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FILED WITH THE DEPARTMENT OF STATE *January 23, 2006*

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ORDINANCE  
NUMBER 2006 - 006

AN ORDINANCE ESTABLISHING ARCHITECTURAL DESIGN STANDARDS IN THE MANASOTA KEY ZONING DISTRICT OVERLAY; PROVIDING FOR THE AMENDMENT OF SECTION 3-9-53 OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA, BY ADDING A NEW SUBSECTION 3-9-53(u); PROVIDING FOR CONFLICT WITH OTHER ORDINANCES; PROVIDING FOR SEVERABILITY; AND, PROVIDING AN EFFECTIVE DATE.

RECITALS

17 WHEREAS, the Manasota and Sandpiper Key Advisory Committee  
18 ("Advisory Committee") was created by Resolution No. 2004-212 on October 12,  
19 2004, by the Board of County Commissioners of Charlotte County ("Board"); and

20 WHEREAS, the Manasota Key Zoning District Overlay Code was enacted  
21 by the Board on February 15, 2005, pursuant to Ordinance No. 2005-010, and  
22 included in the Code of Laws and Ordinances of Charlotte County ("Code") as  
23 Section 3-9-53; and

24 WHEREAS, the Advisory Committee, in consultation with Charlotte  
25 County staff, has proposed that certain architectural design standards  
26 ("Architectural Design Standards") should be adopted that regulate the  
27 appearance and constructive elements of structures on Manasota and Sandpiper  
28 Key and be used in addition to those standards already included in the Charlotte  
29 County Zoning Code; and

BARBARA T. SCOTT, CLERK, CHARLOTTE COUNTY  
OR BOOK 2899, PGS 1492-1504 13 pg(s)  
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**IMAGED**  
*2-9-06*  
*AP*

**CLERK'S OFFICE  
COMMISSION MINUTES  
MURDOCK ANNEX**

  
*minutes  
13*

1           WHEREAS; the Charlotte County Planning and Zoning Board has  
2 recommended approval of the changes recommended by the Advisory  
3 Committee and the County Staff; and

4           WHEREAS, the Board has determined that the Architectural Design  
5 Standards are consistent with the Charlotte County Comprehensive Plan, will  
6 promote the Manasota Key Zoning Overlay's aesthetic and visual environment  
7 and character, and is in the best interests of the County and its citizens.

8           NOW, THEREFORE, BE IT RESOLVED by the Board of County  
9 Commissioners of Charlotte County, Florida:

10           Section 1. Section 3-9-53 of the Code of Laws and Ordinances of  
11 Charlotte County, Florida ("Code") is hereby amended by adding Subsection  
12 3-9-53(u) to read as follows:

13

14           (u) *Architectural Design Standards.*

15

16

17           (1) *Intent.* Design Standards shall apply to all development as expressed in this  
18 Section. These design standards generally address the following aspects of  
19 development but are not limited to: building facades, building roofs, accessory  
20 structures, fences lighting, site arrangement, and commercial structures. These  
21 standards shall regulate the appearance and constructive elements of structures  
22 on Manasota and Sandpiper Key and be used in addition to those standards  
23 expressed in the Charlotte County Zoning Code. If there are any conflicts or  
24 inconsistencies between this document and the Charlotte County Zoning Code,  
25 the more stringent shall apply.

26

27           The provisions of this Subsection shall apply to all zoning districts established by  
28 the Manasota Key Zoning District Overlay Code ("Overlay Code"). Unless  
29 otherwise specified within this Code, there shall be permitted no variances or  
30 exceptions from the requirements set forth within this Section.

31

32           (2) *Applicability.* This Section shall apply to all zoning districts established by  
33 the Overlay Code, in the following instances or combination thereof:

