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ORDINANCE
NUMBER 2014 - 080

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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 PARKS AND RECREATION (PRK) TO COMMERCIAL (COM), FOR PROPERTY LOCATED AT 2531 AND 2551 TAYLOR ROAD, IN THE PUNTA GORDA AREA, CHARLOTTE COUNTY, FLORIDA, COMMISSION DISTRICT II, CONTAINING 8.7 ACRES MORE OR LESS; PETITION PA-14-09-13; APPLICANT, ONMI SPORTS, LLC; PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, in a public hearing held on Tuesday, December 9, 2014, the Board of County Commissioners of Charlotte County, Florida ("Board"), reviewed land use amendment Petition PA-14-09-13, which is a small scale plan amendment; and

WHEREAS, applicant, ONMI Sports, LLC ("Applicant"), filed Petition PA-14-09-13, seeking a small scale plan amendment to the Charlotte County FLUM Series Map #1: 2030 Future Land Use, from Parks and Recreation (PRK) to Commercial (COM), for property containing 8.7 acres more or less, described as property located at 2531 and 2551 Taylor Road, in the Punta Gorda area, Charlotte County, Florida, Commission District II, and more particularly described in Exhibit "A" attached hereto and by this reference incorporated herein; and

WHEREAS, Petition PA-14-09-13 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 October 17, 2014, has been recommended for approval by the P&Z Board; and

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1 PASSED AND DULY ADOPTED this 9 day of December, 2014.
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5 BOARD OF COUNTY COMMISSIONERS
6 OF CHARLOTTE COUNTY, FLORIDA
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9 By: William G. Truex
10 William G. Truex, 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: Michelle D. Bernardino
21 Deputy Clerk
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25 APPROVED AS TO FORM
26 AND LEGAL SUFFICIENCY:
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29 By: [Signature]
30 for: Janette S. Knowlton, County Attorney
31 LR2014-3087
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SUN NEWSPAPERS

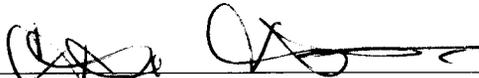
Charlotte • DeSoto • Englewood • North Port • Venice

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

Before the undersigned authority personally appeared Casandra Cancelliere, 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:

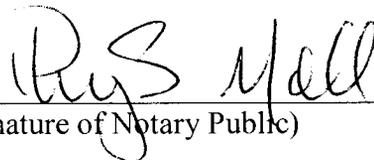
November 24, 2014

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 one 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.

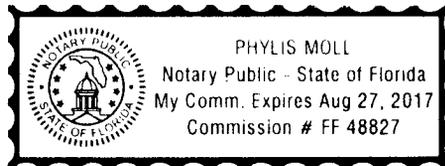


(Signature of Affiant)

Sworn and subscribed before me this 24th day of November, 2014



(Signature of Notary Public)



437.50

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, DECEMBER 9, 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>

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-14-09-14-LS

Legislative

Countywide

Pursuant to Section 163.3184(3), Florida Statutes, transmit a Large Scale Plan Amendment to the Department of Economic Opportunity (DEO) for review and comments; the request is to amend FLU Appendix I: Land Use Guide by revising the Mineral Resource Extraction (MRE) Future Land Use Map (FLUM) category and amending the requirements #2 and #3 under the iSpecial Provisionsi subsection of the MRE FLUM category; Petition No. PA-14-09-14-LS; Applicant: Charlotte County Board of County Commissioners; providing an effective date.

PA-14-09-13

Legislative

Commission District II

An Ordinance pursuant to Section 163.3187(1)(C), Florida Statutes, adopt a small scale plan amendment to change Charlotte County FLUM Series Map #1: 2030 Future Land Use, from Parks and Recreation (PKR) to Commercial (COM); for property located at 2531 and 2551 Taylor Road, in the Punta Gorda area; containing 8.7± acres; Commission District II; Petition No. PA-14-09-13; applicant: ONMI Sports, LLC; providing an effective date.

NOPC-14-07-11

Legislative

Commission District I

A Resolution pursuant to Section 380.06, Florida Statutes, amending the Development Order and Map H for the Sandhill Development of Regional Impact (DRI) to reduce open space by 5.84 acres; to eliminate the 84.09 acre golf course by replacing it with 1) 6.48 acres of commercial area with 43,000 square feet of commercial development; 2) 19.56 acres of assisted living area with 458 beds; 3) 47.64 acres of industrial park with 365,000 square feet of industrial development and 4) 16.25 acres of residential development with 26 multi-family units; and to correct scrivener's errors; for property located south of the DeSoto County Line, north of Rampart Boulevard, east of Loveland Boulevard and west of the Deep Creek area; Section 7, Township 40 South, and Range 23 East, in the Port Charlotte area, currently containing a total of 713.12± acres; Commission District I; Petition No. NOPC-14-07-11; Applicant: ATM II, LLC; providing an effective date.

Sandhill Development Agreement

Legislative

Commission District I

Conduct a public hearing to consider entering into a Development Agreement formulated to comply with the Florida Local Government Development Agreement Act (ss. 163.3220 of F.S.) for the Sandhill Development of Regional Impact (DRI). The land subject to the Development Agreement consists of 84± acres located in the northeast quadrant of the intersection of Interstate 75 and Kings Highway, in the Port Charlotte area. The project proposes 43,000 square feet of commercial development, 458 assisted living and memory care beds, 365,000 square feet of industrial development and 26 multi-family dwelling units. The Development Agreement sets forth the commitments by the Developer and the County as to transportation improvements necessary to ensure concurrency on all impacted regional roads and intersections as a result of the development of the Project.

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 <mailto:Terri.Hendriks@charlottefl.com>





FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

December 23, 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. 2014-080, which was filed in this office on December 22, 2014.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb