

**Application No.**  
**PV-12-09-05**  
**(Plat Vacation)**

**Applicant**  
**Burnt Store Presbyterian Church /**  
**Parcel "C" Burnt Store Park**  
**Subdivision**

**Legislative**

**Commission Dist. II**



Community Development

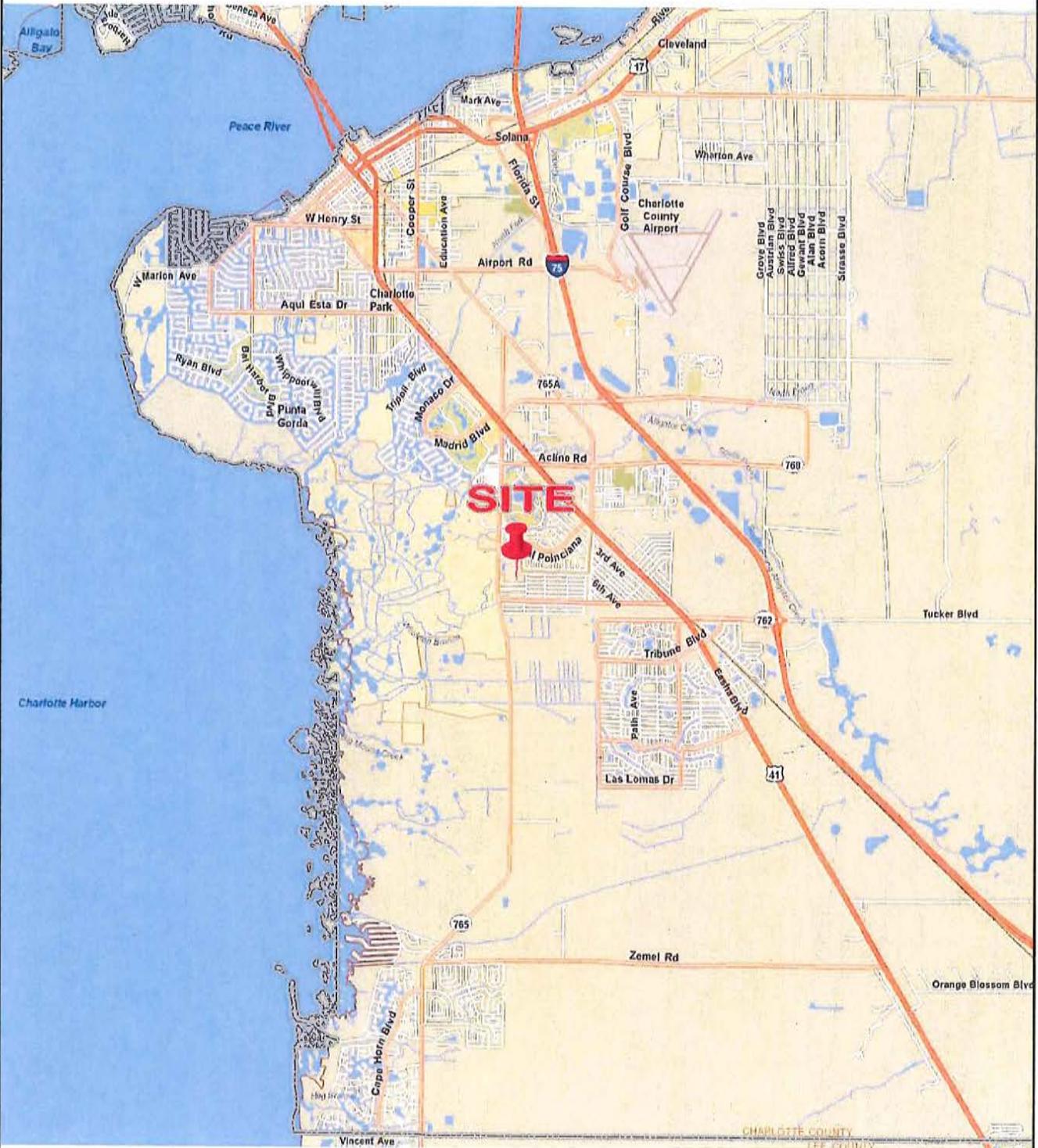
# CHARLOTTE COUNTY

## Location Map for PV-12-09-05

Charlotte County Government

"To exceed expectations in the delivery of public services."

www.CharlotteCountyFL.com



### 33/41/23 East County

This map is a representation of compiled public information. It is believed to be an accurate and true depiction for the stated purpose, but Charlotte County and its employees make no guaranties, implied or otherwise, to the accuracy, or completeness. We therefore do not accept any responsibilities as to its use. This is not a survey or is it to be used for design. Reflected Dimensions are for Informational purposes only and may have been rounded to the nearest tenth. For precise dimensions, please refer to recorded plats and related documents. Created By: Land Information-D. Vance Date Saved: 11/20/2013 11:53:54 AM  
Path: M:\Departments\GIS\Projects\Petition\_Maps\Comp\_Planning\2012\12-09-05\PKCT\_Location\_PV-12-09-05.mxd



NOT TO SCALE

© Copyright 2013 Port Charlotte, FL by Charlotte County



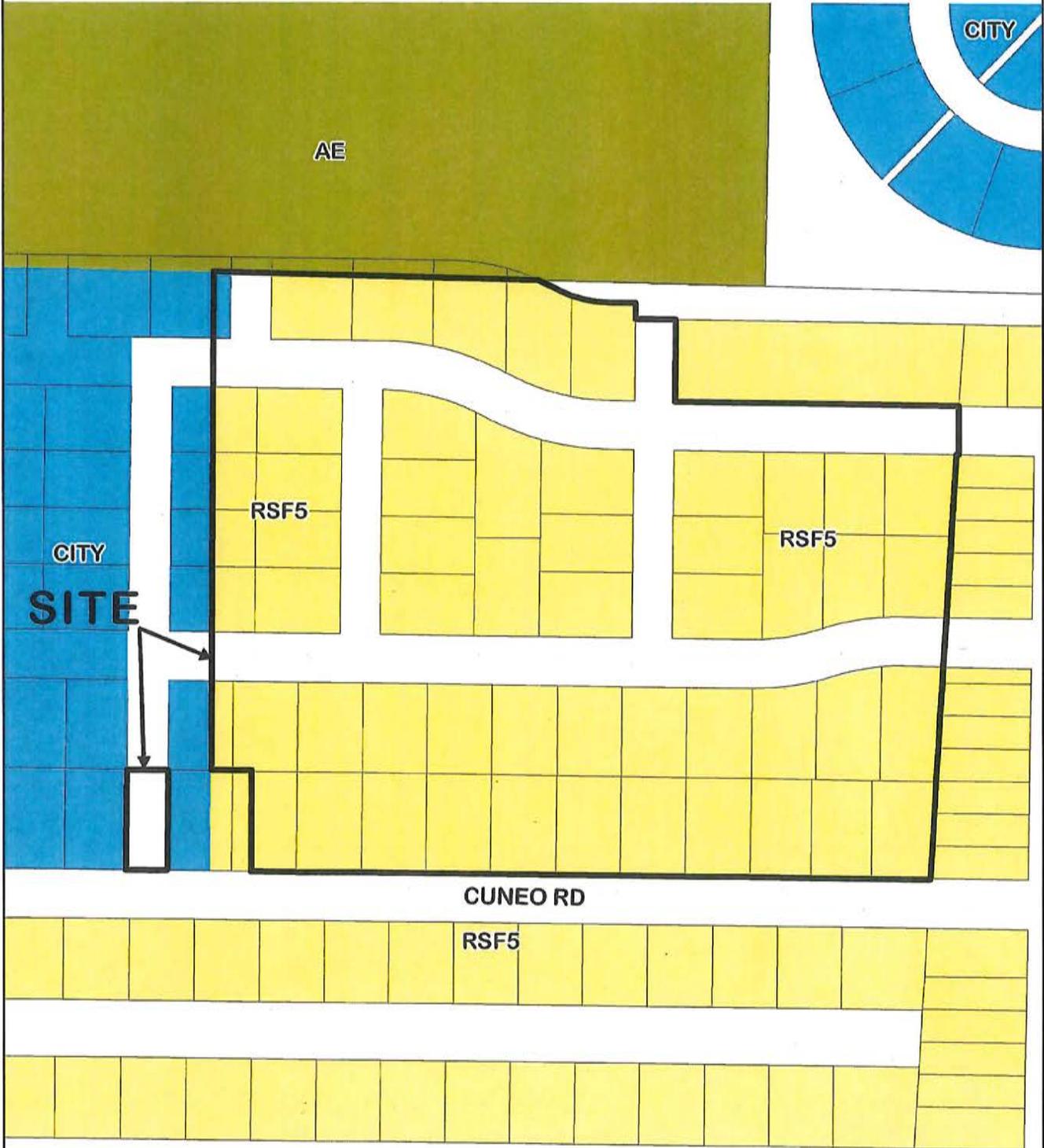
Community Development

# CHARLOTTE COUNTY Zoning Map for PV-12-09-05

Charlotte County Government

"To exceed expectations in the delivery of public services."

www.CharlotteCountyFL.com



### 33/41/23 East County

This map is a representation of compiled public information. It is believed to be an accurate and true depiction for the stated purpose, but Charlotte County and its employees make no guaranties, implied or otherwise, to the accuracy, or completeness. We therefore do not accept any responsibilities as to its use. This is not a survey or is it to be used for design. Reflected Dimensions are for Informational purposes only and may have been rounded to the nearest tenth. For precise dimensions, please refer to recorded plats and related documents. Created By: Land Information--A Carlisle Date Saved: 11/20/2013 11:57:00 AM  
 Path: M:\Departments\LIS\Projects\Petition\_Maps\Comp\_Planning\2012\PV-12-09-05\PKT\_Zoning\_PV-12-09-05.mxd



NOT TO SCALE

© Copyright 2013 Port Charlotte, FL by Charlotte County



Community Development

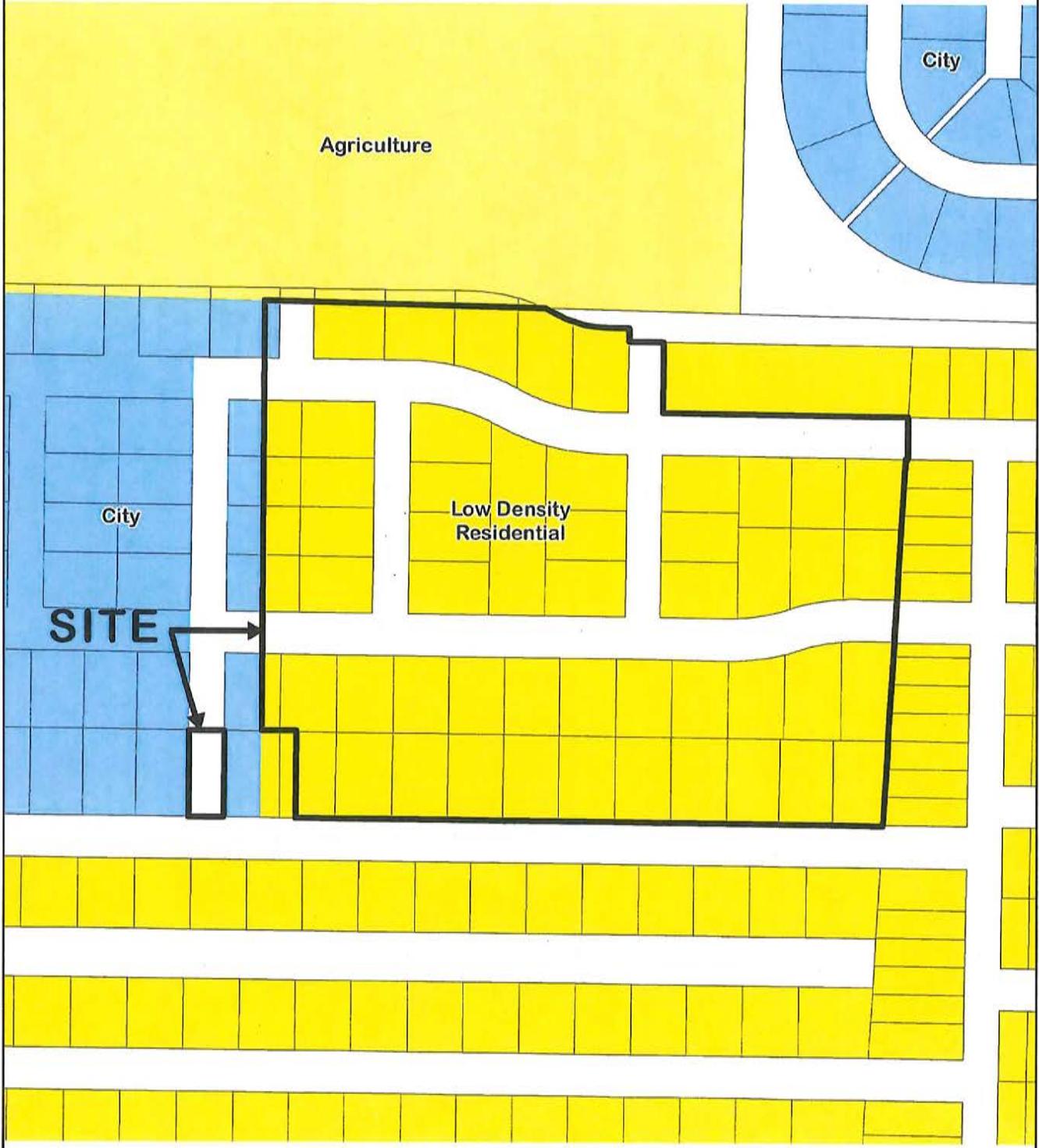
# CHARLOTTE COUNTY

## Flum Map for PV-12-09-05

Charlotte County Government

"To exceed expectations in the delivery of public services."

www.CharlotteCountyFL.com



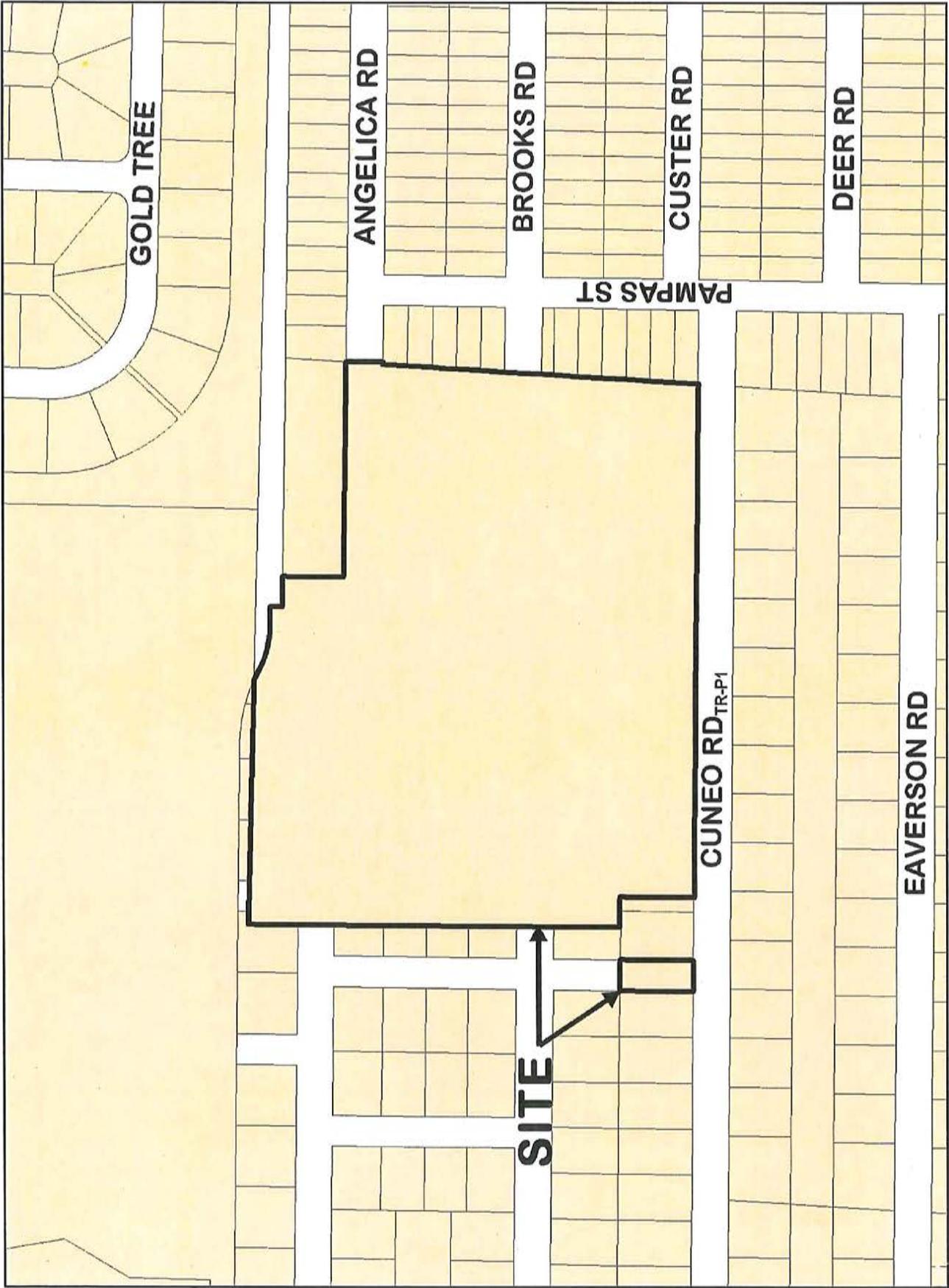
### 33/41/23 East County

This map is a representation of compiled public information. It is believed to be an accurate and true depiction for the stated purpose, but Charlotte County and its employees make no guaranties, implied or otherwise, to the accuracy, or completeness. We therefore do not accept any responsibilities as to its use. This is not a survey or is it to be used for design. Reflected Dimensions are for informational purposes only and may have been rounded to the nearest tenth. For precise dimensions, please refer to recorded plats and related documents. Created By: Land Information-D. Vance Date Saved: 11/20/2013 12:03:23 PM  
 Path: M:\Departments\LIS\Projects\Petition\_Maps\Comp\_Planning\2012\FV-12-09-05\PKT\_Flum\_PV-12-09-05.mxd