- 1  
2 (A) New construction of residential structures and/or 50%  
3 reconstruction of existing legally established commercial structures.  
4 Reconstruction of existing residential structures shall not exceed  
5 the 50% limit within a five (5) year period. The 50% shall be  
6 calculated as a reconstruction of at least 50% of the square footage  
7 of the legally permitted structure, or as 50% of the value of the  
8 legally permitted structure, whichever is lower in monetary value.  
9 The value of the legally permitted structure shall be determined by  
10 the highest of either the replacement valuation on the most recent  
11 county tax roll, or a certified independent appraisal. The burden of  
12 providing said certified independent appraisal shall be with the  
13 applicant. In no case shall the value of the land be factored in  
14 calculations made pertaining to this Subsection.  
15
- 16 (B) New construction of commercial structures and/or 50% of  
17 reconstruction of legally established commercial structures.  
18 Reconstruction of existing commercial structures shall not exceed  
19 the 50% limit within a five (5) year period. The 50% shall be  
20 calculated as a reconstruction of at least 50% of the square footage  
21 of the legally permitted structure, or as 50% of the value of the  
22 legally permitted structure, whichever is lower in monetary value.  
23 The value of the legally permitted structure shall be determined by  
24 the highest of either the replacement valuation on the most recent  
25 county tax roll, or a certified independent appraisal. The burden of  
26 providing said certified independent appraisal shall be with the  
27 applicant. In no case shall the value of the land be factored in  
28 calculations made pertaining to this Subsection.  
29
- 30 (C) Additions which consist of less than 50% of the total interior square  
31 footage to legally established residential single-family and multi-  
32 family structures. Additions to existing structures shall not exceed  
33 50% of the original square footage within a five (5) year period for  
34 single-family and multi-family structures. Additions shall meet all  
35 codes applicable at the time of building permit application.  
36
- 37 (D) Additions which consist of less than 50% of the total interior square  
38 footage to legally established commercial structures. Additions to  
39 existing structures shall not exceed 50% of the original square  
40 footage within a five (5) year period for commercial structures.  
41 Additions shall meet all codes applicable at the time of building  
42 permit application.  
43
- 44 (3) *Site design.*  
45

- 1 (A) Structures shall be placed and arranged consistent with all of the  
2 following standards:  
3
- 4 (i) No-Fill Areas. All classifications are designated as no-fill  
5 areas where only pilings and stem wall shall be used for  
6 construction except the minimum amount of fill necessary  
7 within the building footprint and other facilities as required by  
8 federal, state or local regulations.  
9
- 10 (ii) Buffer Strip Areas shall be green areas except where sidewalks  
11 and driveway are permissible. All sidewalks and driveway shall  
12 be permeable.  
13
- 14 (iii) Buffer areas shall not include accessory structures.  
15
- 16 (iv) Storm water ponds and retention areas, where required, shall  
17 generally be located in those portions of the site which naturally  
18 occur but no closer than ten (10) feet to the property boundary  
19 or public right-of-way unless reviewed and approved by the  
20 Architectural Review Committee. This requirement shall not  
21 apply to drainage swales in single-family districts.  
22
- 23 (B) Driveways shall be maintained, repaired, constructed, and installed  
24 according to all of the following standards:  
25
- 26 (i) Driveways shall be constructed to ensure that no portion of a  
27 parked vehicle encroaches onto the public Right-of-Way or over  
28 any public sidewalk/bicycle path intended for public use.  
29
- 30 (ii) New driveways and driveways where more than 50% of their  
31 area (not including enclosed garages) is repaired/replaced shall  
32 be completely (i.e. entire driveway) constructed of one of a  
33 combination of the following materials: porous brick, porous  
34 pavers, rock, pebbles, washed crushed shell, or gravel. New  
35 asphalt and concrete (porous or non porous) shall be prohibited.  
36
- 37 (iii) No driveway shall exceed 24 feet in width at the portions where  
38 it connects to a roadway. Additional internal width may be  
39 permitted only to accommodate required turning lanes.  
40
- 41 (iv) Driveways shall not encroach Buffer Strip areas, unless they  
42 are the only driveway and are only a crossover.  
43
- 44 (C) Building and Façade Materials. Building Facades shall be  
45 constructed, maintained and improved according to all of the  
46 following:

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(i) Façade walls, excluding doors, windows, and trim. All facades shall be improved and constructed with one or a combination of the following materials: masonry, stucco, vinyl, and/or wood. Specific accent materials shall be allowed pursuant to these standards.

(a) Masonry. A masonry finish may be allowed on any façade; however, unfinished and exposed concrete block shall be prohibited.

(b) Wood. A wooden finish may be allowed on any façade pursuant to the additional standards. Wooden panels and board shall be installed in either a flush horizontal or vertical pattern. Slanted wood patterns shall be prohibited unless specifically reviewed and approved by the Architectural Review Committee.

(c) Stucco. A stucco finish may be allowed on any façade.

(d) New technologies shall be reviewed and considered by the Architectural Review Committee and/or the Manasota and Sandpiper Key Advisory Committee.

(e) Neon and Florescent colors shall be prohibited.

(f) No reflective materials shall be used on building facades.

(ii) Trim shall be required around all wall openings including, but not limited to, windows, doors, balconies and alcoves except as noted below. Trim shall be installed pursuant to all of the following standards:

(a) Trim shall resemble wood, masonry stone, stucco or tile.

