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ORDINANCE
NUMBER 2014 - 022

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 3051 HOLLY AVENUE AND 3060 PLACIDA ROAD, IN THE GROVE CITY AREA, CHARLOTTE COUNTY, FLORIDA, COMMISSION DISTRICT III, CONTAINING 1.17 ACRES MORE OR LESS; PETITION PA-14-04-07; APPLICANT, SW FLORIDA MARINA INVESTORS, LLC; PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, in a public hearing held on Tuesday, July 22, 2014, the Board of County Commissioners of Charlotte County, Florida ("Board"), reviewed land use amendment Petition PA-14-04-07, which is a small scale plan amendment; and

WHEREAS, applicant, SW Florida Marina Investors, LLC ("Applicant"), filed Petition PA-14-04-07, 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 1.17 acres more or less, described as property located at 3051 Holly Avenue and 3060 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

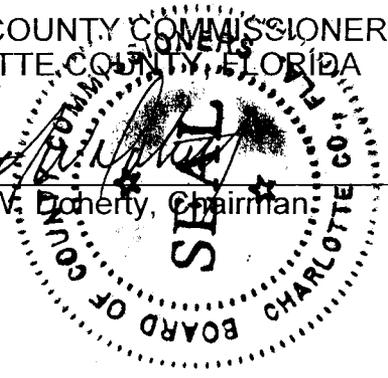
WHEREAS, Petition PA-14-04-07 has previously been heard before the Charlotte County Planning and Zoning Board ("P&Z Board") and, based on the findings and analysis presented in the Planning Division Staff Report dated May 20, 2014, revised on June 6, 2014, has been recommended for approval by the P&Z Board; and

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MIN

1 PASSED AND DULY ADOPTED this 27th day of July, 2014.

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5 BOARD OF COUNTY COMMISSIONERS
6 OF CHARLOTTE COUNTY, FLORIDA

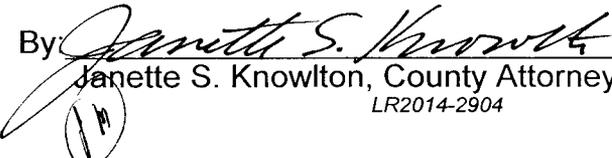
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9 By: 
10 Kenneth W. Doherty, Chairman



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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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20 By: 
21 Deputy Clerk

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25 APPROVED AS TO FORM
26 AND LEGAL SUFFICIENCY:

27
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29 By: 
30 Janette S. Knowlton, County Attorney
31 LR2014-2904

Lots 1, 2, 3, 4, 5, 6, 7 and 8, Block 150, GROVE CITY SUBDIVISION, a subdivision according to the plat thereof, recorded in Plat Book 1, Page 4, of the Public Records of Charlotte County, Florida, together with half of the adjacent vacated alley.

Lots 13 through 20, Block 150, And the northeasterly one-half of the vacated 15 feet wide alley lying adjacent to the westerly line of said lots 13 through 20, Grove City, as per the plat thereof, recorded in Plat Book 1, Page 4, of the Public Records of Charlotte County, Florida, more particularly described as follows:

Commence at the northwest corner of Lot 20, Block 150, of the aforementioned subdivision; thence South $67^{\circ}22'43''$ West, 7.5 feet to the center of a vacated 15 foot alley per O.R. Book 327, Page 662, to the Point of Beginning; thence along the southerly right of way line of Louisiana Avenue, North $67^{\circ}22'43''$ East, 107.31 feet to the westerly line of a 60 foot wide vacated street known as Sixth Street; thence along said westerly line, south $22^{\circ}37'58''$ East, 241.04 feet to the southerly line of Lot 13, Block 150, same said subdivision; thence along said southerly line of Lot 13, South $67^{\circ}20'47''$ West, 107.54 feet to the centerline of the aforementioned vacated alley per O.R. Book 327, Page 662, said point lying 7.5 feet south $67^{\circ}20'47''$ West of the southwesterly corner of said Lot 13; Thence along the centerline of the vacated alley North $22^{\circ}34'40''$ west, 241.10 feet to the point of beginning.

EXHIBIT A



FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

July 25, 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. 2014-022, which was filed in this office on July 25, 2014.

Sincerely,

Liz Cloud
Program Administrator

LC/elr



ORIGINAL FILED IN
CASE NO. 14-0000000
FILED IN
COUNTY OF CHARLOTTE

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

Before the undersigned authority personally appeared Heather Hernandez, 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 Public Hearing, was published in said newspaper in the issues of:

July 7, 2014

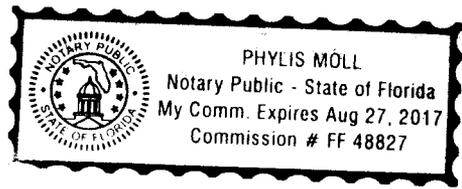
Affiant further says that the said newspaper is a newspaper published at Charlotte Harbor, in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in said Charlotte County, Florida, Sarasota County, Florida and DeSoto County, Florida, each day and has 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.

[Handwritten Signature]
(Signature of Affiant)

#394-

Sworn and subscribed before me this 7th day of July, 2014.

[Handwritten Signature]
(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 MEETING ON TUESDAY, JULY 22, 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 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 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](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-14-04-07

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 3051 Holly Avenue and 3060 Placida Road, in the Englewood area, containing 1.17± acres; Commission District III; Petition No. PA-14-04-07; applicant: SW Florida Marina Investors, LLC; providing an effective date.

Z-14-04-08

Quasi-Judicial

Commission District III

An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Mobile Home Conventional (MHC) to Commercial Intensive (CI), for property located at 3051 Holly Avenue and 3060 Placida Road, in the Englewood area, containing 1.17± acres; Commission District III; Petition No. Z-14-04-08; applicant: SW Florida Marina Investors, LLC; providing an effective date.

PA-14-04-09

Legislative

Commission District II

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 Agriculture (AG) to Low Density Residential (LDR); for property located at 29255 Jones Loop Road, in the Punta Gorda area, containing 9.53± acres; Commission District II; Petition No. PA-14-04-09; applicant: TMV Properties, Inc.; 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 involves every aspect of the County's functions, including access to and participation in meetings, programs and activities. FM Sound Enhancement Units for the Hearing Impaired are available at the Front Security Desk, Building A of the Murdock Administration Complex. Anyone needing other reasonable accommodation or auxiliary aids and services please contact our Office at 941-764-4191, TDD/TTY 941-743-1234, or by email to Terri.Hendriks@charlottecl.com.

ublish: July 7, 2014

