

STAFF REPORT
Community Development Department
Petition Number: SE-14-006

To: Charlotte County Board of Zoning Appeals

From: Shaun Cullinan, Zoning Official

Prepared By: Ken Quillen, AICP, Planner III

Report Date: May 6, 2014

BZA meeting date: May 14, 2014

Requested Action/General Information:

Kevin Rainey, agent for Charlotte County Utilities, is requesting a special exception to allow an essential service, consisting of a sanitary sewer lift station, in a residential neighborhood. Subject property is located at 19412 Edgewater Drive in Port Charlotte (see attached **Location Map**). The attached **Zoning Map** shows the zoning of this property, which is Residential Single-family-3.5 (RSF-3.5). This property has a Low Density Residential Future Land Use Map (FLUM) designation.

The Edgewater Drive Widening project is funded by the one-cent sales tax, with construction scheduled to begin this summer. The Board of County Commissioners directed Charlotte County Utilities to construct all planned future water distribution and wastewater collection systems in conjunction with this road widening project. The proposed lift station is considered an "essential service" use, which requires a special exception because it is located among existing single-family residences. The zoning code allows this use by special exception provided it complies with all of the development standards of the zoning code, including landscaping, as well as any conditions imposed by the Board of Zoning Appeals "to prevent or minimize adverse effects on other property in the surrounding neighborhood" [sec. 3-9-7(h)].

The attached parcel map labeled **Service Area Map** (Exhibit A) shows the lots to be served by the East & West Spring Lake Wastewater Program sewer expansion program shaded in green. The lift station location is proposed on the northeast corner of Edgewater Drive and Altoona Street, which is west of the sewer expansion area and is circled on this exhibit. Lots currently served by a public sewer system are shaded in pink and lots shown as buff are not yet served by a public system. The applicant has also submitted Exhibit B, which is labeled **Altoona Proposed Lift Station Service Zones**, showing which areas will be served in the future by this proposed lift station. The applicant has submitted a preliminary **Site Plan** (Exhibit C), which shows the location of the proposed lift station compound and access drive. The attached preliminary **Landscape Plan** (Exhibit D) has also been submitted. A final detailed landscape plan will need to be submitted and approved prior to issuance of permits for this lift station. The applicant would like to construct this lift station to pump wastewater from this residential neighborhood into a sanitary sewer force-main line, which will take it to the East Port Water Treatment Plant. This lift station equipment will be located underground. The applicant has also submitted the attached **Narrative** (Exhibit E) providing some additional details related to this project and addressing the criteria for granting a special exception for an essential service.

Charlotte County has identified the need for sanitary sewer service in the Infrastructure Element, of the **Smart Charlotte 2050** plan (Exhibit F). **Objective 6.2** of the Water and Sewer Infrastructure Element states that Charlotte County Utilities are to: "... ensure CCU operations are efficient in the expenditure of public funds." This proposal is one example of where Charlotte County Utilities is implementing the objectives and policies of **Smart Charlotte 2050** by coordinating planned infrastructure improvements with other capital improvement projects to make the most efficient use of tax dollars. The Community Development Department's Environmental Specialist has performed a cursory environmental review and their comments are in the attached **Memorandum** (Exhibit G) dated April 15, 2014.

Findings: The standards for approval for a Special Exception according to Section 3-9-7(f) of the Charlotte County Zoning Code are as follows:

1. The requested special exception is either explicitly permitted by the regulations in the zoning district for which it is requested or is permitted by reasonable implication within that district.

Finding: Essential services are allowed as a special exception in the RSF-3.5 zoning district as per Section 3-9-32(e) of the Zoning Code.

2. The requested special exception is compatible with existing uses surrounding immediately adjacent and contiguous to the land on which the requested special exception would exist.

Direction	Existing Land Uses	Existing Zoning	FLUM Designation
North	Vacant lot	RSF-3.5	Low Density Residential
South	Single-family residences	RSF-3.5	Low Density Residential
East	Vacant lot	RSF-3.5	Low Density Residential
West	Single-family residences	RSF-3.5	Low Density Residential

Finding: Single-family residences are located adjacent to this proposed lift station, which is considered a utility type use. However, sanitary sewer service of waste water is essential to all land uses, including residential areas, and therefore needs to be located within residential areas. As such, the Zoning Code requires these facilities obtain a special exception and that they be developed according to all requirements of code, including landscaping, in order to make the use compatible with surrounding residences.

3. Adequate access shall be provided for ingress and egress to the proposed use in a manner that minimizes hazards and congestion on streets and roads.

Finding: A single 16-foot wide access drive is proposed off of Altoona Street, which must be approved by Land Development's Right-of-way Division.

4. Adequate provision has been made for buffers, landscaping, trees, open space, storm-water or other improvements associated with the proposed use.

Finding: All County development codes apply to this proposed lift station, including a type "A" landscape buffer requirement. While meeting the tree, landscaping and buffer requirements of code would presumably satisfy this standard, the BZA may require additional landscaping, if they find it is necessary to ameliorate any conflicting land use issues.

5. The requested Special Exception is consistent with the **Smart Charlotte 2050 Plan** (Charlotte County Comprehensive Plan) and Land Development Regulations.

Finding: The placement of a sanitary sewer lift station on this site may be considered consistent with the Infrastructure Element of the Smart Charlotte 2050 Plan.

