



Don Pedro/Knight Island Right-of-Way Encroachment

Transportation Workshop
July 21, 2026



CHARLOTTE COUNTY
FLORIDA

Board Direction

- Staff presented the ROW encroachment concerns at the April Transportation Workshop
- This challenge has presented itself multiple times over the past 10+ years
- Board of County Commissioners directed staff to explore options
 - Vacating the ROWs
 - Overlay District
 - Ordinance changes
 - Enforce existing ROW ordinance

Vacating ROW

- Would need 100% approval from all property owners
- Access issues
 - Fire/EMS
 - Waste Management
 - Public beach access points



Overlay District

- Per the comp plan, an Overlay District could be established to include all bridgeless barrier islands
- To develop an overlay exclusive to Don Pedro/Knight Island, a comp plan amendment would be required
- An overlay district does not supersede an ordinance
 - An ordinance change would be required

Ordinance Change

- This option would require a special section of the ordinance detailing the different requirements/allowances
 - This would require a clear distinction or boundary with unique features
 - For example, bridgeless barrier islands
 - This should include clear requirements
 - Staff considerations are included



Variance Process

- Currently, there is a County variance process that would allow items to be considered in the ROW
- Consideration of this option would set precedence to other areas of the County
 - This option would not allow for clearly defined standards and expectations on Don Pedro/Knight Island

Enforce Existing ROW Ordinance

Sec. 3-6-26. - Items and activities prohibited in the ROW and clear zone

(a)The following items and activities are prohibited in county rights-of-way and easements:

- (1)Structures, facilities, landscaping, or any other item for which no ROW permit has been issued;
- (2)Irrigation pipes or sprinklers;
- (3)Non-frangible structures, temporary or permanent, located in the clear zone adjacent to the roadway; and
- (4)Any other activity that, in the opinion of the county engineer, is either unnecessary or impedes drainage.

(b)Whenever the county becomes aware of unpermitted items in the right-of-way, the owner, if known, will be provided a notice that the item must be removed by the date stated in the notice, and such date shall not exceed thirty (30) days. Upon failure of an owner to remove the item by the date specified in the notice, or where the owner of the unpermitted item is unknown, the county may remove the item and may pursue recovery of its costs by any legal means.



Considerations

Line of Site (3-9-89)

- Clear site triangles shall be required at intersections and driveways
 - No obstruction to vision between a height of 2 feet and 6 feet above grade
 - 30 feet at intersections and 20 feet at driveways



Considerations for ordinance change



Permits

- Staff recommends that everyone obtain a permit for all items placed in the ROW

Considerations for Ordinance Change

Items prohibited within the right-of-way

- Non-frangible items
 - In the clear zone
 - In the entire ROW
 - It is difficult to determine where the actual road is on the sand roads

Items prohibited in the clear zone

- All items
- Non-sod options



Considerations for Ordinance Change



Parking areas near beach access points

- 50 spaces within a half mile for each access point
- Currently have enough areas for parking spaces
 - Do we not allow new items within the current spaces?
 - Do we go back to the original spaces that were created in 2003 (1/4 mile each direction)?

Next Steps

Based on feedback received today

- Changes to Overlay and/or ordinance
 - Staff develops Overlay and/or ordinance changes and brings back to the Board for approval
 - Provide notice to citizens on Island and provide time to come into compliance
 - Enforce through code compliance for anyone that does not meet the timelines
- Enforce with no change to ordinance
 - Provide notice to citizens on Island and provide time to come into compliance
 - Enforce through code compliance for anyone that does not meet the timelines

A large, stylized graphic in the background featuring a yellow sun with rays and three green leaves, all in a light, semi-transparent style.

Discussion & Direction



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