(b) Reflective finishes shall be prohibited.

(c) Trim shall be a minimum of three inches in width.

(d) Colors: Neon and fluorescent colors shall not be used on any trim or structure. The use of black paint shall be limited to trim.

(D) Accent Materials. Accent materials may be used on buildings but shall be limited to twenty percent (20%) of any building façade. When using faux finishes, they should resemble indigenous Florida

1 material. No reflective materials shall be used on building facades.  
2 Additionally, from time to time, other accent materials may be  
3 proposed subject to review and a recommendation for approval by  
4 the Architectural Review Committee

5

6 (E) Windows shall be placed on all facades and exterior walls.

7

8 (F) All buildings shall have a clearly defined building entrance.

9

10 (G) Garage doors are required to be flush or recessed back from the  
11 front façade so as not to dominate the architectural design and  
12 appearance.

13

14 (i) Garage door height is limited to ten (10) feet unless reviewed  
15 and approved by the Architectural Review Committee.

16

17 (H) Roofs shall be constructed, maintained and repaired with the  
18 following standards:

19

20 (i) Roofs shall be predominantly opaque in appearance. Glass  
21 surfaces such as skylights shall be limited.

22

23 (ii) Roof materials shall resemble non reflective metal, wooden  
24 shingle, "dimensional" asphalt shingle, barrel tile, concrete tile,  
25 slate or new materials reviewed and approved by the  
26 Architectural Review Committee.

27

28 (iii) Flat roofs shall be exempt from all preceding roof material  
29 standards and restrictions provided a parapet or mansard wall is  
30 utilized to screen the roof and rooftop equipment. Parapets and  
31 mansards are required to be constructed within the height  
32 limitations.

33

34 (iv) Solar panels shall be installed to be at the same angle of incline  
35 as the roof pitch, where possible. Solar panels should be  
36 positioned on portions of the roof that are not readily seen from  
37 the abutting roadways.

38

39 (I) Architectural accents:

40

41 (i) Chimneys shall be constructed within the height limitations and  
42 must be vertical.

43

44 (ii) Antenna Structures shall be screened from the abutting  
45 roadway and shall be subject to the district height limitations.

46

- 1 (iii) Wall art is strongly discouraged from the front building façade.  
2 All wall art visible from the abutting roadways shall be approved  
3 by the Architectural Review Committee. And be in character  
4 with the coastal setting.  
5
- 6 (iv) Gutters shall resemble and/or match the building trim or  
7 primary façade. Gutters shall not cause water to accumulate  
8 on neighboring properties or directly upon driveways or  
9 sidewalks.  
10
- 11 (v) Lattice. The space between the first floor of a building and the  
12 ground shall be screened with lattice or breakaway walls.  
13 Lattice shall be used specifically to conceal structure areas, and  
14 shall be the same pattern and appearance through the outside of  
15 the structure in which it is attached.  
16
- 17 (vi) Lattice shall be permanently secured to the principal structure.  
18 Lattice shall be vinyl or painted wood, and complement the  
19 building.  
20
- 21 (vii) Address Numbers. All structures shall post address numbers  
22 on the front of building facades in a location either by the front  
23 entrance or garage door, and/ on signage easily visible and  
24 legible from the adjacent roadway.  
25
- 26 (J) Lighting. Lighting fixtures, structures and elements shall be  
27 constructed, installed, maintained and replaced consistent with all  
28 of the following standards:  
29
- 30 (i) An outside lighting plan is required to be submitted to the  
31 Architectural Review Committee with or prior to the application for  
32 approval.  
33
- 34 (ii) All outside lighting fixtures shall be installed to orient light  
35 downward and to provide glare reduction optics and shielding  
36 features. No fixture shall direct light upward or onto adjacent  
37 property. (Exemptions shall include small accent lights that are  
38 directed upward to softly illuminate landscaping).  
39
- 40 (iii) Fixtures for lighting areas should follow a consistent design  
41 theme. Dramatically different styles shall be avoided.  
42
- 43 (iv) Light globes must not protrude below shades. Light shades  
44 must screen the point source of light to minimize sky glow.  
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- (v) Exterior low level lights should be provided for pedestrian safety.
- (vi) Fixtures shall adhere to State, County and local requirements.
- (vii) Lighting on balconies, porches and raised walkways shall be installed no higher than one foot from the floor (i.e. no overhead lighting).
- (viii) Security lighting shall be permitted throughout the night during non turtle season. During turtle season security lights shall be attached to a motion sensor with limited timing.
- (ix) Light Posts. Light posts shall be installed consistent with the following standards.
  - (a) Light posts shall be constructed and installed to resemble wood, polished concrete or painted metal.
  - (b) Unfinished and/or unpainted metal and concrete surfaces and untreated wooden posts shall be prohibited.
  - (c) Light posts on private property shall not exceed sixteen (16) feet in height.
- (K) Fencing and Walls. Yard fences and walls shall be constructed, maintained and repaired consistent with the following standards:
  - (i) Materials should resemble wood, wrought iron masonry and/or PVC.
  - (ii) Coated chain link fencing shall only be permissible to enclose tennis courts and/or swimming pools.
  - (iii) Unfinished concrete block shall be prohibited. Concrete block walls shall be split-faced, or finished, and capped.
  - (iv) Wood fences and walls shall be pressure-treated to prevent deterioration and rot.
  - (v) Solid walls and fences should maintain openings at the bottom every 25 ft. of a minimum of 9 inches wide and 6 inches tall to allow for wild life movement.

