

October 26, 2010

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ORDINANCE
NUMBER 2010 - 067

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 PARKS AND RECREATION ON THE 1997-2010 FUTURE LAND USE MAP AND PROVIDING FOR THE READOPTION INTO THE 2030 FUTURE LAND USE MAP TO PARKS AND RECREATION (PKR), FOR PROPERTY LOCATED SOUTHEAST OF CORAL RIDGE DRIVE AND SOUTHWEST OF TAYLOR ROAD, IN THE PUNTA GORDA AREA, CHARLOTTE COUNTY, FLORIDA, COMMISSION DISTRICT II, CONTAINING 8.7 ACRES MORE OR LESS; PETITIONPA-10-08-24; 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-10-08-24, which provides for a small scale plan amendment to the 1997-2010 Future Land Use Map and the re adoption 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-10-08-24, seeking a small scale plan amendment to the Charlotte County Comprehensive Plan from Low Density Residential (LDR) to Parks and Recreation on the 1997-2010 Future Land Use Map and the re adoption into the 2030 Future Land Use Map to Parks and Recreation (PKR), for property containing 8.7 acres more or less, which is owned by ONMI LLC, James White, Sara White, and Robert Chancey Sumner, located Southeast of Coral Ridge

IMAGED 11-5-10 AP


Nami 4

1 Drive and Southwest of Taylor Road, in the Punta Gorda area, Commission District II,
2 Charlotte County, Florida, and more particularly described in Exhibit "A" attached hereto
3 and by this reference incorporated herein; and

4 WHEREAS, Petition PA-10-08-24 has previously been heard before the
5 Charlotte County Planning and Zoning Board ("P&Z Board") and, based on the findings and
6 analysis presented in the Planning Division Staff Report dated September 17, 2010, and
7 the evidence presented to the P&Z Board, the proposed amendment has been found to be
8 consistent with the Charlotte County Comprehensive Plan and has been recommended for
9 approval by the P&Z Board; and

10 WHEREAS, after due consideration, the Board has found that the
11 requirements and conditions of Section 163.3187(1)(c), F.S., as they relate to this Petition,
12 have been met and that it is in the best interests of the County to approve Petition
13 PA-10-08-24.

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

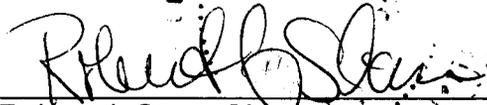
16 Section 1. Approval. The following petition for amendment to the 1997-2010
17 Future Land Use Map and to the 2030 Future Land Use Map of the Charlotte County
18 Comprehensive Plan be and hereby is approved:

19 Petition PA-10-08-24, submitted by ONMI LLC c/o James White
20 ("Applicant"), requesting a small scale plan amendment to the
21 Charlotte County Comprehensive Plan from Low Density Residential
22 (LDR) to Parks and Recreation on the 1997-2010 Future Land Use
23 Map and for readoption into the 2030 Future Land Use Map to Parks
24 and Recreation (PKR), for property containing 8.7 acres more or less,
25 which is owned by ONMI LLC, James White, Sara White, and Robert
26 Chancey Sumner, located Southeast of Coral Ridge Drive and
27 Southwest of Taylor Road, in the Punta Gorda area, Charlotte
28 County, Florida, and more particularly described in Exhibit "A"
29 attached hereto and by this reference provided herein.

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Section 2. Effective date. This plan amendment as it pertains to the 1997-2010 Comprehensive Plan shall take effect upon the filing of this ordinance in the Office of the Secretary of State, State of Florida. The effective date of this plan amendment as to the readoption into the Smart Charlotte 2050 Comprehensive Plan shall be the effective date of the Smart Charlotte 2050 Comprehensive Plan.

PASSED AND DULY ADOPTED this 18 day of October, 2010.

