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ORDINANCE
NUMBER 2020 - 041

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AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING CHAPTER 3-9, ZONING, OF THE CODE OF LAWS AND ORDINANCES OF CHARLOTTE COUNTY, FLORIDA; BY ADDING ACCESSORY CHICKEN KEEPING AS A CONDITIONAL USE TO ARTICLE II: DISTRICT REGULATIONS, SECTION 3-9-26.3: USE TABLE-RESIDENTIAL ZONING DISTRICTS; BY CREATING NEW ITEM (7) ACCESSORY CHICKEN KEEPING UNDER ARTICLE II: DISTRICT REGULATIONS, SECTION 3-9-33: RESIDENTIAL SINGLE-FAMILY (RSF), SUBSECTION (d) CONDITIONAL USES AND STRUCTURES (C); AND BY CREATING NEW ITEM (14) ACCESSORY CHICKEN KEEPING UNDER ARTICLE III: SPECIAL REGULATIONS, SECTION 3-9-69: CONDITIONAL USES AND STRUCTURES, SUBSECTION (g) RESIDENTIAL USES, TO PROVIDE STANDARD CONDITIONS; APPLICANT, BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA; PROVIDING FOR CONFLICT WITH OTHER ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

CHARLOTTE COUNTY CLERK OF CIRCUIT COURT
OR BOOK: 4657 PAGE: 1165 PAGE: 1 OF 9
INSTR # 2889573 Doc. Type: GOV
Recorded: 11/4/2020 at 3:38 PM
Fees: Fee: RECORDING \$78.00
Cashier By: CARLENEG

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RECITALS

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WHEREAS, the Board of County Commissioners of Charlotte County, Florida ("Board") requested that County Staff propose amendments to the Code of Laws and Ordinances of Charlotte County, Florida ("Code") to allow for the keeping of chickens in the single-family residential zone; and

WHEREAS, pursuant to the Board's direction, County Staff, in Petition TLDR-20-01, is proposing amendments to Chapter 3-9, Zoning; by adding Accessory Chicken Keeping as a conditional use to Article II: District Regulations, Section 3-9-26.3: Use Table – Residential Zoning Districts; by creating new item (7) Accessory chicken keeping under Article II: District Regulations, Section 3-9-33: Residential Single-family (RSF), subsection (d) Conditional uses and structures (C); and by creating new item (14) Accessory

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36 Chicken Keeping under Article III: Special Regulations, Section 3-9-69:
37 Conditional uses and structures, subsection (g) Residential uses to provide
38 standard conditions, all as provided in Exhibits “A,” “B,” and “C” attached hereto
39 and by this reference provided herein; and

40 WHEREAS, Petition TLDR-20-01 has previously been heard by the
41 Charlotte County Planning and Zoning Board (“P&Z Board”) and, based on the
42 findings and analysis provided by County Staff and the evidence presented to the
43 P&Z Board, has been recommended for approval on September 14, 2020; and

44 WHEREAS, in public hearings held on Tuesday, October 13, 2020 and
45 Tuesday, October 27, 2020, the Board reviewed Petition TLDR-20-01 and, based
46 on the findings and analysis provided by County Staff and the evidence
47 presented to the Board, the Board found that approval of Petition TLDR-20-01 is
48 consistent with the County’s Comprehensive Plan and is in the best interests of
49 the County and its citizens.

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

52 Section 1. Adoption. Chapter 3-9, Zoning, Article II, District
53 Regulations, and Article III, Special Regulations, of the Code of Laws and
54 Ordinances of Charlotte County, Florida, are hereby amended by adding the
55 underlined language and by ~~deleting the stricken language~~ as shown in Exhibit
56 “A”: Section 3-9-26.3: Use Table – Residential Zoning Districts; Exhibit “B”: new
57 item (7) under subsection (d) in Section 3-9-33. Residential Single-family (RSF);
58 and Exhibit “C”: new item (14) Accessory Chicken Keeping under Article III:

59 Special Regulations, Section 3-9-69: Conditional uses and structures, subsection
60 (g) Residential uses, which are attached hereto and by this reference provided
61 herein.

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

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

70 Section 4. Effective Date. This Ordinance shall take effect upon
71 filing in the Office of the Secretary of State, State of Florida.