NOT TO SCALE

© Copyright 2013 Port Charlotte, FL by Charlotte County



PV-12-09-05 - Proposed Changes



## MEMORANDUM

**Date:** December 23, 2013

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

**From:** Steven A. Ellis, Planner II *SAE*  
Community Development/Zoning

**Subject:** PV-12-09-05, Burnt Store Park

---

Burnt Store Presbyterian Church, Inc. is requesting a Plat Vacation for Parcel C of the plat of Burnt Store Park Subdivision as recorded in Plat Book 7, Page 3, of the Official Records of Charlotte County, Florida. Also included in the vacation are undeveloped portions of Ann Road, Brooks Road, Highland Pine Avenue, Johns Street, Orangewood Street, and Trafalgar Street. The property is 13.96 acres, more or less, and is located east of Burnt Store Road, north of Cuneo Road, west of Pampas Street, and south of Royal Poinciana, in Section 33, Township 41S, Range 23E, in Commission District II.

The site is located within the boundaries of the Urban Service Area and borders the City of Punta Gorda. The Future Land Use Map designation is Low Density Residential. The Zoning District is Residential Single-family 3.5 (RSF-3.5). The project lies in Flood Zone 9AE, and in Storm Surge Evacuation Zone B.

The stated purpose of the plat vacation is to consolidate property owned by Burnt Store Presbyterian Church, Inc. No construction is contemplated at this time. Conversations with the applicant indicate that they have no interest in the additional residential density that would accrue as a result of the referenced internal streets being vacated. Their stated intention is to submit a restrictive covenant limiting the developable density to that which existed at the time of application.

This petition was initiated in 2012. During the staff review process, there were enough technical problems encountered to cause the applicant to request a continuance, which was granted.

Differences were noted between the 1961 survey of Parcel C of the Burnt Store Park plat and the survey submitted with the application. The applicant's agent offered the following response:

### CHARLOTTE COUNTY COMMUNITY DEVELOPMENT

#### Zoning Division

18400 Murdock Circle, Port Charlotte, FL 33948

Phone: 941-764-4954 | Fax: 941-743-1598

*“The previously submitted survey by Robert South was attempting identifying property owned by the Church in relation to the plat. The property ownership is not consistent with the recorded plat. The Church ownership to the north ends at the section line. In addition, it has since been identified, with assistance from Ms. Joanne Vernon, Assistant County Engineer, that the County does not own the lake that is on the Western portion of the property and adjacent to the Eastern R/W line for Burnt Store Road. This lake is incorrectly identified as County R/W by the Property Appraiser and County GIS, while there are no County records of ownership. This lake is also included with the Church’s original Warranty Deed. They are also on record as the permittee and responsible party for maintenance pursuant to SWFWMD permit records. We are in the process of getting this ownership reflected with the Property Appraiser and County GIS maps.”*

Also noted during staff review was the fact that the Charlotte County GIS map shows the City of Punta Gorda’s boundary extending through the western half of Lots 35, 36, 37, 38, 65, and 88, with the remainder of those lots within the boundary of Charlotte County. This would have presented a jurisdictional conflict with the application as it is currently configured.



**Parcel C of Burnt Store Park shown in orange, City of Punta Gorda boundary shown in blue**

The applicant’s agent offered the following response:

*“The County’s GIS system incorrectly reflects the Punta Gorda City limits. Ordinance 1236-99 annexed portions of the Church property and platted lands. Review of this Ordinance identified a scrivener’s error that excluded approximately 122 feet of Orangewood St. from being included in the City’s limits. Mitchell*

*Austin from the City is aware of this issue and has instructed us to move forward based on the adopted Ordinance and legal description. They will address any changes at a future date.*

*In addition, the County and City have previously discussed and agreed on the process to address the concerns of City vs. County portions. Joan LeBeau has been involved from the beginning and they are prepared to accept a vacate plat application for the portion within the City limits once the County process is complete.”*

The Zoning Official and his staff has met with the applicant’s agent and agrees that vacating the portion of the targeted property that lies within the county is the logical first step.

**Addressing** has reviewed the application and had no comments.

**CCU** has reviewed the application and had the following comment:

CCU has no objection to this plat vacation.

**City of Punta Gorda** has reviewed the application and had the following comments:

Approval of Plat Vacation Application PV-12-09-05 Burnt Store Presbyterian Church.

The City of Punta Gorda has reviewed the PV-12-09-05 Burnt Store Presbyterian Church. The agent, Weiler Engineering Corp., has been in contact with the City over the last year discussing the issues surrounding this plat vacation. The City will continue to work with the applicant with regards to the City limits once the County process is complete.

**Comprehensive Planning** has reviewed the application and had the following comments:

This plat vacation will vacate approximately 4.15 acres of right-of-way, which at five units per acre equates to 20 units of density. This applicant is required to either submit a TDU petition to transfer density to the site to account for the increase in density or submit a restrictive covenant to restrict the density of the subsequent parcel to that in existence prior to the vacation.

Article XX, Transfer of Density Units, Sec. 3-5-428 –

Any owner of property governed by subsections 3-5-428(a) and (b) above who proposes a use amendment which acts to increase the base density on a parcel(s) of land shall petition the board for a TDU in accordance with the provisions of this article, except as provided in subsection 3-5-429(a)(3).

The definition of Use Amendment includes plat and street vacations.

Section 3-5-429, Process and procedures, (a) (2) (iii) –

Any owner of property petitioning the board for a street or plat vacation which acts to increase the property's base density may, instead of submitting a TDU petition, choose to submit a restrictive covenant with the street or plat vacation that limits the density of the property to that existing at the time of application.

This vacation implements the County's goal of reducing platted lots and consolidating outdated subdivisions. Comprehensive Planning recommends approval of this vacation with the recommendation that right-of-way access be retained from Custer (Cuneo) Road or Pampas (Palmetto) Street to the property bordering this site on the north. This will allow for needed interconnectivity to the east when that property develops to its full potential.

**Engineering** has reviewed the application and had no comments.

**GIS** has reviewed the application and had no comments.

**Land Development** has reviewed the application and had the following comments:

- A. FPL has determined that they will require an easement for their facilities located on Ann Road.
- B. A restrictive covenant will be required, limiting the developable density to that which existed at the time of application.

**Property Appraiser's Office** has reviewed the application and had no comments.

**Real Estate Services** has reviewed the application and stated that the proposed vacation will have no effect on the widening of Burnt Store Road.

**Transportation** has reviewed the application and had no comments.

**Zoning/Current Planning** has reviewed the application and had the following comments:

No objection to the proposed plat vacation. However, Zoning/Current Planning staff recommends that one segment of dedicated street right-of-way be retained to provide access from the 20-acre parcel, on the north, to the existing streets located to the east.

**Zoning/Environmental** has reviewed the application and had the following comments:

The site is undeveloped and contains upland (and potential wetland) environmentally sensitive habitats utilized by species listed by the Florida Fish and Wildlife Conservation Commission (FWCC) and US Fish and Wildlife Service (FWS).

Environmental staff has conducted site inspections in the past and has noted that there is a high capacity of Gopher Tortoise burrows located throughout the site. The Gopher Tortoise is listed as a threatened species by the Florida Fish and Wildlife Conservation Commission (FWCC). All tortoise burrows must remain protected following all FWCC laws, policies and guidelines.

At this time we have no other environmental comments regarding this petition. However, if this proposal moves forward for development reasons, the Environmental Review Section has requested the following issues be addressed. These conditions, and possibly others, will be reviewed for compliance upon any land clearing, development or permit approvals.

1. The applicant must submit a Florida Land Use, Cover and Forms Classification System (FLUCCS) Map and current (less than one year old) listed species survey. All required Fish and Wildlife Service (FWS) and Florida Fish and Wildlife Conservation Commission (FWCC) permits must be provided to the Environmental Review Section prior to any development approval and/or land clearing activities.
2. The project must comply with Chapter 3-5, Article XV, Surface Water and Wetland Protection requirements of the County Code. The applicant must submit an approved Southwest Florida Water Management District (SWFWMD) Environmental Resource Permit (ERP) US Army Corps of Engineers (ACOE) permit (if applicable) prior to commencement of development activities.
3. The project must comply with Chapter 3-5, Article XV, Upland Buffer Zone requirements of the County Code. The applicant must supply a site plan that provides a minimum 15' natural vegetated upland buffer zone to be preserved along the perimeter of all wetlands and natural surface waters. Additional buffer width may be required by other regulatory agencies.
4. The property will be required to provide Open Space as required in Chapter 3-5, Article XVI, Open Space/Habitat Reservation Trust requirements of the County Code.
5. All trees that are removed or preserved must satisfy Chapter 3-2, Article IX, and Tree Requirements, of the County Code. A tree survey must be supplied prior to any land clearing or issuance of building permits. Heritage trees may occur on site. Heritage trees are further protected by the provisions of Chapter 3-2, Article IX, Section 190 of the County Code. The applicant must incorporate the trees into the site plan or show that every effort has been made to save the trees. Documentation must be provided prior to final DRC approval or the issuance of tree removal permits. A Tree Removal Authorization, Memorandum of Fee Exemption, and Tree Preservation permits must be obtained prior to any land clearing activity and the issuance of any building permits.
6. Four (4) copies of a landscape plan that complies with Chapter 3-5, Article XVIII, Landscaping and Buffer Requirements, of the County Code must be provided for all development that requires parking. All Brazilian pepper, melaleuca, Australian pines and downy rose myrtle must be removed from the site during development, according to 3-5-397 of the landscaping code.

### **RECOMMENDATION**

**Community Development** recommends approval of Petition #PV-12-09-05 with the following two (2) conditions:

1. Prior to the recording of the resolution approving the plat vacation, the applicant shall record a restrictive covenant limiting the density on the area of the plat vacation to that which existed at the time of application.
2. Prior to the recording of the resolution approving the plat vacation, the applicant shall record an easement in favor of Florida Power and Light for their facilities located on Ann Road.



CHARLOTTE COUNTY  
COMMUNITY DEVELOPMENT DEPARTMENT

PLAT VACATION APPLICATION

Date Received: 9/7/12	Date of Log-in: 9/7/12
Petition #: PV-12-09-05	CAP# VPL-12-00001
Receipt #: 93895	Amount Paid: \$1,410.00

1. Name of plat to be vacated: Parcel "C" in Section 33, Township 41S, Range 23E  
BURNT STORE PARK SUBDIVISION
2. Plat Book # 7 Page(s) # 3

3. Parties involved in the application

A. Name of Applicant\* (Applicant must be owner of record):  
Burnt Store Presbyterian Church, Inc.

Mailing Address: 11330 Burnt Store Road

City: Punta Gorda	State: FL	Zip Code: 33955
Phone Number: 941-639-0001	Fax Number: 941-639-1069	

Email Address:

\* The name and address of every person having a beneficial interest in this property, however small, in the form of a partnership, limited partnership, corporation, trust, or in any form of representative capacity whatsoever for others, shall be disclosed and a list attached to this application, with no exceptions.

B. Name of Agent: Bill Kerns, President

Mailing Address: 11330 Burnt Store Road

City: Punta Gorda	State: FL	Zip Code: 33955
Phone Number: 941-639-0001	Fax Number: 941-639-1069	

Email Address: psu1958@aol.com

C. Name of Surveyor: Robert Orren South, Land Surveyor 2668, South Surveying & Mapping

Mailing Address: 5500 Sabal Palm Lane

City: Punta Gorda	State: FL	Zip Code: 33982
Phone Number: 941-639-4123	Fax Number: n/a	

Email Address: puntagordaboy@hotmail.com

4. Property ID #\*: 412333302002

\*If there are more than can fit on the above line, attach a separate page with listing of ID #s.

5. Section 33 Township: 41S Range: 23E

6. Commission District: 2

7. Total acreage of project site: 20.65 acres

8. \*Zoning designation(s): RSF5

\*Future Land Use Map designation(s): Low Density Residential

\*if more than one, provide acreage of each

9. Purpose of request: Consolidation

10. Names of any streets to be vacated as part of this application: Orangewood Street,  
Brooks Road, John Street, Ann Road, Trafalgar Street, & Highland Pine Avenue

Equals total of 180,643 SF = 4.15 acres

# AFFIDAVIT

I, the undersigned, being first duly sworn, depose and say that I am the applicant or agent for this Plat Vacation and that data and other supplementary matter attached to and made part of the application are honest and true to the best of my knowledge.

STATE OF Florida, COUNTY OF Charlotte

The foregoing instrument was acknowledged before me this 5 day of September, 2012, by William Kerns who is personally known to me or has/have produced \_\_\_\_\_ as identification and who did/did not take an oath.

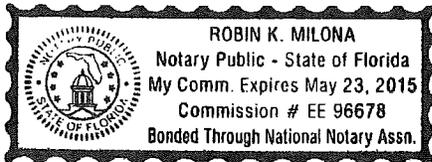
Robin K. Milona | W. Kerns  
Notary Public Signature | Signature of Applicant/Agent

Robin K. Milona | Bill Kerns PRES. BURNT STORE CANVCH  
Notary Printed Signature | Printed Signature of Applicant/Agent

\_\_\_\_\_ | 11330 Burnt Store  
Title | Address

EE 96678 | Punta Gorda, FL 33955  
Commission Code | City, State, Zip

\_\_\_\_\_ | 941-639-0001  
Telephone Number



**A SURVEY OF PARCEL "C"**

(ORB 1281, PG 795-2007-2009)

THAT PORTION OF BURNT STORE PARK SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 7, PAGE 3, OF THE PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA, BEING IN SECTION 33, TOWNSHIP 41 SOUTH, RANGE 23 EAST, CHARLOTTE COUNTY, FLORIDA, BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 33, RUN NORTH 88°53'11" WEST ALONG THE NORTHERLY LINE OF SAID SOUTHWEST 1/4 A DISTANCE OF 780.99 FEET; THENCE SOUTH 00°23'26" WEST ALONG THE WESTERLY RIGHT-OF-WAY OF ORANGEWOOD STREET (NOT IMPROVED), A DISTANCE OF 612.13 FEET; THENCE SOUTH 89°36'34" EAST A DISTANCE OF 50.00 FEET TO THE EAST RIGHT-OF-WAY OF SAID ORANGEWOOD STREET; THENCE SOUTH 00°23'26" WEST ALONG SAID EAST RIGHT-OF-WAY OF ORANGEWOOD STREET A DISTANCE OF 122.71 FEET TO THE NORTHERLY RIGHT-OF-WAY OF CUSTER ROAD; THENCE SOUTH 89°44'22" EAST ALONG SAID NORTHERLY RIGHT-OF-WAY OF CUSTER ROAD A DISTANCE OF 943.01 FEET; THENCE NORTH 03°11'12" EAST, A DISTANCE OF 682.03 FEET; THENCE SOUTH 89°32'26" WEST A DISTANCE OF 243.43 FEET; THENCE NORTH 02°14'05" WEST A DISTANCE OF 45.28 FEET TO THE POINT OF BEGINNING.

