

**Application No.**  
**SV-13-09-03**  
**(Street Vacation)**

**Applicant**  
**Ignazio Chiesesi /**  
**Vacate a portion of Epic Court**

**Legislative**

**Commission Dist. IV**



Community Development

# CHARLOTTE COUNTY

## Location Map for SV-13-09-03

Charlotte County Government

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

www.CharlotteCountyFL.com



08/41/21 Mid 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 guarantees, 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: 10/1/2013 11:14:46 AM

Path: M:\Departments\GIS\Projects\Peliffon\_Maps\Comp\_Planning\2013\StreetVacations\SV-13-09-03\PCKT\_Location\_SV130903.mxd



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Community Development

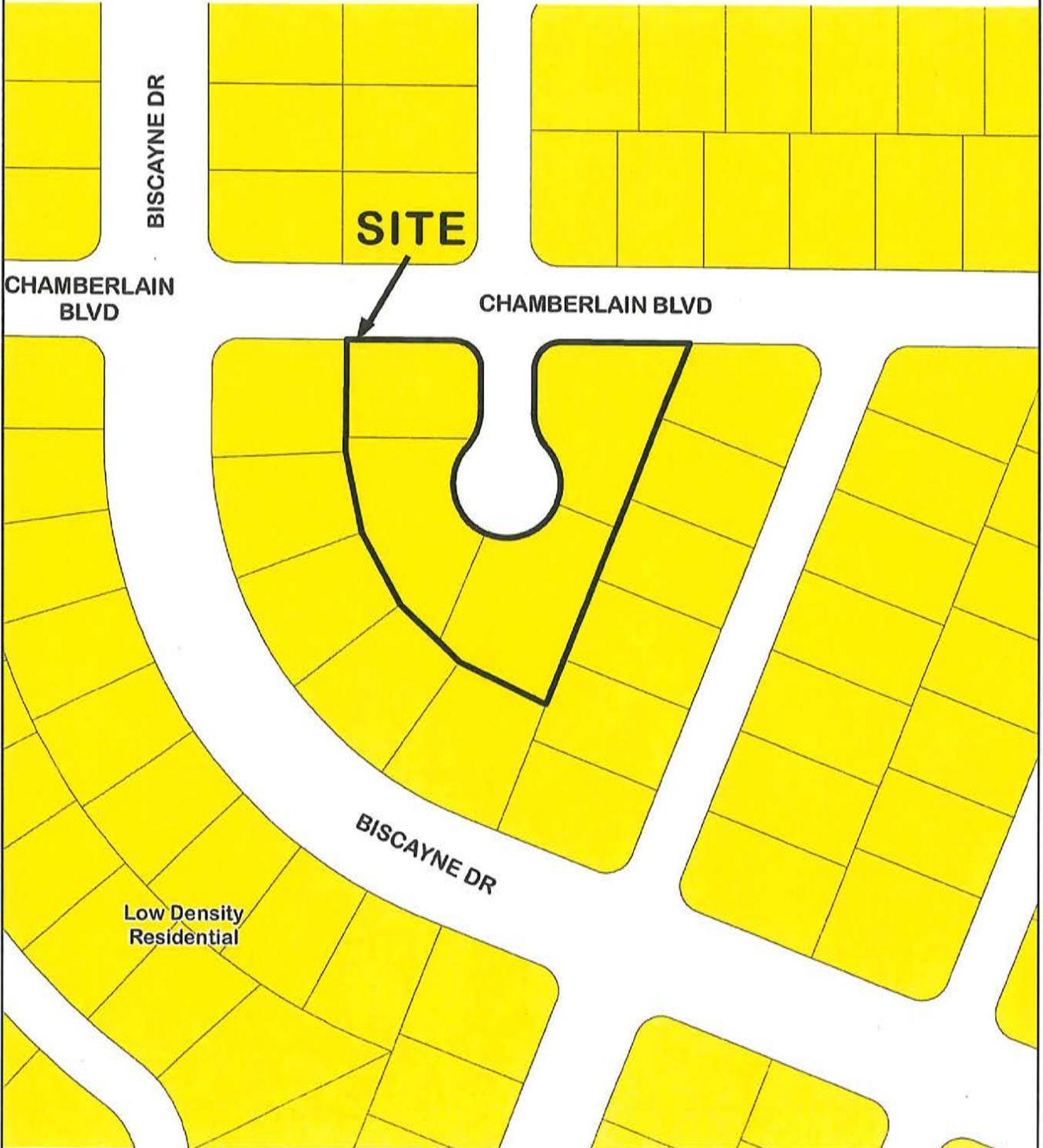
# CHARLOTTE COUNTY

## Flum Map for SV-12-07-04

Charlotte County Government

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www.CharlotteCountyFL.com



08/41/21 Mid County

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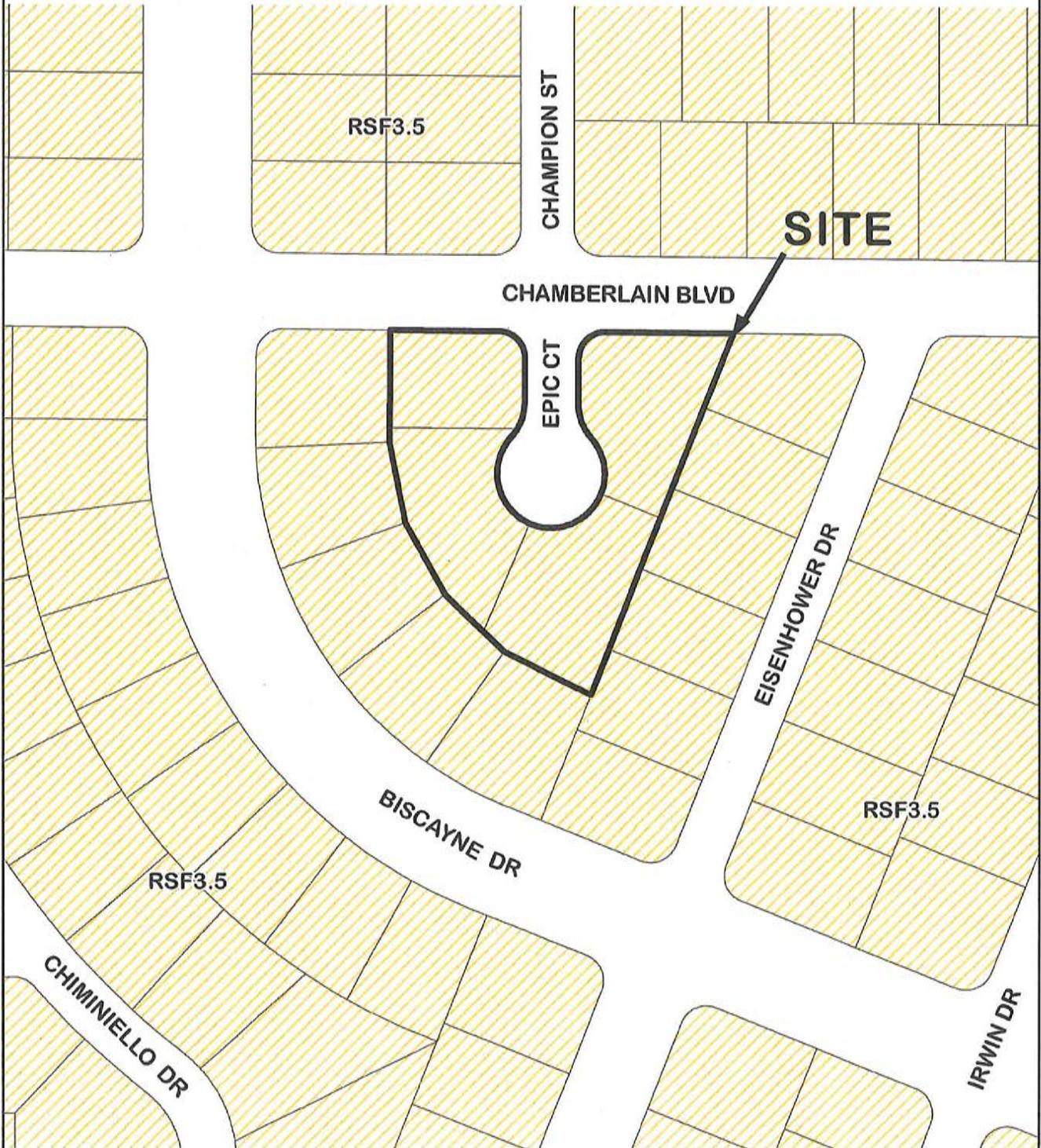
NOT TO SCALE

