CHG BCC #14

FILED WITH THE DEPARTMENT OF STATE: December 1, 2014

ORDINANCE
NUMBER 2014 – 042

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING CHAPTER 3-9 OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA, BY DELETING SECTION 3-9-68, AUTHORITY TO ENTER UPON PRIVATE PROPERTY, SECTION 3-9-72, DEED RESTRICTIONS, SECTION 3-9-75, EXCEPTIONS TO REQUIRED YARDS, SECTION 3-9-5.2, EXPEDITED PERMITTING PROCESS FOR CERTIFIED AFFORDABLE HOUSING DEVELOPMENT, SECTION 3-9-76, EXCLUSIONS FROM HEIGHT LIMITATIONS, SECTION 3-9-78, FORM OF OWNERSHIP, SECTION 3-9-86, MOVING OF STRUCTURES, AND SECTION 3-9-93, PROPERTY FRONTAGE, IN THEIR ENTIRETY, AND CREATING NEW SECTION 3-9-5.1, AUTHORITY TO ENTER UPON PRIVATE PROPERTY, SECTION 3-9-5.2, DEED RESTRICTIONS, SECTION 3-9-5.3, EXCEPTIONS TO REQUIRED YARDS, SECTION 3-9-5.4, EXPEDITED PERMITTING PROCESS FOR CERTIFIED AFFORDABLE HOUSING DEVELOPMENT, SECTION 3-9-5.5, EXCLUSIONS FROM HEIGHT LIMITATIONS, SECTION 3-9-5.6, FORM OF OWNERSHIP, SECTION 3-9-5.7, MOVING OF STRUCTURES, AND SECTION 3-9-5.8, PROPERTY FRONTAGE, AND REVISING SECTION 3-9-5, ADMINISTRATION AND ENFORCEMENT, BUILDING PERMITS; PROVIDING FOR CONFLICT WITH OTHER ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

RECITALS

WHEREAS, the County's Land Development Regulations (LDRs) were originally adopted in 1981 and took effect on December 8, 1981; and

WHEREAS, over time, Staff was directed to revise the existing LDRs and has been working over the last several years to accomplish the desired revisions; and

WHEREAS, the purpose of these revisions is to update development regulations by removing some outdated regulations and requirements and adding new standards, to make the LDRs more user-friendly, and to be consistent with the County's Comprehensive Plan; and

CHARLOTTE COUNTY CLERK OF CIRCUIT COURT
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WHEREAS, in order to thoroughly review and update the existing LDRs, Staff has divided the project into three phases; and

WHEREAS, Phase I focuses on revisions to the conventional zoning districts and some sections of Article I. In General and Article III. Special Regulations of Chapter 3-9. Zoning; and

WHEREAS Phase II will focus on all overlay codes and the remaining sections of Article I. In General and Article III. Special Regulations of Chapter 3-9. Zoning; and

WHEREAS, Phase III will focus on regulations found primarily in Chapter 3-5. Planning and Development, which may include topics such as wetlands, landscaping and buffers, and site and commercial design standards; and

WHEREAS, Staff is recommending that Chapter 3-9 of the Code of Laws and Ordinances of Charlotte County, Florida, be amended by deleting Section 3-9-68, Authority to Enter Upon Private Property, Section 3-9-72, Deed Restrictions, Section 3-9-75, Exceptions to Required Yards, Section 3-9-5.2, Expedited Permitting Process for Certified Affordable Housing Development, Section 3-9-76, Exclusions from Height Limitations, Section 3-9-78, Form of Ownership, Section 3-9-86, Moving of Structures, and Section 3-9-93, Property Frontage, in their entirety, and creating new Section 3-9-5.1, Authority to Enter Upon Private Property, Section 3-9-5.2, Deed Restrictions, Section 3-9-5.3, Exceptions to Required Yards, Section 3-9-5.4, Expedited Permitting Process for Certified Affordable Housing Development, Section 3-9-5.5, Exclusions from Height Limitations, Section 3-9-5.6, Form of Ownership, Section 3-9-5.7, Moving of Structures and Section 3-9-5.8, Property Frontage, and revising Section 3-9-5, Administration and Enforcement, Building Permits; and

WHEREAS, revisions have previously been heard by the Charlotte County Planning and Zoning Board ("P&Z Board") and, based on the memorandum dated August 29, 2014, and the evidence presented to the P&Z Board, has been recommended for approval on September 8, 2014; and

WHEREAS, the Board considered the revisions in public hearings held on October 28, 2014 and November 25, 2014; and

WHEREAS, the Board has determined that the changes are consistent with the County's Comprehensive Plan and are in the best interests of the County and its citizens.