6. The establishment, maintenance or operation of the proposed use shall not be detrimental to or endanger the public health, safety or general welfare.

Finding: This proposed lift station and sewer collection system will enhance the public health, safety and general welfare by protecting the public health and surrounding natural environment, including ground water and area surface waters.

ANALYSIS AND CONCLUSIONS:

After review of the site and the application requesting this special exception staff believes that the proposed essential service, consisting of a sanitary sewer lift station, does meet the six criteria for a special exception.

If the Board of Zoning Appeals decides to approve the requested special exception staff recommends the following conditions be adopted, as conditions of approval, to ensure the use is in compliance with the purpose and intent of the Zoning Code. The conditions are as follows:

1. This special exception is for an essential service, consisting of a sanitary sewer lift station, and extends only to the land included in the site plan and legal description submitted with this application.
2. The site plan presented by the applicant as part of the petition is for illustrative purposes only. All permitting procedures and codes are applicable to the construction and operation of the proposed sanitary sewer lift station.
3. A landscape plan that meets the minimum requirements for a type "A" landscape buffer, shall be submitted to Community Development Department for approval prior to construction of the lift station. All of the landscaping indicated on the approved landscape plan shall be installed prior to operation of the lift station and continuously maintained as long as the lift station is located on this site.
4. All necessary permits and approvals must be obtained, as applicable to this development, including but not limited to, right-of-way access, paving, electrical, plumbing, fencing, landscaping, and invasive plant species removal.
5. Any major changes or additions to this special exception shall require a modification of the special exception. Minor changes or additions such as accessory uses or structures may be approved by the Zoning Official.

Please be advised that the final decision regarding the petition rests with the Board of Zoning Appeals, and will be decided upon consideration of all the evidence introduced at the hearing.

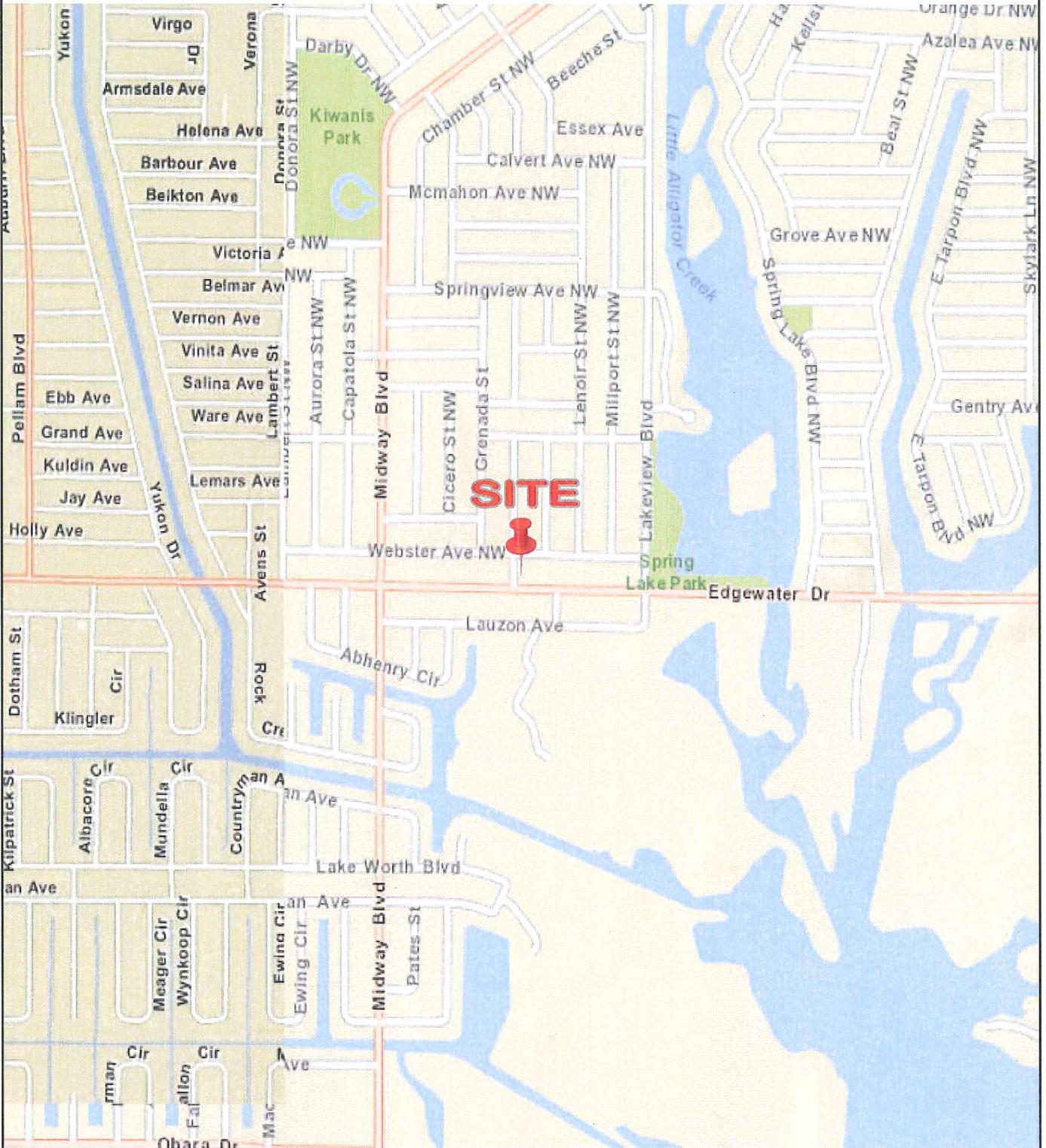
Attachments: Staff Report (3), Service Area Map, Service Zones, Site Plan, Landscape Plan, Narrative (3), Smart Charlotte 2050 Plan, and Environmental Specialist Memorandum (2)