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# CHARLOTTE COUNTY

## Zoning Map for SV-13-09-03



08/41/21 Mid County

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NOT TO SCALE





## MEMORANDUM

**Date:** November 18, 2013

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

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

**Subject:** SV-13-09-03, Epic  
Request to Vacate Epic Court

---

Ignazio Chisesi is requesting to vacate all that portion of Epic Court south of Chamberlain Boulevard, a total of 0.28 acres, more or less, located south of Chamberlain Boulevard, north and east of Biscayne Drive, and west of Eisenhower Drive, in Section 8, Township 40 South, Range 21 East, as recorded in Plat Book 5, Page 63C, of the Official Records of Charlotte County, Florida, in Commission District IV.

The applicant owns all of the lots abutting the proposed vacation. His stated intention is to build a house across portions of Lots 12, 13, and 14. This will alleviate any concerns about potentially landlocking Lots 13 and 14. He has provided a site plan that reflects this intention, even though one is not required at this point.

The site is located within the Rural Service Area. The zoning district is Residential Single-family 3.5 (RSF-3.5), and the Future Land Use Map (FLUM) designation is Low Density Residential.

The property is in Flood Zones 8AE and X, and is in Storm Surge Evacuation Zone B.

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

CCU has reviewed the application and had the following comments:

Approved with conditions, per the Engineering Manager, Bruce R. Bullert. A utility easement shall be retained over the entire cul-de-sac (vacated right-of-way of Epic Ct) for the purpose of installing utility

### CHARLOTTE COUNTY COMMUNITY DEVELOPMENT

#### Zoning Division

18400 Murdock Circle, Port Charlotte, FL 33948

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

lines to some or all of the four lots and to also allow for operations, maintenance, repair and replacement, etc. of utilities as needed.

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

Comprehensive Planning recommends denial of this street vacation because two of the remaining lots would not have street access subsequent to the vacation. Staff recommends a plat vacation of the four lots and the road so that one large parcel can be created. The site is located in the Rural Service Area and the recommended plat vacation would be consistent with Smart Charlotte 2050.

A review of density for the street vacation proposal indicates that each lot would gain approximately 3,100 square feet. This is not enough of an additional amount of square footage to increase the density of any of the lots.

The **County Surveyor** has reviewed the application and had no comments.

**Engineering/ROW** has reviewed the application and had the following comment:

When this property is improved, all onsite drainage must be directed to the existing swales on Chamberlain Blvd. (the only available drainage facility).

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

I do not see any issues with the street vacation of Epic Court.

**Land Development** has reviewed the application and had no comments.

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

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

**Real Estate Services** has reviewed the application and had no comments.

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

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

No objections to the street vacation. However, Current Planning staff recommends that a one-lot re-plat of Epic Court and lots 12, 13, 14 and 15 be submitted for approval instead of the proposed street vacation.

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

A site inspection was conducted by environmental staff through a mulching/mowing permit in August 2013. The four vacant properties surrounding Epic Court consist of dense Slash Pine trees and heavy palmetto with exotic vegetation growing along portions of the sites fronting the roadways. A total of two

Gopher Tortoise burrows were identified by staff and were conditioned to be avoided with a 25 foot buffer per Florida Fish and Wildlife Conservation Commission guidelines.

As this proposal moves forward, the Environmental Review Section has requested the following issues be addressed during the development process. These conditions will be reviewed for compliance prior to any land clearing, development, or permit approvals.

1. The project site is located in an area that is utilized by species listed by the United States Fish and Wildlife Service (FWS) and Florida Fish and Wildlife Conservation Commission (FWCC) as endangered, threatened, or a species of special concern. All required U.S. Fish and Wildlife (FWS) and Florida Fish and Wildlife Conservation Commission (FWCC) permits must be provided to staff prior to final DRC approval and the issuance of county permits and land clearing activities.
2. Any trees proposed to be removed (or preserved) must satisfy Chapter 3-2, Article IX, Tree Requirements of the County Code. If heritage trees are found to occur on site, the provisions of Chapter 3-2, Article IX, Section 190 of the County Code must be followed. A Tree Removal Authorization, Memorandum of Fee Exemption, and Tree Preservation permits must be obtained prior to any land clearing activity and/or the issuance of any building permits.

The applicant is advised that the Charlotte County ERS site review is cursory; additional wildlife or environmental reviews may be required by state and federal agencies.