- 1 (vi) Fences and walls shall not exceed six feet of height, measured  
2 from the finished grade of the parcel, unless otherwise required as  
3 part of a project's approval or original permit.  
4
- 5 (vii) Fences and wall forward of the front building façade shall not  
6 exceed four feet in height.  
7
- 8 (viii) Fences and walls that abut a body of water shall not exceed  
9 four feet in height for portions that extend beyond the building  
10 façade.  
11
- 12 (L) Accessory Structures. Accessory structures shall be installed,  
13 constructed, maintained and repaired consistent with all of the  
14 standards below:  
15
- 16 (i) Accessory structures shall not be located within the buffer area.  
17
- 18 (ii) All accessory structures shall be securely anchored to the  
19 ground.  
20
- 21 (iii) Accessory structures shall not be located forward of the front  
22 building façade.  
23
- 24 (iv) Sheds, Gazebos, Cabanas, Decks and Animal Houses.  
25
- 26 (a) Sheds, gazebos, cabanas and animal houses roofing  
27 materials shall resemble or be complimentary to the  
28 materials used on any existing principle structure on the  
29 same property.  
30
- 31 (b) Structures should be limited to ten (10) foot in height.  
32 However gazebos may be permitted to a maximum of fifteen  
33 (15) feet.  
34
- 35 (v) Swimming pools, hot tubs, spas, and other water features and  
36 their decks shall be installed and constructed consistent with the  
37 following standards:  
38
- 39 (a) Swimming pools, shall be limited to one vertical accessory  
40 including, but not limited to, slides and diving boards. Said  
41 accessories shall not exceed eight (8) feet in height.  
42
- 43 (b) Pools and Spas shall be permanently installed in the ground  
44 or within a masonry foundation. Above ground pools or spas  
45 are prohibited.  
46

- 1 (c) Portable Spas shall be modified to adhere to these  
2 standards.  
3
- 4 (vi) Air Conditioning and Heating Units shall be installed according  
5 to all the following standards:  
6
- 7 (a) Window units shall not be installed on the front façade.  
8
- 9 (b) Units shall be screened from off-site view. Window units  
10 shall be exempt from this standard.  
11
- 12 (c) Consideration shall be given to avoid impacts to adjacent  
13 properties; air conditioning and heating units shall not  
14 encroach on setbacks, buffers or buffer strips.  
15
- 16 (vii) Waste Receptacles, Garbage and Trash Containers. Waste  
17 receptacles shall be installed, constructed, maintained and  
18 repaired as follows:  
19
- 20 (a) Trash can storage areas shall be completely screened from  
21 off site view, and located in full compliance with the County's  
22 dumpster ordinance.  
23
- 24 (b) Dumpsters shall be stored and screened within an enclosed  
25 area, not in front of the leading edge of the building façade.  
26
- 27 (c) Dumpsters and Trash Containers shall meet other Code  
28 requirements.  
29
- 30 (viii) Miscellaneous Accessory Structures shall be consistent with  
31 the following standards:  
32
- 33 (a) Ramps, where required, shall be concealed with landscaping  
34 as much as possible, and shall blend with the scale and  
35 architectural features of the building.  
36
- 37 (b) Carports. Temporary carports and similar structures shall be  
38 prohibited.  
39
- 40 (c) Mailboxes. Community mailboxes, when available, shall be  
41 used for single family residences. No individual mailbox  
42 shall be installed in the public right-of-way when group boxes  
43 are available.  
44
- 45 (d) Multi family and commercial development shall provide  
46 group mailboxes on site and off the public right-of-way.