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

Section 1. Chapter 3-9 of the Code of Laws and Ordinances of Charlotte County, Florida, is hereby amended by deleting Section 3-9-68, Authority to Enter Upon Private Property, Section 3-9-72, Deed Restrictions, Section 3-9-75, Exceptions to Required Yards, Section 3-9-5.2, Expedited Permitting Process for Certified Affordable Housing Development, Section 3-9-76, Exclusions from Height Limitations, Section 3-9-78, Form of Ownership, Section 3-9-86, Moving of Structures, and Section 3-9-93, Property Frontage, in their entirety, and creating new Section 3-9-5.1, Authority to Enter Upon Private Property, Section 3-9-5.2, Deed Restrictions, Section 3-9-5.3, Exceptions to Required Yards, Section 3-9-5.4, Expedited Permitting Process for Certified Affordable Housing Development, Section 3-9-5.5, Exclusions from Height Limitations, Section 3-9-5.6, Form of Ownership, Section 3-9-5.7, Moving of Structures and Section 3-9-5.8, Property Frontage, and revising Section 3-9-5, Administration and Enforcement, Building Permits, by adding the underlined language and by ~~deleting the stricken language~~ to provide as shown in Exhibit "A" which is attached hereto and provided herein.

Section 2. Conflict with Other Ordinances. The provisions of this Ordinance shall supersede any provision of exiting ordinances in conflict herewith to the extent of said conflict.

Section 3. Severability. If any subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remainder of this Ordinance.

Section 4. Effective Date. This Ordinance shall take effect upon its filing with the Office of the Secretary of State, State of Florida.

[SIGNATURE PAGE FOLLOWS]

PASSED AND DULLY ADOPTED this 25th day of November, 2014.

BOARD OF COUNTY COMMISSIONERS OF
CHARLOTTE COUNTY, FLORIDA
By: William G. Truex
William G. Truex, Chairman

ATTEST:
Barbara T. Scott, Clerk of
Circuit Court and Ex-Officio
Clerk to the Board of County
Commissioners
By: Michelle DiBerardino
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:
By: Janette S. Knowlton
Janette S. Knowlton, County Attorney
LR2014-2992

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LR2014-2992

Sec. 3-9-5. Administration and Eenforcement; Bbuilding Ppermits.

(a) *Administration.*

(1) *Planning and Zzoning Bboard.* The Pplanning and Zzoning Bboard shall consist of a total of six (6) members. Five (5) members of the Pplanning and Zzoning Bboard shall be voting members, consisting of one (1) qualified voter from each county commissioner's district. One (1) member of the Pplanning and Zzoning Bboard shall be a nonvoting member nominated by the Sschool Bboard of Charlotte County whose duties shall be to attend any of those meetings of the Pplanning and Zzoning Bboard when, while acting in its capacity as the local planning agency, the Pplanning and Zzoning Bboard hears an application for a comprehensive plan amendment or rezoning which, if approved, would increase residential density on the subject property. All appointments to the Pplanning and Zzoning Bboard shall be made by the Bboard of Ccounty Ccommissioners. Members shall serve for four (4) years from the date of appointment but shall be subject to removal at any time by majority vote of the Bboard of Ccounty Ccommissioners (BCC). The filling of any vacancy occurring in any office shall be for only the remainder of that term. The manner of appointment, or removal and filling of board vacancies shall be by majority vote of the BCC. One member of the Planning and Zoning Board actively serves on the Affordable Housing Advisory Committee per Sec. 1-8-64. Creation of the Affordable Housing Advisory Committee.

Members of the Pplanning and Zzoning Bboard shall receive no salaries or other compensation for their services as members, but they shall be entitled to reimbursement of necessary expenses incurred in the performance of their duties.

The pPlanning and Zzoning board shall elect from its membership a chairman and a vice chairman and such other officers as the board may deem necessary or proper. Officers of the Pplanning and Zzoning Bboard shall serve for one (1) year, but shall be eligible for reelection.

(2) *Procedure.* The BCCboard of county commissioners may adopt rules of procedure for the transaction of business by the Pplanning and Zzoning Bboard. The Pplanning and Zzoning Bboard shall maintain a public record of all transactions and hearings. The Pplanning and Zzoning Bboard shall hold regular meetings at least once each calendar month.

