

May 17, 2004

FILE 1205591 OR BK 02473 Pgs 0841 - 845 (5pgs) REC'D 05/25/2004 08:08:38 AM  
BARBARA T. SCOTT, CLERK, CHARLOTTE COUNTY  
REC 24.00

Chg  
BCC  
#14

ORDINANCE  
NUMBER  
2004-27

AN ORDINANCE AMENDING CHARLOTTE COUNTY CODE CHAPTER 4-6; MERGING ARTICLE XLV, ROTONDA VILLAS STREET AND DRAINAGE UNIT INTO ARTICLE XXXI, ROTONDA MEADOWS STREET AND DRAINAGE UNIT; RENAMING ARTICLE XXXI ROTONDA MEADOWS/VILLAS STREET AND DRAINAGE UNIT; PROVIDING FOR THE PURPOSE OF THE UNIT TO INCLUDE NEIGHBORHOOD BEAUTIFICATION PROJECTS AND LANDSCAPING; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

**WHEREAS**, the Charlotte County Board of County Commissioners, by Ordinances 97-16 and 97-20, enacted Chapter 4-6, Article XXXI, Rotonda Meadows Street and Drainage Unit, and Chapter 4-6, Article XLV, Rotonda Villas Street and Drainage Unit, respectively; and

**WHEREAS**, there is a single property owners association for Rotonda Meadows and Rotonda Villas, and the merger of the street and drainage units would facilitate and simplify community involvement in the budget and oversight process and would lead to efficiencies in the county's administration of the MSBU process; and

**WHEREAS**, Community representatives have requested that the purpose of the new unit include the use of funds for beautification projects within the unit; and

**WHEREAS**, the expenditure of funds for the requested additional purposes is a valid public purpose and in the best interest of the citizens of the unit.

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

IMAGED  
6-23-04  
AP

★  
minutes  
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1        Section 1. The title of Charlotte County Code, Chapter 4-6, Article XXXI, is amended to  
2 read as follows:

3        **ARTICLE XXXI. ROTONDA MEADOWS/VILLAS STREET AND DRAINAGE UNIT**

4        Section 2. Charlotte County Code, Section 4-6-666, is amended to read as follows:

5        **Sec. 4-6-666. Unit established.**

6        There is hereby created, pursuant to the authority contained in Section 125.01,  
7 Florida Statutes, a municipal service benefit unit to be known as Rotonda  
8 Meadows/Villas Street and Drainage Unit (hereinafter "unit").

9        Section 3. Charlotte County Code, Section 4-6-667, is amended to read as follow:

10       **Sec. 4-6-667. Territory.**

11       The territory included within the unit shall include the following portions of the  
12 unincorporated area of Charlotte County:

13       (1) Portions of Rotonda Meadows, a subdivision lying in the following half-section  
14 maps received October 3, 1996 from the Charlotte County Property Appraiser,  
15 Charlotte County, Florida: 3B31S, 3B32N, 3B32S, 3B33N, and 3B33S. Said  
16 portions being:

17                Blocks 1 through 92 (inclusive); Lots 12 through 26 (inclusive) of  
18                Block 93; Block 94; Blocks 97 through 140 (inclusive); and Tracts A,  
19                B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y,  
20                Z, AA, AB, AC, AD, AE, AF, AG, AH, AI, AJ, AK, AL, AN, AO,  
21                AP, AQ, AR, AS, AT, AU, AV, AW, AX, AY, AZ, BA, BB, BC,  
22                BD, BE, BF, BG, BH, BI, BJ, and BL.

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(2) A portion of Rotonda Springs, a subdivision lying in the following half-section map received October 3, 1996 from the Charlotte County Property Appraiser, Charlotte County, Florida: 3B33N. Said portion being:

Tract 1.

(3) Portions of unplatted land lying in the south ½ of Section 31, Township 41 South, Range 21 East, in Charlotte County, Florida, according to the following half-section map received October 3, 1996 from the Charlotte County Property Appraiser, Charlotte County, Florida: 3B31S. Said portion being:

Parcel 1 (Also known as Parcel 4NW) and Parcel 2.