SAID LANDS CONTAINING 16.50 ACRES, MORE OF LESS.

SURVEYOR'S NOTE: LESS AND EXCEPT THE DEDICATED ROAD RIGHTS OF WAY OF ORANGEWOOD STREET; TRAFALGER STREET; JOHN STREET; HIGHLAND PINE AVENUE; BROOKS ROAD; ANN ROAD.

R/W Calculation estimates:

Brooks Road	54,759.41 sqft
Trafalgar Street	19,564.41 sqft
John Street	14,995.32 sqft
Highland Street	4,072.99 sqft
Ann Road	52,896.33 sqft
Orangewood St.	6,220 sqft
Total	152,508.46 sqft/3.5 acres +/-

ORANGEWOOD STREET 50' RW  
NOT VACATED NOT IMPROVED  
29,622 sf

HIGHLAND  
PINE AVE  
NOT VACATED  
NOT IMPROVED  
4,073 sf

JOHN STREET 50' RW  
NOT VACATED NOT IMPROVED  
15,000 sf

BROOKS ROAD 60' RW  
NOT VACATED NOT IMPROVED  
57,484 sf

TRAFALGER STREET 50' RW  
NOT VACATED NOT IMPROVED  
16,562 sf

ANN ROAD 60' RW  
NOT VACATED NOT IMPROVED  
61,975 sf



[Tax Collector Home](#) [Search](#) [Reports](#) [Shopping Cart](#)

2011 Roll Details — Real Estate Account At 26070 CUNEO RD, PUNTA GORDA

Real Estate Account #412333302002 [Parcel details](#) [Latest bill](#) [Full bill history](#)

2011	2010	2009	2008	...	2000
Paid	Paid	Paid	Paid		Paid

Owner: BURNT STORE PRESBYTERIAN CH  
 11330 BURNT STORE RD  
 PUNTA GORDA, FL 33955  
 Situs: 26070 CUNEO RD  
 PUNTA GORDA

Account number: 412333302002  
 Alternate Key: 10001407950  
 Millage code: 104  
 Millage rate: 16.84440

Assessed value: 38,547  
 School assessed value: 38,547

Exemptions

RELIGIOUS (CHURCH): 38,547

Location is not guaranteed to be accurate.

Property Appraiser- GIS

2011 annual bill

Ad valorem: \$0.00  
 Non-ad valorem: \$1,573.56  
 Total tax:  
 Paid 2011-11-17 \$1,510.62  
 Receipt #337-00000514



View

Legal description

BSP 000 0000 0008 BURNT STORE PARK  
 THAT PORTION OF LTS 8 THRU 12 LYING  
 S OF C/L SEC 33 ALL LTS 13 THRU 34  
 THE E1/2 OF LTS 35 THRU 38 THE E1/3  
 OF LT 65 ALL LTS 66 THRU 87 & E1/3  
 OF LT 88 431/502 666/625 740/991  
 1072/2162 CORR1229/164 1281/789 128

Location

Book, page, item: --  
 Geo number: 0076497-000000-0  
 Range: 23  
 Township: 41  
 Section: 33  
 Neighborhood: BURNT STORE PARK  
 Total acres: 0.00

**2012 NOTICE OF PROPOSED PROPERTY TAXES AND PROPOSED OR ADOPTED NON-AD VALOREM ASSESSMENTS  
Charlotte County**

**Do Not Pay-This Is Not A Bill**

Parcel ID//Account#: **412333302002**  
 Property Address: **26070 CUNEO RD**

The taxing authorities which levy property taxes against your property will soon hold PUBLIC HEARINGS to adopt budgets and tax rates for the next fiscal year. The purpose of these PUBLIC HEARINGS is to receive opinions from the general public and to answer questions on the proposed tax change and budget PRIOR TO TAKING FINAL ACTION. Each taxing authority may AMEND OR ALTER its proposals at the hearing.

Taxing Authority Tax District: 104	Taxing Authority Property Tax Information						A Public Hearing on the Proposed Taxes and Budget Will be Held:
	Your Final Tax Rate & Taxes Last Year (2011)		Your Tax Rate & Taxes This Year (2012)				
			IF NO Budget Change is		IF PROPOSED Budget Change is		
	*Column 1	*Column 2	*Column 3				
	Tax Rate	Your Taxes	Tax Rate	Your Taxes	Tax Rate	Your Taxes	
County General Fund	6.2796	0.00	6.6725	0.00	6.2796	0.00	Charlotte County (941)743-1551 9/13/12 5:01 PM - 18500 Murdock Cir Greater Charlotte Lighting District Charlotte County MSTU for Law Enforcement
Lighting	0.2387	0.00	0.2534	0.00	0.2387	0.00	
Law Enforcement	2.3499	0.00	2.5047	0.00	2.3499	0.00	
Public Schools							School Board (941)255-0808 Ext 3131 9/11/12 5:30 PM - 1445 Education Way, Pt Charlotte
By State Law	5.0960	0.00	5.3812	0.00	5.2430	0.00	
Local Board	2.2480	0.00	2.3738	0.00	2.2480	0.00	
Water Management SWFWMD	0.3928	0.00	0.4076	0.00	0.3928	0.00	SW FL Water Mgt Dst (352)796-7211 Ext 4129 9/11/12 6:00 PM - 7801 Highway 301 N, Tampa
Independent District WCIND	0.0394	0.00	0.0402	0.00	0.0394	0.00	West Coast Inland Navigation Dist (941)485-9402 9/14/12 5:01 PM - 401 W Venice Ave, Venice
Voter Approved Env Sensitive Lands	0.2000	0.00	0.2000	0.00	0.2000	0.00	Environmentally Sensitive Lands Program
<b>Total Property Taxes</b>	<b>16.8444</b>	<b>\$0.00</b>	<b>17.8334</b>	<b>\$0.00</b>	<b>16.9914</b>	<b>\$0.00</b>	

Notice of Proposed or Adopted Non-Ad Valorem Assessments						
Levying Authority	Telephone Number	Last Year's Assessed Amount	This Year's Proposed and/or Adopted Amount			Assessed Amount
			Units	Rate	Assessed Amount	
Charlotte County Fire Rescue Dept.	(941) 833-5600	711.75	Varies	Varies	711.75	
So.Punta Gorda Hghts West S&D Unlt(M)Vac	(941) 575-3600	603.53	11.300	53.410	603.53	
South Charlotte Stormwater Util (M)-VNAG	(941) 575-3600	258.28	10.620	24.320	258.28	
<b>Total</b>					<b>\$1,573.56</b>	

YOUR FINAL TAX BILL MAY CONTAIN NON-AD VALOREM ASSESSMENTS WHICH MAY NOT BE REFLECTED ON THIS NOTICE SUCH AS ASSESSMENTS FOR ROADS, DRAINAGE, GARBAGE, FIRE, LIGHTING, WATER, SEWER, OR OTHER GOVERNMENTAL SERVICES AND FACILITIES WHICH MAY BE LEVIED BY YOUR COUNTY, CITY, OR ANY SPECIAL DISTRICT.

Property Appraiser Value and Exemption Information				
	*YOUR PROPERTY VALUE AS OF JANUARY 1			
	Last Year,	Last Year, School	This Year, Non-School	This Year, School
Market Value	38,547	38,547	41,456	41,456
Assessed	38,547	38,547	41,456	41,456
Exemptions	38,547	38,547	41,456	41,456
Taxable Value	0	0	0	0
*Assessment Reductions				
	Non-School		School	
10% Cap on Non-homestead	0		0	
*Exemptions				
	Last Year,	Last Year, School	This Year, Non-School	This Year, School
36 Church	38,547	38,547	41,456	41,456

If you feel the market value of the property is inaccurate or does not reflect fair market value as of January 1, 2012, or if you are entitled to an exemption or classification that is not reflected, please contact the Charlotte County Property Appraiser's Office at: 18500 Murdock Circle, Port Charlotte, Florida 33948-1076

Real Property: (941) 743-1498 rp@ccappraiser.com  
 Agricultural: (941) 743-1483 rp@ccappraiser.com  
 Exemption: (941) 743-1593 records@ccappraiser.com  
 Personal Property: (941) 743-1476 tpp@ccappraiser.com

If the Property Appraiser's Office is unable to resolve the matter as to market value, classification, or an exemption, you may file a petition for adjustment with the Value Adjustment Board. Petition forms are available from the County Property Appraiser and must be filed ON OR BEFORE:

**5:00 p.m. September 10, 2012**

**Legal Description:**

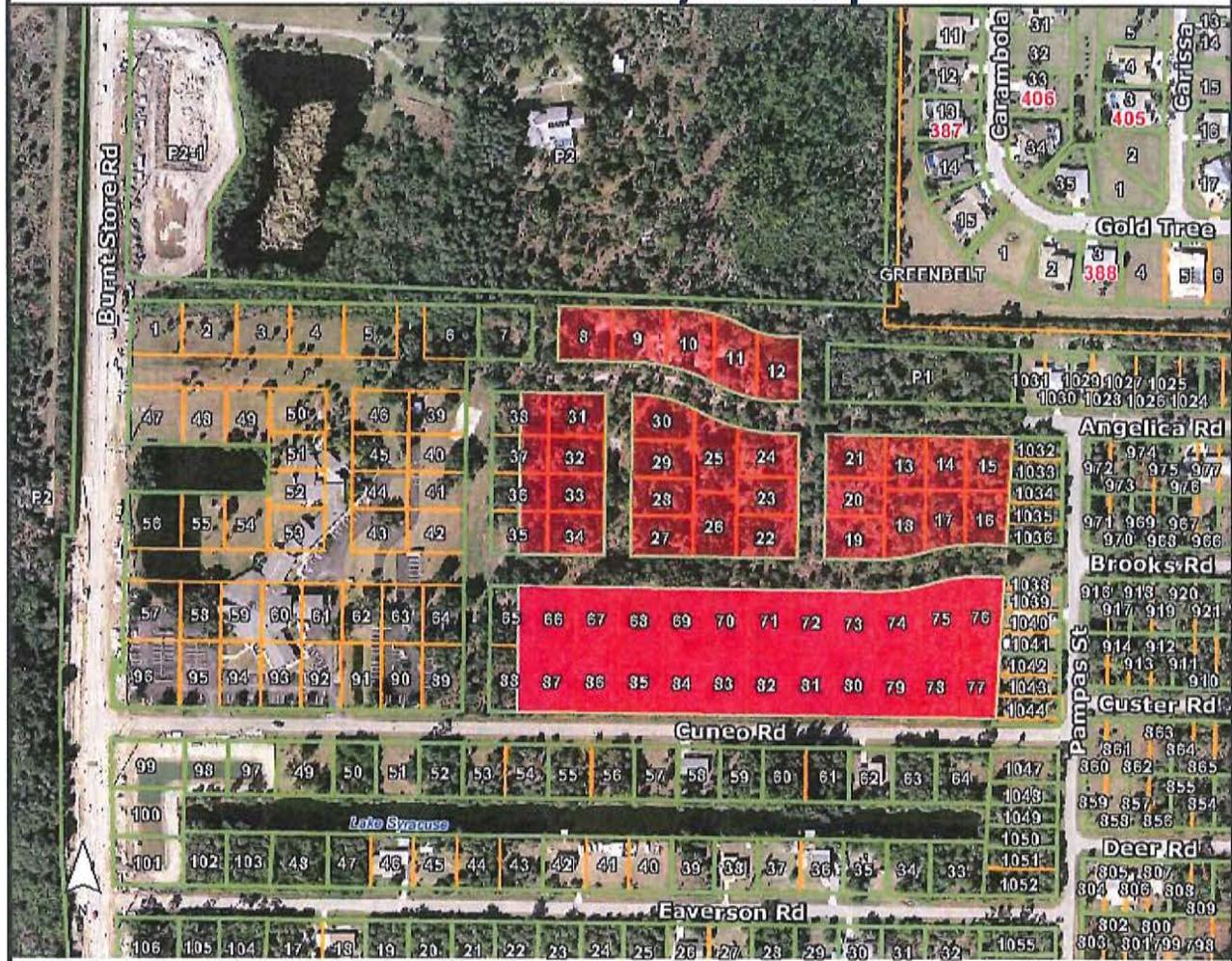
BSP 000 0000 0008  
 BURNT STORE PARK THAT PORTION OF LTS 8 THRU 12 LYING S OF C/L SEC 33 ALL LTS 13 THRU 34 THE E1/2 OF LTS 35 THRU 38 THE E1/3 OF LT 65 ALL LTS 66 THRU 87 & E1/3 OF LT 88See tax roll for remaining legal

BURNT STORE PRESBY CHURCH INC  
 ATTN BETTY FALKENBERG ex36  
 11330 BURNT STORE RD  
 PUNTA GORDA FL 33955-1402



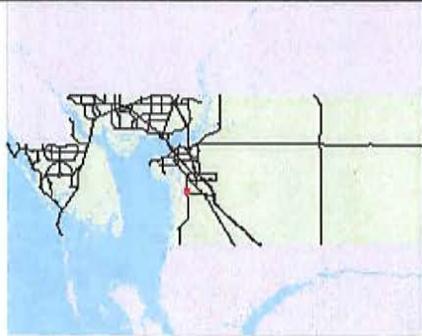


# Charlotte County GIS Map



Charlotte County GIS Department Copyright (C) 2012

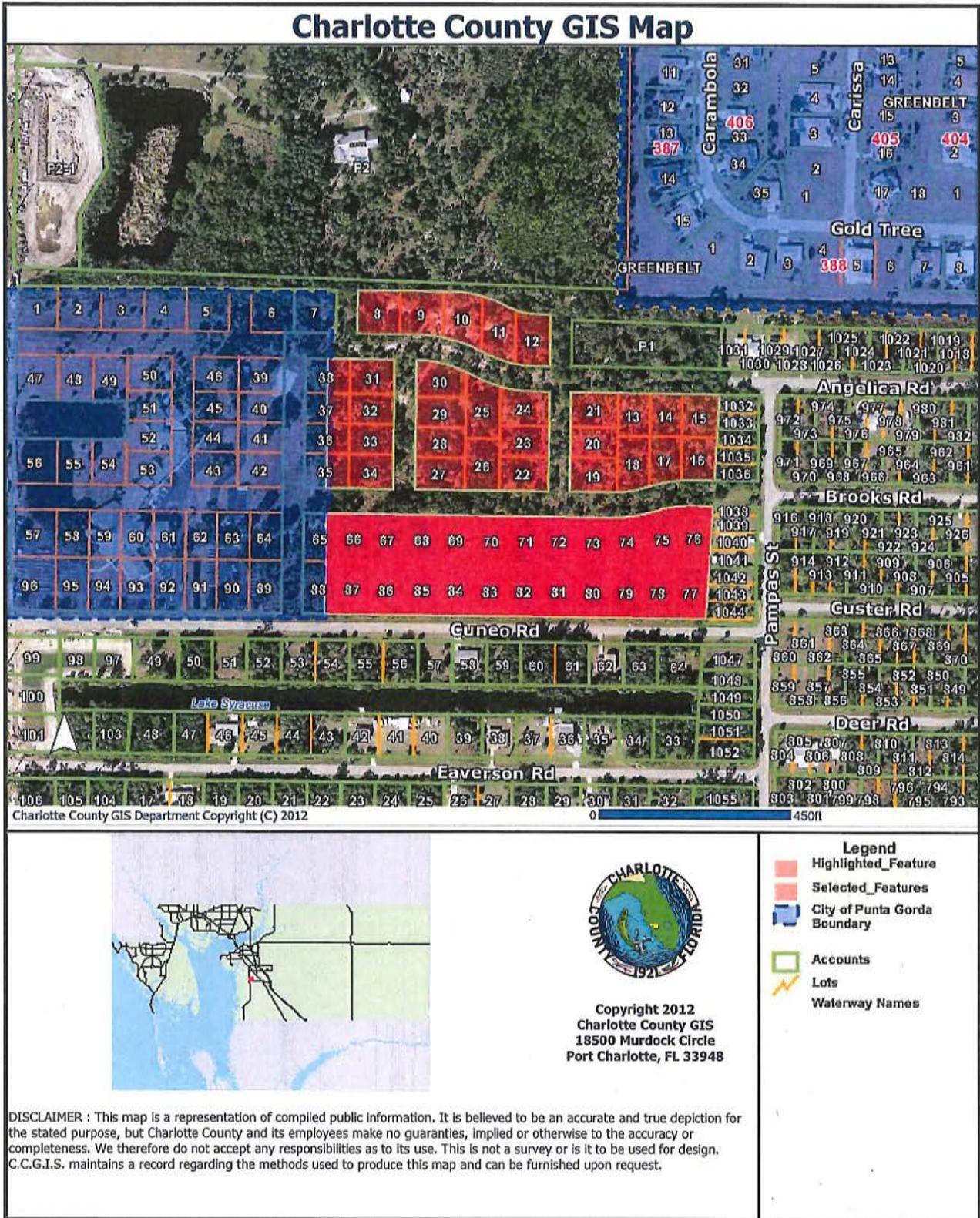
0 450ft



Copyright 2012  
 Charlotte County GIS  
 18500 Murdock Circle  
 Port Charlotte, FL 33948

- Legend**
- Highlighted\_Feature
  - Selected\_Features
  - Accounts
  - Lots
  - Waterway Names

**DISCLAIMER :** This map is a representation of compiled public information. It is believed to be an accurate and true depiction for the stated purpose, but Charlotte County and its employees make no guaranties, implied or otherwise to the accuracy or completeness. We therefore do not accept any responsibilities as to its use. This is not a survey or is it to be used for design. C.C.G.I.S. maintains a record regarding the methods used to produce this map and can be furnished upon request.





