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ORDINANCE
NUMBER 2010 - 065

AN ORDINANCE PURSUANT TO SECTION 163.3187 (1)(c), FLORIDA STATUTES, ADOPTING A SMALL SCALE FUTURE LAND USE MAP AMENDMENT TO THE CHARLOTTE COUNTY COMPREHENSIVE PLAN FROM LOW DENSITY RESIDENTIAL (LDR) TO COMMERCIAL CENTER ON THE 1997-2010 FUTURE LAND USE MAP AND PROVIDING FOR THE READOPTION INTO THE 2030 FUTURE LAND USE MAP TO COMMERCIAL, FOR PROPERTY LOCATED NORTHWEST OF CORAL RIDGE DRIVE AND SOUTHWEST OF TAYLOR ROAD, IN THE PUNTA GORDA AREA, CHARLOTTE COUNTY, FLORIDA, COMMISSION DISTRICT II, CONTAINING 1.78 ACRES MORE OR LESS; PETITION PA-10-08-26; APPLICANT, ONMI LLC C/O JAMES WHITE; PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, in a public hearing held on Monday, October 18, 2010, the Board of County Commissioners of Charlotte County ("Board"), reviewed land use amendment Petition PA-10-08-26, which provides for a small scale plan amendment to the 1997-2010 Future Land Use Map and the readoption into the 2030 Future Land Use Map of the Charlotte County Comprehensive Plan (such plan shall herein be referred to as "the Charlotte County Comprehensive Plan"); and

WHEREAS, applicant, ONMI LLC c/o James White, whose address is 21481 Harborside, Port Charlotte, Florida 33952 ("Applicant"), filed Petition PA-10-08-26, seeking a small scale plan amendment to the Charlotte County Comprehensive Plan from Low Density Residential (LDR) to Commercial Center on the 1997-2010 Future Land Use Map and the readoption into the 2030 Future Land Use Map to Commercial, for property containing 1.78 acres more or less, which is owned by ONMI LLC, located Northwest of Coral Ridge Drive and Southwest of Taylor Road, in the Punta Gorda area, Commission

IMAGED
11-5-10 AP



1 District II, Charlotte County, Florida, and more particularly described in Exhibit "A" attached
2 hereto and by this reference incorporated herein; and

3 WHEREAS, Petition PA-10-08-26 has previously been heard before the
4 Charlotte County Planning and Zoning Board ("P&Z Board") and, based on the findings and
5 analysis presented in the Planning Division Staff Report dated September 17, 2010, and
6 the evidence presented to the P&Z Board, the proposed amendment has been found to be
7 consistent with the Charlotte County Comprehensive Plan and has been recommended for
8 approval by the P&Z Board; and

9 WHEREAS, after due consideration, the Board has found that the
10 requirements and conditions of Section 163.3187(1)(c), F.S., as they relate to this Petition,
11 have been met and that it is in the best interests of the County to approve Petition
12 PA-10-08-26.

