed, or otherwise accomplished so as to  
33 contain all illumination within the development site. Exterior pole lighting shall not  
34 exceed 15 feet.

35  
36 **(k) Design Requirements for Class III Projects.**

37  
38 **(1) General.** Each property shall be recognized as a physical record of  
39 its time, place, and use. While most properties change over time, it is the intention of  
40 this Section that the character of properties undergoing reconstruction, rehabilitation, or

1 to which additions are added be maintained through preservation of distinctive features,  
2 finishes, construction techniques, or examples of craftsmanship.

3  
4 **(2) Scale.** No existing structure shall be enlarged so that its  
5 proportions, particularly height, are out of scale with its surroundings. On any given  
6 block or area where a variety of sizes and styles exist, no structure shall surpass the  
7 majority of the structures in that area. Alterations shall be made in a manner that does  
8 not alter the scale of the streetscape.

9  
10 **(3) Alterations.** The alteration of existing Period features is prohibited  
11 unless the alteration is necessary to salvage the structure. Whenever possible,  
12 deteriorated Period features that characterize a property shall be repaired rather than  
13 replaced. Where the severity of deterioration requires replacement of a Period feature,  
14 the new Period feature shall match the old Period feature in design, color, texture, and  
15 other visual qualities and, where possible, materials. Documentary, physical, or pictorial  
16 evidence shall justify and substantiate the replacement of missing Period features.

17  
18 Exterior alterations and related new construction shall not destroy Period features that  
19 characterize the property and shall be undertaken in such a manner that if removed in  
20 the future, the essential form and integrity of the property and its environment would be  
21 unimpaired. New features shall be compatible with the massing, size, scale, and  
22 architectural features of existing features in order to protect the integrity of the structure,  
23 the property and the environment.

24  
25 The removal or alteration of exterior spaces (such as porches, courtyards, etc.) that  
26 characterize a property is prohibited unless the removal or alteration is necessary to  
27 salvage the property or doing so enables the incorporation of Period design elements.

28  
29 The removal of Period materials is prohibited unless the Period materials are too  
30 deteriorated to repair. New Period materials shall be utilized to replace deteriorated  
31 Period materials. If new Period materials are unavailable, modern building materials and  
32 techniques that are visually equivalent to the Period materials shall be utilized.

33  
34 **(I) Design Requirements for Class IV Projects.**

35  
36 **(1) Swimming Pools.** Permanent swimming pools, spas, or Jacuzzis  
37 shall not be visible from the front of the building.

38  
39 **(2) Fences and Walls.** Fences and walls are important elements of the  
40 design and character of a structure and district.

1  
2                   (i) The scale and character of a fence and its posts and gates  
3 shall be compatible with the house and neighboring structures.

4  
5                   (ii) The height of fences and walls shall be governed by the  
6 standards of the zoning district within which the fence or wall occurs or is proposed to  
7 occur.

8  
9                   (iii) The beginning point for six-foot fences shall be rear-ward  
10 from the point where the façade of the house joins the front porch, or a minimum of 10  
11 feet from the front property line. This Class IV Design Requirement shall not be  
12 construed to exempt applicants from having to obtain a variance as may be required by  
13 the County Code regarding setback requirements from fences and walls.

14  
15                   (iv) All concrete walls shall be stuccoed and capped.

16  
17                   (v) Unless approved by the Board of Zoning Appeals for another  
18 location by way of a special exception, chain-link fencing shall not be installed forward  
19 of the back wall(s) of any structure. No request for a special exception to allow chain  
20 link fencing in any other location shall be placed on the Board of Zoning Appeals'  
21 agenda until such time as the Community Development Department receives a written  
22 recommendation regarding the requested variance from the Charlotte Harbor CRA  
23 Advisory Committee.

24  
25                   (vi) Reed fencing is prohibited.

26  
27                   (v) Fence structures erected within the required setback area  
28 (i.e. between the property line and the setback line) are subject to the same height  
29 restrictions as fences erected on the property line.