### **RECOMMENDATION**

Community Development recommends approval of SV-13-09-03 with the following condition:

1. The applicant shall provide a utility easement in favor of Charlotte County Utilities over the vacated right-of-way.



CHARLOTTE COUNTY  
COMMUNITY DEVELOPMENT DEPARTMENT

STREET VACATION APPLICATION

Date Received: 9/23/13	Date of Log-in: 9/23/13
Petition #: SV-13-09-03	CAP # VST-13-00009
Receipt #: 123752	Amount Paid: \$1,315.00

1. Name of street(s) to be vacated: EPIC CT

2. Parties involved in the application

A. Name of Applicant\*: IGNAZIO CHISESI  
Mailing Address: 7117 GASPARILLA Rd  
City: Port Charlotte State: FL Zip Code: 33981  
Phone Number: 941 270 1843 Fax Number:  
Email Address: SCHISESI @ YAHOO .COM

\* The applicant must own property fronting on the right-of-way to be vacated

B. Name of Agent:  
Mailing Address:  
City: State: Zip Code:  
Phone Number: Fax Number:  
Email Address:

C. Name of Surveyor:  
Mailing Address:  
City: State: Zip Code:  
Phone Number: Fax Number:  
Email Address:

3. Applicant's Property ID #: 402108201006, 402108201007, 402108201008, 402108201009

4. Total acreage of street to be vacated: 0.28

5. Commission District: IV

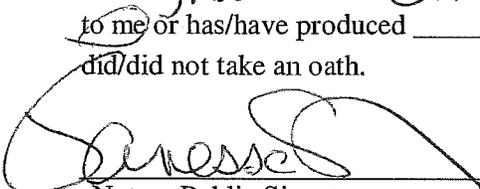
6. Purpose of request:  
TO CREATE ONE PARCEL OF  
4-LOT W/ ROAD

# AFFIDAVIT

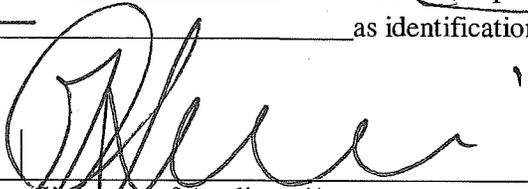
I, the undersigned, being first duly sworn, depose and say that I am the applicant or agent for this Street Vacation and that data and other supplementary matter attached to and made part of the application are honest and true to the best of my knowledge.

STATE OF FL, COUNTY OF Charlotte

The foregoing instrument was acknowledged before me this 10th day of Sept, 2013, by Ignazio Chisesi, who is personally known to me or has/have produced \_\_\_\_\_ as identification and who did/did not take an oath.



Notary Public Signature



Signature of Applicant/Agent

Vanessa C. Pollard

Notary Printed Signature

IGNAZIO CHISESI

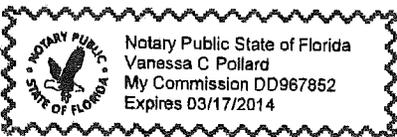
Printed Signature of Applicant/Agent

Title

7117 GASPARILICA Rd  
Address

Commission Code

Port Charlotte FL 33981  
City, State, Zip



941 270 1843  
Telephone Number

APPLICANT AUTHORIZATION TO AGENT

I, the undersigned, being first duly sworn, depose and say that I am the applicant for the Street Vacation of the property described and which is the subject matter of the proposed hearing.

I give authorization for STEFANO CHISESI to be my agent for this application.

STATE OF FL, COUNTY OF Charlotte

The foregoing instrument was acknowledged before me this 10<sup>th</sup> day of Sept, 2013, by Ignazio Chisesi (who is personally known to me) or has/have produced \_\_\_\_\_ as identification and who did/did not take an oath.

*Vanessa C. Pollard*  
Notary Public Signature

*Ignazio Chisesi*  
Signature of Applicant

Vanessa C. Pollard  
Notary Printed Signature

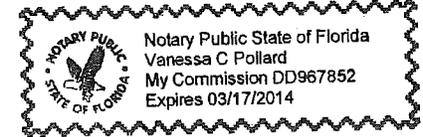
IGNAZIO CHISESI  
Printed Signature of Applicant

