

Don Pedro/Knight Island and Pirate Harbor rights of ways

December 17, 2024



CHARLOTTE COUNTY
FLORIDA

Don Pedro/Knight Island

- Landscaping in the ROW
 - Many properties have extended their landscaping into the ROW
 - Includes both landscaping and hardscape
 - Has been this way for many years
 - ROW not clearly defined
 - Many of the roadways are sand



Don Pedro/Knight Island



Don Pedro/Knight Island

- Has been discussed with residents and the MSBU many times over the years
- Recently we have had a number of code complaints concerning the landscaping in the ROW
 - Upon review of the complaints, the areas looked to be the same as many of the other properties on the island
 - Staff does not feel that we should pick and choose, so if we move forward with these code cases, everyone should be required to come into compliance

Don Pedro/Knight Island

- Additional information to consider
 - There are 5 public beach access points on DPKI
 - Included in our yearly application for beach funding, 50 parking spots are required for each access points to continue to receive the same amount of funding
 - To date staff has been able to find areas to count as parking spots to meet the requirements
 - This becomes more difficult as landscaping continues within the ROW.

Don Pedro/Knight Island

- Options
 - Enforce the current code violation complaints
 - Pursue violations on all violators
 - Allow landscaping with variance
 - Require all landscaping to be removed
 - Consider a code change to allow this on the island

Pirate Harbor

- Landscape rocks or shell instead of sod in the ROW
 - Several properties have replaced sod with rock or shell in the ROW without a permit
 - Section 3-6-35.3 Restoration of the right-of-way
 - All areas must be sodded unless the county engineer approves an alternative

Pirate Harbor



Pirate Harbor

- Recently we have had a code complaint concerning the landscaping in the ROW
 - Upon review of the complaints, the property looked to be the same as a number of other properties in Pirate Harbor
 - Staff does not feel that we should pick and choose, so if we move forward with these code cases, everyone should be required to come into compliance

Pirate Harbor

- Additional information to consider
 - Staff has received several drainage complaints in this neighborhood
 - Little roadside drainage exists
 - Staff feels the alternatives to sod may compound drainage issues
 - If M&O needs to do drainage work in the ROW they will replace with sod (Even if a property obtained a permit)
 - One property with shell within the ROW did receive a variance in 2015

Pirate Harbor

- Options
 - Enforce the current code violation complaints
 - Pursue violations on all violators
 - Allow rock/shell with variance
 - Require all rock/shell to be removed
 - Consider a code change to allow this type of landscaping in this location

Questions and Direction