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[SIGNATURE PAGE FOLLOWS]

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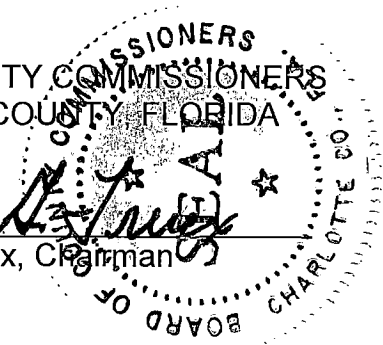
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PASSED AND DULY ADOPTED this 27th day of October, 2020.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: William G. Truex
William G. Truex, Chairman



ATTEST:

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

By: Michelle L. Beardon
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: Janette S. Knowlton
Janette S. Knowlton, County Attorney
BR 2020-0372

Residential Zoning Districts

P = Permitted Use and Structure C = Permitted With Conditions S = Special Exception

Specific Uses	RE	Specific Regulations	Specific Uses	RSF	Specific Regulations	Specific Uses	RMF	Specific Regulations	Specific Uses	RMF-T	Specific Regulations	Specific Uses	MHP	Specific Regulations	Specific Uses	MHC	Specific Regulations	Specific Uses	RVP	Specific Regulations
4H, FFA, and similar uses and activities	C	Sec. 3-9-69	Accessory chicken keeping	C	Section 3-9-69	Assisted living facility or day care center, adult, seven or more	C	Sec. 3-9-62 / Sec. 3-9-69	Assisted living facility or day care center, adult, six or less	P	Sec. 3-9-62	Manufactured home (HUD)	P		Assisted living facility or day care center, adult, seven or more	S	Sec. 3-9-62	Emergency services	S	
Animal sanctuary, zoo	S		Assisted living facility or day care center, adult, seven or more	S	Sec. 3-9-62	Assisted living facility or day care center, adult, seven or more	P	Sec. 3-9-62	Assisted living facility or day care center, adult, seven or more	C	Sec. 3-9-62 / Sec. 3-9-69	Assisted living facility or day care center, adult, seven or more	S	Sec. 3-9-62	Assisted living facility or day care center, adult, six or less	P	Sec. 3-9-62	Essential services	S	Sec. 3-9-71
Assisted living facility or day care center, adult, seven or more	S	Sec. 3-9-62	Assisted living facility or day care center, adult, six or less	P	Sec. 3-9-62	Bed and breakfast, 1 or 2 bedrooms	C	Sec. 3-9-69	Bar, cocktail lounge, nightclub, tavern	S		Assisted living facility or day care center, adult, six or less	S	Sec. 3-9-62	Bed and breakfast, 1 or 2 bedrooms	C	Sec. 3-9-69	Management offices and maintenance facilities	P	
Assisted living facility or day care center, adult, six or less	P	Sec. 3-9-62	Bed and breakfast, 1 or 2 bedrooms	C	Sec. 3-9-69	Bed and breakfast, 3 or more bedrooms	S		Bed and breakfast, 1 or 2 bedrooms	P		Clubhouse	C	Sec. 3-9-69	Bed and breakfast, 3 or more bedrooms	S		Manager's residence	P	
Bed and breakfast, 1 or 2 bedrooms	C	Sec. 3-9-69	Bed and breakfast, 3 or more bedrooms.	S		Boarding, rooming house	C	Sec. 3-9-69	Bed and breakfast, 3 or more bedrooms	P		Community garden	S		Clubhouse	C	Sec. 3-9-69	Park recreational facilities	P	
