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ORDINANCE
NUMBER 2022 - 042

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AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE CHARLOTTE COUNTY ZONING ATLAS FROM PLANNED DEVELOPMENT (PD) TO PLANNED DEVELOPMENT (PD); A MAJOR MODIFICATION TO THE EXISTING PD, ORDINANCE NUMBER 2019-022, FOR THE HERITAGE LANDING DEVELOPMENT OF REGIONAL IMPACT (DRI) TO: (1) AMEND THE DEVELOPMENT RIGHTS AS SET FORTH IN THE PD CONCEPT PLAN AND PD CONDITIONS TO BE CONSISTENT WITH DEVELOPMENT RIGHTS AND MAP H ADOPTED VIA PETITION 22LAD-00000-00003, SPECIFICALLY: (a) DECREASING SINGLE-FAMILY DWELLING UNITS FROM 860 TO 810 UNITS, AND CONCURRENTLY INCREASING MULTI-FAMILY DWELLING UNITS FROM 950 TO 1,000 UNITS, A TOTAL OF 1,810 DWELLING UNITS (NO CHANGE); (b) INCREASING THE SQUARE FOOTAGE OF SPA AND TENNIS CLUB FROM 7,500 TO 9,000 SQUARE FEET; (c) INCREASING TENNIS AND PICKLEBALL COURTS FROM 10 TO 12; (2) REVISE THE ACCESSORY STRUCTURE SETBACK REQUIREMENT; AND (3) ADOPT THE GENERAL PD CONCEPT PLAN; FOR PROPERTY LOCATED NORTHWEST OF BURNT STORE ROAD, IN PORTIONS OF SECTIONS 17, 19, AND 20, TOWNSHIP 42 SOUTH, RANGE 23 EAST, CONTAINING 913.97 ACRES MORE OR LESS, IN THE PUNTA GORDA AREA AND WITHIN THE BOUNDARY OF THE BURNT STORE AREA PLAN AREA; COMMISSION DISTRICT II, CHARLOTTE COUNTY, FLORIDA; PETITION PD-22-00005; APPLICANT, LENNAR HOMES, LLC; PROVIDING AN EFFECTIVE DATE.

CHARLOTTE COUNTY CLERK OF CIRCUIT COURT
OR BOOK: 5062 PAGE 233 PAGE: 1 OF 10
INSTR # 3163432 Doc Type: GOV
Recorded: 10/27/2022 at 8:46 AM
Rec. Fee: RECORDING \$86.50
Cashier By: JOANG

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RECITALS

WHEREAS, in a public hearing held on Tuesday, October 25, 2022, the Board of County Commissioners of Charlotte County, Florida ("Board") reviewed Petition PD-22-00005, submitted by applicant, Lennar Homes, LLC ("Applicant"), requesting a rezoning from Planned Development (PD) to Planned Development (PD) which is a major modification of an existing Planned Development (PD) for the Heritage Landing Development of Regional Impact (DRI) to: (1) amend the development rights as set forth in the PD Concept Plan

MM

41 and PD conditions to be consistent with development rights and Map H adopted
42 via Petition 22LAD-00000-00003, specifically: (a) decreasing single-family
43 dwelling units from 860 to 810 units, and concurrently increasing multi-family
44 dwelling units from 950 to 1,000 units, a total of 1,810 dwelling units (no change);
45 (b) increasing the square footage of spa and tennis club from 7,500 to 9,000
46 square feet; (c) increasing tennis and pickleball courts from 10 to 12; (2) revise
47 the accessory structure setback requirement; and (3) adopt the General PD
48 Concept Plan; for property located northwest of Burnt Store Road, in portions of
49 Sections 17, 19, and 20, Township 42 South, Range 23 East, containing 913.97
50 acres more or less, in the Punta Gorda area and the boundary of the Burnt Store
51 Area Plan area; Commission District II, Charlotte County, Florida, and more
52 particularly described in Exhibit "A" which is attached hereto and by this
53 reference provided herein ("Property"); and

54 WHEREAS, the amended PD conditions and the General PD
55 Concept Plan is attached as Exhibit "B" which is attached hereto and by this
56 reference provided herein; and