Community Development

CHARLOTTE COUNTY

Location Map for SE-14-006



20/40/22 Mid-County

This map is a representation of compiled public information. It is believed to be an accurate and true depiction for the stated purpose, but Charlotte County and its employees make no guaranties, implied or otherwise, to the accuracy, or completeness. We therefore do not accept any responsibilities as to its use. This is not a survey or is it to be used for design. Reflected Dimensions are for Informational purposes only and may have been rounded to the nearest tenth. For precise dimensions, please refer to recorded plats and related documents. Created By: Land Information-D. Vance Date Saved: 4/7/2014 4:33:09 PM

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Community Development

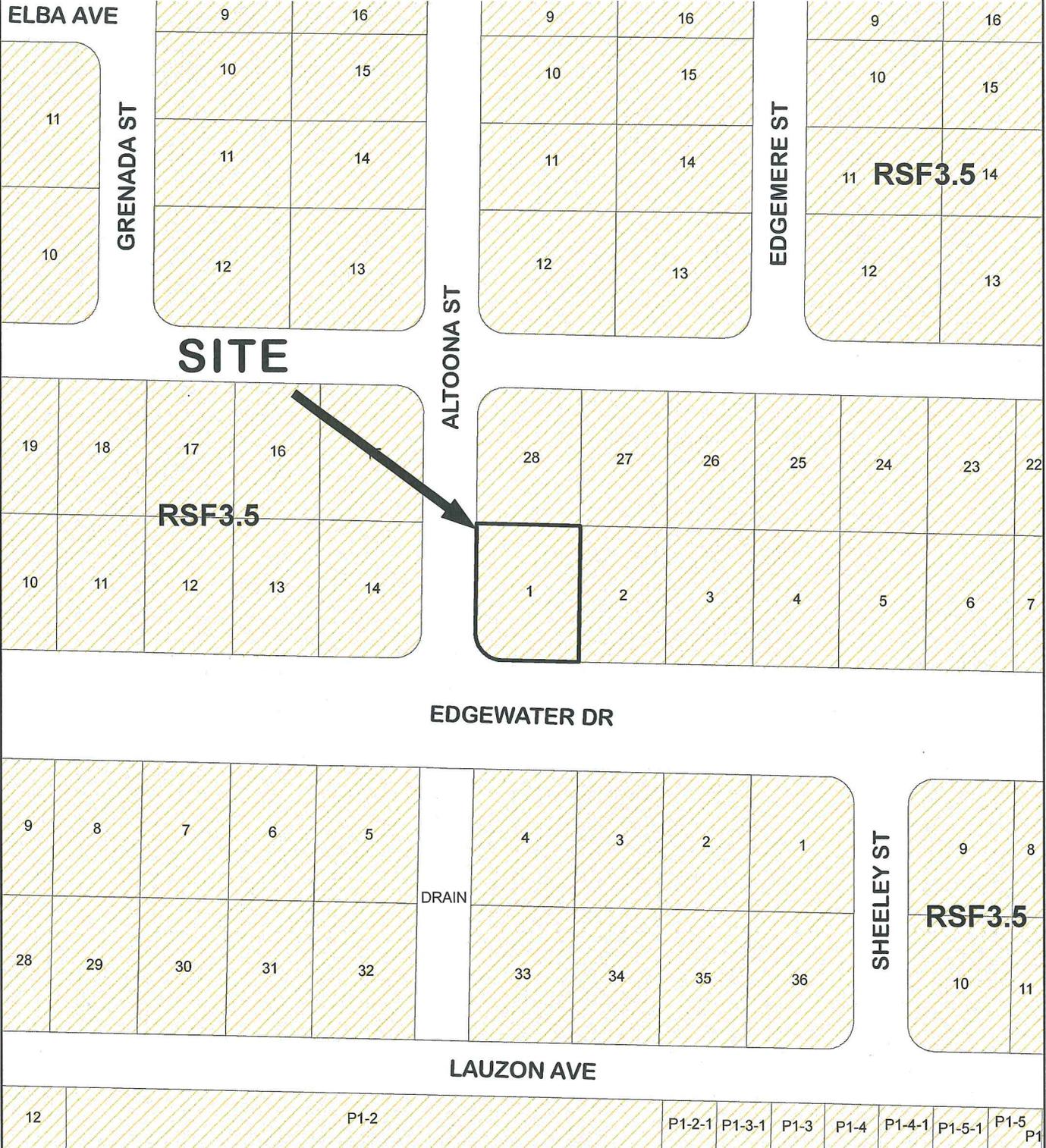
CHARLOTTE COUNTY