(3) *Planning.* In addition to any other duties granted to it, the Pplanning and Zzoning Bboard shall act as the county's local planning agency, as that term is defined in F.S. § 163.3174. The Pplanning and Zzoning Bboard shall acquire and maintain such information and material as shall be necessary for an understanding and evaluation of past trends, present conditions and probable future developments and trends within the county. It shall advise and inform the Bboard of Ccounty Ccommissioners and the general public in all matters relating to zoning, planning and future development. It shall conduct such public hearings and make such investigations as may be required in the performance of its duties. Amendments and alterations in the zoning regulations and district boundaries may be proposed by the Bboard of Ccounty Ccommissioners, by the Pplanning and Zzoning Bboard, by the local planning agency as that term is defined by general law or by a petition of the owners of the lands to be affected by the proposed amendments or regulations. Upon due notice and hearing, the Pplanning and Zzoning Bboard shall submit its recommendations to the BCCboard of county commissioners regarding the proposed amendment, which recommendation shall be acted upon as provided by law.

State law reference— Local planning agency, F.S. § 163.3174.

(4) *Zoning.* The Zzoning Oofficial or his duly authorized representative shall be the executive officer in charge of the administration and enforcement of all zoning regulations established within the

EXHIBIT A

unincorporated areas of the county. The Zzoning Oofficial shall be appointed by and hold office at the pleasure of the board of county commissioners. The Zzoning Oofficial shall:

a. Attend all meetings of the Pplanning and Zzoning Bboard and the Bboard of Zzoning Aappeals;

b. Administer and enforce this chapter;

c. Receive and review all plans and specifications for proposed structures to ensure compliance with zoning regulations, and cause to be made periodic inspections of structures under construction to ensure compliance with approved plans and specifications;

d. Receive petitions for requests for special exceptions, petitions for variances and appeals from administrative rulings on zoning matters;

e. Issue public notices as required by the Bboard of Zzoning Aappeals and the board of county commissioners;

f. Receive fees for permits, prepare budgets for operations of the zoning department, and to recommend the hiring of the personnel necessary for the expeditious performance of the duties assigned to this office, subject to approval by the board of county commissioners; and

g. Perform such other duties as may be established by the BCC~~board of county commissioners.~~

(b) *Application.* It shall be unlawful for any person to construct, alter, move, add onto, remove or demolish any building or structure on land or water, without first making application for a permit to the Zzoning Oofficial in such form as he may require and obtaining the proper permit. No existing use, new use or change of use in land or water of any building or structure or any part thereof shall be made except in conformance with this chapter.

(c) *Building permits.* In addition to other requirements of this chapter or other regulations, an application for a building permit shall contain each of the following:

(1) Prints or drawings of an appropriate scale of the structures to be built;

(2) Site Plan Requirements:

a. For any development which will increase the footprint or square footage of the structure, or which will require additional parking, a signed and sealed site plan, to scale, showing the location of the structure and all appurtenances thereto on the property; distances to the property lines, bodies of water, or other buildings or structures; and off-street parking spaces showing access and maneuvering space.

b. For any development which will not increase the footprint or square footage of the structure, a site plan, to scale, showing the location of the structure and all appurtenances thereto on the property; distances to the property lines, bodies of water, or other buildings or structures; and off-street parking spaces showing access and maneuvering space.

(3) A signed and sealed survey showing all recorded easements and the apparent mean high-water line shall be submitted with applications for new construction;

(4) Where the existing or to be constructed building will be devoted to more than one ~~(1)~~ use, such plans shall show the percentage and areas of each use with the details thereof;

(5) A legal description of the lot upon which such structures are to be constructed; and

(6) A plan for screening of commercial and/or industrial property.

The application shall be made by the owner or his authorized agent. No building permit shall be issued without certification by the ~~zoning~~ Zoning Oofficial that the plans submitted conform to this chapter. It shall

be the duty of the ~~zoning~~ Zoning O~~o~~fficial, upon receiving applications for permits, to examine the same within a reasonable period of time after filing, not to exceed ~~thirty (30)~~ days. If the Z~~z~~oning O~~o~~fficial finds that the proposed work will be in compliance with this chapter, he shall approve the application. If he finds that the proposed work is not in compliance with the regulations herein, he shall reject such application, noting his findings in a report to be attached to the application and delivering a copy to the applicant.

(d) *Certificate of O~~o~~ccupancy.*

(1) *Generally.* The Z~~z~~oning O~~o~~fficial shall approve the issuance of a certificate of occupancy after he has determined that the building has been constructed and screening installed in accordance with the provisions of the permit and that such building is designed, arranged and appears to be intended for use as specified in the building permit. No building shall be occupied or used until such permit is approved by the Z~~z~~oning O~~o~~fficial.

