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B-114

February 16, 2004

FILED WITH THE DEPARTMENT OF STATE

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BARBARA T. SCOTT, CLERK, CHARLOTTE CO  
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ORDINANCE  
NUMBER 2004- 008

AN ORDINANCE APPROVING AN AMENDMENT TO THE CHARLOTTE COUNTY ZONING ATLAS FROM COMMERCIAL GENERAL (CG) TO INDUSTRIAL LIGHT (IL), FOR PROPERTY LOCATED NORTH OF JONES LOOP ROAD, SOUTH OF TECHNOLOGY BLVD., WEST OF TAYLOR ROAD, AND EAST OF BURNT STORE ROAD, CONTAINING 17.74 ACRES MORE OR LESS, PETITION Z-03-11-42, APPLICANT; J. LYNN BEVIS; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, on Tuesday, February 10, 2004, the Board of County Commissioners (the "Board") in a public hearing reviewed Petition Z-03-11-42 which requested a rezoning from Commercial General (CG) to Industrial Light (IL) on 17.74 acres more or less of property owned by Elwood P. Safron, Trustee, such property being more particularly described in Exhibit "A" attached hereto and incorporated herein by reference; and

WHEREAS, the applicant seeks a rezoning so that said property's zoning classification is more consistent with the existing Future Land Use Map (FLUM) classification; and

IMAGED IN PG

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WHEREAS, Petition Z-03-11-42 has previously been heard by the Charlotte County Planning and Zoning Board ("P&Z Board") and, based on the findings and analysis presented in the Planning and Zoning Division Report dated December 24, 2003, and the evidence presented to the P&Z Board, has been recommended for approval,

WHEREAS, after due consideration, based on the Planning and Zoning Division Report dated December 24, 2003, and the evidence presented to it, the Board has found that approval of Petition Z-03-11-42 is consistent with the Charlotte County Comprehensive Plan and has determined it to be in the best interest of the public to rezone said property from CG to IL.

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

Section 1. The following petition for an amendment to the Charlotte County Zoning Atlas is hereby approved:

Petition Z-03-11-42 requesting rezoning from Commercial General (CG) to Industrial Light (IL) for 17.74 acres more or less of property owned by Elwood P. Safron, Trustee, such property being more described in Exhibit "A" attached hereto and incorporated herein by reference.

Section 2. The zoning for this property shall run with the property and shall apply to any subsequent owners, heirs and assigns.

Section 3. This ordinance shall take effect upon its filing in the Office of the Secretary of State, State of Florida.

1 PASSED AND DULY ADOPTED this 10 day of February, 2004.

2 BOARD OF COUNTY COMMISSIONERS  
3 OF CHARLOTTE COUNTY, FLORIDA  
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7 By Matthew D. DeBoer  
8 Matthew D. DeBoer, Chair  
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10 ATTEST:  
11 Barbara T. Scott, Clerk of Circuit  
12 Court and Ex-Officio Clerk to the  
13 Board of County Commissioners

14 By Anne L. Pfahler  
15 Deputy Clerk  
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18 APPROVED AS TO FORM  
19 AND LEGAL SUFFICIENCY:  
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22 By Renée Francis Lee  
23 Renée Francis Lee, County Attorney MCF  
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EXHIBIT "A"  
LEGAL DESCRIPTION

A parcel of land in the Southwest quarter of Section 16, Township 41 South, Range 23 East, Charlotte County, Florida. Said parcel of land being more particularly described as:

From the Southwest corner of said Section 16, bear North 00°12'20" East, along the West line of said Section 16, a distance of 280.18 feet to the Point of Beginning; Thence continue North 00°12'20" East along said West line, a distance of 1420.22 feet to the intersection thereof with the centerline of State Road No. 765-A; thence South 41°35'40" East, along said centerline, a distance of 1872.19 feet; thence along the Northerly limits of an orange grove on the following courses and distances: South 87°42'58" West; a distance of 446.99 feet; thence South 89°19'31" West, a distance of 400.08 feet; thence South 86°45'08" West, a distance of 200.42 feet; thence North 86°04'05" West, a distance of 201.67 feet to the Point of Beginning.

Subject to the right-of-way of State Road No. 765-A and the maintained right-of-way of Burnt Store Road; subject also to easement to Florida Power & Light Co., zoning and other regulatory ordinances and taxes for the year 1991 and subsequent years.