Zoning Map for SE-14-006

Charlotte County Government

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20/40/22 Mid-County

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Community Development

CHARLOTTE COUNTY

Aerial View for SE-14-006

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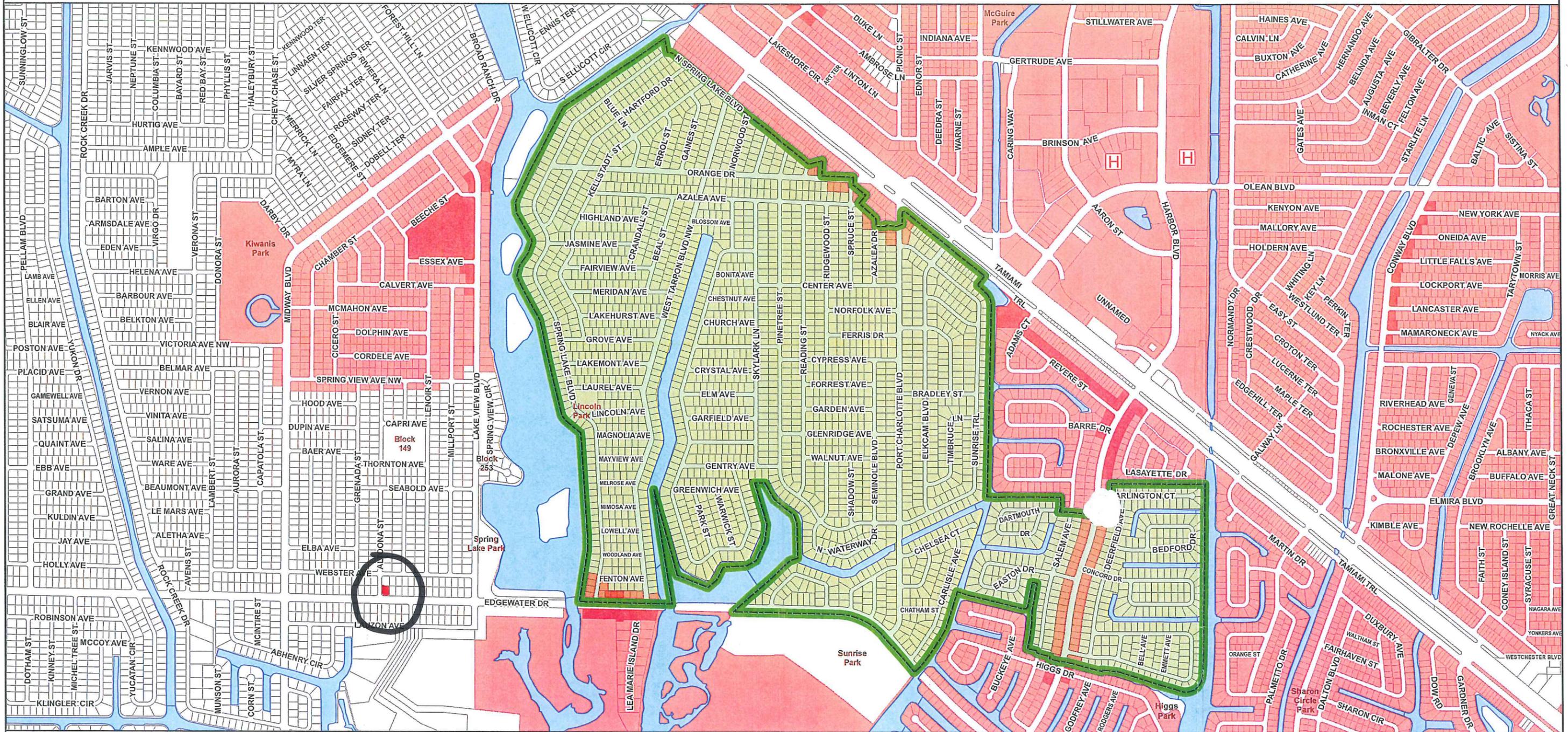
CHARLOTTE COUNTY East & West Spring Lake Wastewater Program

Charlotte County Government

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Service Area Map (Exhibit A)



Stateplane Projection
Datum: NAD83
Units: Feet
Source: Charlotte County Utilities

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Legend

-  East & West Spring Lake Boundary
-  Existing Sewered Area



0 600 1,200 2,400 Feet

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Updated: 1/23/2014 9:24:43 AM by: AndersonD

