

ORDINANCE
NUMBER 2014 - 016

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5 AN ORDINANCE PURSUANT TO SECTION 163.3184,
6 FLORIDA STATUTES, ADOPTING A LARGE SCALE PLAN
7 AMENDMENT TO THE CHARLOTTE COUNTY FLUM
8 SERIES MAP #1: 2030 FUTURE LAND USE, FROM DRI
9 MIXED USE (DRI) TO LOW DENSITY RESIDENTIAL (LDR)
10 FOR PROPERTY LOCATED AT 2414 LOVELAND
11 BOULEVARD AND 24051 SUNCOAST BOULEVARD, IN THE
12 PORT CHARLOTTE AREA, COMMISSION DISTRICT I,
13 CHARLOTTE COUNTY, FLORIDA, CONTAINING 50 ACRES
14 MORE OR LESS; ADDING AN ANNOTATION TO THE 2030
15 FUTURE LAND USE MAP ALLOWING A MAXIMUM OF 234
16 RESIDENTIAL DWELLING UNITS ON THE SITE; PETITION
17 PA-13-10-12-LS, APPLICANT, BOARD OF COUNTY
18 COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA;
19 PROVIDING AN EFFECTIVE DATE.
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22 RECITALS
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24 WHEREAS, in a public hearing held on Tuesday, May 27, 2014, the Board of
25 County Commissioners of Charlotte County, Florida ("Board") reviewed plan amendment
26 Petition PA-13-10-12-LS, which is a large scale plan amendment to the Charlotte County
27 FLUM Series Map #1: 2030 Future Land Use, and which includes an annotation to the
28 2030 Future Land Use Map allowing a maximum of 234 residential dwelling units on the
29 site; and

30 WHEREAS, the Board of County Commissioners of Charlotte County, Florida
31 ("Applicant") has filed Petition PA-13-10-12-LS seeking a large scale plan amendment to
32 the Charlotte County FLUM Series Map #1: 2030 Future Land Use, from DRI Mixed Use
33 (DRI) to Low Density Residential (LDR); for property containing 50 acres more or less,
34 which is owned by the Charlotte County School Board, and described as property located

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1 at 2414 Loveland Boulevard and 24051 Suncoast Boulevard, in the Port Charlotte area,
2 Commission District I, Charlotte County, Florida, and more particularly described in Exhibit
3 "A" attached hereto and by this reference provided herein; and

4 WHEREAS, on December 9, 2013, Petition PA-13-10-12-LS was heard
5 before the Charlotte County Planning and Zoning Board ("P&Z Board") and, based on the
6 findings and analysis presented in the Planning and Zoning Division Staff Report, dated
7 November 22, 2013 ("Staff Report"), regarding the proposed Petition PA-13-10-12-LS and
8 the evidence presented to the P&Z Board, the proposed amendment was found to be
9 consistent with the Smart Charlotte 2050 Comprehensive Plan and the P&Z Board
10 recommended approval for transmittal of Petition PA-13-10-12-LS to the Department of
11 Economic Opportunity ("DEO") for review and comments; and

12 WHEREAS, on January 28, 2014, Petition PA-13-10-12-LS was heard by the
13 Board of County Commissioners of Charlotte County, Florida, and, based on the findings
14 and analysis presented in the Staff Report dated November 22, 2013, was approved for
15 transmittal to the DEO for review and comments; and

16 WHEREAS, the DEO had no comments on Petition PA-13-10-12-LS; and

17 WHEREAS, after due consideration, and based on the findings and analysis
18 presented in the Staff Report regarding Petition PA-13-10-12-LS and the evidence
19 presented to the Board, the Board has found that the requirements and conditions of
20 Chapter 163, Florida Statutes, as they relate to this Petition, have been met, and that it is
21 in the best interests of the County to approve Petition PA-13-10-12-LS with an annotation

1 to the Future Land Use Map allowing a maximum of 234 residential dwelling units on the
2 site.

3 NOW, THEREFORE, BE IT ORDAINED by the Board of County
4 Commissioners of Charlotte County, Florida:

5 Section 1. Approval. The following petition for amendment to the Charlotte
6 County FLUM Series Map #1: 2030 Future Land Use be and hereby is approved with an
7 annotation to the Future Land Use Map allowing a maximum of 234 residential dwelling
8 units on the site:

9 Petition PA-13-10-12-LS requesting a large scale plan
10 amendment to the Charlotte County FLUM Series Map #1:
11 2013 Future Land Use, from DRI Mixed Use (DRI) to Low
12 Density Residential (LDR); for property containing 50 acres
13 more or less, which is owned by the Charlotte County School
14 Board, and described as property located at 2414 Loveland
15 Boulevard and 24051 Suncoast Boulevard, in the Port
16 Charlotte area, Commission District I, Charlotte County,
17 Florida, and more particularly described in Exhibit "A" attached
18 hereto and by this reference provided herein.