Title

7117 Gasparilla Road  
Address

Commission Code

Port Charlotte FL 33981  
City, State, Zip



941 270 1843  
Telephone Number

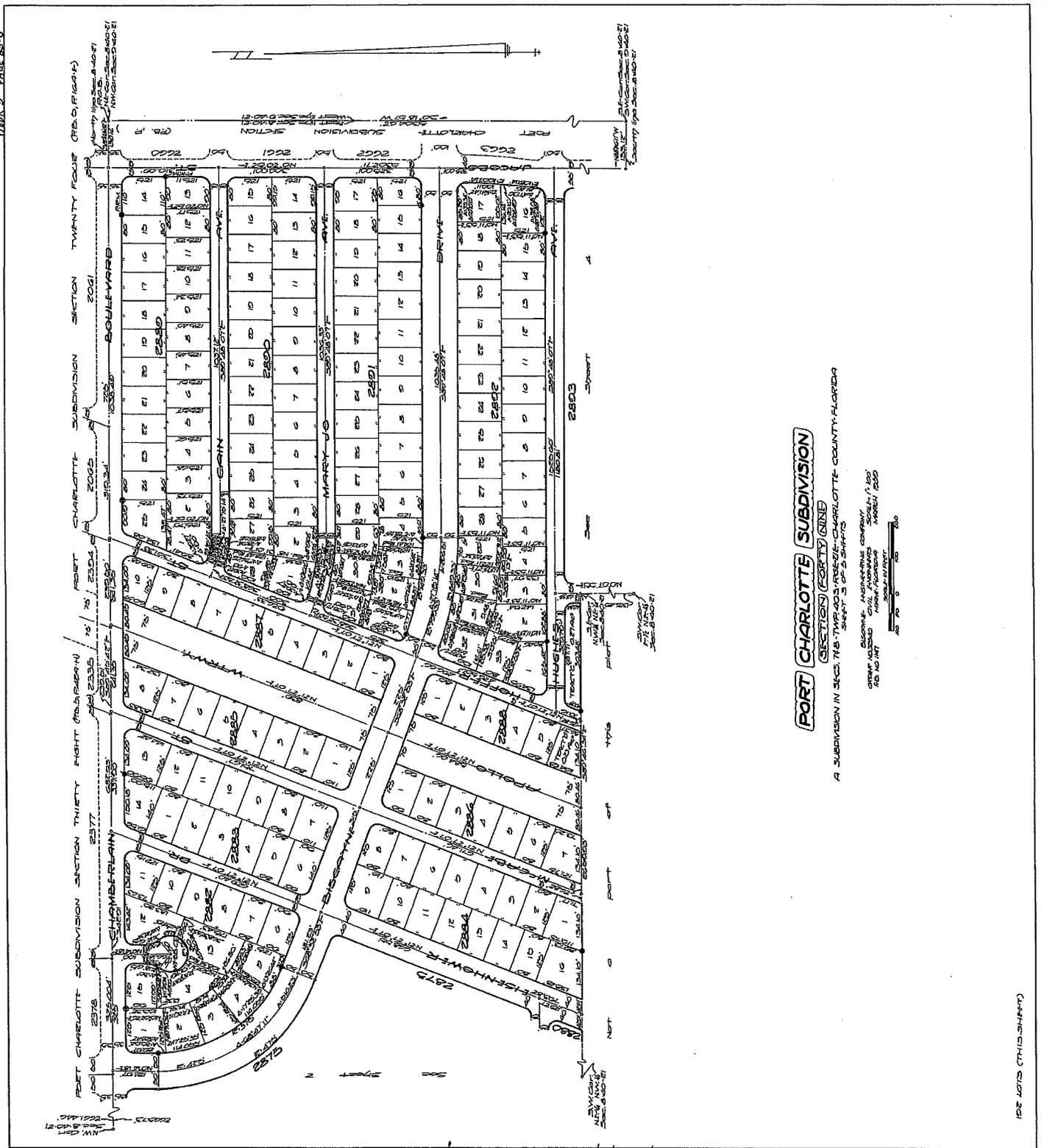


LEGAL DESCRIPTION: (PROPOSED ROAD VACATION)  
ALL THAT PART OF EPIC COURT LYING SOUTH OF CHAMBERLAIN BOULEVARD  
(70 FEET WIDE)  
AS SHOWN ON THE PLAT OF PORT CHARLOTTE SUBDIVISION SECTION 49,  
ACCORDING TO THE PLAT  
THEREOF AS RECORDED IN PLAT BOOK 5, PAGES 63A-63E, OF THE PUBLIC  
RECORDS OF CHARLOTTE  
COUNTY, FLORIDA.

CONTAINS 12,406 SQUARE FEET MORE OR LESS.

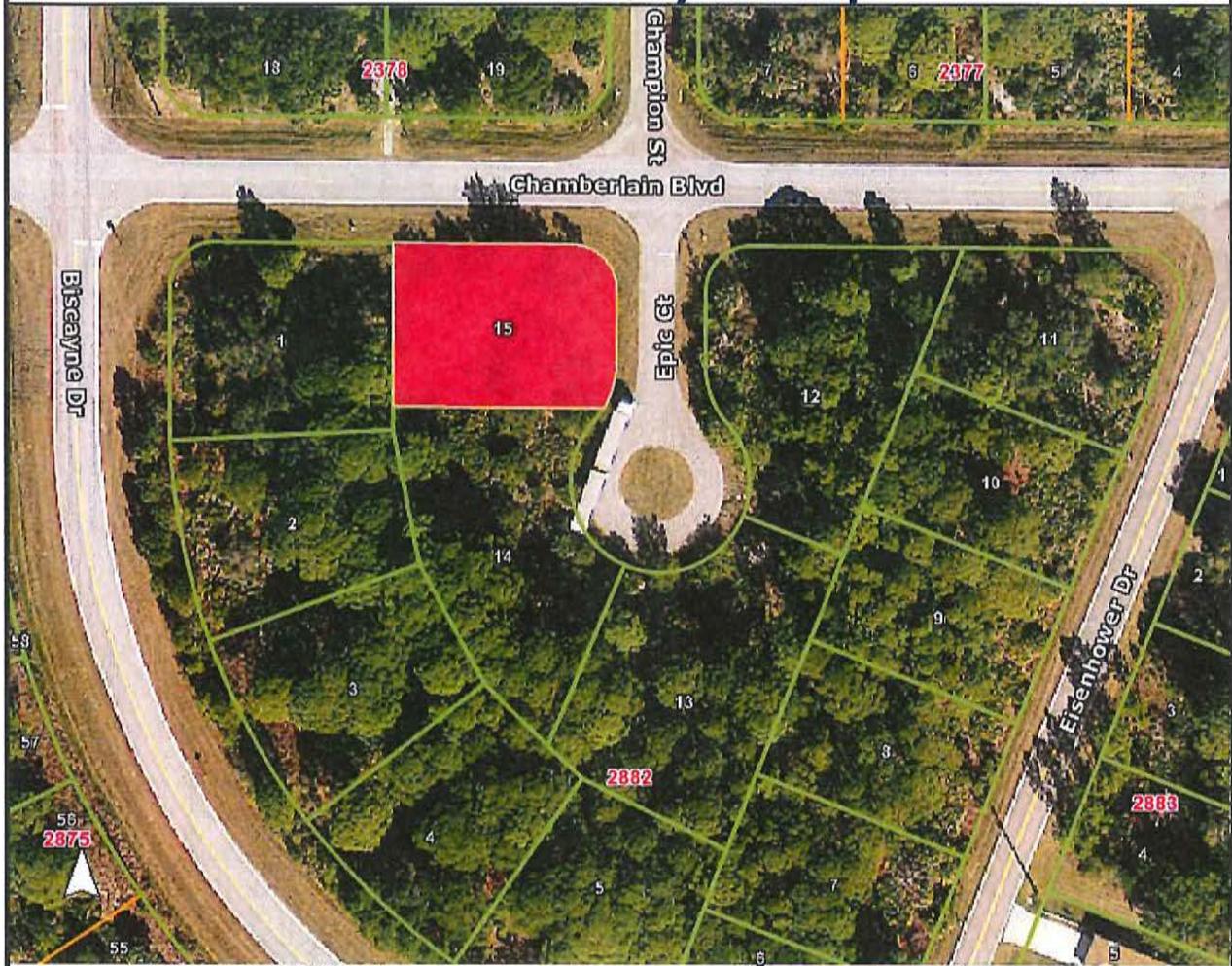
SAID LANDS SITUATE, LYING AND BEING IN SECTION 8, TOWNSHIP 41 SOUTH,  
RANGE 21 EAST,  
CHARLOTTE COUNTY, FLORIDA.





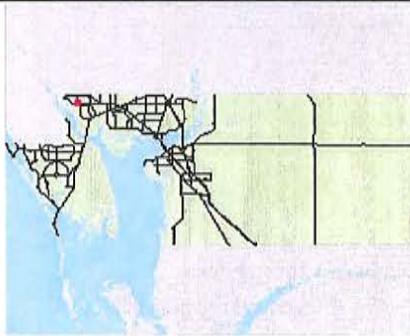
(Amended plat Book Art. 1, last of official record Book 1910 page 1152 and Plat Book 18 Page 218-219 Report 2/10/10 Plat Book 18 Page 218-219)