November 8, 2013

Steven Ellis, Planner II  
Community Development Department  
Zoning Division  
18400 Murdock Circle  
Port Charlotte, FL 33948

Re: Application for Plat Vacation Burnt Store Park

Dear Mr. Ellis:

On behalf of our client, Burnt Store Presbyterian Church, we are resubmitting documentation related to the request to vacate portions of the Burnt Store Park plat. As you are aware, the Burnt Store Presbyterian Church owns property within the Burnt Store Park plat that is in both County jurisdiction and within the City limits of Punta Gorda.

There were substantial challenges in place prohibiting a quick response. The history of this plat, its relationship to section lines, incorrect identification over ownership by the County of the lake adjacent to Burnt Store Road, and errors in the description of the City limits by the City, have all been barriers to resolving this issue in an expedited manner. We have attempted to address any issues previously identified by county staff and others that we became aware of during this process. On behalf of my client, I would like to thank the County for their patience. The Church and our staff have spent substantial resources attempting to resolve these outstanding and sometimes surprising issues.

Enclosed is a copy of the sketch and description prepared by a surveyor to describe those portions of the plat which are part of the request to vacate the plat. The property is owned by the Church or internal R/W for the plat. I have also included a sketch and description of portions of the plat owned by the Church that will be submitted to the City of Punta Gorda to vacate the remaining portions of the plat. Please note, the City recognizes that they have an error in their representation of the City limits and that boundaries previously submitted to the County for GIS purposes were not an accurate reflection of adopted Ordinances related to annexations. Specifically, City Ordinance No. 1236-99. The legal description included with that Ordinance inadvertently left out a portion of Orangewood St., which is approximately 122' long and included a similarly sized area farther to the east. Hence the unusual shape of the City limits shown on the provided sketch and description.

As you know, there have been previous communications between Joan LeBeau and County staff about the necessary process. It is my understanding that there was an agreement on the coordination and timing of the dual process that is required to vacate portions of this plat within the City and County limits. As was previously discussed, it is the goal of the Burnt Store Presbyterian Church to essentially unify their property without the restrictions of the unnecessary underlying plat.

In an effort to familiarize interested parties with this application, I have also provided a response to several questions that were received as part of the previous review. Some of the questions have been resolved through discussions with County Zoning staff; while others are being addressed through the additional information being provided. All questions are provided in *italics*, while responses are in **bold** below it.



1) *There are major discrepancies relating to section lines and corner monuments between the original "BURNT STORE PARK" subdivision done by Lauren Britt in 1961 and the survey prepared by Robert South for this plat vacation request. What is the explanation for these discrepancies?*

**The previously submitted survey by Robert South was attempting identifying property owned by the Church in relation to the plat. The property ownership is not consistent with the recorded plat. The Church ownership to the north ends at the section line. In addition, it has since been identified, with assistance from Ms. Joanne Vernon, Assistant County Engineer, that the County does not own the lake that is on the Western portion of the property and adjacent to the Eastern R/W line for Burnt Store Road. This lake is incorrectly identified as County R/W by the Property Appraiser and County GIS, while there are no County records of ownership. This lake is also included with the Church's original Warranty Deed. They are also on record as the permittee and responsible party for maintenance pursuant to SWFWMD permit records. We are in the process of getting this ownership reflected with the Property Appraiser and County GIS maps.**

2) *The County's GIS systems shows the Punta Gorda city limits running through lots 7, 35, 36, 37, 38, 65 and 88 and indicates Orangewood Street and portions of Ann Road and Brooks Road are within the City of Punta Gorda, yet these areas are included in the plat vacation submitted to Charlotte County. Can the County take action regarding a plat vacation on lands within the City Limits? The city limits line shown on the County's GIS could be inaccurate, therefore, the surveyor needs to locate the Punta Gorda city limits on the survey and provide the documents annexing these lands to the city of Punta Gorda.*

**The County's GIS system incorrectly reflects the Punta Gorda City limits. Ordinance 1236-99 annexed portions of the Church property and platted lands. Review of this Ordinance identified a scrivener's error that excluded approximately 122 feet of Orangewood St. from being included in the City's limits. Mitchell Austin from the City is aware of this issue and has instructed us to move forward based on the adopted Ordinance and legal description. They will address any changes at a future date.**

**In addition, the County and City have previously discussed and agreed on the process to address the concerns of City vs. County portions. Joan LeBeau has been involved from the beginning and they are prepared to accept a vacate plat application for the portion within the City limits once the County process is complete.**

3) *A portion of Orangewood Street located between lots 88 and 89 is not part of the proposed vacation. Why is this? This would create a dead-end street, which is not permitted according to our codes. This entire street should be included in this plat vacation (unless it is located in Punta Gorda).*

**A portion of Orangewood St. is now included in the Sketch and Description as being part of the request to the County to vacate portions of the plat owned by the Burnt Store Presbyterian Church. As mentioned in response #2, the County and City's representation of the City limits are not accurate. We have been directed to use the adopted Ordinance 1236-99 and accompanying legal description of city limits as our guide for this plat vacation. That legal description is reflected in the Sketch and Description for the vacate plat request included with this submittal to the County.**

4) *Parcel P-1, located in the northeast corner of the survey was never part of the original subdivision plat and therefore it cannot be vacated and should not be included in this vacation and legal description.*

**Parcel P-1 is owned by the Burnt Store Presbyterian Church; however, we recognize that it is not part of the original subdivision plat and have removed reference to it. The attached Sketch and Description of portions of the Burnt Store Plat to be vacated do not include parcel P-1.**

5) *The northerly portions of lots 6, 7, 8, 9, 10 and 11 and Highland Pine Avenue do not appear to be located within the legal description for the plat vacation. Why is this, and what is the intent for leaving small remnants of these lots and*



street right-of-way? Staff cannot endorse any vacation that leaves slivers of lots or street right-of-way. The applicant must include all of these plated lots and street right-of-way in the plat vacation.

As previously discussed with County staff, the Burnt Store Presbyterian Church does not own those portions of the referenced lots along the northerly boundary. The Church's ownership ends at the section line. It has been explained to us that the plat was approved with inaccurate section line references and actually created a portion of the plat on someone else's property. Regardless of that legal issue, the Church can only control and request vacation of land which they own and associated rights-of-way. The plat serves no real purpose for the property owner and there is no detrimental impact to leaving portions of those lots and plat outside of the Church's ownership.

6) Does the applicant intend to also vacate that portion of the plat that is located within the city limits of Punta Gorda?

As previously mentioned, coordination with the City of Punta Gorda has been on-going. It is our understanding that the County and City are aware of this unique situation and have accepted a process that allows the County to approve vacating of the plat first, followed by application to the City to vacate portions within the City limits.

We recognized that due to the delay in providing a quick response, many items in this application will need to be reviewed again. If either I or the surveyor who has prepared the most recent Sketch and Description can be of any assistance, please do not hesitate to contact me. We look forward to finally resolving these unique and challenging issues.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jason W. Green'.

Jason W. Green, AICP, CFM  
Planning Manager

c: Dave Prins, President, BSPC  
Joan LeBeau, AICP, City of Punta Gorda  
Mitchell Austin, AICP, City of Punta Gorda  
BSPC WEC File 12062.001

Encl 2: Sketch and Description for portions of plat to be vacated, City and County versions  
Ordinance 1236-99 annexing portions of land owned by BSPC and portions of Burnt Store Plat

**SKETCH AND DESCRIPTION**

OF  
A PARCEL OF LAND LYING IN  
SECTION 33, TOWNSHIP 41 SOUTH, RANGE 23 EAST  
CHARLOTTE COUNTY, FLORIDA

A PARCEL OF LAND LYING IN SECTION 33, TOWNSHIP 41 SOUTH, RANGE 23 EAST, CHARLOTTE COUNTY, FLORIDA, BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

LOTS 1 THROUGH 96, BURNT STORE PARK SUBDIVISION AS FOUND IN PLAT BOOK 7, PAGE 3, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA, INCLUSIVE OF ROAD RIGHT OF WAYS, LESS ALL LANDS AS DESCRIBED IN ORB 1679, PAGE 771, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA. SAID PORTION OF BURNT STORE PARK SUBDIVISION IS MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SAID SECTION 33, RUN N 88°53'11" W ALONG THE NORTH LINE OF THE AFOREMENTIONED SOUTHWEST ¼ A DISTANCE OF 279.43 FEET TO THE POINT OF BEGINNING OF THE LANDS HEREIN DESCRIBED:

FROM THE POINT OF BEGINNING CONTINUE ALONG SAID FRACTIONAL LINE N 88°53'11" W A DISTANCE OF 401.42 FEET TO THE EASTERLY LINE OF LANDS DESCRIBED IN ORB 1679, PAGE 771, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA; THENCE S0°23'26"W ALONG SAID EAST LINE A DISTANCE OF 610.84 FEET; THENCE S89°36'34"E A DISTANCE OF 50.00 FEET; THENCE S0°23'26"W A DISTANCE OF 124.20 TO A POINT ON THE NORTH RIGHT OF WAY OF CUSTER RD., THENCE DIVERGING FROM SAID EAST LINE OF LANDS DESCRIBED IN ORB 1679, PAGE 771, RUN S89°44'22"E ALONG THE NORTH RIGHT OF WAY OF CUSTER RD. A DISTANCE OF 843.14 FEET TO A POINT ON THE WEST SIDE OF SOUTH PUNTA GORDA HEIGHTS 3RD ADDITION, ALSO BEING THE EAST LINE OF BURNT STORE PARK AS FOUND IN PLAT BOOK 7, PAGE 3, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA; THENCE LEAVING THE NORTH RIGHT OF WAY LINE OF CUSTER RD., RUN ALONG THE SAID SUBDIVISION LINE OF SOUTH PUNTA GORDA HEIGHTS 3RD ADDITION AND BURNT STORE PARK N3°13'17"E A DISTANCE OF 581.96 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF ANN RD., THENCE RUN N89°34'29"W ALONG SAID NORTH RIGHT OF WAY LINE OF ANN RD. A DISTANCE OF 350.00 FEET TO A POINT BEING THE NORTHEAST CORNER ON THE RIGHTS OF WAY OF ANN RD. AND TRAFALGER ST.; THENCE RUN N0°25'31"E ALONG THE EAST RIGHT OF WAY OF TRAFALGER ST. A DISTANCE OF 100.81 FEET; THENCE RUN N89°26'40"W ALONG THE NORTH RIGHT OF WAY OF A TRAFALGER ST. A DISTANCE OF 50.00 FEET; THENCE N0°25'31"E A DISTANCE OF 19.08 FEET; THENCE N89°34'29"W A DISTANCE OF 31.46 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE NORTH, HAVING AS ITS ELEMENTS A CENTRAL ANGLE OF 27°48'36", A RADIUS OF 150.00 FEET, A CHORD DISTANCE OF 72.09 FEET AND A CHORD BEARING OF N75°40'11"W; THENCE ALONG SAID CURVE A DISTANCE OF 72.81 FEET TO A POINT OF REVERSE CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE SOUTH, HAVING AS ITS ELEMENTS A CENTRAL ANGLE OF 4°23'40", A RADIUS OF 276.84 FEET, A CHORD DISTANCE OF 21.23 FEET AND A CHORD BEARING OF N63°57'43"W; THENCE ALONG SAID CURVE A DISTANCE OF 21.23 FEET TO THE POINT OF BEGINNING OF LANDS DESCRIBED HEREIN.