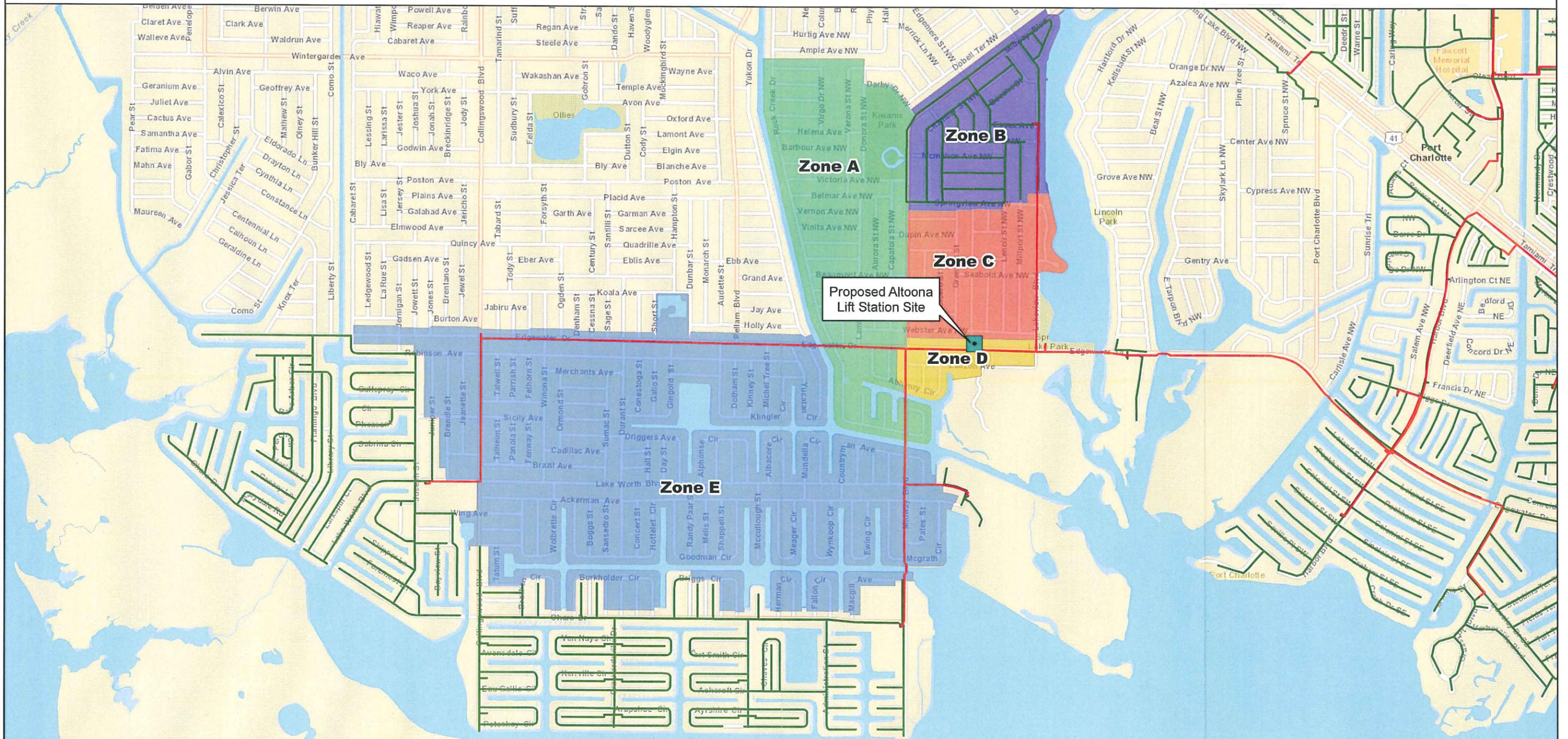
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CHARLOTTE COUNTY UTILITIES

Altoona Proposed Lift Station Service Zones

Service Zones (Exhibit B)



Stateplane Projection
 Datum: NAD83
 Units: Feet
 Source: Charlotte County Utilities

DISCLAIMER: This map is a representation of compiled information. It is believed to be an accurate and true depiction for the stated purpose, but Charlotte County Utilities and its employees make no guarantees, implied or otherwise to the accuracy or completeness. We therefore do not accept any responsibilities as to its use. This is not a survey or is it to be used for design. No part of this map may be reproduced or transmitted by any means without the expressed written permission from Charlotte County Utilities.