57 WHEREAS, Petition PD-22-00005 has previously been heard by
58 the Charlotte County Planning and Zoning Board ("P&Z Board") and, based on
59 the findings and analysis provided by County Staff and the evidence presented to
60 the P&Z Board, has been recommended for approval on September 12, 2022;
61 and

62 WHEREAS, after due consideration, based on the findings and
63 analysis provided by County Staff and the evidence presented to it, the Board

64 has found that approval of Petition PD-22-00005 is consistent with the County's
65 Comprehensive Plan, and that it meets the requirements for the granting of a
66 rezone; and

67 WHEREAS, based on the above findings, the Board has
68 determined it to be in the best interests of the County to rezone the subject
69 property from Planned Development (PD) to Planned Development (PD), and
70 also to adopt its associated General PD Concept Plan.

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

73 SECTION 1. The following petition, made by applicant,
74 Lennar Homes, LLC, for an amendment to the Charlotte County Zoning Atlas is
75 hereby approved subject to the conditions contained in the attached Exhibit "B":

76 Petition PD-22-00005 requesting rezoning from
77 Planned Development (PD) to Planned Development
78 (PD), which is a major modification of an existing PD
79 for the Heritage Landing Development of Regional
80 Impact (DRI) to: (1) amend the development rights as
81 set forth in the PD Concept Plan and PD conditions to
82 be consistent with development rights and Map H
83 adopted via Petition 22LAD-00000-00003,
84 specifically: (a) decreasing single-family dwelling units
85 from 860 to 810 units, and concurrently increasing
86 multi-family dwelling units from 950 to 1,000 units, a
87 total of 1,810 dwelling units (no change); (b)
88 increasing the square footage of spa and tennis club
89 from 7,500 to 9,000 square feet; (c) increasing tennis
90 and pickleball courts from 10 to 12; (2) revise the
91 accessory structure setback requirement; and (3)
92 adopt the General PD Concept Plan; for property
93 located northwest of Burnt Store Road, in portions of
94 Sections 17, 19, and 20, Township 42 South, Range
95 23 East, containing 913.97 acres more or less, in the
96 Punta Gorda area and the boundary of the Burnt
97 Store Area Plan area; Commission District II,

98 Charlotte County, Florida, and more particularly
99 described in Exhibit "A".

100 SECTION 2. That the zoning for this property shall run with the
101
102 property and shall apply to any subsequent owners, heirs and assigns.

103 SECTION 3. This Ordinance shall take effect upon filing in the
104 Office of the Secretary of State, State of Florida.

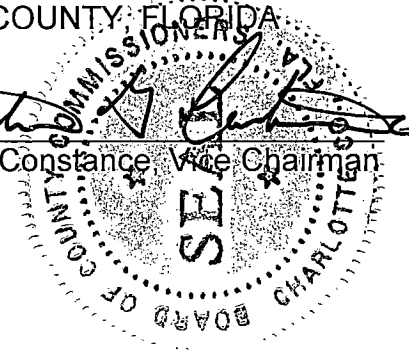
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PASSED AND DULY ADOPTED this 25th day of October, 2022.

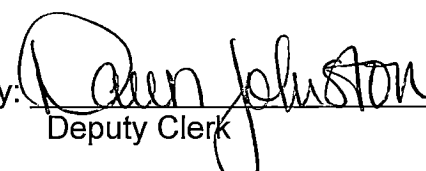
BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: 
Christopher G. Constance, Vice Chairman



ATTEST:

Roger D. Eaton, Clerk of the Circuit Court
and Ex-Officio Clerk of the
Board of County Commissioners

By: 
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: 
Janette S. Knowlton, County Attorney
LR2022-0488 

Tract 1

The NW ¼ of Section 20, Township 42 South, Range 23 East, LESS State Road Right of Way, Charlotte County, Florida.

Tract 2

The South ½ of the North ½ of the Southwest ¼ of the NE ¼ of Section 20, Township 42 South, Range 23 East, lying West of State Road Right of Way, Charlotte County, Florida.