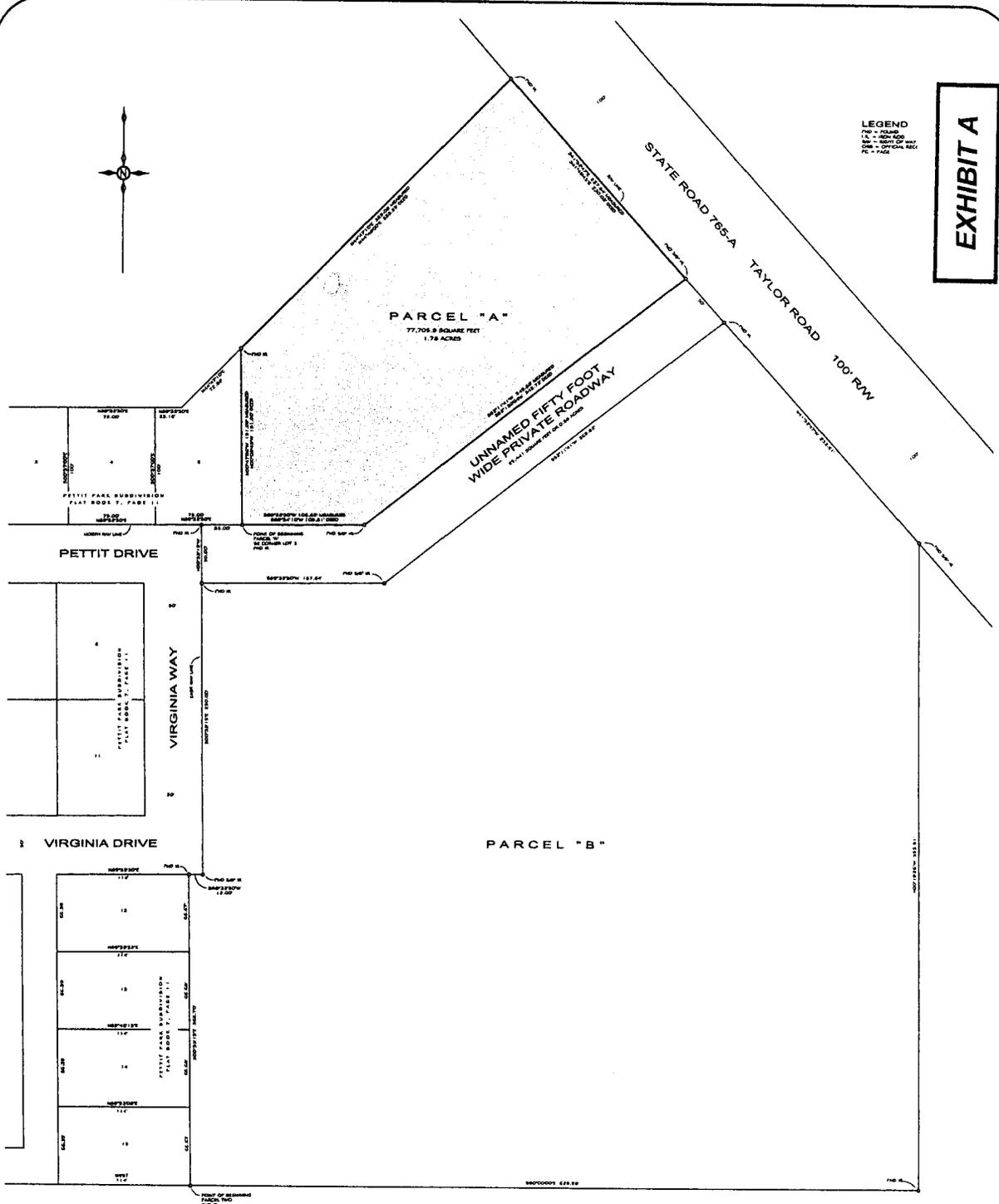
13 NOW, THEREFORE, BE IT ORDAINED by the Board of County
14 Commissioners of Charlotte County, Florida:

15 Section 1. Approval. The following petition for amendment to the 1997-2010
16 Future Land Use Map and to the 2030 Future Land Use Map of the Charlotte County
17 Comprehensive Plan be and hereby is approved:

18 Petition PA-10-08-26, submitted by ONMI LLC c/o James White
19 ("Applicant"), requesting a small scale plan amendment to the
20 Charlotte County Comprehensive Plan from Low Density Residential
21 (LDR) to Commercial Center on the 1997-2010 Future Land Use Map
22 and for readoption into the 2030 Future Land Use Map to
23 Commercial, for property containing 1.78 acres more or less, which is
24 owned by ONMI LLC, located Northwest of Coral Ridge Drive and
25 Southwest of Taylor Road, in the Punta Gorda area, Charlotte
26 County, Florida, and more particularly described in Exhibit "A"
27 attached hereto and by this reference provided herein.
28

EXHIBIT A

LEGEND
FW = FLOOD ZONE
S = SURVEY
D = DEED
R = RECORD
C = COUNTY
F = FIDELITY



A SURVEY OF WARRANTY DEED DESCRIPTION RECORDED IN ORB 2911, PAGES 1606-1656

SURVEYORS' DESCRIPTION - PARCEL A
A portion of Section 17, Township 41 South, Range 33 East, Charlotte County, Florida, being more particularly described as follows:
Beginning at the Southeast corner of Lot 8 of PETTIT FARM, according to the plat thereof as recorded in File Book 7, Page 11, of the Public Records of Charlotte County, Florida, run North 00°02'45" West, 131.00 feet to a Concrete monument marking the Southeast corner of the North line of said Lot 8, a distance of 348.35 feet to a Concrete monument marking the Southeast corner of the North line of State Road 765-A (Taylor Road) Thence South 17°49'45" East, along said Right-of-Way, a distance of 330.00 feet Thence South 89°27'30" West, a distance of 848.73 feet Thence South 89°27'30" West, a distance of 108.81 feet to the Point of Beginning of this land herein described.
Said lands situated, lying and being in Charlotte County, Florida.

NOTE: THE ABOVE LEGAL DESCRIPTION HAS A MATHEMATICALLY ERROR OF CLOSURE 8.89 EAST AND 8.89 SOUTH

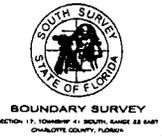
CORRECTED DESCRIPTION PREPARED BY ROBERT SOUTH, LAND SURVEYOR
PARCEL A:
A portion of land lying within Section 17, Township 41 South, Range 33 East, Charlotte County, Florida, being more particularly described as follows:
Begin at the Southeast corner of Lot 8 of PETTIT FARM, according to the plat thereof as recorded in File Book 7, Page 11, of the Public Records of Charlotte County, Florida, thence North 00°02'45" West, 131.00 feet to a Concrete monument marking the Southeast corner of the North line of said Lot 8, a distance of 348.35 feet to a Concrete monument marking the Southeast corner of the North line of State Road 765-A, also known as Taylor Road, thence South 17°49'45" East, along said Right-of-Way, a distance of 330.00 feet Thence South 89°27'30" West, a distance of 848.73 feet Thence South 89°27'30" West, a distance of 108.81 feet to the Point of Beginning.
Containing 77,709.9 square feet or 1.78 acres.