30  
31                   **(3) Vending Booths, Carts, and Other Merchandise Displays.** The  
32 use or storage of vending booths, carts, and other merchandise displays is prohibited in  
33 the front yard or side yard of any structure adjoining a public street (i.e. between the  
34 front or side facade and the public right-of-way or sidewalk), and are prohibited in public  
35 rights-of-way. Vending carts or booths shall be located only in or on the periphery of  
36 parking lots, where vending will not displace required parking, or otherwise vacant  
37 properties. Merchandise shall not be mounted or displayed on the exterior surface of  
38 the front facade. All vending machines shall be placed in kiosks or enclosures  
39 constructed in Period style and materials.

1 (m) Pictures. The Board has adopted a series of pictures that depict  
2 structures that reflect the Period vernacular. By this reference, the pictures are made a  
3 part hereof. The pictures are available for public inspection through the County Web  
4 Site. The County reserves the right to add and remove photographs from the pictures,  
5 as the case may be, provided that a complete set of the pictures shall be made  
6 available for public inspection at the location provided above. The purpose of the  
7 pictures is to present visual examples of combinations of design features that result in  
8 structures that display the Period vernacular.

9  
10 (n) Appeals. Any applicant seeking approval of development subject to these  
11 regulations aggrieved by the decisions of the Charlotte Harbor CRA Advisory  
12 Committee or its Architectural Review Subcommittee regarding interpretation or  
13 application of the requirements found herein may appeal such decisions to the Zoning  
14 Official who shall render a written determination regarding the disputed matter(s) which  
15 shall be considered the final resolution to the matter(s), subject to appeal as provided by  
16 Section 3-9-6 of the County Code.

17  
18 (o) Definitions.

19  
20 ARCH: A structural member shaped in the arc of a curve.

21 ARCHITRAVE: The lower part of a classical entablature, which rests on a column.

22 BALUSTER: A post or upright supporting a handrail, often vase-shaped, a series of  
23 which makes up a balustrade.

24 BALUSTRADE: A banister, railing, handrail or barrier.

25 BARGEBOARD: The decorative board attached to the projecting portion of a gable.

26 BRACKET: A support element under eaves, shelves, or other overhangs.

27 CHAMFER: The surface formed by cutting off a corner of a board or post; a bevel.

28 COLUMN: A vertical support generally consisting of a base, circular shaft and capital.

29 CORNICE: The horizontal molded projection at the top of a building or wall.

30 CRESTING: A light repeated ornament, incised or perforated, carried along the top of a  
31 wall or roof.

32 CUPOLA: A spherical roof or dome-roofed structure built on top of a roof.

33 DORMER: A vertical window set in a sloping roof or a roofed structure containing such  
34 a window.

35 EAVES: The projecting overhang at the lower edge of a roof.

36 ENTABLATURE: A horizontal part in a classical post and beam system composed of  
37 the cornice, frieze and architrave.

38 FACADE: The front or principal face of a building.

39 FINIAL: An ornament at the top of a spire, gable or pinnacle.

40 FRIEZE: The part of the entablature between the architrave and cornice; any

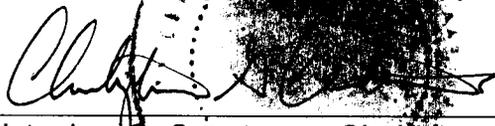
1           sculptured or ornamented band in a building.  
2   GABLE: The triangular portion of a wall between the enclosing lines of a sloping roof.  
3   HIP ROOF: A roof with four uniformly pitched sides.  
4   LATTICE: A structure consisting of strips of metal or wood, crossed or interlaced to  
5       form regularly spaced openings.  
6   LINTEL: A beam of any material used to span an opening (also known as an  
7       architrave).  
8   LOUVRE: A series of inclined slats in a vertical frame allowing ventilation without  
9       admitting rain.  
10   MOULDING: A continuous decorative band that is either carved into or applied to the  
11       surface.  
12   MULLION: A vertical member that divides a window or separates one window or door  
13       from another.  
14   MUNTIN: The wood or metal strips that divide a multi-pane window.  
15   PARAPET: A low solid protective wall or railing along the edge of a roof or balcony.  
16   PERIOD: The time period(s) that are distinguishable by the use of architectural  
17       pattern(s) feature(s) and design(s) that are consistent with the “old Florida”  
18       vernacular.  
19   PEDIMENT: A wide, low-pitched gable above a portico or door.  
20   PORCH: A covered structure or recessed space at the entrance of a building.  
21   PORTICO: A major porch, with a pedimented roof supported by columns.  
22   RAFTER: Part of a wooden roof frame sloping down from the ridge to the eaves and  
23       establishing the pitch.  
24   RIDGE: The highest point of the roof, running from end to end.  
25   SASH: A frame or window in which glass is set.  
26   SHUTTER TIEBACKS: Hardware used to secure open shutters.  
27   SPECIFICATIONS: The architectural patterns, features and designs that are consistent  
28       with the “old Florida” vernacular  
29   STUCCO: A type of plasterwork, either coarse or fine, used for surfacing interior or  
30       exterior walls.  
31   TRANSOM: A small window over a door or large window.  
32   TURRET: A small slender tower usually set at the corner of a building, often containing  
33       a circular shaft.