Tract 3

A Triangular tract of land containing 3 acres more or less situated in the SW ¼ of Section 20, Township 42 South, Range 23 East, described as: Beginning at a point where the East-West centerline of said Section 20 intersects the Northwestern Right of Way line of Burnt Store Road as the same was located prior to entry of Order of Taking on Condemnation Suit No. 68-346, heretofore pending in the circuit Court of Charlotte County, Florida, thence Southwesterly along said Northwestern Right of Way line a distance of 500 feet; thence to the right at an angle of 90 degrees going Northwesterly 473 feet, more or less to the East-West centerline of said Section 20; thence Easterly along said East-West centerline 689 feet, more or less to the Point of Beginning, LESS State Road Right of Way, Charlotte County, Florida.

Tract 4

The N ½ of the N ½ of the SW ¼ of the NE ¼ of Section 20, Township 42 South, Range 23 East, lying West of State Road Right of Way, Charlotte County, Florida.

Tract 6

Section 17, LESS the North 100 feet thereof and LESS State Road Right of Way in Township 42 South, Range 23 East, Charlotte County, Florida.

Tract 8A

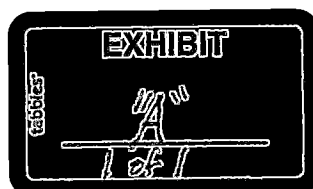
The East 950 feet of the NE ¼ of the NE ½ of Section 19.

Tract 9

The NW ¼ of the NE ¼ of Section 20, Township 42 South, Range 23 East, Charlotte County, Florida.

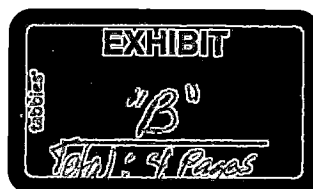
All as delineated on revised Map H containing 913.55 acres more or less.
and based on the survey prepared by Strayer Surveying and Mapping Inc dated 3.17.2003 for Tern Bay Development Co LLC. The corner monuments for Tract 9 were included.

Legal Description for PD-22-00005



PD Conditions for Heritage Landing DRI Planned Development (PD-22-00005)

- a. Development within the Heritage Landing (formerly known as Tern Bay) Development of Regional Impact (DRI) shall occur as generally illustrated in the PD Concept Plan (Exhibit A: General Planned Development Concept Plan, Heritage Landing, August 15, 2019-September 12, 2019), prepared by Banks Engineering, except for such modifications as may be required to meet the conditions of the PD zoning district. In addition, the final detail site plan comments of approval shall be met.
- b. All residential areas are to be restricted for single-family or multi-family development. Residential development POD "B", POD "C", POD "F" and POD "G" may be developed in accordance with the development standards set forth in the approved Final Detail Site Plans (DRC-PD-90-06A and DRC-PD-90-06B) accordingly. ~~a~~All other residential development and any of the foregoing PODs that do not develop under the previously approved Final Detail Site Plans, shall comply with Residential Single-family 5 (RSF-5) or Residential Multi-family 15 (RMF-15) zoning districts in effect as of the date of Site Plan Review except setback and parking requirements which are established in the proposed PD Concept Plan (Exhibit A).
- c. The base density for the subject property is ~~4,345~~ 1,456 units, of which ~~4,167~~ 1,199 units are Coastal High Hazard units. The proposal is to develop a total of 1,810 units, which includes ~~950~~ 1,000 multi-family units and ~~860~~ 810 single-family units. Any development above ~~4,345~~ 1,456 units shall require transferred density units. The transfer of density units must be approved by the Board of County Commissioners prior to Final Detail Site Plan approval for each applicable phase.
- d. All commercial/office area for POD "K" is to be restricted to uses permitted in the Commercial General (CG) and Office, Medical, and Institutional (OMI) zoning districts and all listed conditional uses. Only one cell tower, 160 feet or less in height shall be allowed and the general location is illustrated on the PD Concept Plan. All development shall comply with the development standards set forth in the CG zoning district for commercial uses and OMI zoning district for office, medical and institutional uses in effect as of the date of Site Plan Review except setback requirements which are established in the proposed PD Concept Plan (Exhibit A).
- e. The proposed park/picnic area, canoe launch/fishing pier and 50' access easement on existing spoil identified on the proposed PD Concept Plan (Exhibit A) shall be allowed only as permitted by the departments and agencies which have jurisdiction over such improvements and must meet applicable Federal, State, and local regulations.
- f. The proposed Conservation Area identified on the proposed PD Concept Plan (Exhibit A) shall be placed under a Conservation Easement granted to the Southwest Florida Water Management District (SWFWMD) prior to issuance of any permits for the proposed development under item "e" above. A copy of such easement must be submitted to Charlotte County Community Development Department upon its recordation.
- g. Property owners/developer shall file a Planned Development rezoning application (major modification) to determine uses and development standards for properties located within the areas designated as mixed use for POD "A", POD "L", and POD "M". Development within POD "A", POD "L", and POD "M" may consist of residential development only and no Planned Development rezoning application (major modification) is required.
- h. All development shall additionally comply with the Heritage Landing (formally known Tern Bay) DRI Development Order, Petition Number ~~NOPC-19-05-08~~ 22LAD-22-00003, as amended.
- i. The roadways for this development are private, and are required to be maintained by the Tern Bay Community Development District.
- j. A clubhouse for the development shall be built to the highest wind-bearing loads required by Charlotte County and will be made available for use as a post-storm hurricane refuge to the