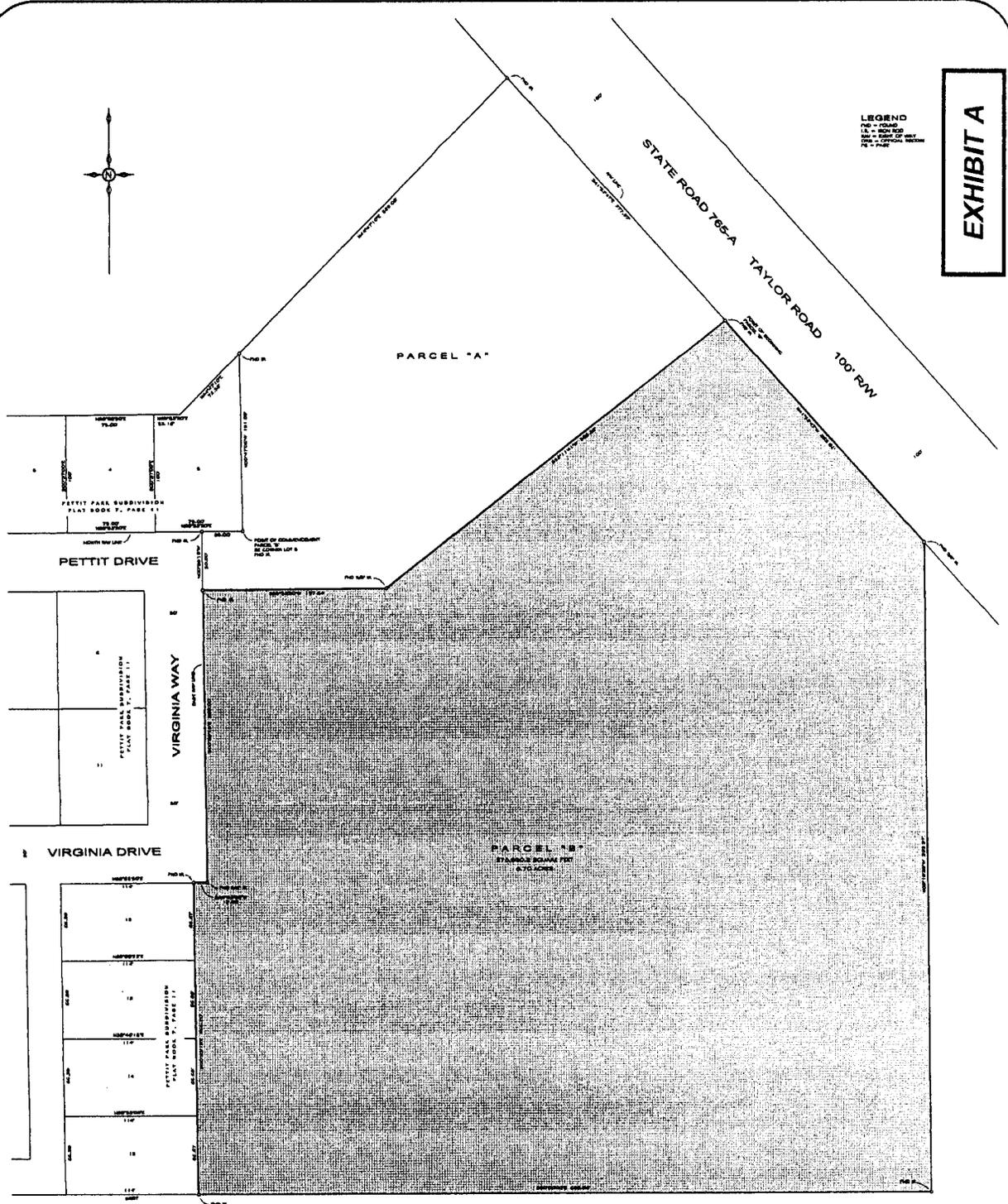
BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA
By: 
Robert J. Starr, Chairman