34  
35



1 PASSED AND DULY ADOPTED this 23<sup>rd</sup> day of July, 2013.

BOARD OF COUNTY COMMISSIONERS  
OF CHARLOTTE COUNTY, NC

By   
Christopher G. Constance, Chairman

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

By   
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

  
Janette S. Knowlton, County Attorney  
LR2013-2399  
9A



## FLORIDA DEPARTMENT *of* STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

July 30, 2013

Ms. Barbara T. Scott  
Clerk of the Circuit Court  
Charlotte County  
18500 Murdock Circle, Room 416  
Port Charlotte, Florida 33948

Attention: Ms. Michelle L. DiBerardino, Deputy Clerk Commission Minutes

Dear Ms. Scott:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated July 24, 2013 and certified copies of Charlotte County Ordinance Nos. 2013-020 through 2013-026, which were filed in this office on July 30, 2013.

Sincerely,

A handwritten signature in cursive script that reads "Liz Cloud".

Liz Cloud  
Program Administrator

LC/elr

RECEIVED AT  
MURDOCK BRANCH  
2013 AUG -5 PM 2:11  
BARBARA T. SCOTT  
CLERK OF CIRCUIT COURT  
CHARLOTTE COUNTY

Pd by Visa



PUBLISHER'S AFFIDAVIT OF PUBLICATION  
STATE OF FLORIDA  
COUNTY OF CHARLOTTE:

Before the undersigned authority personally appeared Phylis Moll, who on oath says that she is legal clerk of the Charlotte Sun, Englewood Sun, and North Port Sun, a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a Notice of Public Hearing, was published in said newspaper in the issues of:

July 8, 2013

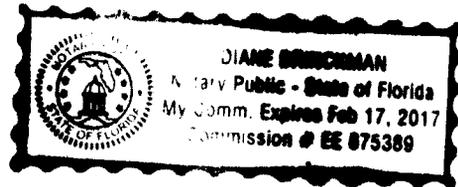
Affiant further says that the said newspaper is a newspaper published at Charlotte Harbor, in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in said Charlotte County, Florida, Sarasota County, Florida and DeSoto County, Florida, each day and has been entered as periodicals matter at the post office in Punta Gorda, in said Charlotte County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Phylis Moll  
(Signature of Affiant)

Sworn and subscribed before me this 8th day of July 2013.

Diane Brückman  
(Signature of Notary Public)

Diane BRÜCKMAN  
(Print Name of Notary Public)