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(e) Garden features. Garden features such as arbors, trellises, sculptures, and birdbaths, shall be securely anchored to the ground. Height of garden features shall not exceed 8 feet; height of fountains shall not exceed 15 feet. Heights pertaining to this subsection shall be measured from the finished grade of the site where the feature or fountain is to be located.

(M) Landscaping. Landscaping on Manasota and Sandpiper Key shall be subject to the provisions and standards of the Charlotte County Zoning Code. In addition to such zoning standards, landscaping on the Keys shall be installed, repaired and maintained consistent with the guidelines in this Section.

(i) A landscaping plan is required to be submitted to the Architectural Review Committee with or prior to the application for approval. All easements existing and proposed must be shown on the plan, and must be drawn to scale with dimensions, distances and acreages. Building structures and storm water retentions and similar features shall be shown.

(ii) Foundation plantings shall be installed around buildings to soften their appearance from off site view.

(iii) All side and rear buffer areas shall be treated with Florida friendly landscape material.

(4) *Commercial buildings and multi-family residences.* Standards of this Subsection apply to multi-family residences, commercial structures, and existing structures that involve repair or reconstruction in excess of fifty percent (50%) of the structural replacement. New building additions for said structures shall adhere to these standards in all cases as well as adhering to the above community standards.

(A) Primary building entrances shall be oriented to adjacent roadways.

(B) Principal buildings shall include a permeable pedestrian pathway along it front façade linking site to adjacent parking.

(C) Loading docks and delivery vehicle parking areas should be located to the rear and side of building. To the extent possible, these elements should not be placed between the front building façade and the roadway.

(D) Drive-thru facilities shall be prohibited.

- 1 (E) All handicapped-accessible spaces must be located on an accessible  
 2 route no less than 44 inches wide so that users will not be compelled to  
 3 walk or wheel behind parked vehicles.  
 4
- 5 (F) Parking lot areas shall be required to be screened with low fencing  
 6 and/or landscaping whenever areas abut a public right-of-way, residential  
 7 uses, or property which contains residential density with low fencing  
 8 and/or landscaping.  
 9
- 10 (G) A landscaping plan prepared by a registered landscape architect shall  
 11 be submitted with all new construction and/or modifications to existing  
 12 structures that exceed 50% of the total structure's replacement value.  
 13
- 14 (H) Vending Machines, Sales Booths, Media Racks and other  
 15 Merchandise Displays and Utility Concessions.  
 16
- 17 i) Vending machines for beverages, food and sundries intended  
 18 for merchandise sales and display shall be installed,  
 19 constructed and placed in kiosks or other enclosures, and  
 20 screened from view of public right-of-way and neighbors. Such  
 21 machines shall not be placed along the front or side or rear  
 22 building facades. Such machines are prohibited on the exterior  
 23 of any structure.  
 24
- 25 ii) Washing machines, dryers, and refrigeration units shall be  
 26 prohibited outside of a fully enclosed structure.  
 27
- 28 iii) Media racks for newspapers, magazines and other printed  
 29 publications may be placed on the exterior of buildings but must  
 30 be placed inside of the standardized media containers that are  
 31 approved by the Manasota Key Municipal Taxing Unit, and the  
 32 Architectural Review Committee.  
 33
- 34 iv) Automatic teller machines and other currency dispensing  
 35 devices shall not be permitted on the exterior structure of any  
 36 building.  
 37
- 38 (5) Variance applications shall be heard by the Architectural Review  
 39 Committee of the Manasota/Sandpiper Key Advisory Committee in their  
 40 regularly scheduled meetings prior to the review of the Zoning Official.  
 41 The Architectural Review and/or Advisory Committee shall issue a  
 42 recommendation of approval or denial as to the application. The  
 43 recommendation shall be forwarded to the Zoning Official. The  
 44 recommendation of the Architectural Review and/or Advisory Committee  
 45 shall be considered by the Zoning Official in connection with the Zoning  
 46 Official's consideration of the application.

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**Section 2.** Conflict with Other Ordinances. The provisions of this article shall supersede any provisions of existing ordinances in conflict herewith to the extent of said conflict.

**Section 3.** Severability. In the event that any portion of this article is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this article.

**Section 4.** Effective Date. This Ordinance shall take effect upon filing in the office of the Secretary of State.

PASSED AND DULY ADOPTED this 17 day of JANUARY, 2006.