(4) A portion of unplatted land lying in the north ½ of Section 32, Township 41 South, Range 21 East, in Charlotte County, Florida, according to the following half-section map received October 3, 1996 from the Charlotte County Property Appraiser, Charlotte County, Florida: 3B32N. Said portion being:

Parcel 2.

(5) Portions of unplatted land lying in the south ½ of Section 32, Township 41 South, Range 21 East, in Charlotte County, Florida, according to the following half-section map received October 3, 1996 from the Charlotte County Property Appraiser, Charlotte County, Florida: 3B32S. Said portions being:

Parcel 1 and Parcel 4NW.

(6) A portion of unplatted land lying in the north ½ of Section 33, Township 41 South, Range 21 East, in Charlotte County, Florida, according to the following half-

1 section map received October 3, 1996 from the Charlotte County Property Appraiser,  
2 Charlotte County, Florida: 3B33N. Said portion being:

3 Parcel 1.

4 (7) Rotonda Villas, a subdivision lying in the following half-section maps received  
5 October 3, 1996 from the Charlotte County Property Appraiser, Charlotte County,  
6 Florida: 3B33S, 3C4N, 3C4S, 3C5N, 3C5S, 3C8N, 3C9N, and 3C9S.

7 (8) Portions of Rotonda Springs, a subdivision lying in the following half-section  
8 maps received October 3, 1996 from the Charlotte County Property Appraiser,  
9 Charlotte County, Florida: 3C9N, and 3C9S. Said portions being:

10 Blocks 40 through 46 (inclusive); and Tracts 10 and 11.

11 (9) Portions of Rotonda Meadows, a subdivision lying in the following half-section  
12 map received October 3, 1996 from the Charlotte County Property Appraiser,  
13 Charlotte County, Florida: 3B33S. Said portions being:

14 Lots 1 through 11 (inclusive) of Block 93; Blocks 95 and 96; and Tracts BK  
15 and AM.

16 Section 4. Charlotte County Code, Section 4-6-668, is amended to read as follows:

17 **Section 4-6-668. Purpose.**

18 The purpose of the unit is to provide for the construction, reconstruction, repair,  
19 paving, repaving, hard surfacing, rehard surfacing, widening, guttering, and draining,  
20 of streets, bridges and related drainage facilities in the unit, and of necessary  
21 appurtenances and accessory structures thereto, including beautification and  
22 landscaping projects, located within or without the unit, from funds derived from

1 special assessments within the unit.

2 Section 5. Charlotte County Code, Chapter 4-6, Article XLV, Rotonda Villas Street  
3 and Drainage Unit, is deleted in its entirety.

4 Section 6. Severability. In the event any portion of the foregoing conflicts with any other  
5 Charlotte County Code or other applicable law, the more restrictive shall apply. If any subsection,  
6 sentence, clause, phrase, or portion of these sections is for any reason held invalid or unconstitutional  
7 by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and  
8 independent provision and such holding shall not affect the validity of the remainder of the chapter.

9 Section 3. Effective Date. This ordinance shall take effect upon its filing in the Office of  
10 Secretary of State, State of Florida, and shall be applicable to tax years 2004 and thereafter.

11 PASSED AND DULY ADOPTED this 11 day of May, 2004.

12 BOARD OF COUNTY COMMISSIONERS  
13 OF CHARLOTTE COUNTY, FLORIDA

14  
15 By Matthew D. DeBoer  
16 Matthew D. DeBoer, Chairman

17 ATTEST:  
18 Barbara T. Scott, Clerk of  
19 Circuit Court and Ex-Officio  
20 Clerk to the Board of County  
21 Commissioners

22  
23 By Anne L. Bahler  
24 Deputy Clerk

25 APPROVED AS TO FORM  
26 AND LEGAL SUFFICIENCY:

27  
28 Renée Francis Lee  
29 Renée Francis Lee, County Attorney BB

**ECONOMIC IMPACT STATEMENT**  
ORDINANCE AMENDING CHARLOTTE COUNTY  
CODE; AMENDING THE TERRITORY OF THE  
ROTONDA MEADOWS AND ROTONDA VILLAS  
STREET AND DRAINAGE UNITS TO COMBINE THE  
TWO UNITS INTO ONE NEW UNIT.