(2) *Change of principal use.* Whenever the principal use of an existing structure is to be changed, the owner, agent, lessee or intended occupant thereof shall apply to the Z~~z~~oning O~~o~~fficial for issuance of a new certificate of occupancy, stating that the new use is approved within the district wherein it is located. A new certificate of occupancy shall only be approved by the Z~~z~~oning O~~o~~fficial when the new use conforms to this chapter.

(e) *Authority to revoke permit.* The county commission may revoke any permit issued where there has been any false statement or misrepresentation as to a material fact in the application or plans on which the permit was based or any permit issued in contravention of law.

(f) *Fees.* The ~~board of county commissioners~~ BCC shall by resolution fix reasonable recording, hearing and permit fees to be charged by the Z~~z~~oning O~~o~~fficial.

Sec. 3-9~~-68~~ 5.1. Authority to Eenter Uupon Pprivate Pproperty

The zZoning oOfficial, members of ~~his~~ county staff, ~~and~~ contractors and agents acting under proper county authority, may enter upon land to make examinations and surveys as are necessary for the performance of their duties under these regulations. ~~and to enforce any of the provisions of this Code and Chapter 162, Florida Statutes.(Minutes of 12-8-81, § 8; Ord. No. 97-112, § 5, 11-18-97)~~

Sec. 3-9-~~7~~25.2. Deed R~~r~~estrictions

No public agencies shall be responsible for enforcing deed restrictions or restrictive covenants. ~~(Minutes of 12-8-81, § 8)~~

Sec. 3-9-~~75~~5.3. Exceptions to R~~r~~equired Y~~y~~ards

In all districts, yards shall be as established by the applicable district regulations except as follows:

(1) When lots comprising ~~forty~~ ~~(40)~~ percent or more of the frontage on one ~~(1)~~ side of a street between intersecting streets have been developed with the principal buildings having an average front yard with a variance of not more than six ~~(6)~~ feet from the required front yard, the Zoning Official may approve the issuance of a building permit to provide for a front yard of not less than the average established.

(2) Where single-family residential lots of record are nonconforming because of width, the minimum side yards shall not be less than ten ~~(10)~~ percent of the lot width, provided that no side yard shall be less than five ~~(5)~~ feet wide.

(3) If a multifamily, commercial or industrial district abuts a single-family district, no structure shall be erected closer to the abutting single-family zoned property than ~~twenty-five~~ ~~(25)~~ feet or the building height, whichever is greater.

(4) Every part of required yards shall be open and unobstructed, subject to the following:

a. Sills and belt courses may project not over ~~twelve~~ ~~(12)~~ inches into a required yard.

b. Movable awnings may project not over three ~~(3)~~ feet into a required yard, provided that where the yard is less than five ~~(5)~~ feet in width the projection shall not exceed one-half the width of the yard.

c. Window-or wall-mounted air conditioning units, chimneys, fireplaces, bay windows or pilasters may project not over three ~~(3)~~ feet into a required yard.

d. Fire escapes, stairways and balconies which are unroofed and unenclosed may not project more than five ~~(5)~~ feet in a required yard.

e. Hoods, cornices, gutters, roof overhangs, air conditioning units and marquees may project not more than five ~~(5)~~ feet into a required yard, but in no event closer than one ~~(1)~~ foot to the lot line.

f. Fences, walls and hedges are permitted in required yards, subject to the provisions of ~~Sec.~~ Sec. 3-9-72 on fences and walls, and ~~Sec.~~ Sec. 3-9-89, Visibility at road intersections.

g. Except as provided by Sec.3-9-89, Visibility at road intersections, nothing in these regulations shall be construed to prohibit landscaping or gardening on any lot.

h. No structures other than those approved by the county engineer may be located in or project into a drainage easement of record. ~~(Minutes of 12-8-81, § 8; Res. No. 82-138, §§ 1—3, 9-21-82; Ord. No. 2003-061, § 10, 8-26-03)~~

Sec. 3-9-5.42. Expedited Ppermitting Pprocess for Ccertified Aaffordable Hhousing Ddevelopment

(a) *General purpose.* The purpose and intent of this section is to provide an expedited permitting process for the construction of affordable housing in accordance with the Charlotte County Affordable Housing Incentive Plan, adopted March 29, 1994, pursuant to the State Housing Initiatives Partnership (SHIP) program, F.S. section 420.9072. The expedited permitting process for affordable housing development ("AHD") contains incentives available to developers of a certified AHD. A review process for the approval of AHDs is included in this section, as well as appropriate references to other county ordinances or regulations affecting the development of AHDs. The review committee for the expedited permitting process will be composed of representatives from the community development department, public works, fire rescue/EMS, fire prevention, Charlotte County Utilities, and any other department(s) designated by the county administrator. (Reference to the county administrator throughout this section shall be construed to include his/her designee(s)).