BOARD OF COUNTY COMMISSIONERS  
OF CHARLOTTE COUNTY, FLORIDA

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

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

By: Anne L. Pfahler  
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

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

p:/wpdata/public/karen/Ord/Manasota Key Architectural Design Standards  
LR2005-626

RB  
LR 2005-626

ORD 2006-006

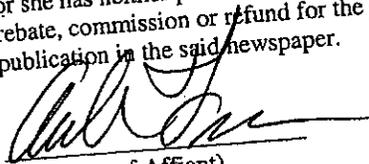


**PUBLISHER'S AFFIDAVIT OF PUBLICATION**  
STATE OF FLORIDA  
COUNTY OF CHARLOTTE:

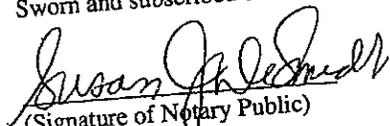
Before the undersigned authority personally appeared Amber Freeman, who on oath says that she is legal clerk of the (Charlotte Sun, Englewood Sun, DeSoto Sun, North Port Sun, Venice Gondolier Sun), a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement,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

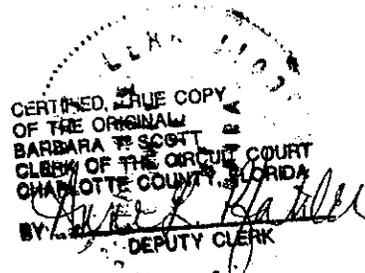
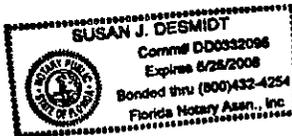
January 2, 2006

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.

  
(Signature of Affiant)

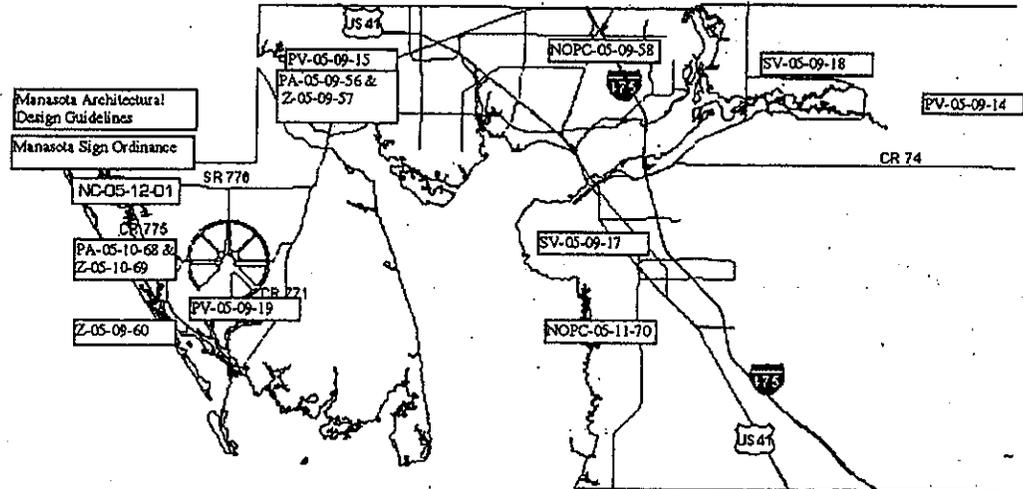
Sworn and subscribed before me this 2nd day of January, 2006.

  
(Signature of Notary Public)



6 x 21 x 5.75 = \$ 724.50

**NOTICE OF PUBLIC HEARING FOR ONE OR MORE OF THE FOLLOWING MATTERS:  
PROPOSED CHANGES TO THE FUTURE LAND USE MAP AND COMPREHENSIVE PLAN  
ELEMENTS, PROPOSED CHANGES TO DEVELOPMENT OF REGIONAL IMPACT, PLAN  
AMENDMENTS, REZONINGS, PRELIMINARY PLATS, STREET AND PLAT VACATIONS,  
OR TRANSMITTALS TO THE DEPARTMENT OF COMMUNITY AFFAIRS (DCA)  
OF LARGE SCALE FUTURE LAND USE MAP AMENDMENTS**



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, JANUARY 17, 2006 AT 9:00 A.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD DURING THE COURSE OF ACTION. THE HEARING WILL BE HELD IN THE COMMISSION CHAMBERS, ROOM 119, FIRST FLOOR, BUILDING A, THE CHARLOTTE COUNTY ADMINISTRATION CENTER, 18500 MURDOCK CIRCLE, FORT CHARLOTTE, FLORIDA. IN THE EVENT THAT THE TUESDAY MEETING CANNOT BE CONCLUDED AT A REASONABLE HOUR, THE MEETING MAY BE CONTINUED TO THE NEXT DAY, WEDNESDAY, JANUARY 18, 2006 AT 9:00 A.M. AT THE SAME LOCATION.

