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ORDINANCE
NUMBER 2011 - 018

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AN ORDINANCE PURSUANT TO SECTION 163.3187 (1) (c), FLORIDA STATUTES, ADOPTING A SMALL SCALE AMENDMENT TO THE 1997-2010 FUTURE LAND USE MAP OF THE CHARLOTTE COUNTY COMPREHENSIVE PLAN FROM LOW DENSITY RESIDENTIAL TO COMMERCIAL CORRIDOR AND TO THE 2030 FUTURE LAND USE MAP FROM LOW DENSITY RESIDENTIAL (LDR) TO COMMERCIAL (COM) FOR PROPERTY LOCATED NORTHWEST OF MORNINGSTAR WATERWAY, SOUTHEAST OF MIDWAY BOULEVARD, EAST OF S. ELLICOTT CIRCLE, AND SOUTHWEST OF TAMIAMI TRAIL (U.S. 41), IN THE PORT CHARLOTTE AREA, CHARLOTTE COUNTY, FLORIDA, COMMISSION DISTRICT IV, CONTAINING 1.86 ACRES MORE OR LESS; PETITION PA-11-02-02; APPLICANT, BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, in a public hearing held on Tuesday, June 21, 2011, the Board of County Commissioners of Charlotte County ("Board"), reviewed land use amendment Petition PA-11-02-02, which is a small scale plan amendment; and

WHEREAS, applicant, Jeffrey Fehr ("Applicant"), filed Petition PA-11-02-02, seeking a small scale plan amendment to the Charlotte County Comprehensive Plan from Low Density Residential to Commercial Corridor on the 1997-2010 Future Land Use Map and from Low Density Residential (LDR) to Commercial (COM) on the 2030 Future Land Use Map, for property containing 1.86 acres more or less, described as property located Northwest of Morningstar Waterway, Southeast of Midway Boulevard, East of S. Ellicott Circle, and Southwest of Tamiami Trail (U.S. 41), in the Port Charlotte area, Charlotte County, Florida, Commission District IV, and more particularly described in Exhibit "A" attached hereto and by this reference incorporated herein; and

CHARLOTTE COUNTY CLERK OF CIRCUIT COURT
OR BOOK 3585, PGS 1098-1102 5 pg(s)
INSTR # 2031628
Doc Type GOV, Recorded 07/21/2011 at 08:54 AM
Rec. Fee: \$44.00
Cashiered By: MARGEC Doc. #2

IMAGED
7-27-11
AP



1 WHEREAS, Petition PA-11-02-02 has previously been heard before the
2 Charlotte County Planning and Zoning Board ("P&Z Board") and, based on the findings and
3 analysis presented in the Planning Division Staff Report dated March 22, 2011, has been
4 recommended for approval by the P&Z Board; and

5 WHEREAS, after due consideration, the Board has found that the
6 requirements and conditions of Section 163.3187(1)(c), F.S., as they relate to this Petition,
7 have been met and that it is in the best interests of the County to approve Petition
8 PA-11-02-02.

9 NOW, THEREFORE, BE IT ORDAINED by the Board of County
10 Commissioners of Charlotte County, Florida:

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

14 Petition PA-11-02-02, submitted by Jeffrey Fehr ("Applicant"),
15 requesting a small scale comprehensive plan amendment to the
16 Charlotte County Comprehensive Plan from Low Density Residential
17 on the 1997-2010 Future Land Use Map and from Low Density
18 Residential (LDR) to Commercial (COM) on the 2030 Future Land
19 Use Map, for property containing 1.86 acres more or less, described
20 as property located Northwest of Morningstar Waterway, Southeast of
21 Midway Boulevard, East of S. Ellicott Circle, and Southwest of
22 Tamiami Trail (U.S. 41), in the Port Charlotte area, Charlotte County,
23 Florida, Commission District IV, and more particularly described in
24 Exhibit "A" attached hereto and by this reference provided herein.
25

26 Section 2. Effective date. This ordinance shall take effect upon the filing of
27 this ordinance in the Office of the Secretary of State, State of Florida.