(b) *Authorization of affordable housing developments (AHDs).* The county administrator is authorized to certify that an application is, or qualifies as, an affordable housing development (AHD) when a developer commits to make at least ~~twenty-five (~~25~~)~~ percent of the units (or one ~~(1)~~ unit, in the case of a single unit development) to be constructed or rehabilitated affordable and available to low or very low income persons as provided in Ordinance No. 93-07.

(c) *Rapid response processing.* The county administrator shall serve as the ombudsman between the applicant and the Charlotte County review agencies. The ombudsman shall coordinate an expedited review process that gives AHDs priority in the review of zoning and building permit applications.

(1) The ombudsman shall assist the developer of an AHD and the development team in the permit requirements for county AHD applications. AHD proposals that exceed the thresholds of ~~section 3-5-5.1(d)development review committee (DRC)~~ Site Plan Review process outlined in ~~section~~ Sec. ~~3-9-5.1~~3-9-7. The ~~DRC~~Site Plan Review shall schedule a meeting to review AHD applications within one ~~(1)~~ week of the receipt of a complete application. AHD projects that require action by the Board of Zoning Appeals shall be placed on the agenda of the next regularly scheduled meeting, unless the applicant requests a delay.

(2) A certified AHD application that does not require either ~~DRC~~the Site Plan Review or Board of Zoning Appeals ~~zoning board of appeals~~approval shall be expedited through the Charlotte County Building Department review process. All Charlotte County review agencies shall give priority review to all AHD applications, reporting items that may result in delay of approval to the ombudsman. The ombudsman shall review any item that may result in a delay with the applicant within ~~twenty-four (~~24~~)~~ hours of the action necessary to facilitate application approval.

(3) Any proposed amendment, deviation, or change to an AHD application that has been approved by the ~~DRC~~Site Plan Review shall be reviewed by the ~~z~~Zoning ~~o~~Official to determine whether the proposed change constitutes a minor or major modification to the approved AHD site plan. The ombudsman is responsible to provide any proposed revision to an approved AHD site plan with the same expedited processing given to the original application for permit approval.

(d) *Review of regulations and procedures that affect housing cost.* Any and all changes in code, procedure or process that affect the cost of housing shall be reviewed by the Charlotte County Affordable Housing Advisory Committee. No such changes shall be considered for approval by the Charlotte County Board of County Commissioners, or any person or agency delegated with authority to act on its behalf, unless it has been considered by the affordable housing advisory committee at a public meeting. The Charlotte County Affordable Housing Advisory Committee shall make nonbinding recommendations of any proposed changes in code, procedure or process that affect the cost of housing to the Charlotte County Board of County Commissioners.

~~(Ord. No. 98-071, § 1, 12-1-98)~~

Sec. 3-9-~~76~~5.5. Exclusions F~~f~~rom H~~h~~eight L~~l~~imitations

Height limitations contained in Article II, District Regulations, and Sec. 3-9-88, Waterfront property, do not apply to elevator shafts, spires, belfries, cupolas, flagpoles, antennas, water tanks, ventilators, chimneys, feed storage structures and other appurtenances usually located above roof level and not intended for human occupancy, nor to fire towers or airport control towers. The height of such structures shall not exceed limitations prescribed by the Federal Aviation Administration (FAA) or Sec.3-9-63, Air hazard zones.

~~(Minutes of 12-8-81, § 8; Ord. No. 2002-008, § 6, 1-28-02)~~

~~(Minutes of 12-8-81, § 9; Res. No. 83-07, § 1(9.5.1—9.5.6), 2-8-83; Res. No. 85-112, § 3, 6-18-85; Ord. No. 89-49, § 2, 6-22-89; Ord. No. 2003-076, §§ 1, 2, 11-25-03)~~

Sec. 3-9-~~78~~5.6. Form of O~~o~~wnership

This chapter shall be construed and applied with regard to the use of property and without regard to the form of ownership. ~~(Minutes of 12-8-81, § 8)~~