### Charlotte County GIS Map



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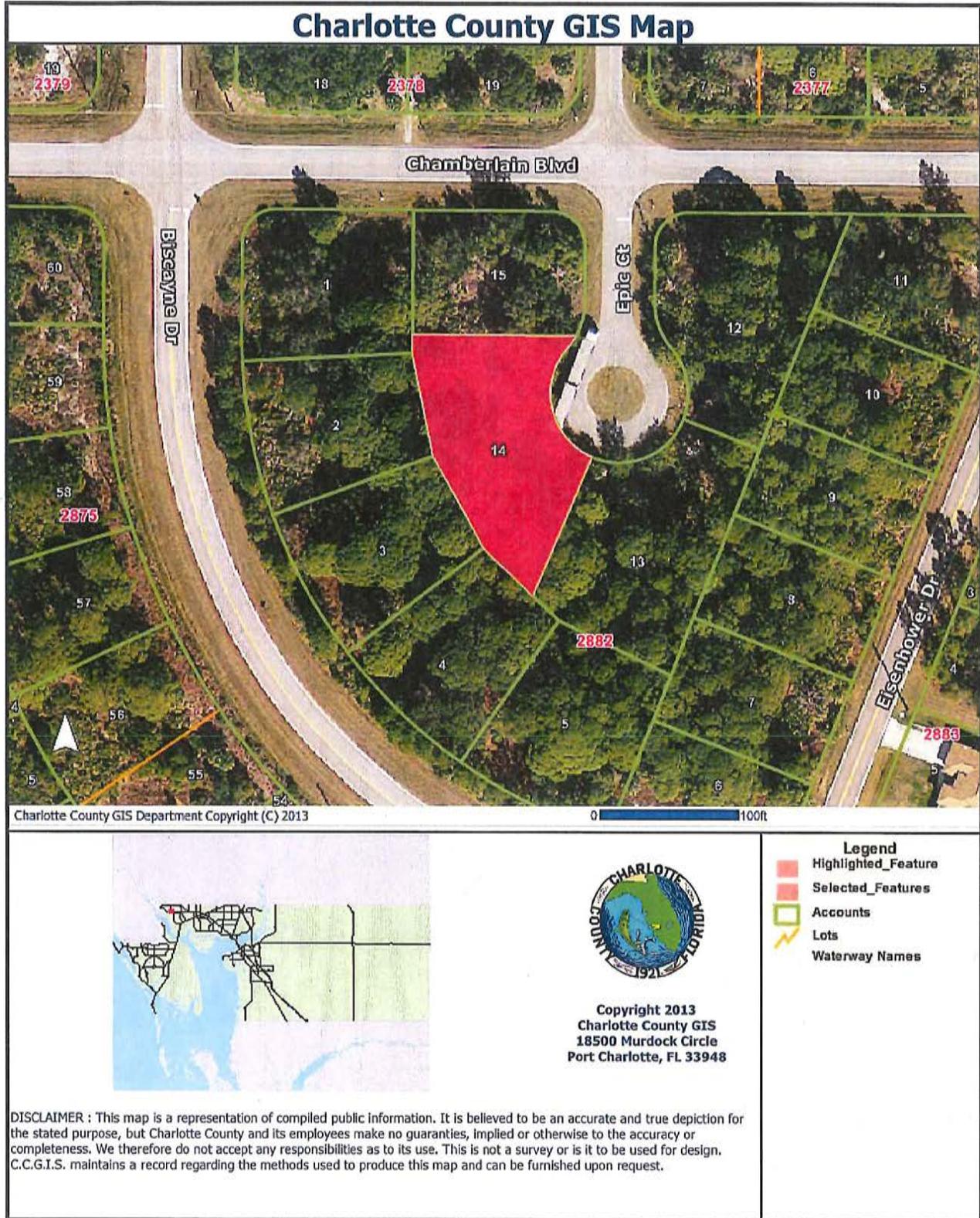
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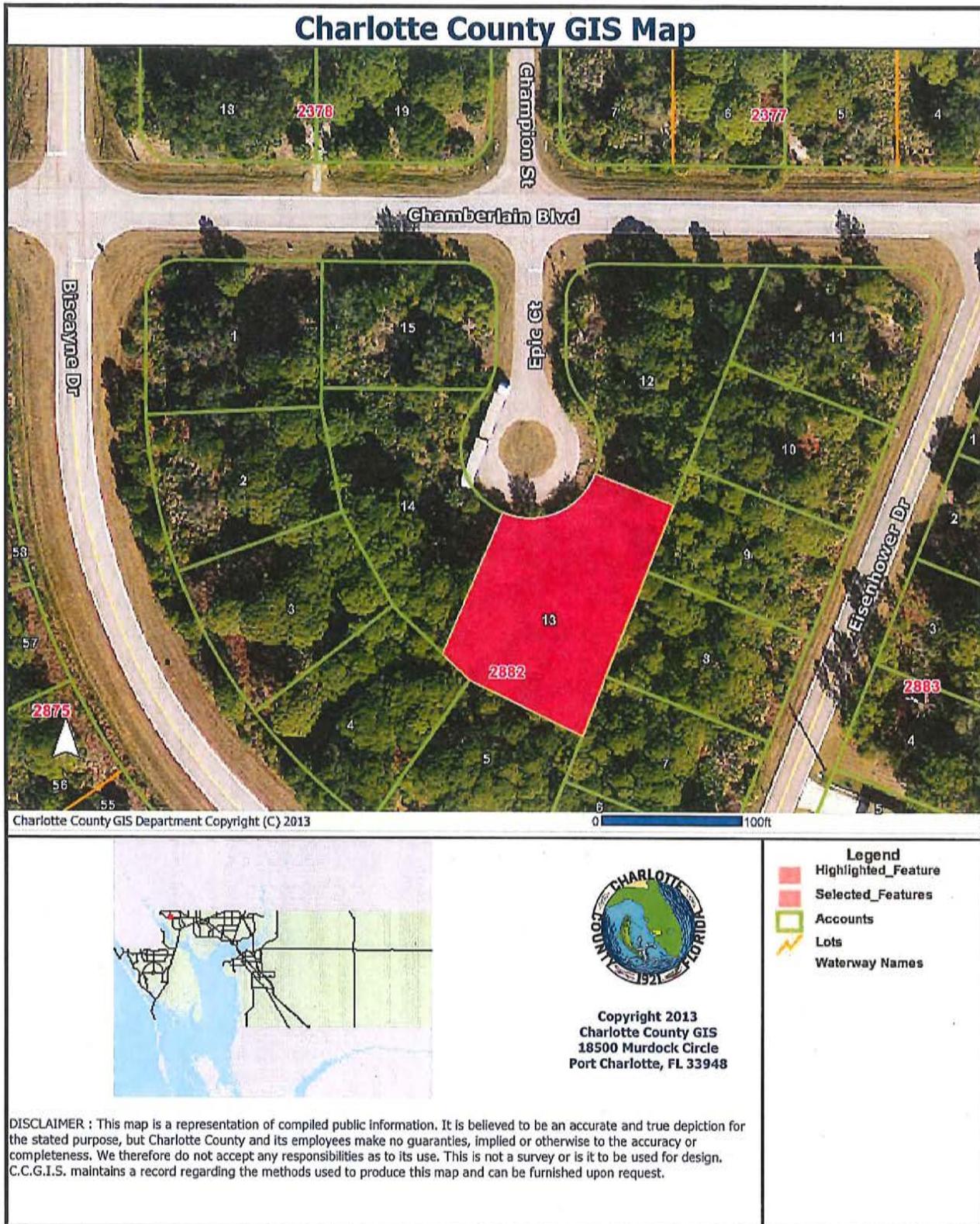