Legend

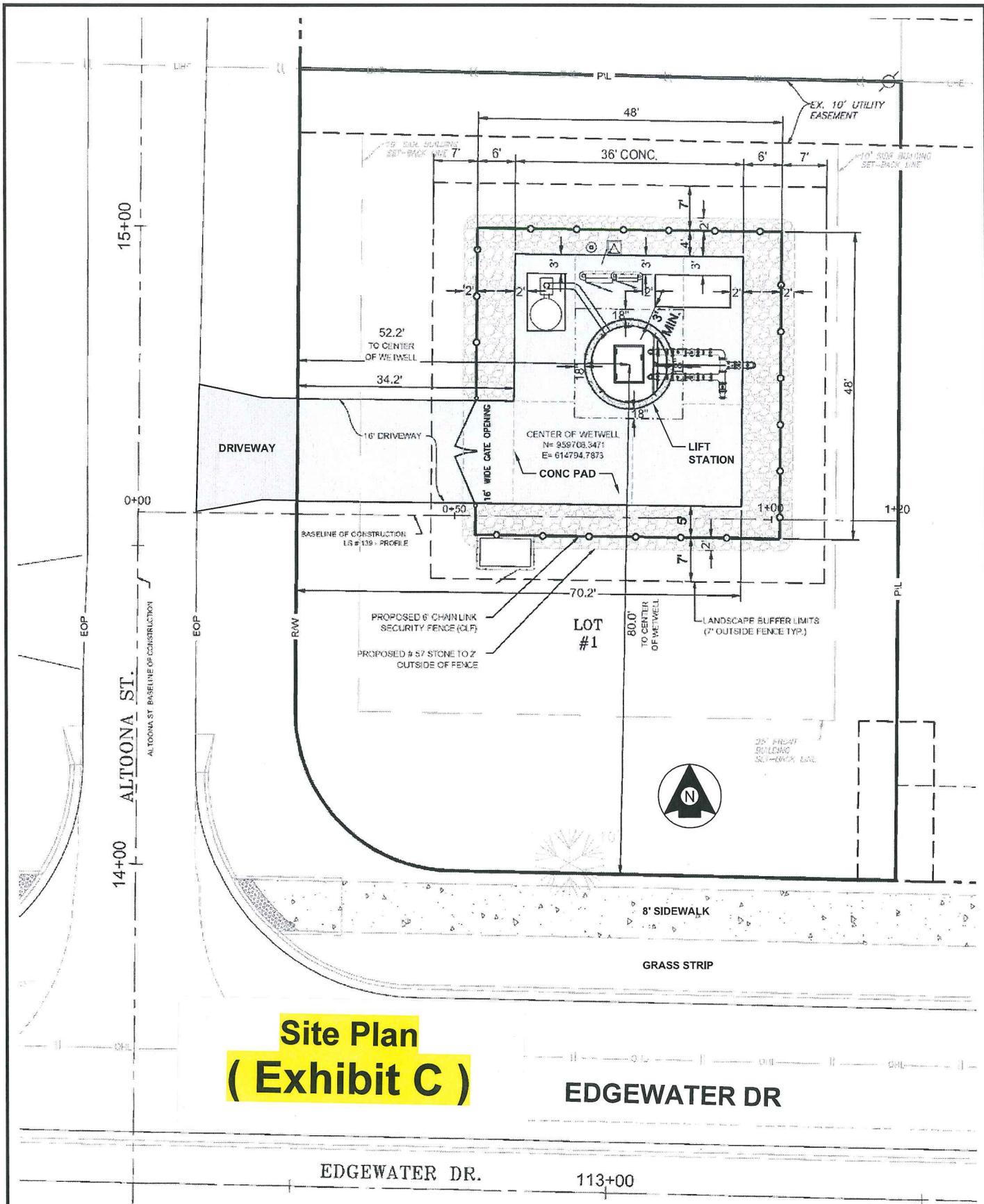
- Existing Force Main
- Existing Collection Mains



0 900 1,800 3,600 Feet

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 Updated: 4/24/2014 11:38:02 AM by: AndersonD

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**Site Plan
(Exhibit C)**

EDGEWATER DR

EDGEWATER DR.

113+00



660 Charlotte Street, Suite 8
Punta Gorda, Florida 33950
Tel. (941) 637-9655 | Fax (941) 637-1149
www.sedfi.com
Certificate of Authorization No. 26551

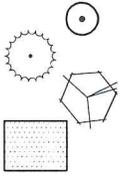
Project No.: 09-0057
Proj. Manager: G W B
Proj. Designer: G W B
Drawn By: DEV
Checked By: G W B
Approved By: G W B

EDGEWATER DR PHASE II DESIGN
ALTOONA ST LIFT STATION
SITE PLAN
PORT CHARLOTTE FLORIDA

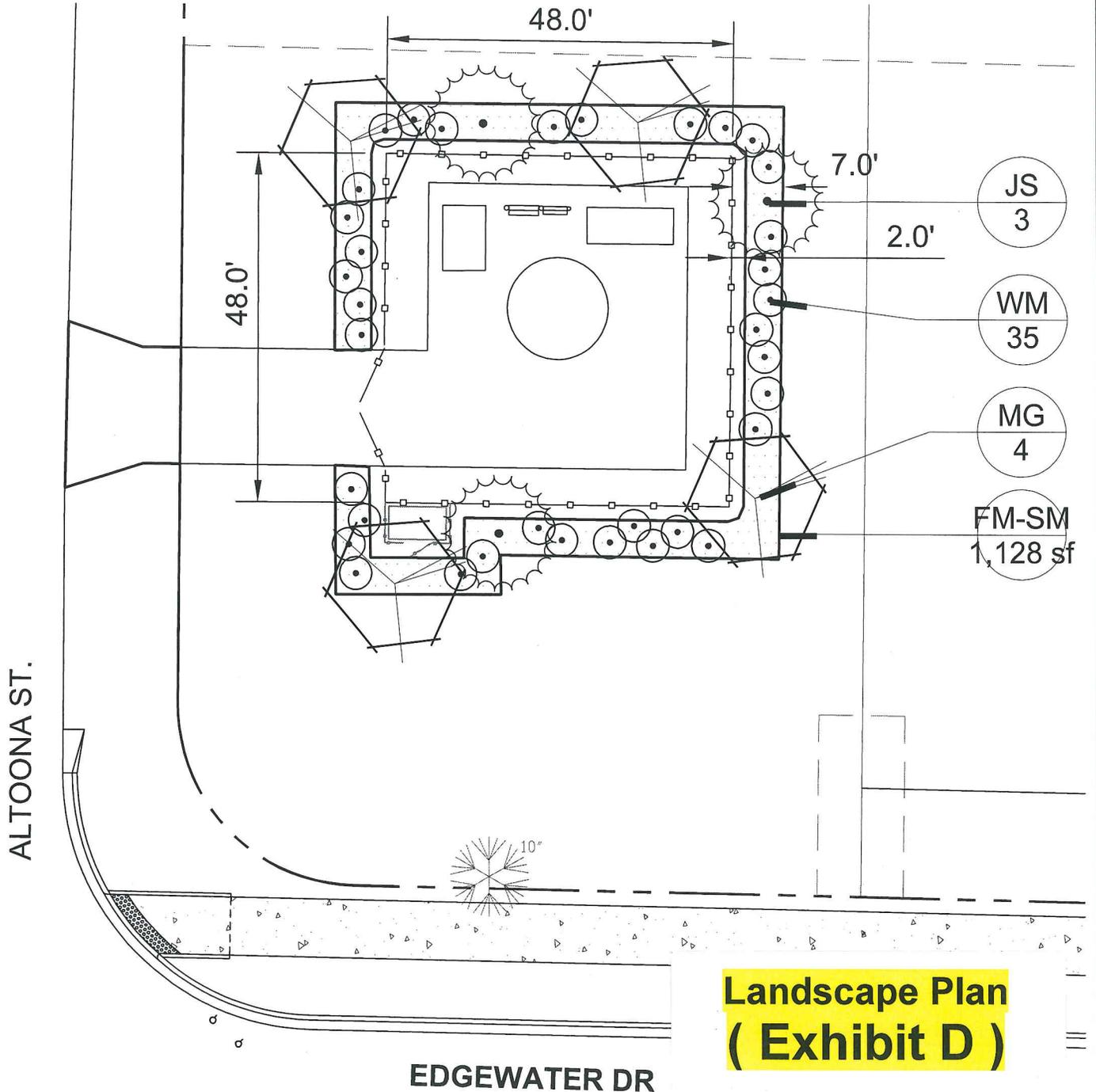
DATE: 03-21-14
SCALE: 1" = 20'
SHEET 1 of 1
PROJECT No.: 09-0057