Personally known  OR Produced Identification

Type of Identification Produced \_\_\_\_\_

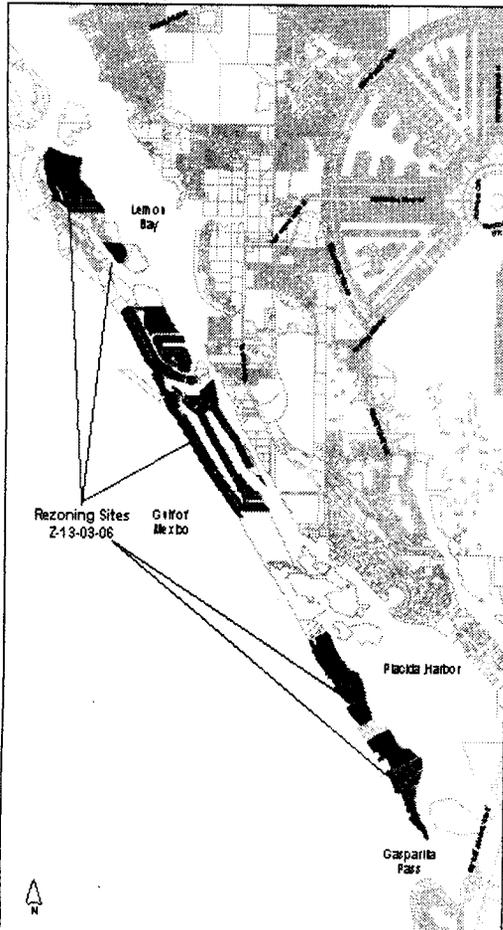
CHARLOTTE COUNTY  
FLORIDA  
2013 JUL -9 AM 11:19  
PUNTA GORDA

# NOTICE OF PUBLIC HEARING FOR ONE OR MORE OF THE FOLLOWING MATTERS: PROPOSED CHANGES TO THE FUTURE LAND USE MAP AND COMPREHENSIVE PLAN ELEMENTS, DEVELOPMENTS OF REGIONAL IMPACT OR CHANGES THERETO, REZONINGS, PRELIMINARY PLATS, STREET AND PLAT VACATIONS

A PUBLIC HEARING ON PROPOSALS AND PETITIONS AS DESCRIBED BELOW WILL BE CONDUCTED BY THE BOARD OF COUNTY COMMISSIONERS AT A REGULAR MEETING ON TUESDAY, JULY 23, 2013, AT 2:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD DURING THE COURSE OF ACTION. THE HEARING WILL BE HELD IN COMMISSION CHAMBERS, ROOM 119, FIRST FLOOR, BUILDING A, THE CHARLOTTE COUNTY ADMINISTRATION CENTER, 18500 MURDOCK CIRCLE, PORT CHARLOTTE, FLORIDA. THE BOARD IS NOT BOUND TO CONSIDER THE PETITIONS IN THE ORDER LISTED IN THIS NOTICE. ANY OF THESE PETITIONS MAY BE CONSIDERED AS SOON AS THE MEETING COMMENCES.

COPIES OF SAID PETITIONS WITH COMPLETE LEGAL DESCRIPTIONS AND SUBSEQUENT STAFF REPORTS WILL BE AVAILABLE FOR REVIEW AT THE CHARLOTTE COUNTY COMMUNITY DEVELOPMENT DEPARTMENT (RM. B-205) AND ALL CHARLOTTE COUNTY PUBLIC LIBRARIES. A MEETING AGENDA AND PETITION PACKETS MAY BE REVIEWED AT THE FOLLOWING INTERNET ADDRESS: <http://www.charlottecountyfl.gov/Pages/BCC-meeting-agendas.aspx>

ALL INTERESTED PERSONS ARE URGED TO ATTEND THESE PUBLIC HEARINGS. THE PUBLIC IS WELCOME TO SPEAK; THERE WILL BE A FIVE-MINUTE TIME LIMIT FOR EACH CITIZEN'S PRESENTATION ON AN AGENDA ITEM. IF YOU HAVE SPECIFIC QUESTIONS OR COMMENTS, YOU ARE ENCOURAGED TO CONTACT A STAFF PERSON AT ANY TIME IN ADVANCE OF THE PUBLIC HEARING(S). PLEASE CALL 941-764-4903 AND MENTION THE PETITION NUMBER OF THE MATTER YOU WISH TO DISCUSS.



## PETITIONS

**Bridgeless Barrier Island (BBI) Zoning District**      **Legislative**      **Commission District III**  
 An Ordinance amending Charlotte County Code Chapter 3-9, by creating a new section 3-9-56, Bridgeless Barrier Island (BBI) zoning, providing for permitted and prohibited uses; providing for special exceptions, providing for development standards; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

**Little Gasparilla Island (LGI) Zoning District Overlay**      **Legislative**      **Commission District III**  
 An Ordinance amending Charlotte County Code Chapter 3-9, by creating a new section 3-9-57, Little Gasparilla Island (LGI) Zoning District Overlay, providing for boundaries; providing for intent; governing the development of special exception uses on Little Gasparilla Island; providing for applicability; providing for other necessary clarifications; providing for conflict with other ordinances, providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