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20 Section 2. Effective date. The effective date of this plan amendment, if the
21 amendment is not timely challenged, shall be 31 days after the state land planning agency
22 notifies the local government that the plan amendment package is complete. If timely
23 challenged, this amendment shall become effective on the date the state land planning
24 agency or the Administration Commission enters a final order determining this adopted
25 amendment to be in compliance. No development orders, development permits, or land
26 uses dependent on this amendment may be issued or commence before it has become
27 effective. If a final order of noncompliance is issued by the Administration Commission,
28 this amendment may nevertheless be made effective by adoption of a resolution affirming

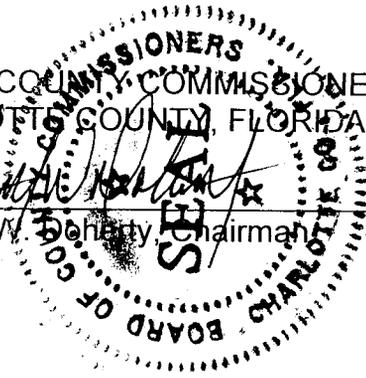
1 its effective status, a copy of which resolution shall be sent to the state land planning
2 agency.

3 Section 3. Transmittal. County staff is hereby directed to forward a copy of
4 this ordinance and its attachments to the Department of Economic Opportunity, 107 East
5 Madison Street, Tallahassee, FL 32399-4120, and to the Executive Director, Southwest
6 Florida Regional Planning Council, 1926 Victoria Avenue, Fort Myers, FL 33901.

7 PASSED AND DULY ADOPTED this 27TH day of MAY, 2014.

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BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA
By: *Kenneth W. DeHarty*
Kenneth W. DeHarty, Chairman



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

By: *Michelle DiBernardino*
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:
By: *Janette S. Knowlton*
Janette S. Knowlton, County Attorney
LR2014-2694





FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

May 28, 2014

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 electronic copy of Charlotte County Ordinance No. 2014-016, which was filed in this office on May 28, 2014.

Sincerely,

Liz Cloud
Program Administrator

LC/mrh



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 and Englewood Sun, a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a Notice of Public Hearing, was published in said newspaper in the issues of:

May 14, 2014

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.

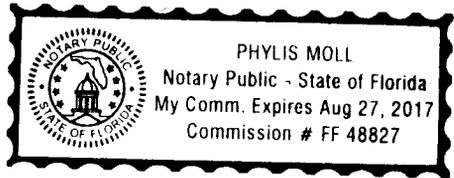
Holly Vinacco
(Signature of Affiant)

157.50

Sworn and subscribed before me this 14th day of May, 2014

Phylis Moll
(Signature of Notary Public)

Phylis Moll
(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 LAND USE MEETING ON TUESDAY, MAY 27, 2014, 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 PLANNING AND ZONING 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 BUILDING AND GROWTH MANAGEMENT DEPARTMENT (RM, B-205) AND ALL CHARLOTTE COUNTY PUBLIC LIBRARIES. ADOBE PORTABLE DOCUMENT FORMAT (.pdf) FILES OF ALL PETITION PACKETS AND AN AGENDA WILL BE PLACED 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-13-10-12-LS

Legislative

Commission District 1

Pursuant to Section 163.3184(3), Florida Statutes, adopt a Large Scale Plan Amendment to Charlotte County FLUM Series Map #1: 2030 Future Land Use, from DRI Mixed Use (DRI) to Low Density Residential (LDR), applying an annotation to the 2030 Future Land Use Map allowing a maximum of 234 residential dwelling units on the site for property located at 2414 Lowland Boulevard and 24051 Suncoast Boulevard, in the Port Charlotte area, containing 80+ acres; Commission District I; Petition No. PA-13-10-12-LS; Applicant, Charlotte County Board of County Commissioners, providing an effective date.

Z-14-01-01

Quasi-Judicial

Commission District 111

An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Planned Development (PD) to Residential Multi-family 35 (RMF-35) for property located South of San Casa Drive and East of Placida Road (CR, 775), in the Englewood area, containing 169.68+ acres; Commission District III; Petition No. Z-14-01-01; Applicant, Placida 169 Holdings, LLC; providing an effective date.

Z-14-02-02

Quasi-Judicial

Commission District 1

An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Planned Development (PD) to PD. This is a major modification of an existing PD to revise the site plan and conditions of approval, for property located north of Turbak Drive, south of Peace River Shores Boulevard, east of Cobalt Boulevard and west of Dunbar Road (US 17), in the Punta Gorda area, containing 138.52+ acres; Commission District I; Petition No. Z-14-02-02; Applicant, TAG Consultants, LLC; providing an effective date.

PA-13-12-14

Legislative

Countywide

Pursuant to Section 163.3177(3)(b), 163.3187(4), and 163.31806(g), Florida Statutes, adopt an ordinance to amend the Capital Improvements Element; this amendment will update the Capital Improvements Plan and the School Board 5 Year Working Plan; Petition No. PA-13-12-14; Applicant, Charlotte County Board of County Commissioners; providing an effective date.

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

Charlotte County Board of County Commissioners does not discriminate on the basis of disability. This nondiscrimination policy includes all aspects of the County's functions, including access to and participation in meetings, programs and activities. FM Signed Enforcement Units for the Hearing Impaired are available at the Front Security Desk, Building A of the Murdock Administration Complex. Anyone needing other reasonable accommodations or auxiliary aids and services please contact our Office at 941-764-4191, TDD/TTY 941-763-1234, or by email to ada@charlottecountyfl.gov.



Publish: May 15, 2014

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