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ORDINANCE  
NUMBER 2013-014

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, PURSUANT TO SECTION 163.3187 (1) (c), FLORIDA STATUTES, ADOPTING A SMALL SCALE AMENDMENT TO THE CHARLOTTE COUNTY FLUM SERIES MAP #1: 2030 FUTURE LAND USE, FROM LOW DENSITY RESIDENTIAL (LDR) TO COMMERCIAL (COM), FOR PROPERTY LOCATED AT 2811 PLACIDA ROAD, IN THE GROVE CITY AREA, CHARLOTTE COUNTY, FLORIDA, COMMISSION DISTRICT III, CONTAINING 0.17 ACRES MORE OR LESS; PETITION PA-13-03-01; APPLICANT, CAROLYN SPRADLIN; PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, in a public hearing held on Tuesday, June 18, 2013, the Board of County Commissioners of Charlotte County, Florida ("Board"), reviewed land use amendment Petition PA-13-03-01, which is a small scale plan amendment; and

WHEREAS, applicant, Carolyn Spradlin ("Applicant"), filed Petition PA-13-03-01, seeking a small scale plan amendment to the Charlotte County FLUM Series Map #1: 2030 Future Land Use, from Low Density Residential (LDR) to Commercial (COM), for property containing 0.17 acres more or less, described as property located at 2811 Placida Road, in the Grove City area, Charlotte County, Florida, Commission District III, and more particularly described in Exhibit "A" attached hereto and by this reference incorporated herein; and

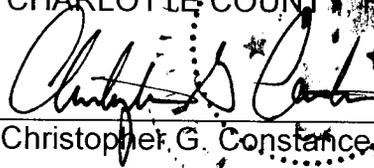
WHEREAS, Petition PA-13-03-01 has previously been heard before the Charlotte County Planning and Zoning Board ("P&Z Board") and, based on the findings and analysis presented in the Planning Division Staff Report dated April 19, 2013, has been recommended for approval by the P&Z Board; and

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1 PASSED AND DULY ADOPTED this 15<sup>th</sup> day of June, 2013.  
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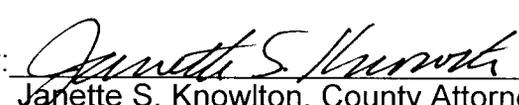
5 BOARD OF COUNTY COMMISSIONERS  
6 OF CHARLOTTE COUNTY, FLORIDA  
7

8 By:   
9 Christopher G. Constance, Chairman  
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14 ATTEST:  
15 Barbara T. Scott, Clerk of  
16 Circuit Court and Ex-officio Clerk to  
17 the Board of County Commissioners  
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19 By:   
20 Deputy Clerk  
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23  
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25 APPROVED AS TO FORM  
26 AND LEGAL SUFFICIENCY:  
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28 By:   
29 Janette S. Knowlton, County Attorney  
30 LR2013-2392  
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## FLORIDA DEPARTMENT *of* STATE

**RICK SCOTT**  
Governor

**KEN DETZNER**  
Secretary of State

June 24, 2013

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

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

Dear Ms. Scott:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated June 19, 2013 and certified copies of Charlotte County Ordinance Nos. 2013-014 through 2013-017 which were filed in this office on June 24, 2013.

Sincerely,

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

Liz Cloud  
Program Administrator

LC/elr

RECEIVED  
MURDOCK BRANCH  
2013 JUL - 1 AM 11:49  
BARBARA T. SCOTT  
CLERK OF CIRCUIT COURT  
CHARLOTTE COUNTY FL

# SUN NEWSPAPERS

Charlotte • DeSoto • Englewood • North Port • Venice

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

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

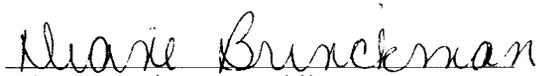
June 3, 2013

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

  
(Signature of Affiant)

\$590.63

Sworn and subscribed before me this 3rd day of June 2013.

  
(Signature of Notary Public)

Diane Brinckman  
(Print Name of Notary Public)