**Z-13-03-06**      **Quasi-Judicial**      **Commission District III**  
 An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Residential Multi-family Tourist (RMF-T)(296.0± acres), Residential Estates (RE-1)(20± acres), Residential Single-family 3.5 (RSF-3.5)(221± acres), and Residential Multi-family 5 (RMF-5)(22± acres) to Bridgeless Barrier Island (BBI), for property located on Little Gasparilla Island, Don Pedro Island, Knight Island and Thornton Key, in the West County area, containing 559.0± acres; Commission District III; Petition No. Z-13-03-06; applicant: Charlotte County Board of County Commissioners, providing an effective date.

Further information on the Bridgeless Barrier Island Zoning District, Little Gasparilla Island Zoning District Overlay and Z-13-03-06 may be found at the following website: <http://www.charlottecountyfl.com/GrowthManagement/PlanningZoning/> under the topic titled Bridgeless Barrier Island Amendments.

**Excavation and Earthmoving Code**      **Legislative**      **County-wide**  
 An Ordinance of the Board of County Commissioners of Charlotte County, Florida, amending Chapter 3-5, Article XXIII, Excavation and Earthmoving; providing for revised definitions; providing for revised exemptions; providing for revised general location and operation standards; providing for revised Group IV location and operation standards; providing for revised permit application contents; providing for revised listing of department name; providing for revised Group IV permitting processes; providing for conflict with other ordinances; providing for severability; and providing an effective date.

**Manasota and Sandpiper Key Zoning and Overlay Code**      **Legislative**      **Commission District III**  
 An Ordinance of the Board of County Commissioners of Charlotte County, Florida, amending Section 3-9-53, Chapter 3-9, Article II, District Regulations; providing for revised definitions, establishment, intent, boundary, conflict with other ordinances, zoning district use and development standards, site design standards, architectural standards, pile driving standards and sign standards; providing for severability; and providing an effective date.

**SV-13-05-02**      **Legislative**      **Commission District I**  
 Tim Thompson has applied to vacate a portion of the unnamed alley that runs between Broadpoint Drive and Foley Drive (platted Wheeler Court), located east of Foley Drive, south of Del Prado Parkway, and west of Broadpoint Drive, a total of 0.13 acres, more or less, in Sections 15 and 22, Township 40, Range 23, in Harbour Heights Section 5 Subdivision, as recorded in Plat Book 3, Page 81B, of the Official Records of Charlotte County, Florida, in Commission District I.

**Charlotte Harbor CRA Architectural Design Standards**      **Legislative**      **Commission District I**  
 An Ordinance pursuant to Section 3-9-50.6(A) of the Code of Laws and Ordinances of Charlotte County, Florida, amending the Mandatory Design Requirements used within the Charlotte Harbor Community Overlay District; and providing for intent, Applicability, Severability, and providing an Effective Date.

**SV-10-08-01**      **Legislative**      **Commission District IV**  
 Victor A. Lucas has applied for a Street Vacation to vacate all that portion of Jackson Road (aka Jaycox Road) lying adjacent to and contiguous with Lots 930, 931, and 932. Plat No. 1 of a part of Ward 2 El Jobean, in Section 15, Township 40 South, Range 24 East, Section 28, Township 40S, Range 21E, according to the Plat thereof, as recorded in Plat Book 2, Page 39, of the Official Records of Charlotte County, Florida. The site is located southeast of Myakka Point Drive, northeast of Royal Pointe Drive, and southwest of Silver Lakes Circle, in Commission District IV.

SHOULD ANY AGENCY OR PERSON DECIDE TO APPEAL ANY DECISION MADE BY THE BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT SUCH MEETING, A RECORD OF THE PROCEEDING AND FOR SUCH PURPOSE, A VERBATIM RECORD OF THE PROCEEDING IS REQUIRED, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

The Charlotte County Commission meeting room is accessible to the physically disabled. However, if you need assistance or require auxiliary aids and services please contact our office at 941-743-1392. FM Sound Enhancement Units for the Hearing Impaired are available at the Front Desk.