COPIES OF SAID PETITIONS WITH COMPLETE LEGAL DESCRIPTIONS AND SUBSEQUENT STAFF REPORTS WILL BE AVAILABLE FOR REVIEW AT THE CHARLOTTE COUNTY COMMUNITY DEVELOPMENT DEPARTMENT AND ALL CHARLOTTE COUNTY PUBLIC LIBRARIES.

A MEETING AGENDA AND PETITION PACKETS MAY BE REVIEWED AT THE FOLLOWING INTERNET ADDRESS:  
<http://www.charlottecountyfl.com/agenda.asp>

ALL INTERESTED PERSONS ARE URGED TO ATTEND THESE PUBLIC HEARINGS. 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**

Z-05-09-60

**Commission District III**

An Ordinance approving an amendment to the Charlotte County Zoning Atlas from Manasota Multi-family-12 (MNF-12) and Manasota Multi-family-2.5 (MNF-2.5) to Planned Development (PD), for property located at 920, 930, 945, and 990 Gulf Boulevard; 1035 and 1050 Shore View Drive, containing 5.396 acres more or less, in the Englewood area; Petition No. Z-05-09-60; applicant Deborah L. Weston and L.S. Weston's Inc.

PA-05-10-68

**Commission District III**

An Ordinance pursuant to Section 163.3187(1)(C), Florida Statutes, adopting a Small Scale Future Land Use Map Amendment to the Charlotte County Comprehensive Plan from Commercial Corridor to General Mixed Use for properties located at 2444 or 2448 Placida Road; containing 1.14 acres more or less, in the Englewood area; Commission District III; Petition No. PA-05-10-68; applicant DCS Group LLC.

Z-05-10-69

**Commission District III**

An Ordinance approving an amendment to the Charlotte County Zoning Atlas from Commercial General (CG) to Planned Development (PD), for property located at 24444 or 24448 Placida Road; containing 1.14 acres more or less, in the Englewood area; Commission District III; Petition No. Z-05-10-69; applicant DCS Group LLC.

PA-05-09-56

**Commission District IV**

An Ordinance pursuant to Section 163.3187(1)(C), Florida Statutes, adopting a Small Scale Future Land Use Map Amendment to the Charlotte County Comprehensive Plan from Low Density Residential to Preservation for properties located in the Treestoys at Ranger Pointe Subdivision; containing 7.1 acres more or less, in the El Jobean area; Commission District IV; Petition No. PA-05-09-56; applicant Charlotte County Board of County Commissioners.

Z-05-09-57

**Commission District IV**

An Ordinance approving an amendment to the Charlotte County Zoning Atlas from Residential Single-family-5 (RSF-5) to Environmentally Sensitive (ES), for property located in the Treestoys at Ranger Pointe Subdivision; containing 7.1 acres more or less, in the El Jobean area; Commission District IV; Petition No. Z-05-09-57; applicant Charlotte County Board of County Commissioners.

NOPC-05-09-58

**Commission District I**

Benderson Development Company, LLC is requesting to amend the Victoria Estates Development of Regional Impact (DRI) Development Order by providing for a revised Map H; providing an updated land use and phasing schedule; providing biennial monitoring report requirements; extending the effective period of development order; finding that this amendment does not constitute a substantial deviation; and providing an effective date; the Victoria Estates DRI consists of 293a acres located south of Village Dr, west of I-75, north of Rampart Blvd and east of Kings Hwy and 72a acres located south of Suncocoas Blvd, west of Mimosa Ave, east of Loveland Blvd and east of Old Landfill Rd (i.e., Suncocoas Lakes); Sections 7, 8 and 18, Township 40S, Range 23E in Port Charlotte, Florida; a complete legal description is on file.

NOPC-05-11-70

**Commission District II**

Turn Bay, LLC is requesting to amend the Turn Bay Development of Regional Impact (DRI) Development Order; the Turn Bay DRI consists of 1,778a acres located approximately 3 miles north of the Lee County line, west of CR 765 (Buntz Street Road), east of Charlotte Harbor and approximately southwest of U.S. Highway 41 (Taraiani Trail); Sections 13, 17, 18, 19 and 20, Township 42 South, Range 23 East in Punta Gorda, Florida; a complete legal description is on file.