TOGETHER WITH THE FOLLOWING PORTION OF ORANGWOOD ST DESCRIBED AS FOLLOWS:

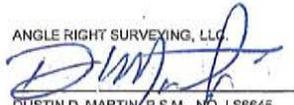
A PARCEL OF LAND LYING IN SECTION 33, TOWNSHIP 41 SOUTH, RANGE 23 EAST, CHARLOTTE COUNTY, FLORIDA, BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SAID SECTION 33, RUN N 88°53'11" W ALONG THE NORTH LINE OF THE AFOREMENTIONED SOUTHWEST ¼ A DISTANCE OF 279.43 FEET TO THE POINT OF BEGINNING OF THE LANDS HEREIN DESCRIBED:

FROM THE POINT OF BEGINNING CONTINUE ALONG SAID FRACTIONAL LINE N 88°53'11" W A DISTANCE OF 401.42 FEET TO THE EASTERLY LINE OF LANDS DESCRIBED IN ORB 1679, PAGE 771, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA; THENCE S0°23'26"W ALONG SAID EAST LINE A DISTANCE OF 610.84 FEET; THENCE N89°36'34"W A DISTANCE OF 50.25 FEET TO A POINT ON THE EAST RIGHT OF WAY OF ORANGWOOD ST; THENCE CONTINUE N89°36'34"W A DISTANCE OF 50.00 FEET TO A POINT ON THE WEST RIGHT OF WAY OF ORANGWOOD ST.; THENCE S0°23'26"W ALONG THE WEST RIGHT OF WAY OF ORANGWOOD ST. A DISTANCE OF 124.49 FEET TO A POINT ON THE NORTH RIGHT OF WAY OF CUSTER RD.; THENCE S89°44'22"E ALONG THE NORTH RIGHT OF WAY OF CUSTER RD. A DISTANCE OF 50.00 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF ORANGWOOD ST.; THENCE N0°23'26"E ALONG THE EAST RIGHT OF WAY LINE OF ORANGWOOD ST. A DISTANCE OF 124.38 FEET; THENCE S89°36'34"W A DISTANCE OF 50.25 FEET; THENCE N0°23'26"E ALONG THE EASTERLY LINE OF LANDS DESCRIBED IN ORB 1679, PAGE 771, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA A DISTANCE OF 610.84 FEET TO A POINT ON THE FRACTIONAL LINE OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF SAID SECTION 33; THENCE ALONG SAID FRACTIONAL LINE S88°53'11"E A DISTANCE OF 401.42 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 13.96 ACRES MORE OR LESS

**THIS IS NOT A SURVEY PAGE 1 OF 2**

ANGLE RIGHT SURVEYING, LLC  
  
DUSTIN D. MARTIN, P.S.M., NO. LS9645  
PROFESSIONAL SURVEYOR & MAPPER  
STATE OF FLORIDA

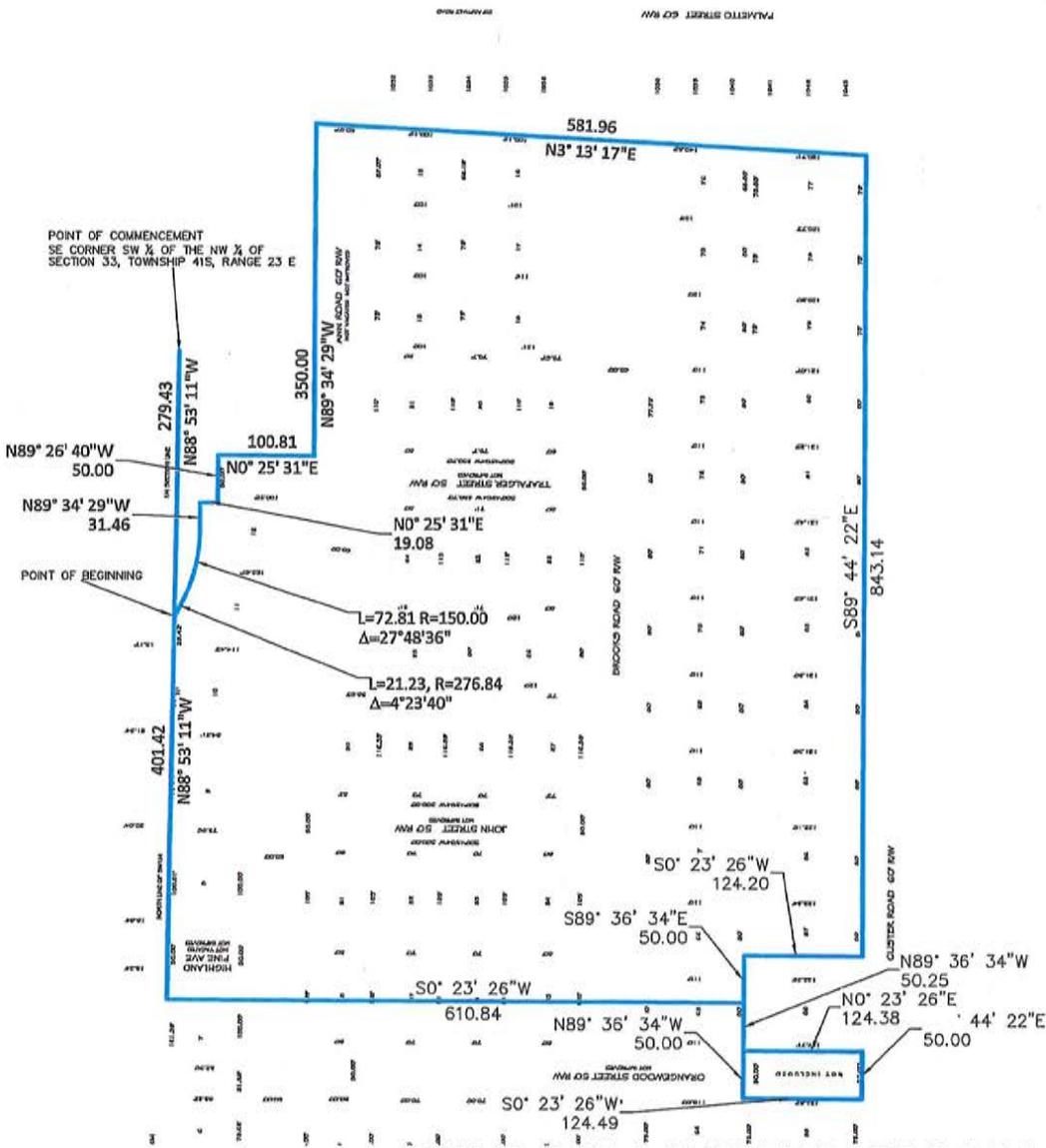
NOTES:		THE SKETCH AND DESCRIPTION.	
1. SKETCH AND DESCRIPTION IS BASED ON ORB 1679 PAGE 771, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA. NO BOUNDARY DECISIONS WERE MADE AS THIS IS NOT A SURVEY.	2. BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF SW ¼ OF THE NW ¼ OF SECTION 33 AS FOUND IN ORB 1679 PAGE 771, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA, HAVING A BEARING OF S88°53'11"E.	5. UNDERGROUND UTILITIES AND OR IMPROVEMENTS, IF ANY, WERE NOT LOCATED, UNLESS OTHERWISE SHOWN.	8. THE NOTE "THE SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER", REMAINS AS A STIPULATION OF MINIMUM TECHNICAL STANDARDS AS APPLIED TO PROFESSIONAL SURVEYORS AND DOES NOT INFER THAT THIS DOCUMENT IS A SURVEY.
3. THIS SKETCH AND DESCRIPTION WAS DONE WITHOUT THE BENEFIT OF A TITLE INSURANCE POLICY AND ACCOMPANYING DOCUMENTS; THEREFORE THE LAND DEPICTED HEREON MAY BE SUBJECT TO EASEMENTS AND ENCUMBRANCES (RECORDED OR UNRECORDED) NOT SHOWN.	4. NO FIELD WORK WAS CONDUCTED IN PREPARATION FOR	6. UNDERGROUND ENCROACHMENTS (IF ANY) WERE NOT LOCATED OTHER THAN SHOWN.	9. THIS DOCUMENT IS NOT COMPLETE WITHOUT ALL PAGES AS REFERENCED.
7. SUBJECT PARCEL CONTAINS 13.96 ACRES MORE OR LESS.			

CERTIFICATIONS:  
CITY OF PUNTA GORDA  
CHARLOTTE COUNTY  
BURNT STORE PRESBYTERIAN CHURCH, INC.  
WEILER ENGINEERING, INC.

THE SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

	10561 Greencrest Dr. Tampa, FL 33626 239-898-7001 Main 813-920-4649 Fax www.angleright.net LB #7738	Project Number: 13-0265	Project Description: Sketch and Description Presbyterian Church, Inc. (Charlotte County Portion)	
		Drawn By: DDM	Client Name: Burnt Store Presbyterian Church, Inc.	
Date: 11-13-2013	File Name: SUR13-0265_Presbytery Church_FINAL.dwg	Last Date of Field Work: N/A		

**SKETCH AND DESCRIPTION**  
OF  
A PARCEL OF LAND LYING IN  
SECTION 33, TOWNSHIP 41 SOUTH, RANGE 23 EAST  
CHARLOTTE COUNTY, FLORIDA



**THIS IS NOT A SURVEY PAGE 2 OF 2**

ANGLE RIGHT SURVEYING, LLC.

SEE SHEET 2

DUSTIN D. MARTIN, P.S.M., NO. LS6645  
PROFESSIONAL SURVEYOR & MAPPER  
STATE OF FLORIDA.

CERTIFICATIONS:  
CITY OF PUNTA GORDA  
CHARLOTTE COUNTY  
BURNT STORE PRESBYTERIAN CHURCH, INC.  
WEILER ENGINEERING, INC.

**NOTES:**

- SKETCH AND DESCRIPTION ARE BASED ON PUBLIC RECORDS PROVIDED BY THE CLIENT. NO BOUNDARY DECISIONS WERE MADE AS THIS IS NOT A SURVEY.
- BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF SW 1/4 OF THE NW 1/4 OF SECTION 33 AS FOUND IN ORB 1679 PAGE 771, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA, HAVING A BEARING OF S88°53'11"E.
- THIS SKETCH AND DESCRIPTION WAS DONE WITHOUT THE BENEFIT OF A TITLE INSURANCE POLICY AND ACCOMPANYING DOCUMENTS; THEREFORE THE LAND DEPICTED HEREON MAY BE SUBJECT TO EASEMENTS AND ENCUMBRANCES (RECORDED OR UNRECORDED) NOT SHOWN.
- NO FIELD WORK WAS CONDUCTED IN PREPARATION FOR THE SKETCH AND DESCRIPTION.
- UNDERGROUND UTILITIES AND OR IMPROVEMENTS, IF ANY, WERE NOT LOCATED, UNLESS OTHERWISE SHOWN.
- UNDERGROUND ENCROACHMENTS (IF ANY) WERE NOT LOCATED OTHER THAN SHOWN.
- SUBJECT PARCEL CONTAINS 13.97 ACRES MORE OR LESS.
- THE NOTE 'THE SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER', REMAINS AS A STIPULATION OF MINIMUM TECHNICAL STANDARDS AS APPLIED TO PROFESSIONAL SURVEYORS AND DOES NOT INFER THAT THIS DOCUMENT IS A SURVEY.
- THIS DOCUMENT IS NOT COMPLETE WITHOUT ALL PAGES AS REFERENCED.

THE SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

 <b>ANGLE RIGHT</b> SURVEYING	10561 Greencrest Dr. Tampa, FL 33626 239-898-7001 Main 813-920-4649 Fax www.angleright.net LB #7738	Project Number: 13-0265	Project Description: Sketch and Description Presbyterian Church, Inc. (Charlotte County Portion)	
		Drawn By: DDM	Client Name: Burnt Store Presbyterian Church, Inc.	
Date: 11-13-2013	File Name: SUR13-0265_Presbytery Church_FINAL.dwg	Last Date of Field Work: N/A		

**SKETCH AND DESCRIPTION**

OF  
A PARCEL OF LAND LYING IN  
SECTION 33, TOWNSHIP 41 SOUTH, RANGE 23 EAST  
CITY OF PUNTA GORDA, CHARLOTTE COUNTY, FLORIDA

A PARCEL OF LAND LYING IN SECTION 33, TOWNSHIP 41 SOUTH, RANGE 23 EAST, CHARLOTTE COUNTY, FLORIDA, BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

PER ORB 1679, PAGE 771, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA--COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 33, RUN N 88°53'11" W ALONG THE NORTH LINE OF THE AFOREMENTIONED SOUTHWEST 1/4 A DISTANCE OF 680.86 FEET TO THE POINT OF BEGINNING OF THE LANDS HEREIN DESCRIBED:

FROM THE POINT OF BEGINNING CONTINUE ALONG SAID FRACTIONAL LINE N 88°53'11"W A DISTANCE OF 178.17 FEET TO THE EASTERLY RIGHT OF WAY LINE OF BURTON RD., THENCE DIVERGING FROM SAID FRACTIONAL LINE RUN S 0°25'34" W ALONG THE EAST RIGHT OF WAY LINE OF BURTON RD. A DISTANCE OF 84.18 FEET; THENCE DEPART THE EAST RIGHT OF WAY LINE OF BURTON RD AND RUN N 89°34'26" W ALONG THE NORTH RIGHT OF WAY LINE OF ANN RD. A DISTANCE OF 50.00 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF BURTON RD., THENCE ALONG THE WEST RIGHT OF WAY LINE OF BURTON RD. N 0°25'34"E A DISTANCE OF 84.78 FEET TO A POINT ON THE NORTH LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 33; THENCE RUN N 88°53' 11" W ALONG SAID NORTH LINE A DISTANCE OF 489.43 FEET TO THE EAST RIGHT OF WAY OF BURNT STORE RD., THENCE CONTINUE N 88°53'11" W A DISTANCE OF 60.00 FEET; THENCE N 89°24'14" W A DISTANCE OF 40.00 FEET TO THE WEST RIGHT OF WAY OF BURNT STORE RD.; THENCE RUN S 01°02'00" W ALONG THE WEST RIGHT OF WAY LINE OF BURNT STORE RD. A DISTANCE OF 428.50 FEET; THENCE RUN N 88°58'48" W A DISTANCE OF 15.00 FEET ALONG SAID RIGHT OF WAY; THENCE RUN S 01°02'00" W A DISTANCE OF 252.29 FEET TO A POINT OF CURVATURE OF A CIRCULAR CURVE CONCAVE TO THE EAST, HAVING AS ITS ELEMENTS A CENTRAL ANGLE OF 0°38'37", A RADIUS OF 5784.58, A CHORD DISTANCE OF 64.98 FEET AND A CHORD BEARING OF S 0°42'41" W; THENCE ALONG SAID CURVE A DISTANCE OF 64.98 FEET TO A POINT ON THE NORTH RIGHT OF WAY OF CUSTER RD.; THENCE ALONG SAID NORTH LINE OF CUSTER RD. RUN S 89°44'22" E PER PLAT (S89°44'51"E PER ORB 1679 PAGE 771, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA) A DISTANCE OF 740.29 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF ORANGEWOOD STREET; THENCE RUN ALONG THE WEST RIGHT OF WAY LINE OF ORANGEWOOD ST N0°23'26"E A DISTANCE OF 123.03 FEET; THENCE S89°36'34"E A DISTANCE OF 50.00 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF ORANGEWOOD ST.; THENCE RUN ALONG THE EAST LINE OF ORANGEWOOD ST S0°23'26"W A DISTANCE OF 122.71 FEET TO A POINT ON THE NORTH RIGHT OF WAY OF CUSTER RD.; THENCE RUN S89°44'22"E ALONG SAID NORTH LINE A DISTANCE OF 100.00 FEET; THENCE DEPARTING SAID NORTH LINE OF CUSTER RD. RUN N 0°23'26" E A DISTANCE OF 122.48 FEET; THENCE N89°36'34" A DISTANCE OF 50.00 FEET TO A POINT ON THE EAST LINE OF LANDS DESCRIBED IN ORB 1679 PAGE 771, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA; THENCE ALONG SAID LINE RUN N0°23'26"E A DISTANCE OF 610.84 FEET TO THE POINT OF BEGINNING.

SAID PARCEL CONTAINS 13.97 ACRES MORE OR LESS

**THIS IS NOT A SURVEY PAGE 1 OF 2**

ANGLE RIGHT SURVEYING, LLC.

*Dustin D. Martin*  
DUSTIN D. MARTIN, P.S.M., NO. LS6645  
PROFESSIONAL SURVEYOR & MAPPER  
STATE OF FLORIDA.