P:\09-0057 -Edgewater Dr Phase II Design\Documents\Submittals\Special Exceptions\lift stations special exception graphics\cadd\plan set\altoon_st lift_station graphics.dwg, 4/1/2014 3:32:13 PM, dganesh

TREES



CODE	QTY	BOTANICAL NAME / COMMON NAME
WM	35	Myrica cerifera / Wax Myrtle, 3 Gal. 24" - 30", 16" 4.5' O.C
JS	3	Juniperus silicicola / Southern Red Cedar, 25 Gal. Min. 2.5" Cal. 10' - 12' Ht. 3'
MG	4	Magnolia grandiflora / Southern Magnolia, 30 Gal. Min. 2.5" Cal. 10' - 12' Ht. 4' Spr.
FM-SM	1,128 sf	Florimulch - Shredded Melaleuca Mulch Composted & Clean, Min. 3" Depth



- JS
3
- WM
35
- MG
4
- FM-SM
1,128 sf

ALTOONA ST.

EDGEWATER DR

**Landscape Plan
(Exhibit D)**



660 Charlotte Street, Suite 8
Punta Gorda, Florida 33950
Tel. (941) 637-9655 | Fax (941) 637-1149
www.sedfl.com
Certificate of Authorization No. 26551

Project No.:	09-0057
Proj. Manager:	G W B
Proj. Designer:	G W B
Drawn By:	DEV
Checked By:	G W B
Approved By:	G W B

EDGEWATER DR PHASE II DESIGN
ALTOONA ST LIFT STATION
LANDSCAPE PLAN
PORT CHARLOTTE FLORIDA

DATE:	03-21-14
SCALE:	1" = 20'
SHEET	1 of 1
PROJECT No.:	09-0057

Narrative for Special Exception Construction of a New Gravity Lift Station at 19412 Edgewater Drive (Altoona Lift Station #139)

Project Overview and Background:

Charlotte County Utilities is seeking a special exception for constructing a proposed lift station in a residential subdivision located at Parcel ID #402220481015 which address is 19412 Edgewater Drive, more specifically Lot 1, Block 138, Subdivision PCH, Section 8. The construction of the lift station is part of the wastewater expansion program associated with the Edgewater Drive Phase II roadway widening project. (See attached Edgewater Dr. Phase II Design Plan and Profile) This lift station will serve the residents along the Edgewater corridor and will extend into the neighborhoods on each side. The County currently owns this lot which is located at an optimal point to provide as much gravity sewer as possible. (See attached Edgewater Service Area) The lift station is identified as LS#139. The construction of this lift station is required at the designated location in order to address the design configuration of the proposed gravity sewer system serving the homes in the area. A photo of an existing typical layout and landscaping example has been attached as well as a photo of the existing site from the street.

Property Description and Proposed Site Improvements:

The lift station will be constructed in the center of Parcel ID #402220481015 which address is 19412 Edgewater Drive, more specifically Lot 1, Block 138, Subdivision PCH, Section 8, providing for a maximum buffer zone from the surrounding residences.

The proposed improvements to be constructed on the site area as follows:

- One lift station which includes an approximate 36' X 39' concrete pad and motor control center panel.
- Perimeter fencing constructed of black vinyl coated chain link and a 16 foot wide concrete driveway access for operation and maintenance personnel.
- The site will be graded to drain to the roadside swale.
- Landscaping that will be consistent with the overall landscape theme of the Edgewater Phase II Roadway Project. (See Edgewater Dr. Phase II Design Planting Plan)

See attached Altoona Lift Station Site Plan, Grading Plan, and Landscape Plan

Section 3-9-7(f) Standards for approval:

1. The requested special exception is either explicitly permitted by the regulations in the zoning district for which it is requested or permitted by reasonable implication within that district.