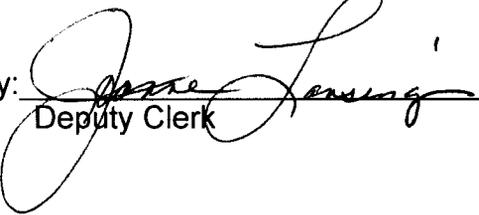
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1 PASSED AND DULY ADOPTED this 21 day of June, 2011.
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5 BOARD OF COUNTY COMMISSIONERS
6 OF CHARLOTTE COUNTY, FLORIDA
7

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9 By: 
10 Robert J. Starr, Chairman
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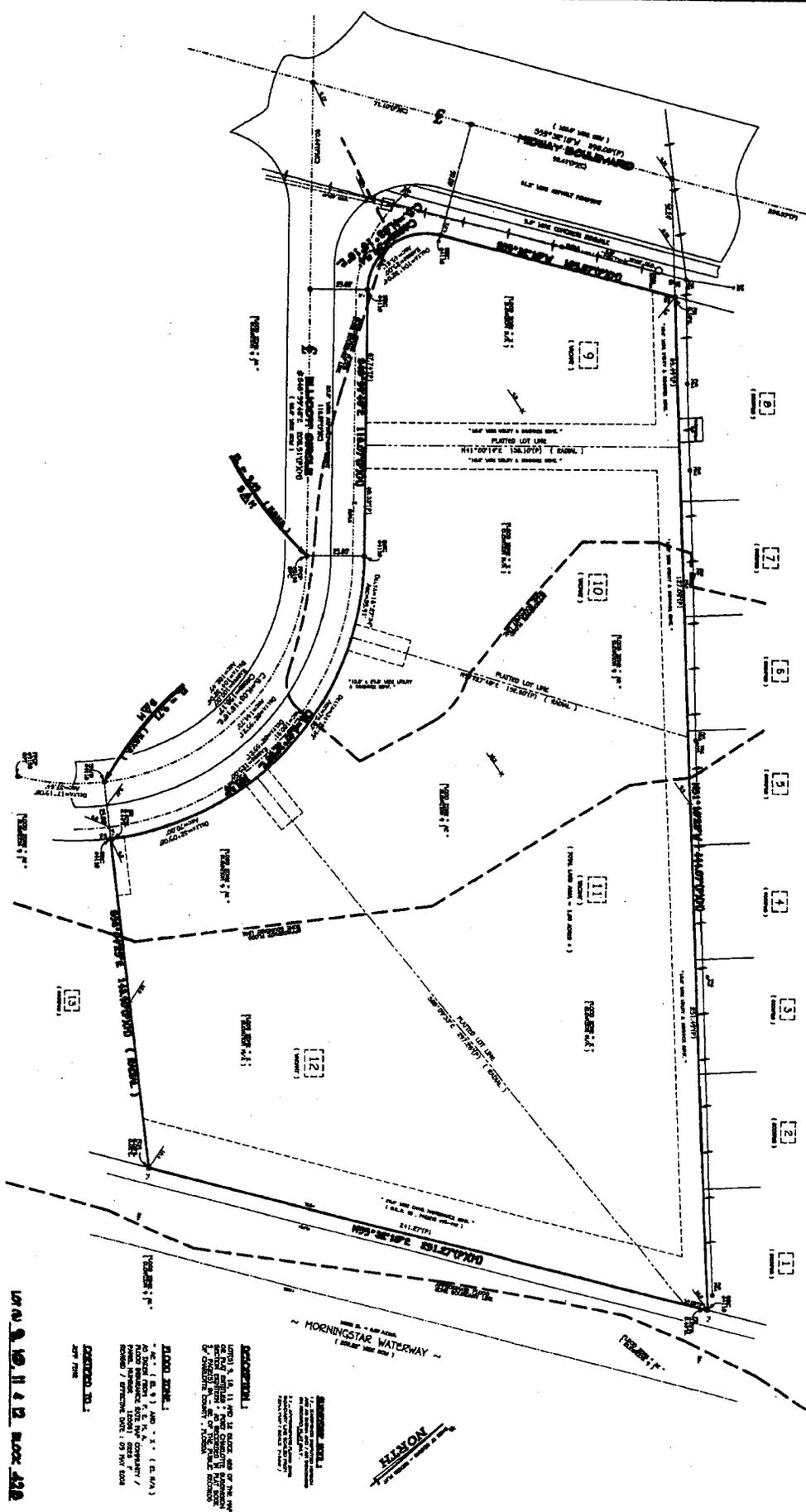
14 ATTEST:
15 Barbara T. Scott, Clerk of
16 Circuit Court and Ex-officio Clerk to
17 the Board of County Commissioners
18