Sec. 3-9-~~86~~5.7. Moving of structures

No structure shall be moved from one ~~(1)~~ lot to another lot or moved to another location on the same lot unless such structure shall thereafter conform to this chapter and all other applicable regulations. ~~(Minutes of 12-8-81, § 8)~~

Sec. 3-9-~~93~~5.8. Property Frontage

No permit shall be issued for the erection of a building on a parcel of land or lot which does not abut a public or private road right-of-way for at least ~~fifty (~~50) feet, except that a minimum road abutment of ~~twenty (~~20) feet shall apply to properties, including flag lots, if there is ~~of an irregular shape if there is a minimum building lot width of 50 feet at the required front setback lines.~~sufficient building envelope within the property to meet all minimum building setbacks and lot area requirements.

FLORIDA DEPARTMENT *of* STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

December 1, 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. 2014-042, which was filed in this office on December 1, 2014.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

R. A. Gray Building • 500 South Bronough Street • Tallahassee, Florida 32399-0250
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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, 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:

November 10, 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 10th day of November, 2014.

(Signature of Notary Public)

PHYLIS MOLL
Notary Public - State of Florida
My Comm. Expires Aug 27, 2017
Commission # FF 48827

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Personally known ✓ OR Produced Identification ___

Type of Identification Produced _____

[Page Two of Two]