Bed and breakfast, 3 or more bedrooms	S		Cemetery, mausoleum	S		Clubhouse	C	Sec. 3-9-69	Boarding, rooming house	C	Sec. 3-9-69	Emergency services	S		Day care center, child	S		Recreational Vehicles, travel trailers, motor homes, camping tents and trailers	P	
Cemetery, mausoleum	S		Clubhouse	C	Sec. 3-9-69	Cluster housing	P	Sec. 3-9-67	Campground	S		Essential services	S	Sec. 3-9-71	Elementary, middle, or high school	S		Telecommunications facility, 50 feet or less in height	P	Sec. 3-9-68
Clubhouse	C	Sec. 3-9-69	Cluster housing	C	Sec. 3-9-67 / Sec. 3-9-69	Duplex or triplex	P		Clubhouse	S		Major Home Occupation	S	Sec. 3-9-74	Emergency services	P				
Cluster housing	C	Sec. 3-9-67 / Sec. 3-9-69	Community garden	S		Elementary, middle, or high school	S		Duplex or triplex	P		Manufactured home (DCA)	S		Essential services	S	Sec. 3-9-71			
Community garden	P		Day care center, child	S		Emergency services	P		Emergency services	P		Minor Home Occupation	P	Sec. 3-9-74	Government uses and facilities	S				
Day care center, child	S		Elementary, middle, or high school	S		Essential services	S	Sec. 3-9-71	Essential services	S	Sec. 3-9-71	Park offices and maintenance facilities	P		Guest home	C	Sec. 3-9-69			
Domestic animal breeding, boarding, and training	C	Sec. 3-9-69	Emergency services	P		Government uses and facilities	S		General retail sales and services	S		Park recreational facilities	P		Major Home Occupation	S	Sec. 3-9-74			
Elementary, middle, or high school	S		Essential services	S	Sec. 3-9-71	Major Home Occupation	S	Sec. 3-9-74	Government uses and facilities	S		Park, public or not-for-profit	P		Manufactured home (DCA)	P				
Emergency services	P		Government uses and facilities	S		Manufactured home (DCA)	P		Hotel, motel, inn	P		Place of Worship	S	Sec. 3-9-82	Manufactured home (HUD)	P				
Essential services	S	Sec. 3-9-71	Guest home	C	Sec. 3-9-69	Minor Home Occupation	P	Sec. 3-9-74	Leisure vehicle rental	S		Private clubs	S		Minor Home Occupation	P	Sec. 3-9-74			
Fish and wildlife management area, nature preserve	S		Major Home Occupation	S	Sec. 3-9-74	Model home	P	Sec. 3-9-78	Liquor, package store	S		Recreational Vehicle use	C	Sec. 3-9-69	Model home	P	Sec. 3-9-78			
Government uses and facilities	S		Manufactured home (DCA)	P		Multifamily	P		Major Home Occupation	S	Sec. 3-9-74	Telecommunications facility, 50 feet or less in height	P	Sec. 3-9-68	Noncommercial boat docks	P				
Guest home	C	Sec. 3-9-69	Minor Home Occupation	P	Sec. 3-9-74	Noncommercial boat docks	P		Manufactured home (DCA)	P					Park, public or not-for-profit	P				
Horse stable	C	Sec. 3-9-69	Model home	P	Sec. 3-9-78	Nursing home	C	Sec. 3-9-69	Marina	C	Sec. 3-9-69				Place of Worship	S	Sec. 3-9-82			
Livestock breeding, boarding, training, and grazing	S		Noncommercial boat docks	P		Park, public or not-for-profit	P	Sec. 3-9-74	Minor Home Occupation	P	Sec. 3-9-74				Private clubs	S				