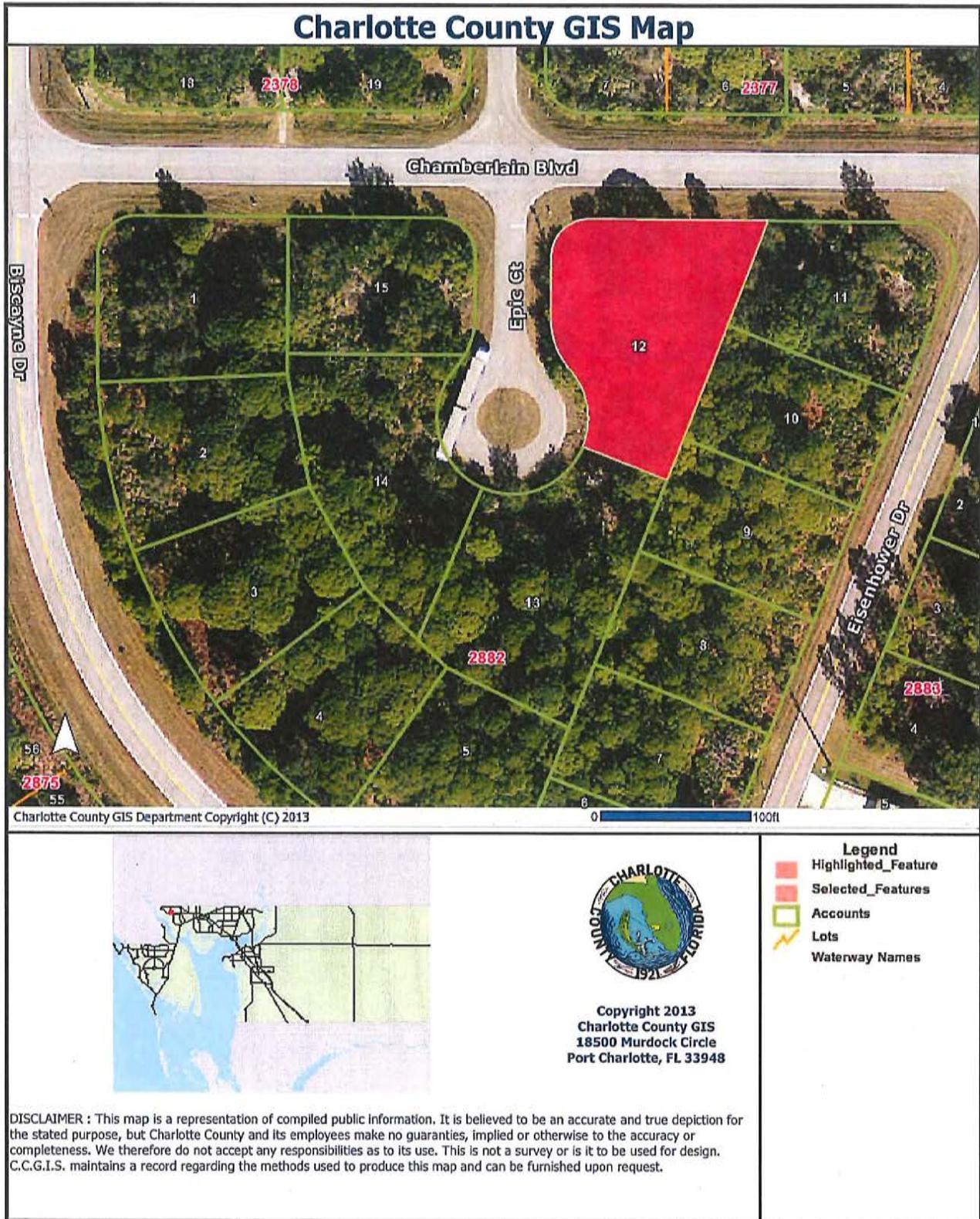
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 Port Charlotte, FL 33948

- 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.









October 8, 2013

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

**Re: Petition to vacate all that portion of Epic Court South of Chamberlain Blvd.,  
A total of 0.28 acres, more or less, located south of Chamberlain Boulevard,  
North and east of Biscayne Drive, and west of Eisenhower Drive, in Section 8,  
Township 41 South, Range 21 East, in Commission District IV (SV-13-09-03)**

Dear Stan Irish

Comcast Cable does not object to the request to vacate Epic Court South.

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

**Ellis, Steven**

---

**From:** Cruz, Juan <Juan.Cruz@fpl.com>  
**Sent:** Tuesday, October 01, 2013 10:26 AM  
**To:** Irish, Stan  
**Cc:** Ellis, Steven  
**Subject:** FW: SV-13-09-03

Stan, I have reviewed the documents. FPL does not object to vacating Epic Court, as described.

Thanks,

Juan

---

**From:** Garner, Tyler  
**Sent:** Tuesday, October 01, 2013 10:13 AM  
**To:** Cruz, Juan  
**Subject:** FW: SV-13-09-03

Juan – I think this is in your area. I looked it up, looks like we don't have anything in area of question.

---

**From:** Irish, Stan [<mailto:Stan.Irish@charlottefl.com>]  
**Sent:** Tuesday, October 01, 2013 9:16 AM  
**To:** [William.L.Barnett@CenturyLink.com](mailto:William.L.Barnett@CenturyLink.com); Hunter, Judy; [gonzalo\\_rojas@cable.comcast.com](mailto:gonzalo_rojas@cable.comcast.com); Garner, Tyler  
**Cc:** Ellis, Steven  
**Subject:** SV-13-09-03

Along with this memo, you are receiving a PDF of the file materials 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 November 25, 2013). This is a legislative public hearing.

If you have any questions about this material in this distribution, or the information below, please contact me. Thank you

Stan Irish, Land Development Coordinator  
Community Development  
Right of Way/Stormwater  
18400 Murdock Circle  
Port Charlotte, FL 33948-1074  
Phone 941.743.1264 Fax 941.764.4905 Cell 941.268.6886  
[www.CharlotteCountyFL.com](http://www.CharlotteCountyFL.com)

**Ellis, Steven**

---

**From:** Ford, Steven  
**Sent:** Tuesday, October 01, 2013 7:38 AM  
**To:** Ellis, Steven  
**Subject:** Ignazio Chisesi-Vacation of Epic Court

Survey Dept. has no objections or comments on the above stated street vacation.