Home Occupations Legislative Countywide
An Ordinance amending Charlotte County Code Chapter 3-9, by deleting Section 3-9-79, Home Occupations in its entirety, and creating a new section 3-9-74, Home Occupations; providing for purpose and intent; provide for general conditions for home occupations; provide for minor home occupations; provide for major home occupations; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Industrial General (IG) Zoning District Legislative Countywide
An Ordinance amending Charlotte County Code Chapter 3-9, by deleting Section 3-9-46, Industrial Office Park (IOP) and Section 3-9-47, Industrial Light (IL) in their entirety, and creating new Section 3-9-43, Industrial General (IG) zoning, providing for intent; providing for permitted uses and structures; providing for accessory uses and structures; providing for conditional uses and structures; providing for prohibited uses and structures; providing for special exceptions; providing for development standards; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Industrial Intensive (II) Zoning District Legislative Countywide
An Ordinance amending Charlotte County Code Chapter 3-9, by deleting Section 3-9-48, Industrial General (IG) in its entirety and creating new Section 3-9-44, Industrial Intensive (II) zoning, providing for intent; providing for permitted uses and structures; providing for accessory uses and structures; providing for conditional uses and structures; providing for prohibited uses and structures; providing for special exceptions; providing for development standards; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Junklike Conditions Prohibited Legislative Countywide
An Ordinance amending Charlotte County Code Chapter 3-9, by deleting Section 3-9-61, Abandoned Vehicles, Section 3-9-62, Watercraft Abandoned, Derelict or a Hazard to Navigation, Section 3-9-81, Junkyards and automobile Wrecking Yards and Section 3-9-82.1, Junk and Junkyard Conditions Prohibited in their entirety, and creating new Section 3-9-76, Junklike Conditions Prohibited, providing for the dumping or storage of junk; providing for a single unlicensed motor vehicle parking requirement; providing for conditions to remove junk; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Legal Nonconformities Legislative Countywide
An Ordinance amending Charlotte County Code Chapter 3-9, by revising Section 3-9-10, Nonconformities and renaming this Section to Legal Nonconformities; providing for revised development requirements for nonconforming lots of record; providing for current nonconforming use; providing for conforming uses; providing revised development requirements for nonconforming structures; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Manufactured Home Conventional (MHC) Zoning District Legislative Countywide
An Ordinance amending Charlotte County Code Chapter 3-9, by deleting Section 3-9-36, Mobile Home Subdivision (MHS) and Section 3-9-37, Mobile Home Conventional (MHC) in their entirety, and creating new Section 3-9-37, Manufactured Home Conventional (MHC) zoning, providing for intent; providing for permitted uses and structures; providing for accessory uses and structures; providing for conditional uses and structures; providing for prohibited uses and structures; providing for special exceptions; providing for development standards; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Manufactured Home Park (MHP) Zoning District Legislative Countywide
An Ordinance amending Charlotte County Code Chapter 3-9, by deleting Section 3-9-35, Mobile Home Park (MHP) in its entirety and creating new Section 3-9-36, Manufactured Home Park (MHP) zoning, providing for intent; providing for permitted uses and structures; providing for accessory uses and structures; providing for conditional uses and structures; providing for prohibited uses and structures; providing for special exceptions; providing for development standards; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Model Homes Legislative Countywide
An Ordinance amending Charlotte County Code Chapter 3-9, by revising Section 3-9-87, Model Residential Units and renumbering to Section 3-9-78, and renaming to Model Homes; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Office, Medical and Institutional (OMI) Zoning District Legislative Countywide
An Ordinance amending Charlotte County Code Chapter 3-9, by deleting Section 3-9-39, Office, Medical and Institutional (OMI) in its entirety and recreating Section 3-9-39, Office, Medical and Institutional (OMI) zoning, providing for intent; providing for permitted uses and structures; providing for accessory uses and structures; providing for conditional uses and structures; providing for prohibited uses and structures; providing for special exceptions; providing for development standards; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Parks and Recreation (PKR) Zoning District Legislative Countywide
An Ordinance amending Charlotte County Code Chapter 3-9, by deleting Section 3-9-29, Marine Park (MP) in its entirety and creating new Section 3-9-29, Parks and Recreation (PKR) zoning, providing for intent; providing for permitted uses and structures; providing for accessory uses and structures; providing for conditional uses and structures; providing for prohibited uses and structures; providing for special exceptions; providing for development standards; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Places of Worship Legislative Countywide
An Ordinance amending Charlotte County Code Chapter 3-9, by revising Section 3-9-80.1, Houses of Worship, renumbering and renaming as Section 3-9-82, Places of Worship; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Residential Estates (RE) Zoning District Legislative Countywide
An Ordinance amending Charlotte County Code Chapter 3-9, by deleting Section 3-9-31, Residential Estates (RE) in its entirety and creating new Section 3-9-32, Residential Estates (RE) zoning, providing for intent; providing for permitted uses and structures; providing for accessory uses and structures; providing for conditional uses and structures; providing for prohibited uses and structures; providing for special exceptions; providing for development standards; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Residential Multi-Family Tourist (RMF-T) Zoning District Legislative Countywide
An Ordinance amending Charlotte County Code Chapter 3-9, by deleting Section 3-9-34, Residential Multi-Family Tourist (RMF-T) in its entirety and creating new Section 3-9-35, Residential Multi-Family Tourist (RMF-T) zoning, providing for intent; providing for permitted uses and structures; providing for accessory uses and structures; providing for conditional uses and structures; providing for prohibited uses and structures; providing for special exceptions; providing for development standards; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Residential Multi-Family (RMF) Zoning District Legislative Countywide
An Ordinance amending Charlotte County Code Chapter 3-9, by deleting Section 3-9-33, Residential Multi-Family (RMF) in its entirety and creating new Section 3-9-34, Residential Multi-Family (RMF) zoning, providing for intent; providing for permitted uses and structures; providing for accessory uses and structures; providing for conditional uses and structures; providing for prohibited uses and structures; providing for special exceptions; providing for development standards; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Residential Single Family (RSF) Zoning District Legislative Countywide
An Ordinance amending Charlotte County Code Chapter 3-9, by deleting Section 3-9-32, Residential Single Family (RSF) in its entirety and creating new Section 3-9-33, Residential Single Family (RSF) zoning, providing for intent; providing for permitted uses and structures; providing for accessory uses and structures; providing for conditional uses and structures; providing for prohibited uses and structures; providing for special exceptions; providing for development standards; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Recreational Vehicle Park (RVP) Zoning District Legislative Countywide
An Ordinance amending Charlotte County Code Chapter 3-9, by deleting Section 3-9-38, Recreational Vehicle Park (RVP) in its entirety and recreating Section 3-9-38, Recreational Vehicle Park (RVP) zoning; providing for intent; providing for permitted uses and structures; providing for accessory uses and structures; providing for conditional uses and structures; providing for prohibited uses and structures; providing for special exceptions; providing for development standards; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Accessory Outdoor Retail Sales, Display and Storage Legislative Countywide
An Ordinance amending Charlotte County Code Chapter 3-9, by creating new Section 3-9-61, Accessory Outdoor Retail Sales, Display and Storage; providing for purpose and applicability; providing for requirements for accessory outdoor retail sales, display and storage; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Section 3-9-5 Legislative Countywide