Residential Zoning Districts

P = Permitted Use and Structure C = Permitted With Conditions S = Special Exception

Specific Uses	RE	Specific Regulations	Specific Uses	RSF	Specific Regulations	Specific Uses	RMF	Specific Regulations	Specific Uses	RMF-T	Specific Regulations	Specific Uses	MHP	Specific Regulations	Specific Uses	MHC	Specific Regulations	Specific Uses	RVP	Specific Regulations
Major Home Occupation	S	Sec. 3-9-74	Park, public or not-for-profit	P		Place of Worship	S	Sec. 3-9-82	Multifamily	P					Single-family detached	P				
Manufactured home (DCA)	P		Place of Worship	S	Sec. 3-9-82	Private clubs	S		Nursing home	C	Sec. 3-9-69				Subdivided lots with 50 foot wide frontage and 5,000 square foot lot	C	Sec. 3-9-69			
Minor Home Occupation	P	Sec. 3-9-74	Private clubs	S		Single-family detached or attached	P		Paid or public parking lot, garage, structure	S					Telecommunications facility, 50 feet or less in height	P	Sec. 3-9-62			
Model home	P	Sec. 3-9-78	Single-family detached	P		Telecommunications facility, 50 feet or less in height	P	Sec. 3-9-68	Personal services	P										
Noncommercial boat docks	P		Subdivided lots with 50 foot wide frontage and 5,000 square foot	C	Sec. 3-9-69	Telecommunications facility, greater than 50 feet in height	S	Sec. 3-9-68	Place of Worship	S	Sec. 3-9-82									
Park, public or not-for-profit	P		Telecommunications facility, 50 feet or less in height	P	Sec. 3-9-68	Transitional / halfway housing	C	Sec. 3-9-69	Private clubs	S										
Place of Worship	S	Sec. 3-9-82	Telecommunications facility, greater than 50 feet in height	S	Sec. 3-9-68	University or college	S		Recreation, indoor	S										
Plant nursery	S		University or college	S		Yacht clubs, country clubs, and other recreational amenities	S		Recreational Vehicle use	S										
Private clubs	S		Yacht clubs, country clubs, and other recreational amenities	S					Restaurant	S										
Private landing field	S								Single-family attached or detached	P										
Single-family detached	P								Specialty shops	P										
Telecommunications facility, 50 feet or less in height	P	Sec. 3-9-68							Telecommunications facility, 50 feet or less in height	P	Sec. 3-9-68									
Telecommunications facility, greater than 50 feet in height	S	Sec. 3-9-68							Yacht clubs, country clubs, and other recreational amenities	S										
University or college	S																			
Yacht clubs, country clubs, and other recreational amenities	S																			

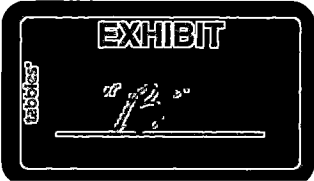
Land Development Regulations
Chapter 3-9. Zoning
Article II. Districts Regulations

Sec. 3-9-33. RSF

Sec. 3-9-33. Residential Single-family (RSF)

(d) Conditional uses and structures (C): (For rules and regulations for any use designated as conditional use or structure, see section 3-9-69, conditional uses and structures.)

7) Accessory Chicken Keeping



Land Development Regulations
Chapter 3-9. Zoning
Article III. Special Regulations

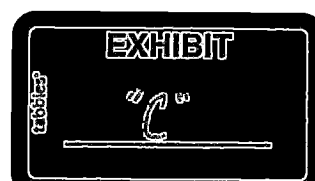
Sec. 3-9-69

Sec. 3-9-69. - Conditional uses and structures.

(g) Residential uses.

(14) Accessory Chicken Keeping (RSF)

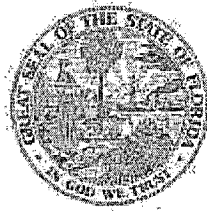
- (a) This use must be accessory to a properly permitted residential use and structure.
- (b) No more than four hens (*Gallus Gallus Domesticus*) on a lot no smaller than 10,000 sq. ft. (or any lot legally created prior to October 22, 1992), or six hens on lots 20,000 sq. ft. or greater, may be kept in the rear yard.
- (c) Roosters are prohibited.
- (d) The killing and dressing of chickens is prohibited.
- (e) The hens shall be provided with a covered enclosure (i.e. "hen house/coop") and must always be kept in the covered enclosure or within a fenced enclosure if outside for exercise. If the enclosure is not readily movable for a storm event, it must be properly permitted and secured. Hens must be secured within the henhouse/coop during non-daylight hours. All areas where the chickens are located, including the coop, must be shielded on all sides by a fully opaque, six-foot-high, fence or wall. The fully-opaque, six-foot high fence or wall may enclose all or a portion of the yard so long as the coop and any outdoor area is fully enclosed.
- (f) The space per hen in the henhouse/coop shall not be less than four square feet per hen.
- (g) No covered enclosure or fenced enclosure shall be located in the front yard, nor shall the henhouse/coop be closer than the required accessory structure yard setbacks to any property line of an adjacent property. Odors from hens, hen manure, or other hen related substances shall not be detectable at the property boundaries.
- (h) All enclosures for the keeping of hens shall be so constructed and maintained as to prevent rodents or other pests from being harbored underneath, within, or within the walls of, the enclosure. The henhouse/coop must contain a barrier or barriers to prevent entry of rodents, wild birds, and predators, including coyotes, bobcats, dogs and cats. Enclosures shall be kept in neat condition, including provision of clean, dry bedding materials and regular removal of waste materials. All manure not used for composting or fertilizing shall be removed promptly.
- (i) All feed and other items associated with the keeping of hens that are likely to attract, or to become infested with, or infected by rodents or other pests shall be kept in a secure location, container, or otherwise protected to prevent rodents and other pests from gaining access to or coming into contact with them.
- (j) The sale of eggs or any other hen products generated in a residential single-family district must be sold in a zoning district which permits the retail sale of such items.
- (k) No animal that kills a hen will, for that reason alone, be considered a dangerous or aggressive animal.