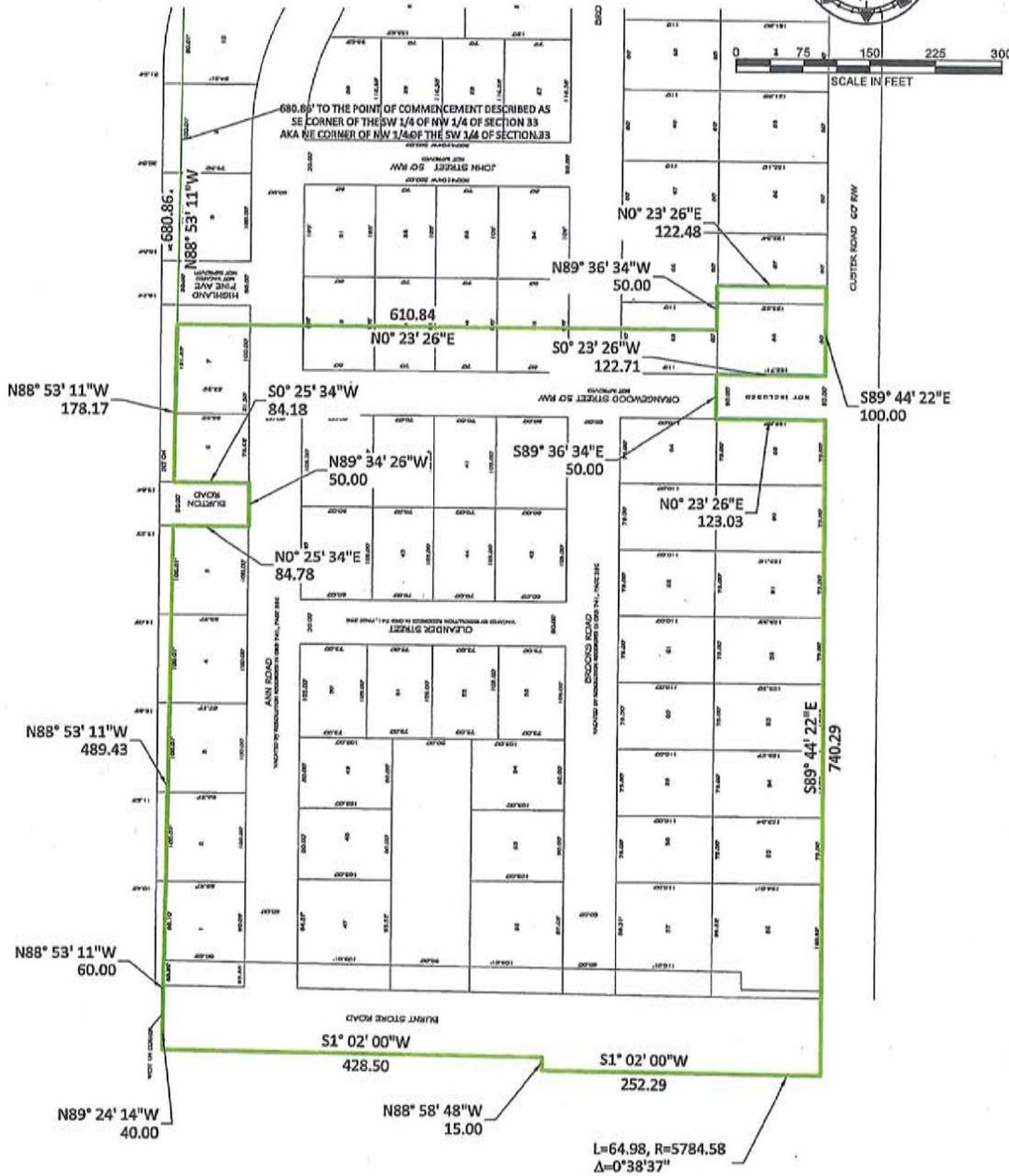
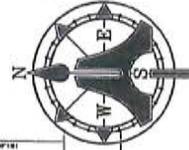
CERTIFICATIONS:  
CITY OF PUNTA GORDA  
CHARLOTTE COUNTY  
BURNT STORE PRESBYTERIAN CHURCH, INC.  
WEILER ENGINEERING, INC.

NOTES:	
1. SKETCH AND DESCRIPTION IS BASED ON ORB 1679 PAGE 771, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA. NO BOUNDARY DECISIONS WERE MADE AS THIS IS NOT A SURVEY.	7. SUBJECT PARCEL CONTAINS 13.97 ACRES MORE OR LESS.
2. BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF SW 1/4 OF THE NW 1/4 OF SECTION 33 AS FOUND IN ORB 1679 PAGE 771, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA, HAVING A BEARING OF S88°53'11"E.	8. THE NOTE "THE SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER", REMAINS AS A STIPULATION OF MINIMUM TECHNICAL STANDARDS AS APPLIED TO PROFESSIONAL SURVEYORS AND DOES NOT INFER THAT THIS DOCUMENT IS A SURVEY.
3. THIS SKETCH AND DESCRIPTION WAS DONE WITHOUT THE BENEFIT OF A TITLE INSURANCE POLICY AND ACCOMPANYING DOCUMENTS; THEREFORE THE LAND DEPICTED HEREON MAY BE SUBJECT TO EASEMENTS AND ENCUMBRANCES (RECORDED OR UNRECORDED) NOT SHOWN.	9. THIS DOCUMENT IS NOT COMPLETE WITHOUT ALL PAGES AS REFERENCED.
4. NO FIELD WORK WAS CONDUCTED IN PREPARATION FOR THE SKETCH AND DESCRIPTION.	10. THE DESCRIPTION ABOVE IS A COMBINATION OF ALL PARTS OF ORB 1679 PAGE 771 PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA.
5. UNDERGROUND UTILITIES AND OR IMPROVEMENTS, IF ANY, WERE NOT LOCATED, UNLESS OTHERWISE SHOWN.	
6. UNDERGROUND ENCROACHMENTS (IF ANY) WERE NOT LOCATED OTHER THAN SHOWN.	

THE SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

 <b>ANGLE RIGHT</b> SURVEYING	10561 Greencrest Dr. Tampa, FL 33626 239-898-7001 Main 813-920-4649 Fax www.angleright.net LB #7738	Project Number: 13-0265	Project Description: Sketch and Description Presbyterian Church, Inc. (City Annex Portion)	
		Drawn By: DDM	Client Name: Burnt Store Presbyterian Church, Inc.	
		Date: 11-13-2013	File Name: SUR13-0265_Presbytery Church_FINAL.dwg	Last Date of Field Work: N/A

**SKETCH AND DESCRIPTION**  
OF  
A PARCEL OF LAND LYING IN  
SECTION 33, TOWNSHIP 41 SOUTH, RANGE 23 EAST  
CITY OF PUNTA GORDA, CHARLOTTE COUNTY, FLORIDA



**THIS IS NOT A SURVEY PAGE 2 OF 2**

ANGLE RIGHT SURVEYING, LLC.

*SEE SHEET 2*

DUSTIN D. MARTIN, P.S.M., NO. LS6645  
PROFESSIONAL SURVEYOR & MAPPER  
STATE OF FLORIDA.

CERTIFICATIONS:  
CITY OF PUNTA GORDA  
CHARLOTTE COUNTY  
BURNT STORE PRESBYTERIAN CHURCH, INC.  
WEILER ENGINEERING, INC.

**NOTES:**

- SKETCH AND DESCRIPTION IS BASED ON ORB 1679 PAGE 771, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA. NO BOUNDARY DECISIONS WERE MADE AS THIS IS NOT A SURVEY.
- BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH LINE OF SW 1/4 OF THE NW 1/4 OF SECTION 33 AS FOUND IN ORB 1679 PAGE 771, PUBLIC RECORDS OF CHARLOTTE COUNTY, FLORIDA, HAVING A BEARING OF S88°53'11\".
- THIS SKETCH AND DESCRIPTION WAS DONE WITHOUT THE BENEFIT OF A TITLE INSURANCE POLICY AND ACCOMPANYING DOCUMENTS; THEREFORE THE LAND DEPICTED HEREON MAY BE SUBJECT TO EASEMENTS AND ENCUMBRANCES (RECORDED OR UNRECORDED) NOT SHOWN.
- NO FIELD WORK WAS CONDUCTED IN PREPARATION FOR
- THE SKETCH AND DESCRIPTION, UNDERGROUND UTILITIES AND OR IMPROVEMENTS, IF ANY, WERE NOT LOCATED, UNLESS OTHERWISE SHOWN.
- UNDERGROUND ENCROACHMENTS (IF ANY) WERE NOT LOCATED OTHER THAN SHOWN.
- SUBJECT PARCEL CONTAINS 13.97 ACRES MORE OR LESS.
- THE NOTE "THE SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, REMAINS AS A STIPULATION OF MINIMUM TECHNICAL STANDARDS AS APPLIED TO PROFESSIONAL SURVEYORS AND DOES NOT INFER THAT THIS DOCUMENT IS A SURVEY.
- THIS DOCUMENT IS NOT COMPLETE WITHOUT ALL PAGES AS REFERENCED.

THE SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

 <b>ANGLE RIGHT</b> SURVEYING	10561 Greencrest Dr. Tampa, FL 33626 239-898-7001 Main 813-920-4649 Fax www.angleright.net LB #7738	Project Number: 13-0265	Project Description: Sketch and Description Presbyterian Church, Inc. (City Annex Portion)	
		Drawn By: DDM	Client Name: Burnt Store Presbyterian Church, Inc.	
Date: 11-13-2013	File Name: SUR13-0265_Presbytery Church_FINAL.dwg	Last Date of Field Work: N/A		



II. The boundaries of the City of Punta Gorda, Florida, are hereby redefined to include the property described in Section I above.

III. The City Clerk of the City of Punta Gorda, Florida, is hereby ordered and directed to furnish certified copies of this Ordinance to the Clerk of the Circuit Court of Charlotte County, Florida, the Charlotte County Administrator and the Department of State in Tallahassee, Florida, within seven (7) days after the adoption of this Ordinance.

IV. It is the declared intent of the City Council that, if any section, subsection, sentence, clause, phrase or provision of this Ordinance is held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not be so construed as to render invalid or unconstitutional the remaining provisions of this Ordinance.

V. This Ordinance shall take effect immediately upon its adoption.

DULY ADOPTED in regular session of the City Council of the City of Punta Gorda, Florida, this 3rd day of February, 1999.

Robert H. Shedd  
ROBERT H. SHEDD, Mayor

ATTEST:

[Signature]  
SEE CLERK, City Clerk

APPROVED AS TO FORM:

[Signature]  
ROBERT H. BERNISSON, City Attorney

2/3/99  
Date

# LEGAL DESCRIPTION

## BURNT STORE PRESBYTERIAN CHURCH PARCEL FOR ANNEXATION

DESCRIPTION (SUPPLIED BY CLIENT)

PARCEL "A"

That portion of Burnt Store Park Subdivision, according to the plat thereof, as recorded in Plat Book 7, Page 3, of the Public Records of Charlotte County, Florida, being in Section 33, Township 41 South, Range 23 East, Charlotte County, Florida, being more specifically described as follows:

From the Northeast corner of the Northwest 1/4 of the Southwest 1/4 of said Section 33, run North 88°53'11" West, along the Northerly line of said Southwest 1/4, a distance of 780.89 feet to the Point of Beginning, of the lands herein described; thence continue North 88°53'11" West, along said Northerly line of said Southwest 1/4, a distance of 612.47 feet to the Easterly right-of-way of State Road No. 765 (old Burnt Store Road); thence South 01°02'00" West, along said Easterly right-of-way, a distance of 653.73 feet; thence North 88°58'00" West, along said right-of-way a distance of 20.00 feet; thence South 01°02'00" West, along said right-of-way a distance of 27.29 feet, to the Point of Curvature of a circular curve concave easterly, said curve having as its elements a central angle of 00°42'50", a radius of 5,689.58 feet, a chord distance of 83.44 feet, and a chord bearing of South 00°42'50" West; thence Southerly along said curve, a distance of 63.44 feet to the Easterly right-of-way of Custer Road; thence South 89°44'51" East, along Northerly right-of-way a distance of 845.41 feet to the Southeast corner of Lot 89, of said Burnt Store Park Subdivision; thence North 02°23'26" East along the Westerly right-of-way of Orangewood Street (not improved), a distance of 734.95 feet to the Point of Beginning.

Less and excepting that portion of Burton Road lying Northerly of Ann Road.

AND THE WEST 100.00 FEET OF THE FOLLOWING DESCRIBED PARCEL:

PARCEL "B"

That portion of Burnt Store Park Subdivision, according to the Plat thereof as recorded in Plat Book 7, Page 3, of the Public Records of Charlotte County, Florida, being in Section 33, Township 41 South, Range 23 East, Charlotte County, Florida, being more specifically described as follows:

Beginning at the Northeast corner of the Northwest 1/4 of the Southwest 1/4 of said Section 33, run North 88°53'11" West, along the Northerly line of said Southwest 1/4, a distance of 780.89 feet; thence South 00°23'26" West, along the Westerly right-of-way of Orangewood Street (Not Improved), a distance of 612.13 feet; thence South 89°38'34" East, a distance of 80.00 feet to the East right-of-way of said Orangewood Street; thence South 00°23'26" West along said East right-of-way of Orangewood Street, a distance of 122.71 feet to the Northerly right-of-way of Custer Road; thence South 89°44'22" East, along said Northerly right-of-way of Custer Road, a distance of 843.01 feet; thence North 03°11'12" East, a distance of 682.03 feet; thence South 89°32'25" West, a distance of 243.43 feet; thence North 02°14'05" West, a distance of 45.25 feet to the Point of Beginning.

SUBJECT PROPERTY CONTAINING 11.78 ACRES, MORE OR LESS.

Said lands situate, lying and being in Charlotte County, Florida.

AND

ROADWAY DESCRIPTION:

A PORTION OF ROAD RIGHT OF WAY AS SHOWN ON HIGHWAY MAP SECTION 01540-2801 PREPARED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION LYING IN SECTIONS 32 AND 33 OF TOWNSHIP 41 SOUTH RANGE 23 EAST CHARLOTTE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

BEGIN AT THE S.W. CORNER OF THE N.W. 1/4 OF SECTION 33 TOWNSHIP 41 SOUTH RANGE 23 EAST CHARLOTTE COUNTY, FLORIDA; THENCE S. 88°53'11" E. ALONG THE EAST WEST 1/4 SECTION LINE, A DISTANCE OF 80.00 FEET TO THE EXISTING EASTERLY RIGHT OF WAY LINE OF BURNT STORE ROAD; THENCE THE FOLLOWING FOUR COURSES ALONG SAID RIGHT OF WAY LINE:

- 1) S.01°02'00" W. A DISTANCE OF 653.73 FEET;
- 2) N.88°58'00" W. A DISTANCE OF 20.00 FEET;
- 3) S.01°02'00" W. A DISTANCE OF 27.29 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT HAVING A RADIUS OF 5689.58 FEET A CHORD BEARING S.00°42'48" W A DISTANCE OF 83.44 FEET;
- 4) THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 63.44 FEET

THENCE N88°44'51" W. A DISTANCE OF 85.00 FEET TO THE WESTERLY RIGHT OF WAY LINE OF BURNT STORE ROAD; THENCE THE FOLLOWING FOUR COURSES ALONG SAID RIGHT OF WAY LINE:

- 1) THENCE ALONG THE ARC OF A CIRCULAR CURVE TO THE RIGHT HAVING A RADIUS OF 5784.56 FEET A CHORD BEARING N.00°42'41" E. AND A CHORD DISTANCE OF 64.88 FEET THENCE A DISTANCE OF 64.88 FEET TO THE POINT OF TANGENCY;
  - 2) THENCE N.01°02'00" E. A DISTANCE OF 262.29 FEET;
  - 3) THENCE S.88°58'48" E. A DISTANCE OF 15.00 FEET;
  - 4) THENCE N.01°02'00" E. A DISTANCE OF 428.50 FEET;
- THENCE S.88°24'23" E. ALONG THE EAST WEST 1/4 SECTION LINE OF SECTION 32 TOWNSHIP 41 SOUTH RANGE 23 EAST A DISTANCE OF 40.00 FEET TO THE POINT OF BEGINNING

SUBJECT ROADWAY CONTAINING 1.78 ACRES, MORE OR LESS.

"A"



## MEMORANDUM

**Date:** December 11, 2013

**To:** Steven Ellis, Planner II

**From:** Jamie Scudera, Environmental Specialist

**Subject:** PV-12-09-05  
26070 Cuneo Road  
John St., Trafalger St., Brooks Rd., Ann Rd., Orangewood St., Highland Pine Rd.

The Current Planning and Zoning Environmental Review Section (ERS) have reviewed the above referenced petition for **Environmental and Tree and Landscaping compliance** and offer the following comments:

1. The site is undeveloped and contains upland (and potential wetland) environmentally sensitive habitats utilized by species listed by the Florida Fish and Wildlife Conservation Commission (FWCC) and US Fish and Wildlife Service (FWS).
2. Environmental staff has conducted site inspections in the past and has noted that there is a high capacity of Gopher Tortoise burrows located throughout the site. The Gopher Tortoise is listed as a threatened species by the Florida Fish and Wildlife Conservation Commission (FWCC). All tortoise burrows must remain protected following all FWCC laws, policies and guidelines.

At this time we have no other environmental comments regarding this petition. However, if this proposal moves forward for development reasons, the Environmental Review Section has requested the following issues be addressed. These conditions, and possibly others, will be reviewed for compliance upon any land clearing, development or permit approvals.

1. The applicant must submit a Florida Land Use, Cover and Forms Classification System (FLUCCS) Map and current (less than one year old) listed species survey. All required Fish and Wildlife Service (FWS) and Florida Fish and Wildlife Conservation Commission (FWCC) permits must be provided to the Environmental Review Section prior to any development approval and/or land clearing activities.