*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)

**INTEROFFICE MEMORANDUM**  
**Community Development**

**To: Steven Ellis**

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

**DATE: September 27, 2013**

**RE: Addressing Comments**  
**December 9, 2013, P&Z / January 28, 2014, BCC**

**SV-13-09-03 – Ignazio Chisesi**

**I have no comment on this application.**



# Charlotte County Government

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## MEMORANDUM

**Date:** October 21, 2013  
**To:** Steven Ellis, Planner II  
**From:** Inga Williams, Principal Planner  
**Subject:** SV-13-09-03, Epic Court

---

Comprehensive Planning recommends denial of this street vacation because two of the remaining lots would not have street access subsequent to the vacation. Staff recommends a plat vacation of the four lots and the road so that one large parcel can be created. The site is located in the Rural Service Area and the recommended plat vacation would be consistent with Smart Charlotte 2050.

A review of density for the street vacation proposal indicates that each lot would gain approximately 3,100 square feet. This is not enough of an additional amount of square footage to increase the density of any of the lots.

### COMMUNITY DEVELOPMENT DEPARTMENT

Comprehensive Planning Section  
18500 Murdock Circle | Port Charlotte, FL 33948  
Phone: 941.743.1242 | Fax: 941.743.1228

**Ellis, Steven**

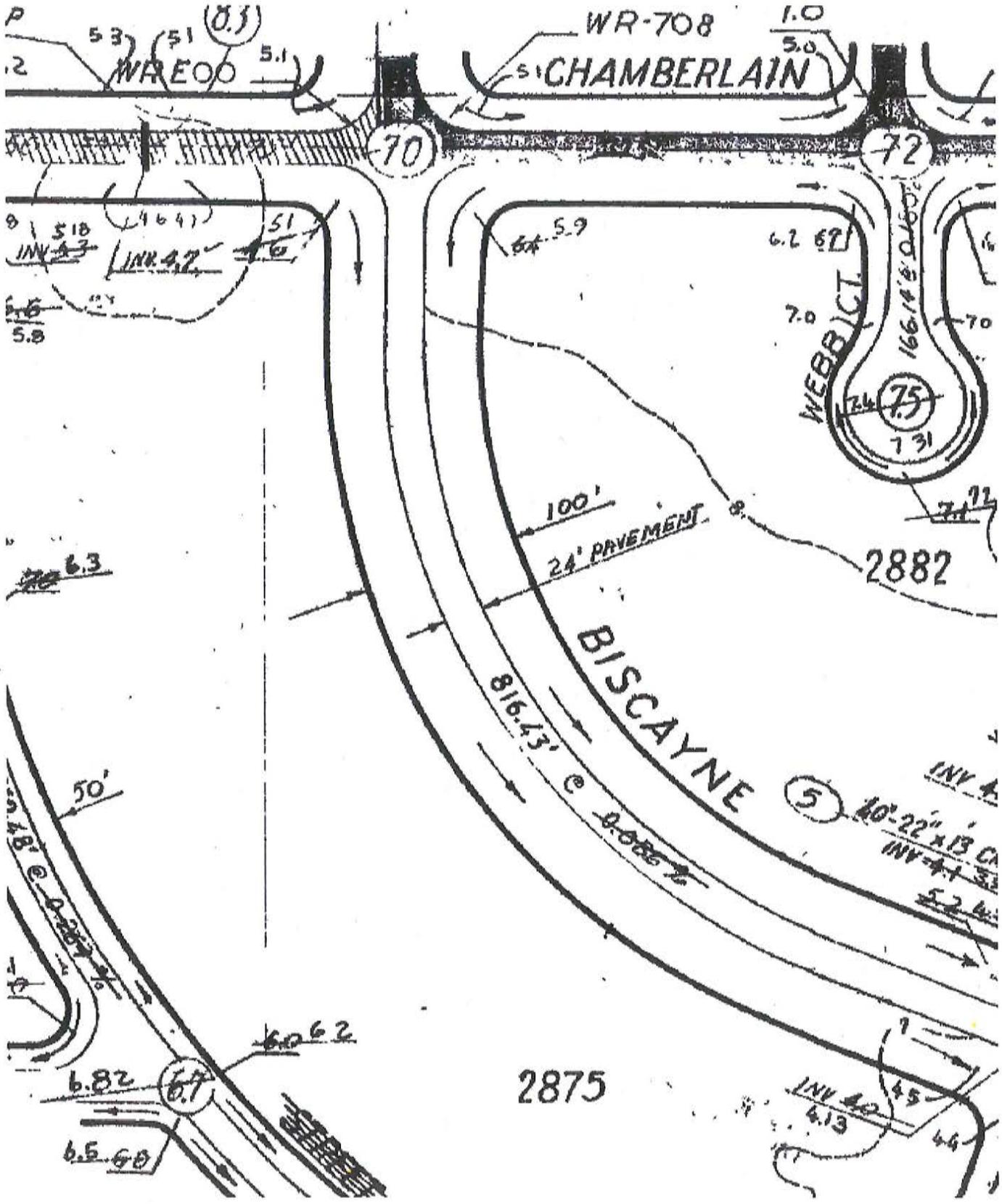
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**From:** Reager, Steve  
**Sent:** Friday, September 27, 2013 8:36 AM  
**To:** Ellis, Steven  
**Subject:** RE: SV-13-09-03, Epic

ROW Ok with the following comment: If /when this property is improved, all onsite drainage must be directed to the existing swales on Chamberlain Blvd. (the only available drainage facility).

(Please see attached DP)

S



From: Ellis, Steven  
 Sent: Friday, September 27, 2013 7:58 AM  
 To: Matarese, Monte; Vattikuti, Venkat; Grossman, Gary; Pederzoli, Gary; Quillen, Ken; Scudera, Jamie; Gilbreath, Gina;

## Ellis, Steven

---

**From:** Pederzoli, Gary  
**Sent:** Wednesday, October 02, 2013 9:47 AM  
**To:** Ellis, Steven  
**Subject:** RE: SV-13-09-03, Epic

Steve,  
I do not see any issues with the street vacation of Epic Court.