SV-05-09-17

**Commission District II**

Richard A. and Donna M. Handrickson are requesting a Street Vacation to vacate the east end of Peeper Drive and Venice Canal of Rio Villa 1st Addition, recorded in Plat Book 4, Page 10A thru 10C of the Public Records of Charlotte County, and located in Section 19, Township 41, Range 23, in Commission District 2. The site consists of approximately .04 a acres.

SV-05-09-18

**Commission District I**

Robert M. Parker and Nancy D. Parker are requesting a Street Vacation to vacate a portion of Magnolia Avenue, an unimproved street, between Lot 16 and Lot 17 of the J.H. Lucas Subdivision, Section 17, Township 40S, Range 24 E, located in Commission District 1. The site consists of 18.28a acres.

PV-05-09-14

**Commission District I**

Jim Paul Cross and Margaret Hazel Cross, Trustees, are requesting a Plat Vacation to vacate Lenox Park, a subdivision as recorded in Plat Book 2, Page 10 of the Public Records of Charlotte County, located in Section 18N, Township 40S, Range 26E, located in Commission District 1. The site consists of 19.55 acres. The applicable property was certified as a Standing Zone and a plat vacation is required as part of the certification.

PV-05-09-15

**Commission District IV**

Homeowner's Association of Treestoys at Rangers Pointe is requesting a Plat Vacation to vacate a portion of the El Jobean Ward 1, a Subdivision according to the Plat thereof, as recorded in Plat Book 2, Page 30; a portion of Natsodge Road, platted at Newcombe Road as recorded in Plat Book 16, Page 50-B of the Treestoys at Rangers Pointe Subdivision Phase 1; and a portion of El Jobean Ward 2, a Subdivision according to the Plat thereof as recorded in Plat Book 2, Page 39 of the Public Records of Charlotte County, Florida, located in Section 28N, Township 40S, Range 21E, in Commission District 4. The site consists of 7.1a acres. The applicant's property was certified as a Standing Zone and a plat vacation is required as part of the certification.

PV-05-09-19

**Commission District III**

CCC DR, LLC is requesting a Plat Vacation to vacate a portion of the Coral Creek Club plat, known as Tract A and Lots 1-5, Block B (Lakeside), as recorded in Plat Book 19, Pages 8A-8G, of the Public Records of Charlotte County, Florida, and located in Section 17, Township 42S, Range 20E, in Commission District 3. The site consists of 210 Acres total.

NC-05-12-01

**Commission District III**

Mr. Jack Donzel has requested a street name change for lot through 601 Streets in the Rock Creek Park subdivision located in Englewood. The request is to add "East" to all of the street names in order to match the GIS records, street signs and 911 system.

**Manasota/Sandpiper Key Architectural Design Guidelines**

An ordinance pertaining to the Charlotte County portion of Manasota Key and all of Sandpiper Key; Pursuant to Section 3-9-53 of the Code of Laws and Ordinances of Charlotte County, Florida; amending the Manasota and Sandpiper Key Zoning Overlay Code; providing for applicability; providing for requirements for site design, roof, architectural accents, lighting, fencing and walls, accessory structures, landscaping; providing for variance procedures; providing for references to other ordinances, inclusion in the County Code, and severability; and providing an effective date.

**Manasota/Sandpiper Key Sign Ordinance**

An ordinance pertaining to the Charlotte County portion of Manasota Key and all of Sandpiper Key; Pursuant to Section 3-9-53 of the Code of Laws and Ordinances of Charlotte County, Florida; amending the Manasota and Sandpiper Key Zoning Overlay Code; providing for applicability; providing for general restrictions, prohibited signs, exempt signs, temporary signs, permissible permanent signs, area and number of signs, location, height and setbacks, illumination and maintenance; providing for permit and fee requirements; providing for sign application procedures; providing guidelines for nonconforming signs; providing for references to other ordinances, inclusion in the County Code, and severability; and providing an effective date.

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.



FLORIDA DEPARTMENT OF STATE  
**Sue M. Cobb**  
Secretary of State  
DIVISION OF LIBRARY AND INFORMATION SERVICES

January 24, 2006

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

Attention: Anne L. Pfahler, Deputy Clerk

Dear Ms. Scott:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated January 19, 2006 and certified copies of Charlotte County Ordinance Nos. 2006-002 through 2006-007, which were filed in this office on January 23, 2006.

Sincerely,

Liz Cloud  
Program Administrator

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