An Ordinance amending Charlotte County Code Chapter 3-9, by deleting Section 3-9-68, Authority to Enter Upon Private Property, Section 3-9-72, Deed Restrictions, Section 3-9-75, Exceptions to Required Yards, Section 3-9-5.2, Expedited Permitting Process for Certified Affordable Housing Development, Section 3-9-76, Exclusions from Height Limitations, Section 3-9-78, Form of Ownership, Section 3-9-86, Moving of Structures and Section 3-9-93, Property Frontage in their entirety, and creating new Section 3-9-5.1, Authority to Enter Upon Private Property, Section 3-9-5.2, Deed Restrictions, Section 3-9-5.3, Exceptions to Required Yards, Section 3-9-5.4, Expedited Permitting Process for Certified Affordable Housing Development, Section 3-9-5.5, Exclusions from Height Limitations, Section 3-9-5.6, Form of Ownership, Section 3-9-5.7, Moving of Structures and Section 3-9-8, Property Frontage, and revising Section 3-9-5, Administration and Enforcement, Building Permits; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Section 3-9-27 Legislative Countywide

An Ordinance amending Charlotte County Code Chapter 3-9, by revising Section 3-9-27, Application of District Regulations; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Site Plan Review Legislative Countywide

An Ordinance amending Charlotte County Code Chapter 3-9, by revising Section 3-9-5.1, Site Plan Review and renumbering to Section 3-9-7, Site Plan Review; providing for applicability and procedure; providing for initiation; providing for application requirements; providing for requirements of amendments and changes to land Development Regulations; providing for preliminary site plan review; providing for final site plan review; providing for conformity to plan; providing for modification of site plans; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Temporary Uses Legislative Countywide

An Ordinance amending Charlotte County Code Chapter 3-9, by revising Section 3-9-95.1, Temporary Uses, and renumbering as Section 3-9-87; providing for revised application process and fees; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Land Development Regulations
Table of Contents Legislative Countywide

An Ordinance amending Charlotte County Code Chapter 3-9, by reorganizing the table of contents; deleting some sections in their entirety; creating new sections; revising some sections; renumbering sections in alphabetic order in Article III, Special Regulations; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Use Table – Commercial Districts Legislative Countywide

An Ordinance amending Charlotte County Code Chapter 3-9, by adding new Section 3-9-26.3, Use Table – Commercial Districts; providing for a list of permitted uses and structures under Office, Medical and Institutional (OMI), Commercial Neighborhood (CN), Commercial General (CG) and Commercial Tourist (CT) Zoning Districts; providing for a list of conditional uses and structures under OMI, CN, CG and CT Zoning Districts; providing for a list of Special Exception uses under OMI, CN, CG and CT Zoning Districts; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Use Table – Environmental and Agricultural Districts Legislative Countywide

An Ordinance amending Charlotte County Code Chapter 3-9, by adding new Section 3-9-26.1, Use Table – Environmental and Agricultural Districts; providing for a list of permitted uses and structures under Environmentally Sensitive (ES), Parks and Recreations (PKR), Agriculture (AG) and Excavation and Mining (EM) Zoning Districts; providing for a list of conditional uses and structures under ES, AG and EM Zoning Districts; providing for a list of Special Exception uses under ES, AG and EM Zoning Districts; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Use Table – Industrial Districts Legislative Countywide

An Ordinance amending Charlotte County Code Chapter 3-9, by adding new Section 3-9-26.4, Use Table – Industrial Districts; providing for a list of permitted uses and structures under Industrial General (IG) and Industrial Intensive (II) Zoning Districts; providing for a list of conditional uses and structures under IG and II Zoning Districts; providing for a list of Special Exception uses under IG and II Zoning Districts; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Use Table – Residential Districts Legislative Countywide

An Ordinance amending Charlotte County Code Chapter 3-9, by adding new Section 3-9-26.2, Use Table – Residential Districts; providing for a list of permitted uses and structures under Residential Estate (RE), Residential Single-family (RSF), Residential Multi-family (RMF), Residential Multi-family Tourist (RMF-T), Manufactured Home Park (MHP), Manufactured Home Conventional (MHC), and Recreational Vehicle Park (RVP) Zoning Districts; providing for a list of conditional uses and structures under RE, (RSF), RMF, MHP, MHC, and RVP Zoning Districts; providing for a list of Special Exception uses under RE, (RSF), RMF, MHP, MHC, and RVP Zoning Districts; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

Z-14-08-12 Quasi-Judicial Commission District 1

An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Residential Single-family 3.5 (RSF-3.5) to Residential Estates 1 (RE-1), for property located at 1374 Blanot Drive and 27347 San Carlos Drive, in the Harbor Heights area, containing 1.46+ acres; Commission District 1; Petition No. Z-14-08-12; Applicants: Kendall V. and Tracie A. Baird; 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@charlottefl.com.

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