Gary M. Pederzoli  
GIS Programmer  
Information Technology Department  
Budget & Administrative Services Department  
Charlotte County Government  
18500 Murdock Circle  
Port Charlotte, FL 33948

Office:(941) 764-5512  
Fax: (941) 743-1957  
[www.CharlotteCountyFL.com](http://www.CharlotteCountyFL.com)  
"To Exceed Expectations in the Delivery of Public Services"

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**From:** Ellis, Steven  
**Sent:** Friday, September 27, 2013 7:58 AM  
**To:** Matarese, Monte; Vattikuti, Venkat; Grossman, Gary; Pederzoli, Gary; Quillen, Ken; Scudera, Jamie; Gilbreath, Gina; MacDonald, John; Carlisle, Angie; Collins, Gerry; Campitelli, Albert; Irish, Stan; Reager, Steve; DURso, Chris; Hunter, Judy; Williams, Inga  
**Cc:** Clim, Diane; Moore, Gayle  
**Subject:** SV-13-09-03, Epic

Please see attachments.

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  
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# Charlotte County Government

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## MEMORANDUM

To: Steven Ellis, Planner II  
From: Ken Quillen, AICP, Planner III   
Date: October 3, 2013  
Subject: **Amended** Review of proposed Street Vacation; file number: **SV-13-09-03**

Below are comments from the Zoning Division regarding the proposed street vacation of **Epic Court** located in the recorded plat of **Port Charlotte Subdivision, Section 49**, all located in Section 08, Township 40 South, Range 21 East. Staff understands that the applicant would like to construct a single-family residence on the four adjacent lots (lots 12, 13, 14 and 15) and this vacated street right-of-way.

**Please Note:** that the applicant has used the incorrect Township number (41) in the legal description. The correct Township number is **40**.

**Zoning:** All of the adjacent lots and surrounding lands are zoned Residential Singlefamily-3.5 (RSF-3.5). This zoning classification is intended to accommodate low density residential uses, such as single-family residences.

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

**Surrounding Land Uses:** All of the lots adjacent to the proposed street vacation are currently vacant. The lots located adjacent to the applicant's property, which comprise the remainder of block 282, of Port Charlotte Subdivision-Section 49, are also currently vacant.

**Flood Zone:** The areas involved in the proposed street vacations lies in both the "X" Flood Zone and the 8AE Flood Zone. Lot 15 is located in the "X" Flood Zone and lots 12, 13 and 14 are located in the 8AE Flood Zone. Lands in this area are also located in the Storm Surge Evacuation Zone "B".

**Alternative Solution:** This applicant may intend to develop the four adjacent lots and the vacated street as one development site. The approval of this requested street vacation could have other unintended consequences. The proposed street vacation does not address other issues with the remaining four lots. Lots 12, 13, 14 and 15 will still exist, as platted, and the vacated street right-of-way will be added to the land area of adjacent lots. This will result in the creation of two lots, which will become land-locked (lots 13 and 14). These two lots could still be transferred or sold because they are legally created platted lots; however, they will no longer have street access. This would be contrary to the public interest and possibly harmful to some unsuspecting future land owner. Staff recommends that a re-plat be done that includes lots 12, 13, 14, 15 and Epic Court, instead of the proposed street vacation. This would result in one parcel that could be developed as the applicant intends but would not have any future unintended consequences that the proposed street vacation has.

**Recommendation:** **The Zoning Division has no objections to the street vacation; however, staff recommends that a one-lot re-plat of Epic Court and lots 12, 13, 14 and 15 be submitted instead of the proposed street vacation.**

cc: Shaun Cullinan, Zoning Official  
File

**COMMUNITY DEVELOPMENT – Zoning Division**  
18400 Murdock Circle, Port Charlotte, FL 33948-1068  
Phone: 941.743.1964 | Fax: 941.743.1598

**Ellis, Steven**

---

**From:** Hunter, Judy  
**Sent:** Thursday, October 03, 2013 7:39 AM  
**To:** Ellis, Steven  
**Subject:** RE: SV-13-09-03, Epic

Steve: - APPROVED WITH CONDITIONS - Per the Engineering Manager, Bruce R Bullert – a utility easement shall be retained over the entire cul-de-sac (vacated rights-of-way of Epic Ct) for the purpose of installing utility lines to some or all of the four lots and to also allow for operations, maintenance, repair and replacement, etc. of utilities as needed.

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, September 27, 2013 7:58 AM  
**To:** Matarese, Monte; Vattikuti, Venkat; Grossman, Gary; Pederzolli, Gary; Quillen, Ken; Scudera, Jamie; Gilbreath, Gina; MacDonald, John; Carlisle, Angie; Collins, Gerry; Campitelli, Albert; Irish, Stan; Reager, Steve; DUrso, Chris; Hunter, Judy; Williams, Inga  
**Cc:** Clim, Diane; Moore, Gayle  
**Subject:** SV-13-09-03, Epic

Please see attachments.

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)

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## MEMORANDUM

**Date:** November 20, 2013  
**To:** Steven Ellis, Planner II  
**From:** Jamie Scudera, Environmental Specialist  
**Subject:** SV-13-09-03  
Chisesi Street Vacation  
Epic Court

---

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:

A site inspection was conducted by environmental staff through a mulching/mowing permit in August 2013. The four vacant properties surrounding Epic Court consist of dense Slash Pine trees and heavy palmetto with exotic vegetation growing along portions of the sites fronting the roadways. A total of two Gopher Tortoise burrows were identified by staff and were conditioned to be avoided with a 25 foot buffer per Florida Fish and Wildlife Conservation Commission guidelines.

As this proposal moves forward, the Environmental Review Section has requested the following issues be addressed during the development process. **These conditions will be reviewed for compliance prior to any land clearing, development, or permit approvals.**

1. The project site is located in an area that is utilized by species listed by the United States Fish and Wildlife Service (FWS) and Florida Fish and Wildlife Conservation Commission (FWCC) as endangered, threatened, or a species of special concern. All required U.S. Fish and Wildlife (FWS) and Florida Fish and Wildlife Conservation Commission (FWCC) permits must be provided to staff prior to final DRC approval and the issuance of county permits and land clearing activities.

### COMMUNITY DEVELOPMENT DEPARTMENT

Zoning Division

18500 Murdock Circle | Port Charlotte, FL 33948

Phone: 941.743.1290 | Fax: 941.743.1598

2. Any trees proposed to be removed (or preserved) must satisfy **Chapter 3-2, Article IX, Tree Requirements** of the County Code. If heritage trees are found to occur on site, the provisions of **Chapter 3-2, Article IX, Section 190** of the County Code must be followed. A Tree Removal Authorization, Memorandum of Fee Exemption, and Tree Preservation permits must be obtained prior to any land clearing activity and/or the issuance of any building permits.

The applicant is advised that the Charlotte County ERS site review is cursory; additional wildlife or environmental reviews may be required by state and federal agencies.

For any questions pertaining to this application you may contact me at (941)743-1290.

JS

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**COMMUNITY DEVELOPMENT DEPARTMENT**

Planning and Zoning Division  
18500 Murdock Circle | Port Charlotte, FL 33948  
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