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

By: 
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:
By: 
Janette S. Knowlton, County Attorney
LR2010-1107 

LEGEND
 --- ROAD
 --- EASEMENT
 --- EASEMENT
 --- EASEMENT
 --- EASEMENT



A SURVEY OF SURVEYOR'S DESCRIPTION - PARCEL "B"

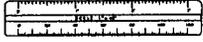
A parcel of land lying within Section 17, Township 41 North, Range 28 East, Charlotte County, Florida, being more particularly described as follows:

From the Southeast corner of Lot 8, of Pettit Park Subdivision, as recorded in plat book 7, page 11, of the public records of Charlotte County, Florida, bear North 00°47'00" West, along the Eastern line of Lot 8, a distance of 181.00 feet to the Northwesterly corner of Lot 10, thence South 89°00'00" East, along the Northwesterly side of the boundary line of Lot 8, a distance of 239.00 feet to the Northwesterly corner of Lot 10, thence South 89°00'00" East, along the Eastern side of the boundary line of Lot 10, a distance of 239.00 feet to the Southeast corner of the boundary line of Lot 10, thence North 00°47'00" West, along the Eastern line of State Road 765-A, a distance of 239.00 feet to the Point of Beginning.

Containing 878,850.8 square feet or 6.70 acres.

FLOOD DATA
 COMMUNITY NUMBER: 13002
 FIRM: 25041-0000
 FLOOD ZONE: XE
 ELEVATION: 8'

- SURVEYOR'S NOTES**
1. NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF FLORIDA LAND SURVEYOR.
 2. UNDERSTANDING SURVEY INSTRUMENTS, IF ANY, WERE NOT LOCATED.
 3. UNDERSTANDING LAW IS THAT, ON A VERTICAL PLANE AND PER U.S. STANDARDS.
 4. BOUNDARY SURVEY ON THE EAST LINE OF PETTIT PARK SUBDIVISION.
 5. SURVEYOR'S LIABILITY LIMITED TO THE BEST OF HIS ABILITY.
 6. REAL PROPERTY DISCUSSION WAS PREPARED BY THE SURVEYOR.



BY ROBERT DEAN SCOTT, FLORIDA SURVEYOR 114787 8584
 2882 BAYVIEW BLVD., PLANT CITY, FLORIDA 33687
 PHONE NUMBER 813-851-1111



BOUNDARY SURVEY
 SECTION 17, TOWNSHIP 41 NORTH, RANGE 28 EAST
 CHARLOTTE COUNTY, FLORIDA

SUN NEWSPAPERS

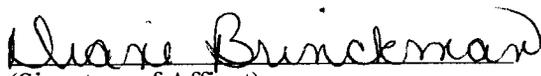
Charlotte • DeSoto • Englewood • North Port • Venice

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

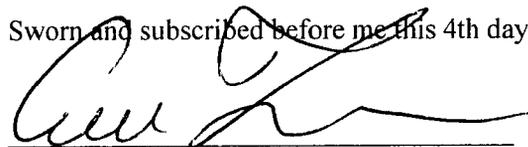
Before the undersigned authority personally appeared Diane Brinckman, who on oath says that she is legal clerk of the (Charlotte Sun, Englewood Sun, The Arcadian, North Port Sun, Venice Gondolier Sun), a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement,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

October 3, 2010

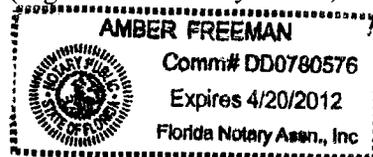
Affiant further says that the said newspaper is a newspaper published at Charlotte Harbor, in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in said Charlotte County, Florida, Sarasota County, Florida and DeSoto County, Florida, each day and has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

[Handwritten signature of Liz Cloud]

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
850.245.6600 • FAX: 850.245.6643

STATE LIBRARY OF FLORIDA
850.245.6600 • FAX: 850.245.6744

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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