19
20 By: 
21 Deputy Clerk
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25 APPROVED AS TO FORM
26 AND LEGAL SUFFICIENCY:
27

28
29 By: 
30 Janette S. Knowlton, County Attorney
31 LR2011-1411
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BOUNDARY and TOPOGRAPHIC SURVEY



THE S. COMPANY
 10000 W. 112th Ave., Suite 100
 Denver, CO 80231
 Phone: (303) 751-1000
 Fax: (303) 751-1001
 Email: info@thes.com

OWNER: THE S. COMPANY
PROJECT: BOUNDARY AND TOPOGRAPHIC SURVEY
DATE: 01/15/2004

SECTION: 36
TOWNSHIP: 40 S.
RANGE: 27 E.

REVISIONS

NO.	REVISION	DATE	BY
1	ISSUED FOR PERMIT	01/15/2004	JK

SHEET 1

LEGAL DESCRIPTION

LOT(S) 9, 10, 11 AND 12 BLOCK 428 OF THE MAP OR PLAT ENTITLED "PORT CHARLOTTE SUBDIVISION SECTION EIGHTEEN" AS RECORDED IN PLAT BOOK 5, PAGE(S) 8A-8E OF THE PUBLIC RECORDS OF 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:

June 6, 2011

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.

Diane Brinckman
(Signature of Affiant)

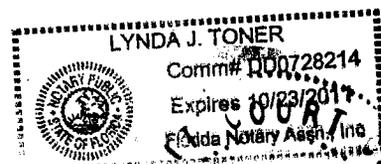
Sworn and subscribed before me this 6th day of June, 2011.

\$ 525.00

Lynda J. Toner
(Signature of Notary Public)
LYNDA J. TONER

Personally known OR Produced Identification

Type of Identification Produced _____



CERTIFIED TRUE COPY OF THE ORIGINAL
BARBARA T. SCOTT
CLERK OF THE CIRCUIT COURT
CHARLOTTE COUNTY, FLORIDA

BY: Ann... Fuller
DEPUTY CLERK



FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

DIVISION OF LIBRARY AND INFORMATION SERVICES

KURT S. BROWNING
Secretary of State

July 8, 2011

Ms. Barbara T. Scott
Clerk of the Circuit Court
Charlotte County
350 East Marion Avenue
Punta Gorda, Florida 33950

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2011 JUL 15 AM 8:35
D
DIVISION OF LIBRARY AND INFORMATION SERVICES

Attention: Ms. Susan F. Carleton, Deputy Clerk Commission Minutes

Dear Ms. Scott:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated June 27, 2011 and certified copies of Charlotte County Ordinance Nos. 2011-018, 2011-019, 2011-020, 2011-021, 2011-022 and 2011-023, which were filed in this office on July 8, 2011.

Sincerely,

Liz Cloud
Program Administrator

LC/vm

DIRECTOR'S OFFICE

R. A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
850.245.6600 • FAX: 850.245.6282 • TDD: 850.922.4085 • <http://info.florida.gov>

COMMUNITY DEVELOPMENT
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STATE LIBRARY OF FLORIDA
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STATE ARCHIVES OF FLORIDA
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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

IMAGED 7-27-11 AP