Land Development Regulations
Chapter 3-9. Zoning
Article III. Special Regulations

Sec. 3-9-69

- (l) Chickens that are no longer wanted by their owners shall not be taken to Animal Control, nor shall they be released.
- (m) The owners of the chicken(s) must register their location with the department responsible with enforcement of the Land Development Regulations.
- (n) The owners of the chicken(s) and any person living in the household who will be responsible for caring for the chicken(s) must take the "Chickens In Your Backyard" course provided by the UF IFAS Extension Office.
- (o) County staff shall have the right to conduct an inspection to ensure compliance with these regulations.



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

November 4, 2020

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

Attention: Ms. Michelle DiBerardino

Dear Mr. Eaton:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Charlotte County Ordinance No. 2020-041, which was filed in this office on November 4, 2020.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb



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 Clerk of the Sun Newspapers, a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a Legal Notice was published in said newspaper in the issues of:

10/12/2020

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.

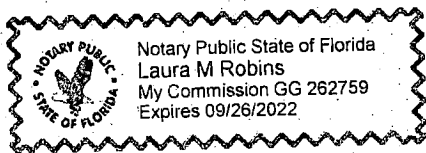
Melinda Prescott (Signature of Affiant)

Sworn and subscribed before me this 12th day of October, 2020.

Laura M Robins (Signature of Notary Public)

Personally known X OR Produced Identification

RECEIVED PURCHASING DEPT CHARLOTTE COUNTY FLORIDA 2020 OCT 16 AM 9:57



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 27, 2020, 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 PUBLIC HEARING AGENDA

20LAD-00000-00002

Quasi-Judicial

Commission Districts 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 Regulations, amending Development Orders for Increment II and Increment III of the Murdock Center Development of Regional Impact (DRI) to extend the buildout date of these Development Orders to March 15, 2025 and the expiration date of these Development Orders to March 15, 2027; for properties within Increment II generally located at the intersection of Tamiami Trail (U.S. 41) and El Jobean Road (S.R. 776), containing 132.4± acres, in the Port Charlotte area; for properties within Increment III containing 76± acres in two non-contiguous parcels, in the Port Charlotte area; the first parcel generally located east of Collingswood Boulevard, southeast of S.R. 776, southwest of Murdock Circle, west of Education Way, and north of Cochran Boulevard; the second parcel generally located east of Education Way, southeast of Murdock Circle, and northwest of Cochran Boulevard; Commission District IV, Petition No. 20LAD-00000-00002; Applicant: Robert H. Bertsson; providing an effective date.

PA-20-01-02-LS

Legislative

Commission District I

Pursuant to Section 163.3184(3), Florida Statutes, adopt a Large Scale Plan Amendment; the amendment request is to change Charlotte County FLUM Series Map #1: 2030 Future Land Use, from Agriculture (AG) to Mineral Resource Extraction (MRE); for property located at 2351 State Road (SR) 31, in the East County area, containing 53.59± acres; Commission District I; Petition No. PA-20-01-02-LS; applicant: Probitas Enterprises LLC; providing an effective date.