proposed neighborhood following a natural disaster. It is understood that the clubhouse will not be able to accommodate all residents of the community.

k. The developer shall minimize impervious surfaces within the development wherever practicable.

l. In order to promote "green" features within the overall site, the owner/applicant may provide:

i. Bioretention areas or rain gardens as part of the required landscaping features for this development; and

ii. Parking spaces for recreation areas may use pervious concrete or similar material.

m. If the school concurrency process is still required under a valid interlocal agreement at time of development, prior to Final Detail Site Plan approval for any residential development for any phases, the applicant/property owner must obtain a School Concurrency Availability Determination Letter (SCADL) from Charlotte County Public Schools (CCPS) indicating that sufficient capacity exists, or has been accounted for through a binding and enforceable agreement with CCPS to address school concurrency.

n. Property owners/developer shall work with Charlotte County Public Schools (CCPS) to determine any necessary improvements for a parent drop-off and bus pick-up prior to Final Detail Site Plan approval.

o. The applicant shall work with Charlotte County to address site-related improvements at the Final Detail Site Plan review level.

Exhibit A
General Planned Development (PD)
Concept Plan, Heritage Landing



FLORIDA DEPARTMENT of STATE

RON DESANTIS

Governor

CORD BYRD

Secretary of State

October 26, 2022

Roger D. Eaton
Clerk of the Circuit Court
County Comptroller
Charlotte County
18500 Murdock Circle, Room 416
Port Charlotte, Florida 33948

Attention: Dawn Johnston

Dear Roger Eaton:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Charlotte County Ordinance No. 2022-042, which was filed in this office on October 26, 2022.

Sincerely,

Anya Owens
Program Administrator

ACO/rra



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

Before the undersigned authority personally appeared **Melinda Prescott**, who on oath says that she is the Legal Advertising Representative of The Daily Sun, a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a **Legal Notice** that was published in said newspaper in the issue(s)

10/10/2022

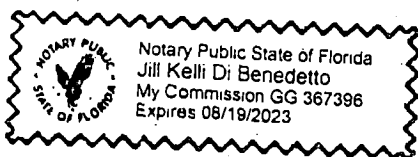
as well as being posted online at www.yoursun.com and www.floridapublicnotices.com. Affiant further says that the said newspaper is a newspaper published at Charlotte Harbor, in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in said Charlotte County, 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.

Melinda Prescott
(Signature of Affiant)

Sworn and subscribed before me this 10th
day of October, 2022

Jill Kelli Di Benedetto
(Signature of Notary Public)

Personally known X OR Produced
Identification



Trees leaning on power lines, on houses, cars and laying across a road need immediate attention and likely have already been addressed by properly equipped professionals. Trees that do not need immediate attention may have fallen where there are no targets and can be reevaluated or removed later.

Tree assessment is critical as not all trees need to be cut down. For example, some small trees under 4 inches in diameter that were blown over and uprooted can be set upright and in effect replanted like a new tree. However, certain types of damage almost always lead to removal. Trees often break at weak connections where co-dominate stems have developed. Co-dominate stems are extra leaders that grow against each other and develop included bark. As no connection ever developed, these junctures can easily pull apart like a giant wishbone in a wind storm tearing away a large amount of the tree. The wounds which remain are often massive and never really seal up properly. Keep in mind that trees never "heal," but instead attempt to lay down layers of wood to seal out decay organisms. By the way, do not attempt to use pruning seal on these wounds as this material can actually lock in decay organisms. If the wound is so large that it will never seal up properly, the tree may need to come down. Large wounds can decay down into the trunk and eventually cause cavities further compromising the integrity of the tree structure.