Personally known  OR Produced Identification

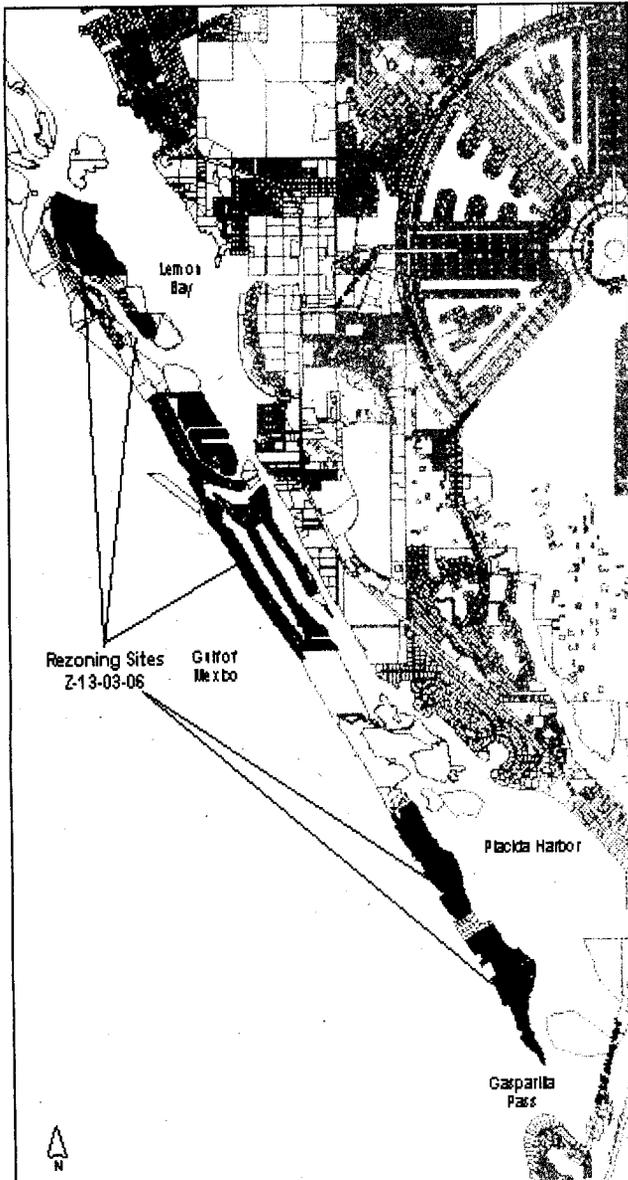
Type of Identification Produced \_\_\_\_\_

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

A PUBLIC HEARING ON PROPOSALS AND PETITIONS AS DESCRIBED BELOW WILL BE CONDUCTED BY THE BOARD OF COUNTY COMMISSIONERS AT A REGULAR MEETING ON TUESDAY, JUNE 18, 2013, AT 2:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD DURING THE COURSE OF ACTION. THE HEARING WILL BE HELD IN COMMISSION CHAMBERS, ROOM 119, FIRST FLOOR, BUILDING A, THE CHARLOTTE COUNTY ADMINISTRATION CENTER, 18500 MURDOCK CIRCLE, PORT CHARLOTTE, FLORIDA. THE BOARD IS NOT BOUND TO CONSIDER THE PETITIONS IN THE ORDER LISTED IN THIS NOTICE. ANY OF THESE PETITIONS MAY BE CONSIDERED AS SOON AS THE MEETING COMMENCES.

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

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



## PETITIONS

**PA-13-03-01** **Legislative** **Commission District III**  
Pursuant to Section 163.3184(3), Florida Statutes, adopt a Small Scale Plan Amendment to change Charlotte County FLUM Series Map #1: 2030 Future Land Use, from Low Density Residential (LDR) to Commercial (COM); for property located at 2811 Placida Road, in the Grove City area, containing 0.17± acres; Commission District III; Petition No. PA-13-03-01; applicant: Carolyn Spradlin; providing an effective date.

**Z-13-03-03** **Quasi-Judicial** **Commission District III**  
An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Residential Single-family 5 (RSF-5) to Commercial General (CG), for property located at 2811 Placida Road, in the Grove City area, containing 0.17± acres; Commission District III; Petition No. Z-13-03-03; applicant: Carolyn Spradlin; providing an effective date.

**Z-13-03-04** **Quasi-Judicial** **Commission District II**  
An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Commercial General (CG) to Commercial Intensive (CI), for property located at 11069, 11079, 11089, and 11099 Tamiami Trail (U.S. 41), in the Punta Gorda area, containing 2.25± acres; Commission District II; Petition No. Z-13-03-04; applicant: James Harrower; providing an effective date.

**Z-13-03-05** **Quasi-Judicial** **Commission District IV**  
An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Multi-family 10 (RMF-10) to Commercial General (CG), for property located north of Tamiami Trail (U.S. 41), south of Tanglewood Avenue, east of Warrington Boulevard and west of Venango Street, in the Port Charlotte area, containing 0.23± acres; Commission District IV; Petition No. Z-13-03-05; applicant: Elias M. Mahshie, Trustee; providing an effective date.

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

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

**Nonconformities** **Legislative**  
**Commission District III**  
An Ordinance amending Charlotte County Code Chapter 3-9, Article 1, Section 3-9-10. - Nonconformities; providing for a new subsection (b) (2) Disaster Recovery on the Bridgeless Barrier Islands; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

**Z-13-03-06** **Quasi-Judicial** **Commission District III**  
An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Residential Multi-family Tourist (RMF-T)(296.0± acres), Residential Estates (RE-1)(20± acres), Residential Single-family 3.5 (RSF-3.5)(221± acres), and Residential Multi-family 5 (RMF-5)(22± acres) to Bridgeless Barrier Island (BBI) for property located on Little Gasparilla Island, Don Pedro Island, Palm Island, Knight Island and Thornton Key, in the West County area, containing 559.0± acres;