Z-20-01-03

Quasi-Judicial

Commission District I

An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Agriculture (AG) to Excavation and Mining (EM); for property located at 2351 State Road (SR) 31 in the East County area, containing 53.59± acres; Commission District I; Petition No. Z-20-01-03; applicant: Probitas Enterprises LLC;

PD-20-00003

Quasi-Judicial

Commission District II

An Ordinance pursuant to Section 125.66, Florida Statutes, amending the Charlotte County Zoning Atlas from Agriculture (AG) to Planned Development (PD) for completion of the existing mine and a reservoir use in the existing lake area; for property located north of the Lee County Line, south of Zemel Road, east of Tamiami Trail (US 41) and west of I-75, in the South County area, containing 1,203.84± acres; Petition No. PD-20-00003; Applicant: Richard Neslund, Neslund Family Ltd. Partnership II; providing an effective date.

TLDR-20-01

Conditional Use - Accessory chicken keeping

Legislative

County-Wide

An Ordinance pursuant to Section 125.66, Florida Statutes, amending Charlotte County Code Chapter 3-9, Zoning; by adding Accessory chicken keeping as a conditional use to Article II: District Regulations, Section 3-9-26.3: Use Table - Residential Zoning Districts; by creating new item (7) Accessory chicken keeping under Article II: District Regulations, Section 3-9-33: Residential single-family (RSF), subsection (d) Conditional uses and structures (C); by creating new item (14) Accessory Chicken Keeping under Article III: Special Regulation, Section 3-9-69: Conditional uses and structures, subsection (g) Residential uses to provide standard conditions; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

TLDR-20-02

Revisions to Planned Development (PD) Zoning District

Legislative

Countywide

An Ordinance of the Board of County Commissioners of Charlotte County, Florida, amending Charlotte County Code Chapter 3-9: Zoning, Article II: District Regulations, by 1) by revising Land Development Regulations Table of Contents to add new Section 3-9-45.1: Planned Development (PD) Open Space and Setback Special Requirements; 2) revising Section 3-9-45: Planned Development (PD); providing for revised intent; providing for revised uses permitted; providing for revised design criteria and development standards; providing for revised procedures for rezoning to PD; and providing for PD rezoning flow chart; and 3) creating new Section 3-9-45.1: Planned Development (PD) Open Space and Setback Special Requirements; providing for intent; providing for development requirements within the US 41 Overlay District (41OD); providing for development requirements within the Burnt Store Limited Development (BSLD) and Burnt Store Village Residential (BSVR) Future Land Use Map (FLUM) designations; providing for development within the Compact Growth Mixed Use (CGMU) FLUM designation; and providing for development requirements within the Rural Community Mixed Use (RCMU) FLUM designation or Conservation Subdivision; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

TLDR-20-03

Mixed-Use (MU) Zoning District

Legislative

County-Wide

An Ordinance pursuant to Section 125.66, Florida Statutes, amending Charlotte County Code, Chapter 3-9: Zoning, Article II: District Regulations, (1) by revising Land Development Regulations Table of Contents to add new Section 3-9-26.5: Use Table - Mixed Use Districts, and to rename Section 3-9-46 from Compact Mixed Use (CGM) to Mixed-Use (MU); (2) by creating new Section 3-9-26.5: Use Table - Mixed Use Districts; (3) by creating Section 3-9-46: Mixed-Use (MU) to provide for intent; provide for applicability; provide for mixed-use categories; provide for uses and structures permitted; and provide for development standards; and (4) by amending Section 3-9-69: Conditional uses and structures, to add conditional uses under Section 3-9-46: Mixed-Use (MU) to this section, and to provide for standard conditions; providing for conflict with other ordinances; providing for severability; and providing for an effective date. Applicant: Charlotte County Board of County Commissioners.

TLDR-20-04

Revisions to Manasota and Sandpiper Key Zoning District Overlay (MSKZDO) Zoning District

Legislative

Commission District III

An Ordinance of the Board of County Commissioners of Charlotte County, Florida, amending Charlotte County Code Chapter 3-9: Zoning, Article II: District Regulations, by revising Section 3-9-50: Manasota and Sandpiper Key Zoning District Overlay (MSKZDO) to revise subsection (a) Definitions, item (9) Peripheral landscape strip under subsection (i) Development standards, and item (3) under subsection (k) Landscaping, in order to add "artificial turf" as a permitted landscaping material within peripheral landscaping strips; providing for conflict with other ordinances; providing for severability; and providing for an effective date; Petition No. TLDR-20-04; Applicant: Charlotte County of County Commissioners.

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.

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