The decision on what to do with a storm-damaged tree will include some other common considerations.

How much damage has occurred — how much of the canopy is gone?

The larger the wound, the more likely a future decay issue.

How big is the tree?

A young tree has a much greater chance of growing out of its damage and can more easily be restored. As mentioned above, some small trees under four inches in diameter that were blown over can be simply stood up and staked. Any tree over eight inches in diameter is likely to become a hazard later and it is not recommended that restoration be attempted.

Which trees species do you have?

Some trees are just more apt to seal up and resist decay. For example, live oaks, mahogany, and buttonwood are great at sealing up wounds. Laurel oaks and Hong Kong orchid trees are poor at sealing up wounds and

placed branches that have fallen.

NOTICE OF PUBLIC MEETING AND 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, TRANSFER OF DENSITY UNITS (TDU), PRELIMINARY AND FINAL PLATS, DEVELOPER AGREEMENTS, STREET AND PLAT VACATIONS, DRC FINAL DETAIL PLANS OR CHANGES THERETO, TEXT AMENDMENTS AND STREET NAMING

A PUBLIC MEETING AND HEARING ON PROPOSALS AND PETITIONS AS DESCRIBED BELOW WILL BE CONDUCTED BY THE BOARD OF COUNTY COMMISSIONERS AT A REGULAR MEETING ON TUESDAY, OCTOBER 25, 2022, AT 2:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD DURING THE COURSE OF ACTION. THE MEETING AND 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/boards-committees/planning-zoning-board/agenda.shtml>

ALL INTERESTED PERSONS ARE URGED TO ATTEND. THE PUBLIC IS WELCOME TO SPEAK; TIME LIMITS ARE SET BY BOARD RULES. 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 LAND USE REGULAR AGENDA

PP-22-06-03 Quasi-Judicial Commission District I
William Ryan Homes Florida, Inc. a Florida Corporation, has requested Preliminary Plat approval for a subdivision to be named, Babcock Ranch Community, Village II, Parcel 1 – Phase 1, consisting of 228 lots and 22 tracts for residential development, roadway, drainage, and open space. This site contains 148.32± acres and is generally located south of Belmont Road, north of the County line with Lee County, west of the County line with Glades County and east of SR 31, in the boundary of the Babcock Ranch Community Development of Regional Impact (DRI) Increment 2, within the East County area, and in Commission District I.

PP-22-07-02 Quasi-Judicial Commission District I
Park Square Enterprises, LLC has requested Preliminary Plat approval for a replat of part of Tract E-20, Babcock Ranch Community, Cypress Parkway, as recorded in Plat Book 23, Pages 15A through 15K, a residential subdivision to be named, Townwalk, consisting of 242 townhouse lots and nine tracts for roadway, utility, and common area. This site contains 26.28± acres and is generally located south of Lake Babcock Drive, northwest of Cypress Parkway and east of SR 31, in the boundary of the Babcock Ranch Community Development of Regional Impact (DRI) Increment 1, within the East County area, and in Commission District I.

PAS-22-00004 Legislative Commission District I
Pursuant to Section 163.3184(3), Florida Statutes, adopt a Small Scale Plan Amendment to change Charlotte County PLUM Series Map #1: 2030 Future Land Use, from Low Density Residential (LDR) to Medium Density Residential (MDR), increasing density from 37 units to 74 units; for property located at 24258 Harborview Road and 4088 Oakview Drive, in the Port Charlotte area, containing 7.48± acres; Commission District I; Petition No. PAS-22-00004; Applicant: P. F. Poinciana LLC; providing an effective date.

PD-22-00006 Quasi-Judicial Commission District I
An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Residential Multifamily 5 (RMF-5) to Planned Development (PD), increasing density from 37 units to 74 units, and adopting the General PD Concept Plan; for property located at 24258 Harborview Road and 4088 Oakview Drive, in the Port Charlotte area, containing 7.48± acres; Commission District I; Petition No. PD-22-00006; Applicant: P. F. Poinciana LLC; providing an effective date.