### COMMUNITY DEVELOPMENT DEPARTMENT

Zoning Division

18500 Murdock Circle | Port Charlotte, FL 33948

Phone: 941.743.1290 | Fax: 941.743.1598

2. The project must comply with **Chapter 3-5, Article XV, Surface Water and Wetland Protection** requirements of the County Code. The applicant must submit an approved Southwest Florida Water Management District (SWFWMD) Environmental Resource Permit (ERP) US Army Corps of Engineers (ACOE) permit (if applicable) prior to commencement of development activities.
3. The project must comply with **Chapter 3-5, Article XV, Upland Buffer Zone** requirements of the County Code. The applicant must supply a site plan that provides a minimum 15' natural vegetated upland buffer zone to be preserved along the perimeter of all wetlands and natural surface waters. Additional buffer width may be required by other regulatory agencies.
4. The property will be required to provide Open Space as required in **Chapter 3-5, Article XVI, Open Space/Habitat Reservation Trust** requirements of the County Code.
5. All trees that are removed or preserved must satisfy Chapter 3-2, Article IX, and Tree Requirements, of the County Code. A tree survey must be supplied prior to any land clearing or issuance of building permits. Heritage trees may occur on site. Heritage trees are further protected by the provisions of Chapter 3-2, Article IX, Section 190 of the County Code. The applicant must incorporate the trees into the site plan or show that every effort has been made to save the trees. Documentation must be provided prior to final DRC approval or the issuance of tree removal permits. A Tree Removal Authorization, Memorandum of Fee Exemption, and Tree Preservation permits must be obtained prior to any land clearing activity and the issuance of any building permits.
6. Four (4) copies of a landscape plan that complies with **Chapter 3-5, Article XVIII, Landscaping and Buffer Requirements**, of the County Code must be provided for all development that requires parking. All Brazilian pepper, melaleuca, Australian pines and downy rose myrtle must be removed from the site during development, according to 3-5-397 of the landscaping code.

If I may be of further assistance please contact me at 941-743-1290 with any environmental questions and Linda Moore at (941)743-1919 with any tree or landscaping question.

JS

P: animal/platvacation/2013/PV-12-09-05(BurntStorePresChurch).doc

**COMMUNITY DEVELOPMENT DEPARTMENT**

Planning and Zoning Division

18500 Murdock Circle | Port Charlotte, FL 33948

Phone: 941.743.1242 | Fax: 941.743.1292



## MEMORANDUM

**Date:** December 12, 2013  
**To:** Steven Ellis, Planner II  
**From:** Inga Williams, Principal Planner  
**Subject:** PV-12-09-05, Burnt Store Park Subdivision

---

This plat vacation will vacate approximately 4.15 acres of right-of-way, which at five units per acre equates to 20 units of density. This applicant is required to either submit a TDU petition to transfer density to the site to account for the increase in density or submit a restrictive covenant to restrict the density of the subsequent parcel to that in existence prior to the vacation.

"Article XX, Transfer of Density Units, Sec. 3-5-428. Application of article.

Any owner of property governed by subsections 3-5-428(a) and (b) above who proposes a use amendment which acts to increase the base density on a parcel(s) of land shall petition the board for a TDU in accordance with the provisions of this article, except as provided in subsection 3-5-429(a)(3)."

The definition of Use Amendment includes plat and street vacations.

"Section 3-5-429, Process and procedures., (a) (2) (iii)

Any owner of property petitioning the board for a street or plat vacation which acts to increase the property's base density may, instead of submitting a TDU petition, choose to submit a restrictive covenant with the street or plat vacation that limits the density of the property to that existing at the time of application."

This vacation implements the County's goal of reducing platted lots and consolidating outdated subdivisions. Comprehensive Planning recommends approval of this vacation with the recommendation, in coordination with the County's Transportation Planner, that right-of-way access be retained from Custer (Cuneo) Road or Pampas (Palmetto) Street to the property bordering this site on the North. This will allow for needed interconnectivity to the east when that property develops to its full potential.

**City of Punta Gorda, Florida  
Urban Design Division**

**M E M O R A N D U M**

---

TO: Steven Ellis, Planner II

FROM: Joan F. LeBeau, Chief Planner

DATE: December 13, 2013

RE: PV-12-09-05 Burnt Store Presbyterian Church

**Recommendation:**

Approval of Plat Vacation Application PV-12-09-05 Burnt Store Presbyterian Church

**Summary:**

The City of Punta Gorda has reviewed the PV-12-09-05 Burnt Store Presbyterian Church. The agent, Weiler Engineering Corp., has been in contact with the City over the last year discussing the issues surrounding this plat vacation. The City will continue to work with the applicant with regards to the City limits once the County process is complete.



## Charlotte County Government

"To exceed expectations in the delivery of public services"

www.CharlotteCountyFL.com

### MEMORANDUM

**Date:** November 14, 2013

**To:** Monte Matarese, Property Appraiser's Office  
Venkat Vattikuti, Transportation  
Gary Grossman, Transportation (hard copy)  
Gary Pederzoli, GIS  
Ken Quillen, Zoning/Current Planning  
Jamie Scudera, Zoning/Environmental  
Gina Gilbreath, Engineering (4 hard copies)  
John MacDonald, LIS  
Angie Carlisle, LIS  
Gerry Collins, Addressing  
Debbie Alexander, Real Estate Services  
Joan LeBeau, City of Punta Gorda  
Stan Irish, Land Development  
Steve Reager, ROW  
Chris D'Urso, CCU  
Judy Hunter, CCU  
Inga Williams, Comprehensive Planning

**CC:** Shaun Cullinan, Diane Clim, Gayle Moore

**From:** Steven A. Ellis, Planner II *SAE*

**Subject:** Plat Vacation application for  
January 13, 2014, P&Z / February 25, 2014, BCC

*FPL  
has a conflict.  
see attached.  
Thank you.  
Candie Roll  
941-423-4807*

PV-12-09-05 – Burnt Store Presbyterian Church – Revised

Along with this memo, you are receiving PDF's of the file material for your review.

Please review the above-referenced petition and return your graphics, findings, and analysis to me as soon as possible (map graphics no later than December 15, 2013). This is a legislative public hearing.

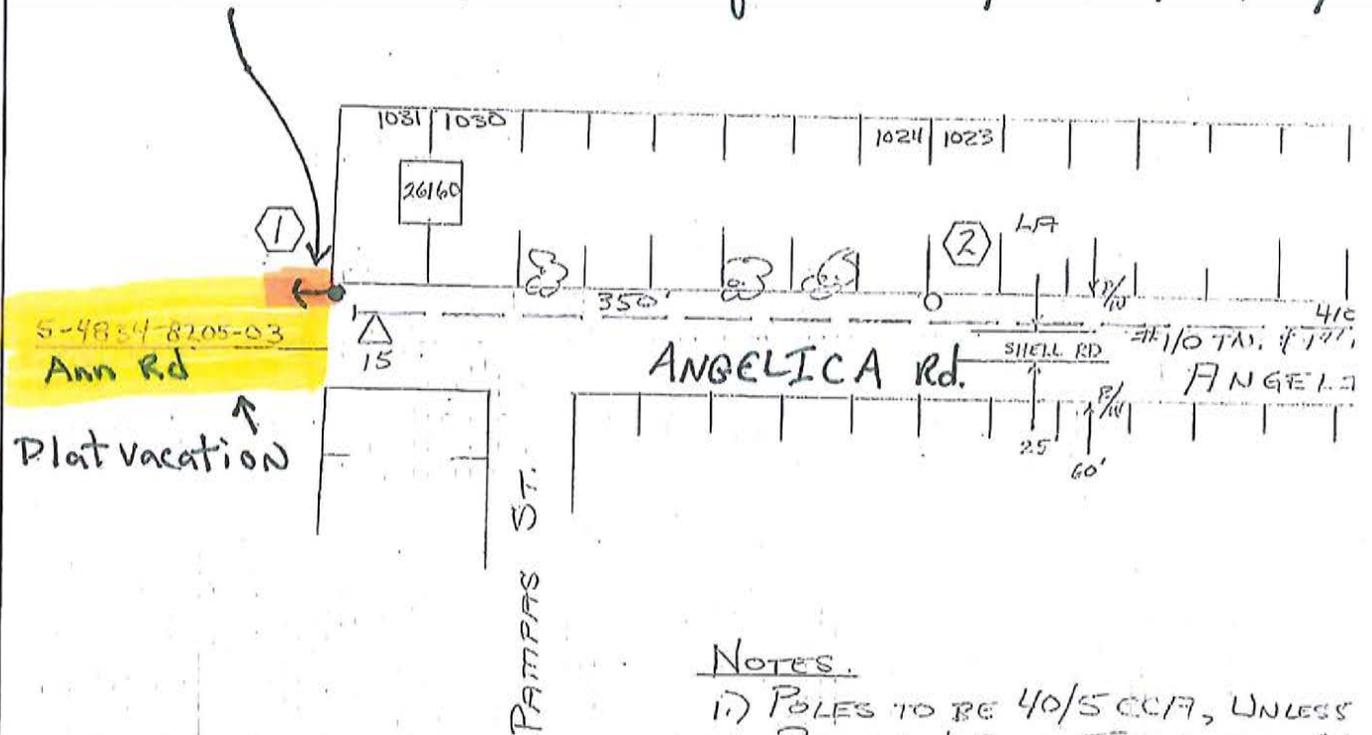
#### CHARLOTTE COUNTY COMMUNITY DEVELOPMENT

##### Zoning

18400 Murdock Circle, Port Charlotte, FL 33948  
Phone: 941-764-4954 | Fax: 941-743-1598

LLN 5-4933-0677-06N  
B4 - Conn LVA - 155

Need 10' wide easement for length of Guy into property.

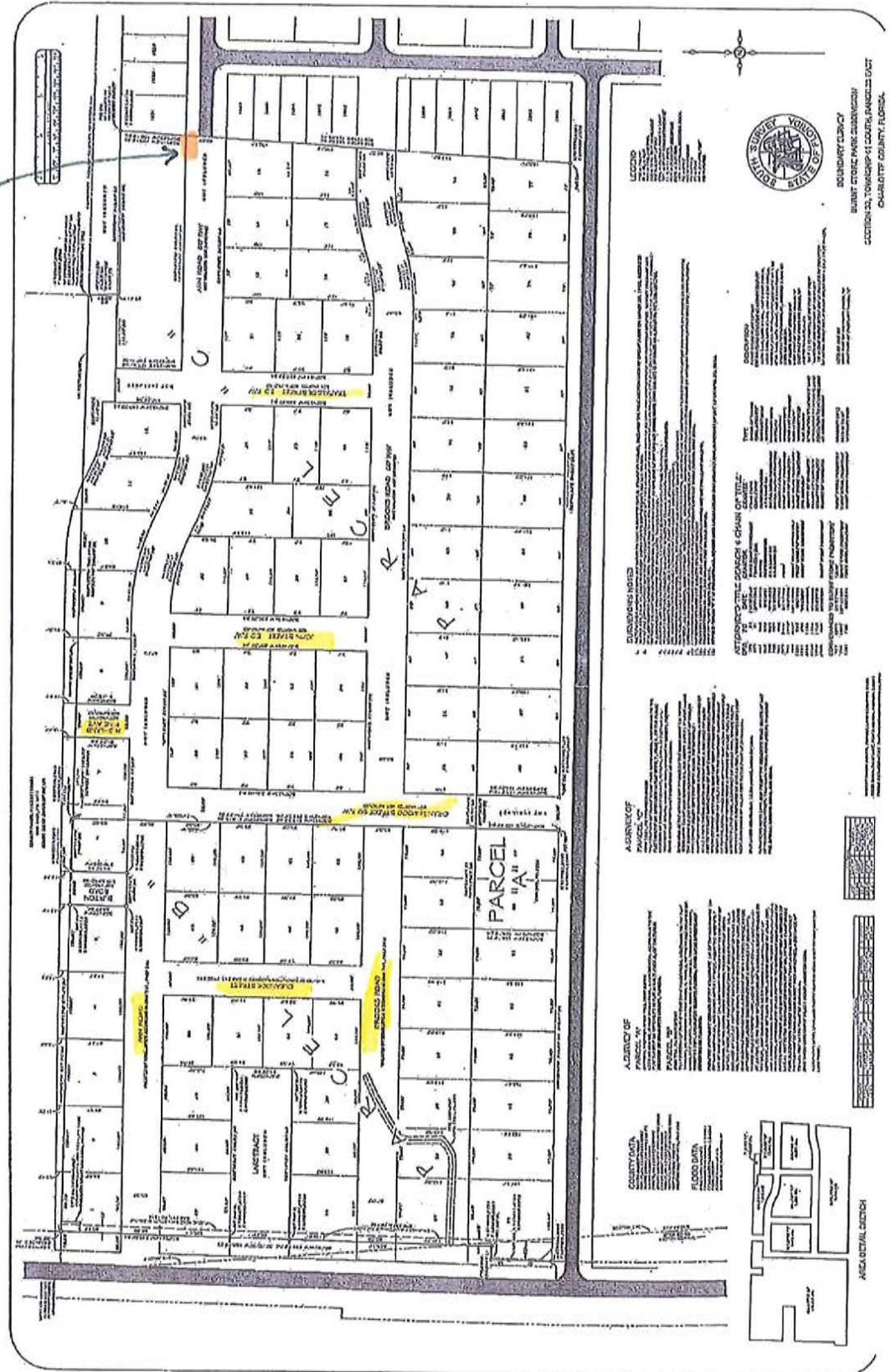


NOTES.

- 1.) POLES TO BE 40/5 CCA, UNLESS
- 2.) REMOVE & CUT TREES FOR 6'
- 3.) NEW POLES ARE FUTURE TX

We have a pole, guy, & Anchor that is in this plat vacation. We will need a specific <sup>FPL</sup> easement for this pole & anchor.

*easement needed*



BOUNDARY SURVEY  
 BURNETT STONE PARK SUBDIVISION  
 SECTION 33, TOWNSHIP 41 NORTH, RANGE 18 EAST  
 CHARLOTTE COUNTY, FLORIDA

**LEGEND**

1. BOUNDARY SURVEY  
 2. EXISTING EASEMENTS  
 3. EXISTING ENCUMBRANCES  
 4. EXISTING UTILITIES  
 5. EXISTING STRUCTURES  
 6. EXISTING ROADS  
 7. EXISTING FENCES  
 8. EXISTING TREES  
 9. EXISTING WELLS  
 10. EXISTING POND

**ADDITIONAL NOTES**

1. THIS SURVEY WAS MADE BY THE SURVEYOR IN ACCORDANCE WITH THE REQUIREMENTS OF THE FLORIDA SURVEYING AND MAPPING ACT, CHAPTER 469, F.S., AND THE RULES AND REGULATIONS OF THE BOARD OF COUNTY COMMISSIONERS, CHARLOTTE COUNTY, FLORIDA.

2. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE COUNTY CLERK AND HAS FOUND NO RECORDS OF ANY PREVIOUS SURVEYS OF THIS TRACT.

3. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE COUNTY CLERK AND HAS FOUND NO RECORDS OF ANY PREVIOUS EASEMENTS OR ENCUMBRANCES ON THIS TRACT.

4. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE COUNTY CLERK AND HAS FOUND NO RECORDS OF ANY PREVIOUS UTILITIES ON THIS TRACT.

5. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE COUNTY CLERK AND HAS FOUND NO RECORDS OF ANY PREVIOUS STRUCTURES ON THIS TRACT.

6. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE COUNTY CLERK AND HAS FOUND NO RECORDS OF ANY PREVIOUS ROADS ON THIS TRACT.

7. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE COUNTY CLERK AND HAS FOUND NO RECORDS OF ANY PREVIOUS FENCES ON THIS TRACT.

8. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE COUNTY CLERK AND HAS FOUND NO RECORDS OF ANY PREVIOUS TREES ON THIS TRACT.

9. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE COUNTY CLERK AND HAS FOUND NO RECORDS OF ANY PREVIOUS WELLS ON THIS TRACT.

10. THE SURVEYOR HAS REVIEWED THE RECORDS OF THE COUNTY CLERK AND HAS FOUND NO RECORDS OF ANY PREVIOUS POND ON THIS TRACT.