FLOOD DATA
CHARLOTTE COUNTY, FLORIDA
PAGE 024, SUPPLEMENT
FLOOD ZONE
ELEVATION 8'

SURVEYORS' NOTES
1. NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF FLORIDA LAND SURVEYOR ROBERT SOUTH.
2. UNDEVELOPED LOTS, IMPROVEMENTS, IF ANY, WERE NOT LOCATED.
3. BOUNDARY MONUMENTS ARE IN PLACE, WITH A PORTION OF SAME LADY BY B. STANDARDS.
4. IMPROVEMENTS ARE NOT SHOWN PER REQUEST OF CLIENT.
5. DATE OF SURVEY: JULY 27, 2010.
6. SEPT. 12, 2010 REVISED SURVEY DESCRIPTION TO INCLUDE PRIVATE ROAD RW.



BY ROBERT SOUTH, FLORIDA SURVEYOR & MAPPER 2584
2500 N.W. 11th Ave., Suite 100A, Ft. Lauderdale, Florida 33307
PHONE NUMBER 954-239-1183



SUN NEWSPAPERS

Charlotte • DeSoto • Englewood • North Port • Venice

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

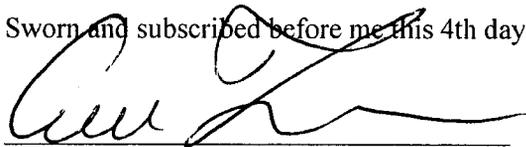
Before the undersigned authority personally appeared Diane Brinckman, who on oath says that she is legal clerk of the (Charlotte Sun, Englewood Sun, The Arcadian, North Port Sun, Venice Gondolier Sun), a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a Notice of Hearing, was published in said newspaper in the issues of:

October 3, 2010

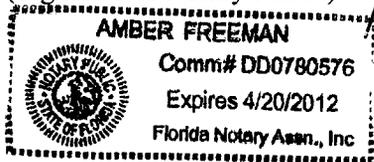
Affiant further says that the said newspaper is a newspaper published at Charlotte Harbor, in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in said Charlotte County, Florida, Sarasota County, Florida and DeSoto County, Florida, each day and has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

Sworn and subscribed before me this 4th day of October, 2010.



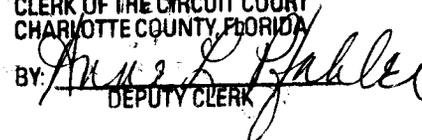
(Signature of Notary Public)



Amber Freeman

Personally known OR Produced Identification _____

Type of Identification Produced _____

#590.63
COURT
CERTIFIED TRUE COPY
OF THE ORIGINAL FILE
BARBARA T. SCOTT
CLERK OF THE CIRCUIT COURT
CHARLOTTE COUNTY, FLORIDA
BY: 
DEPUTY CLERK



FLORIDA DEPARTMENT of STATE

CHARLIE CRIST
Governor

STATE LIBRARY AND ARCHIVES OF FLORIDA

DAWN K. ROBERTS
Interim Secretary of State

October 27, 2010

Ms. Barbara T. Scott
Clerk of the Circuit Court
Charlotte County
18500 Murdock Circle, Room 416
Port Charlotte, Florida 33948-1094

Attention: Ms. Anne L. Pfahler, Deputy Clerk Commission Minutes

Dear Ms. Scott:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letters dated October 21, 2010 and certified copies of Charlotte County Ordinance Nos. 2010-063 and 2010-065 through 2010-070, which were filed in this office on October 26, 2010.

Sincerely,

Liz Cloud
Program Administrator

LC/srd

RECEIVED AT
MURDOCK BRANCH
2010 NOV - 1 PM 12: 03
BARBARA T. SCOTT
CLERK OF CIRCUIT COURT
CHARLOTTE COUNTY FL

DIRECTOR'S OFFICE

R.A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
850.245.6600 • FAX: 850. 245.6735 • TDD: 850.922.4085 • <http://dlis.dos.state.fl.us>

COMMUNITY DEVELOPMENT
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STATE LIBRARY OF FLORIDA
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STATE ARCHIVES OF FLORIDA
850.245.6700 • FAX: 850.488.4894

CAPITOL BRANCH
850.488.2812 • FAX: 850.488.9879

RECORDS MANAGEMENT SERVICES
850.245.6750 • FAX: 850.245.6795

ADMINISTRATIVE CODE AND WEEKLY
850.245.6270 • FAX: 850.245.6282

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