**PURPOSE:** Analyze what the ordinance is designed to accomplish. Describe the present situation and the effect the ordinance will have thereon.

The ordinance will amend the territory of the units to form one new unit called the Rotonda Meadows/Villas Street and Drainage Unit. The amended description will also include the use of funds for beautification projects.

**IMPACT:** Consider costs and benefits, both monetary and non-monetary for the private sector (non-governmental entities) and the public sector (governmental entities). In discussing costs and benefits, distinguish between those which are social (borne by society as a whole) and those which are private (accrue to certain individuals or groups). Identify the specific groups which will be impacted.

**A. Cost of Implementation:**

The nominal costs of adopting the ordinance.

**B. Source of Funds/Ultimate Burden of Costs:**

The Rotonda Meadows/Villas Street and Drainage Unit.

**C. Effect on Competition and the Employment Market:**

None

**D. Benefits on Implementation:**

Simplification in assessing benefited properties.

N-4

Ord 2004-27



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

Before the undersigned authority personally appeared Peggy Mazzone, who on oath says that she is legal clerk of the (Charlotte Sun, Englewood Sun, DeSoto Sun, North Port Sun, Venice Gondolier Sun), a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a Notice of Intention To Consider Ordinance was published in said newspaper in the issues of:

April 30, 2004

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.

*Peggy Mazzone*  
(Signature of Affiant)

Sworn and subscribed before me this 30<sup>th</sup> day of April, 2004.

*Mary F. Skaggs*  
(Signature of Notary Public)



1 x 5.38 x 4.95 = \$ 26.67

**NOTICE OF INTENTION TO CONSIDER ORDINANCE**  
The Board of County Commissioners of Charlotte County will, in regular session, in Room 119 of the Charlotte County Administration Center, 18500 Murdock Circle, Port Charlotte, Florida, at 10 AM, or as soon thereafter as may be heard, on the 11th day of May, 2004, consider the enactment of an ordinance bearing the following title:  
**AN ORDINANCE AMENDING CHARLOTTE COUNTY CODE CHAPTER 4-6; MERGING ARTICLE XLV, ROTONDA VILLAS STREET AND DRAINAGE UNIT INTO ARTICLE XXXI, ROTONDA MEADOWS STREET AND DRAINAGE UNIT; RENAMING ARTICLE XXXI, ROTONDA MEADOWS/VILLAS STREET AND DRAINAGE UNIT; PROVIDING FOR THE PURPOSE OF THE UNIT TO INCLUDE NEIGHBORHOOD BEAUTIFICATION PROJECTS AND LANDSCAPING; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**  
The proposed ordinance and economic impact statement are available at the Charlotte County Attorney's Office, 18500 Murdock Circle, Port Charlotte, Florida.  
~~Interested parties may appear~~ at the meeting and be heard with respect to the proposed ordinance.  
Should any agency or person decide to appeal any decision made by the Board with respect to any matter considered at such meeting, he will need a record of the proceedings, and for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.  
BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA  
P.O. 2004002200M  
PUBLISHED: Apr. 30, 2004  
163352 1225842



FLORIDA DEPARTMENT OF STATE  
**Glenda E. Hood**  
Secretary of State  
DIVISION OF LIBRARY AND INFORMATION SERVICES

May 18, 2004

Honorable Barbara T. Scott  
Clerk of Circuit Court  
Charlotte County  
18500 Murdock Circle, Room 416  
Port Charlotte, Florida 33948

Attention: Anne L. Pfahler, Deputy Clerk

Dear Ms. Scott:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated May 13, 2004 and certified copies of Charlotte County Ordinance Nos. 2004-024 through 2004-030, which were filed in this office on May 17, 2004.

Sincerely,

Liz Cloud  
Program Administrator

LC/mp

RECEIVED AT  
HOCK BRANCH  
2004 MAY 21 AM 9:30  
BARBARA T. SCOTT  
CLERK OF CIRCUIT COURT  
CHARLOTTE COUNTY, FL

IMAGED  
6-23-04  
AP