**A SURVEY OF**  
 PARCEL NO. 1  
 PARCEL NO. 2  
 PARCEL NO. 3  
 PARCEL NO. 4  
 PARCEL NO. 5  
 PARCEL NO. 6  
 PARCEL NO. 7  
 PARCEL NO. 8  
 PARCEL NO. 9  
 PARCEL NO. 10  
 PARCEL NO. 11  
 PARCEL NO. 12  
 PARCEL NO. 13  
 PARCEL NO. 14  
 PARCEL NO. 15  
 PARCEL NO. 16  
 PARCEL NO. 17  
 PARCEL NO. 18  
 PARCEL NO. 19  
 PARCEL NO. 20  
 PARCEL NO. 21  
 PARCEL NO. 22  
 PARCEL NO. 23  
 PARCEL NO. 24  
 PARCEL NO. 25  
 PARCEL NO. 26  
 PARCEL NO. 27  
 PARCEL NO. 28  
 PARCEL NO. 29  
 PARCEL NO. 30  
 PARCEL NO. 31  
 PARCEL NO. 32  
 PARCEL NO. 33  
 PARCEL NO. 34  
 PARCEL NO. 35  
 PARCEL NO. 36  
 PARCEL NO. 37  
 PARCEL NO. 38  
 PARCEL NO. 39  
 PARCEL NO. 40  
 PARCEL NO. 41  
 PARCEL NO. 42  
 PARCEL NO. 43  
 PARCEL NO. 44  
 PARCEL NO. 45  
 PARCEL NO. 46  
 PARCEL NO. 47  
 PARCEL NO. 48  
 PARCEL NO. 49  
 PARCEL NO. 50  
 PARCEL NO. 51  
 PARCEL NO. 52  
 PARCEL NO. 53  
 PARCEL NO. 54  
 PARCEL NO. 55  
 PARCEL NO. 56  
 PARCEL NO. 57  
 PARCEL NO. 58  
 PARCEL NO. 59  
 PARCEL NO. 60  
 PARCEL NO. 61  
 PARCEL NO. 62  
 PARCEL NO. 63  
 PARCEL NO. 64  
 PARCEL NO. 65  
 PARCEL NO. 66  
 PARCEL NO. 67  
 PARCEL NO. 68  
 PARCEL NO. 69  
 PARCEL NO. 70  
 PARCEL NO. 71  
 PARCEL NO. 72  
 PARCEL NO. 73  
 PARCEL NO. 74  
 PARCEL NO. 75  
 PARCEL NO. 76  
 PARCEL NO. 77  
 PARCEL NO. 78  
 PARCEL NO. 79  
 PARCEL NO. 80  
 PARCEL NO. 81  
 PARCEL NO. 82  
 PARCEL NO. 83  
 PARCEL NO. 84  
 PARCEL NO. 85  
 PARCEL NO. 86  
 PARCEL NO. 87  
 PARCEL NO. 88  
 PARCEL NO. 89  
 PARCEL NO. 90  
 PARCEL NO. 91  
 PARCEL NO. 92  
 PARCEL NO. 93  
 PARCEL NO. 94  
 PARCEL NO. 95  
 PARCEL NO. 96  
 PARCEL NO. 97  
 PARCEL NO. 98  
 PARCEL NO. 99  
 PARCEL NO. 100

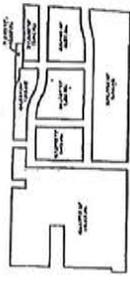
**A SURVEY OF**  
 PARCEL NO. 1  
 PARCEL NO. 2  
 PARCEL NO. 3  
 PARCEL NO. 4  
 PARCEL NO. 5  
 PARCEL NO. 6  
 PARCEL NO. 7  
 PARCEL NO. 8  
 PARCEL NO. 9  
 PARCEL NO. 10  
 PARCEL NO. 11  
 PARCEL NO. 12  
 PARCEL NO. 13  
 PARCEL NO. 14  
 PARCEL NO. 15  
 PARCEL NO. 16  
 PARCEL NO. 17  
 PARCEL NO. 18  
 PARCEL NO. 19  
 PARCEL NO. 20  
 PARCEL NO. 21  
 PARCEL NO. 22  
 PARCEL NO. 23  
 PARCEL NO. 24  
 PARCEL NO. 25  
 PARCEL NO. 26  
 PARCEL NO. 27  
 PARCEL NO. 28  
 PARCEL NO. 29  
 PARCEL NO. 30  
 PARCEL NO. 31  
 PARCEL NO. 32  
 PARCEL NO. 33  
 PARCEL NO. 34  
 PARCEL NO. 35  
 PARCEL NO. 36  
 PARCEL NO. 37  
 PARCEL NO. 38  
 PARCEL NO. 39  
 PARCEL NO. 40  
 PARCEL NO. 41  
 PARCEL NO. 42  
 PARCEL NO. 43  
 PARCEL NO. 44  
 PARCEL NO. 45  
 PARCEL NO. 46  
 PARCEL NO. 47  
 PARCEL NO. 48  
 PARCEL NO. 49  
 PARCEL NO. 50  
 PARCEL NO. 51  
 PARCEL NO. 52  
 PARCEL NO. 53  
 PARCEL NO. 54  
 PARCEL NO. 55  
 PARCEL NO. 56  
 PARCEL NO. 57  
 PARCEL NO. 58  
 PARCEL NO. 59  
 PARCEL NO. 60  
 PARCEL NO. 61  
 PARCEL NO. 62  
 PARCEL NO. 63  
 PARCEL NO. 64  
 PARCEL NO. 65  
 PARCEL NO. 66  
 PARCEL NO. 67  
 PARCEL NO. 68  
 PARCEL NO. 69  
 PARCEL NO. 70  
 PARCEL NO. 71  
 PARCEL NO. 72  
 PARCEL NO. 73  
 PARCEL NO. 74  
 PARCEL NO. 75  
 PARCEL NO. 76  
 PARCEL NO. 77  
 PARCEL NO. 78  
 PARCEL NO. 79  
 PARCEL NO. 80  
 PARCEL NO. 81  
 PARCEL NO. 82  
 PARCEL NO. 83  
 PARCEL NO. 84  
 PARCEL NO. 85  
 PARCEL NO. 86  
 PARCEL NO. 87  
 PARCEL NO. 88  
 PARCEL NO. 89  
 PARCEL NO. 90  
 PARCEL NO. 91  
 PARCEL NO. 92  
 PARCEL NO. 93  
 PARCEL NO. 94  
 PARCEL NO. 95  
 PARCEL NO. 96  
 PARCEL NO. 97  
 PARCEL NO. 98  
 PARCEL NO. 99  
 PARCEL NO. 100

**COUNTY DATA**

1. COUNTY CLERK  
 2. COUNTY ENGINEER  
 3. COUNTY SURVEYOR  
 4. COUNTY ASSESSOR  
 5. COUNTY COMMISSIONER

**FLOOD DATA**

1. FLOOD ZONE  
 2. FLOOD RISK  
 3. FLOOD DAMAGE



ACTUAL SECTION



William L. Barnett  
Network Engineer II  
4195 Kings Highway  
Port Charlotte, Fl. 33950  
Voice: (941) 637-5109  
[Fax: \(941\) 624-5711](tel:(941)624-5711)  
[William.L.Barnett@CenturyLink.com](mailto:William.L.Barnett@CenturyLink.com)

Nov. 27,2013

PV-12-09-05

Centurylink had reviewed this Plat Vacation. Centurylink has no facilities in this area and had no problem vacating this area.

Sincerely,

William L. Barnett  
Network Engineer II  
Port Charlotte Districk



## MEMORANDUM

To: Steven Ellis, Planner II

From: Ken Quillen, AICP, Planner III 

Date: December 4, 2013

Subject: Review of proposed Plat Vacation; file number: **PV-12-09-05**

Below are comments from the Zoning Division regarding the proposed Plat Vacation of a portion of **Burnt Store Park Subdivision** located in Section 33, Township 41 South, Range 23 East. Staff understands that the applicant (Burnt Store Presbyterian Church) would like to consolidate the lots they own and vacate the adjacent street rights-of-way.

**Zoning:** A 20-acre parcel is located adjacent to the north, which is zoned Agriculture Estates (AE). All of the church property and other surrounding County lands are zoned Residential Singlefamily-5 (RSF-5). This zoning classification is intended to accommodate low density residential uses, such as single-family residences. Some of the church property, located to the west, is in the city limits of Punta Gorda and is zoned Neighborhood Center (NC). The Punta Gorda Isles subdivision located to the north and east is also within the Punta Gorda city limits and is zoned General Single-family-3.5 (GS-3.5).

**FLUM:** The area has a Future Land Use Map (FLUM) designation of Low-Density Residential.

**Flood Zone:** The areas involved in the proposed plat vacation lie in the "9AE" Flood Zone. Lands in this area are also located in the Storm Serge Evacuation Zone "B".

**Surrounding Land Uses:** All of the lots owned by the church and proposed to be vacated are vacant. The lots located adjacent to the south, east, and northeast of the applicant's property are currently developed with single-family residences. The 20-acre parcel to the north is currently developed with a single-family residence.

**Comments:** The 20-acre parcel to the north will most likely be developed one day as a residential subdivision. Good planning practice would be to retain one existing street right-of-way to link the 20-acre parcel on the north with the existing street network to the east. This would provide and maintain a secondary access for all existing and future residents.

**Recommendation:** The Zoning Division has no objection to the proposed plat vacation; however, staff recommends that one segment of dedicated street right-of-way be retained to provide access from the 20-acre parcel, on the north, to the existing streets located to the east.

cc: Shaun Cullinan, Zoning Official  
File

**INTEROFFICE MEMORANDUM**  
**Community Development/Land Information Section**

**To:** Steven Ellis

**FROM:** Gerry Collins  
Design Technician - Addressing

**DATE:** November 25, 2013

**RE:** Addressing Comments  
January 13, 2014 P&Z / February 25, 2014 BCC

**PV-12-09-05 – Burnt Store Presbyterian Church – Revised**

I have no comments on this application.

**Ellis, Steven**

---

**From:** Hunter, Judy  
**Sent:** Friday, November 22, 2013 10:24 AM  
**To:** Ellis, Steven  
**Subject:** RE: PV-12-09-05, Burnt Store Park - Revised

CCU has no objection to this plat vacation.

Judy Hunter, AA  
Engineering Services  
Charlotte County Utilities  
941.764.4539  
[Judy.hunter@charlottefl.com](mailto:Judy.hunter@charlottefl.com)  
[www.charlottecountyfl.gov](http://www.charlottecountyfl.gov)

---

**From:** Ellis, Steven  
**Sent:** Friday, November 15, 2013 8:55 AM  
**To:** Matarese, Monte; Vattikuti, Venkat; Pederzoli, Gary; Scudera, Jamie; Gilbreath, Gina; MacDonald, John; Grossman, Gary; Quillen, Ken; Carlisle, Angie; Collins, Gerry; Alexander, Debbie; Joan LeBeau ([JLeBeau@CI.PUNTA-GORDA.FL.US](mailto:JLeBeau@CI.PUNTA-GORDA.FL.US)); Irish, Stan; Reager, Steve; DUrso, Chris; Hunter, Judy; Williams, Inga  
**Cc:** Cullinan, Shaun; Clim, Diane; Moore, Gayle  
**Subject:** PV-12-09-05, Burnt Store Park - Revised

Please see the attached memo and the accompanying documents.

Steven A. Ellis, Planner II  
Community Development Department  
Zoning Division  
18400 Murdock Circle  
Port Charlotte, FL 33948  
Voice: 941-764-4954  
Fax: 941-743-1598  
[www.charlottecountyfl.gov](http://www.charlottecountyfl.gov)

***"To be the energy in making Charlotte County a beautiful and enriching place to live."***

## Ellis, Steven

---

**From:** Ford, Steven  
**Sent:** Thursday, November 21, 2013 1:24 PM  
**To:** Ellis, Steven  
**Subject:** RE: Burnt Store Presbyterian Church Vacation

I did read the annexation ordinance and it looks like our concern of vacating the road is too late as the City has already annexed it...should not have been done in my opinion but too late now. So therefor we must remove our objection.

*Steven L. Ford, PSM*

County Surveyor  
Charlotte County Community Development  
South County Annex  
410 Taylor Rd., Unit 104  
Punta Gorda, FL 33950  
Phone (941) 575-3616  
FAX (941) 637-9265  
[Steven.ford@charlottefl.com](mailto:Steven.ford@charlottefl.com)

---

**From:** Ellis, Steven  
**Sent:** Thursday, November 21, 2013 8:18 AM  
**To:** Ford, Steven; Vernon, Joanne  
**Cc:** Aiuto, Phil; Alexander, Debbie; Amendola, Andy; Bliss, Karen; Carson, Robert; Doll, Richard; Gilbreath, Gina; Grossman, Gary; Ouimet, Jason; Purcell, Don; Reager, Steve; Searfoss, Bill  
**Subject:** RE: Burnt Store Presbyterian Church Vacation

Steve,

I forwarded your recommendation to the applicant, and received the response below. According to Jason Green, only the sketch of the property that lies within the County is intended to be vacated. The other sketch describes the property they will pursue vacating with the City once our part is finished. Please let me know if this alters your position.

Thanks,  
Steven

It is a non-issue and I don't understand the confusion. The sketch and description provided and labeled as "city" is for informational purposes only because there was a concern from County staff about vacating partial ROW within the plat. We intend to submit the "city" sketch and description to the city to do the same process, vacate those portions of Burnt Store Park plat that are already within the city limits. This has already been coordinated with the City and County staff. The portion of Burnt Store Road you are referencing is already within the city limits. I verified this per County GIS. That sketch and description is not part of an annexation request. That was done years ago (see provided Annexation Ordinance attachment). Secondly, annexing ROW does not transfer maintenance responsibility unless the approved Ordinance specifically calls out the maintenance and operations. In either case, that is between the County and City and has no impact on this application because the developed portion of the Church's property is already within the city limits.

Jason W. Green, AICP, CFM  
Planning Manager  
Weiler Engineering Corp. (WEC)  
201 W. Marion Ave. Suite 1306  
Punta Gorda, FL 33950  
(P) 941-505-1700  
(C) 863-255-3213

---

**From:** Ford, Steven

**Sent:** Thursday, November 21, 2013 7:36 AM

**To:** Ellis, Steven; Vernon, Joanne

**Cc:** Aiuto, Phil; Alexander, Debbie; Amendola, Andy; Bliss, Karen; Carson, Robert; Doll, Richard; Gilbreath, Gina; Grossman, Gary; Ouimet, Jason; Purcell, Don; Reager, Steve; Searfoss, Bill

**Subject:** Burnt Store Presbyterian Church Vacation

**PV-12-09-05 - Plat Vacation**

Burnt Store Presbyterian Church

After conferring with the Assistant County Engineer we recommend **NOT** approving this vacation submission at this time. It appears from the Sketch and Description for Annexation into the City of Punta Gorda that the City would acquire 600'+/- of Burnt Store Road which they would then be required to maintain which in our opinion would not be acceptable to the County.

*Steven L. Ford, PSM*

County Surveyor

Charlotte County Community Development

South County Annex

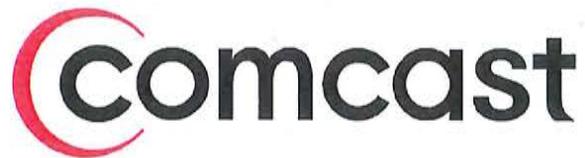
410 Taylor Rd., Unit 104

Punta Gorda, FL 33950

Phone (941) 575-3616

FAX (941) 637-9265

[Steven.ford@charlottefl.com](mailto:Steven.ford@charlottefl.com)



May 22, 2013

Stan Irish, Land Development Coordinator  
Community Development  
Right of Way/Stormwater  
18400 Murdock Circle  
Port Charlotte, FL 33948-1074

**Re: Petition to vacate a portion of the Highland Pine Avenue, Ann Road,  
Trafalgar Street, Johns Street, Orangewood Street and Brooks Road.  
Of Burnt Store Road, a total of 4.15 acres**

Dear Stan Irish

Comcast Cable does not object to the request to vacate the alley in question.

Should you have any questions or concerns, please feel free to contact me. I can be reached at (941) 342-3578.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gonzalo Rojas'.

Gonzalo Rojas  
Spec 2, Construction