22LAD-00000-00002 Quasi-Judicial Commission District IV
A Resolution pursuant to Section 380.06(7), Florida Statutes (F.S.) and Section 3-9-10.1, Development of Regional Impact (DRI) Development Order (DO) Amendment: Process and Procedure under Chapter 3-9, Zoning, the County's Land Development Regulation, amending Development Order (DO), Resolution Number 2020-089, for Increment IV of the Murdock Center Development of Regional Impact (DRI) to a) revise Exhibit C: Murdock Center Increment IV Land Uses Table 10-1A-1 Project Description by amending the adopted Land Use Equivalency Matrix to add Mini-warehouse to this matrix; and using the revised Land Use Equivalency Matrix 1) to exchange approved 32 hotel rooms for 155,730 square feet of mini-warehouse; 2) to exchange approved 118 hotel rooms for 25,334 square feet of retail uses; 3) to exchange approved 125 beds of assisted living for 8,825 square feet of retail uses; and 4) to exchange approved 150 dwelling units of senior adult housing for 11,025 square feet of retail uses, on Parcel 2 of Increment IV of the Murdock Center DRI; b) amend Land Uses Table 10-1A-1 Project Description to reflect changes of development rights; and c) revise the buildout date and the expiration date to reflect the extension of the buildout date and the expiration date of this DO per the Governor's Executive Orders; for property generally located northeast of Tamiami Trail (U.S.41), southeast of Veterans Boulevard, and west of Cochran Boulevard, containing 98.36± acres, in the Port Charlotte area; Commission District IV, Petition No. 22LAD-00000-00002; applicant: Land America, LLC; providing an effective date

22LAD-00000-00003 Quasi-Judicial Commission District II
A Resolution pursuant to Section 380.06(7), Florida Statutes (F.S.) and Section 3-9-10.1, Development of Regional Impact (DRI) Development Order (DO) Amendment: Process and Procedure under Chapter 3-9, Zoning, the County's Land Development Regulation, amending the Development Order (DO) for the Heritage Landing Development of Regional Impact (DRI), Resolution Number 2019-134, to amend the approved development rights by 1) decreasing single-family dwelling units from 860 to 810 units, and concurrently increasing multi-family dwelling units from 950 to 1,000 units, a total of 1,810 dwelling units (no change); 2) increasing the square footage of spa and tennis club from 7,500 to 9,000 square feet; 3) increasing tennis and pickleball courts from 10 to 12; revise Map 11 to be consistent with the proposed development rights; and revise the buildout and expiration date to reflect the extension of the buildout and expiration date of this DO per the Governor's Executive Orders; for property located northwest of Burnt Store Road, in portions of Sections 13, 17, 18, 19, and 20, Township 42 South, Range 23 East, containing 1,778± acres, in the Punta Gorda area and the boundary of the Burnt Store Area Plan area; Commission District II; Petition No. 22LAD-00000-00003 Applicant: Lennar Homes, LLC; providing an effective date.

PD-22-00005 Quasi-Judicial Commission District II
An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Planned Development (PD) to PD This is a major modification to an existing PD, Ordinance Number 2019-022, for the Heritage Landing Development of Regional Impact (DRI) to 1) amend the development rights as set forth in the PD Concept Plan and PD conditions in to be consistent with development rights and Map 11 adopted via Petition 22LAD-00000-00003, specifically, a. decreasing single-family dwelling units from 860 to 810 units, and concurrently increasing multi-family dwelling units from 950 to 1,000 units, a total of 1,810 dwelling units (no change); b. increasing the square footage of spa, and tennis club from 7,500 to 9,000 square feet; c. increasing tennis and pickleball courts from 10 to 12; 2) revise the accessory structure setback requirement; and 3) adopt the General PD Concept Plan; for property located northwest of Burnt Store Road, in portion of Sections 17, 19, and 20, Township 42 South, Range 23 East, containing 913.97± acres, in the Punta Gorda area and the boundary of the Burnt Store Area Plan area; Commission District II; Petition No. PD-22-00005; Applicant: Lennar Homes, LLC; 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 David.Lyles@CharlotteCountyFL.gov

Publish: October 10, 2022