A special exception is explicitly permitted by the regulations in the zoning district for which it is requested. The proposed lift station site is to be constructed on Parcel ID 402228226001, which is located in the RSF 3.5 Zoning District. Section 3-9-32 (e)(9) lists Essential Services and Emergency Services as Special Exceptions in this district. By definition under Section 3-9-2 Essential Services is defined as utility service installations other than distribution and collection systems. In Section 3-9-74 this definition is further expanded to include sewage

**Narrative
(Exhibit E-1)**

treatment plants and lift stations, water wells, storage tanks, pumping stations, and water treatment plants. Therefore, this proposed lift station is explicitly permitted by special exception within this zoning district.

2. The requested special exception is compatible with existing uses surrounding immediately adjacent and contiguous to the land on which the requested special exception would exist.

The proposed lift station on this site is integral to the successful operation of the Edgewater Drive area wastewater collection system. The lift station collects wastewater from all developed properties in the area and pumps the wastewater to the East Port Wastewater Treatment Facility. The lift station is integral to providing wastewater service to the neighborhood and is compatible with the requirements of providing essential services to the neighborhood. Since the proposed use is allowed as a Special Exception in the zone, it is felt that use of this site for the utility purpose proposed is consistent with Charlotte County development regulations.

3. Adequate access shall be provided for ingress and egress to the proposed use in a manner that minimizes hazards and congestion on streets and roads.

The site will be accessed by a 16-foot wide concrete driveway, which is adequate since this facility is not open to the general public. The primary vehicles entering the site will be for periodic maintenance of the lift station and surrounding grounds.

4. Adequate provision has been made for buffers, landscaping, trees, open space, storm-water or other improvements associated with the proposed use.

The attached site layout identifies the necessary buffers, landscaping, trees, open space, storm-water or other improvements associated with the construction of the lift station.

5. The requested special exception is consistent with the Charlotte County Comprehensive Plan and Land Development Regulations.

The requested special exception is consistent with the Charlotte County Comprehensive Plan and Land Development Regulations. As outlined above, the proposed site for the station, Parcel ID 402220481015 is located in the RSF 3.5 Zoning District. Section 3-9-32(e)(9) lists Essential Services and Emergency Services as Special Exceptions in this district. By definition, under Section 3-9-2 Essential Services is defined as utility service installations other than distribution and collection systems. In Section 3-9-74 this definition is further expanded to include sewage treatment plants and lift stations, water wells, storage tanks, pumping stations, and water treatment plants. Therefore the special exception is consistent with Land Development Regulations. The proposed station is consistent with the County comprehensive plan adopted in July 2010, by the Charlotte County Board of County Commissioners titled, "Smart Charlotte 2050". The plan contains an infrastructure element titled "Infrastructure – Potable Water and Sanitary Sewer (WSW) – Goals, Objectives and Policies". Below are excerpts obtained directly from the plan which supports the proposed station:

- WSW GOAL 3 PROVISION OF UTILITY SERVICES

**Narrative
(Exhibit E-2)**

Encourage utilities to provide well-designed and economically efficient systems of potable water and sanitary sewer service that maximizes the use of existing facilities to meet the needs of a growing population, while protecting the natural environment.

- **WSW OBJECTIVE 3.1 CONNECTION TO UTILITY SERVICES**
To connect developed properties to central potable water and sanitary sewer service when such centralized utility services are made available.
- **WSW GOAL 5 SANITARY SEWER**
Provide adequate sanitary sewage collection and treatment throughout the county.
- **WSW GOAL 6 CHARLOTTE COUNTY UTILITIES**
Operate CCU in an efficient and business-like manner to the benefit of the public.
- **WSW POLICY 6.1.1 PROJECT PRIORITIZATION**
The county shall give high priority to CCU capital projects that are needed to rectify existing deficiencies in the utility systems.
- **WSW POLICY 6.1.2 SEWER EXPANSION PROGRAM**
CCU shall develop a cost-effective sewer expansion program consistent with the Goals, Objectives and Policies of this Plan with the intent of reducing the impact of pollutants on the natural environment and preserving groundwater quality.

6. The establishment, maintenance or operation of the proposed use shall not be detrimental to or endanger the public health, safety or general welfare.

The establishment, maintenance or operation of the proposed lift station and related improvements will not be detrimental to or endanger the public health, safety or general welfare. The station is a critical component of the proposed central wastewater system and will transmit wastewater collected from the surrounding neighborhood to the wastewater treatment plant in order to be treated.

Attachments:

- Edgewater Dr. Phase II Design Plan and Profile
- Edgewater Sewer Service Area
- Typical Layout Photo
- Typical Landscape Photo
- LS #139 Existing Vegetation Photo
- Edgewater Phase II Design Planting Plan
- Altoona St. Lift Station Site Plan
- Altoona St. Lift Station Grading Plan
- Altoona St. Lift Station Landscape Plan

Narrative
(Exhibit E-3)

Smart Charlotte 2050

Infrastructure Element

Water and Sewer (WSW) GOAL 3 - PROVISION OF UTILITY SERVICES

Encourage utilities to provide well-designed and economically efficient systems of potable water and sanitary sewer service that maximizes the use of existing facilities to meet the needs of a growing population, while protecting the natural environment.

WSW Objective 3.1 Connection to Utility Services

To connect developed properties to central potable water and sanitary sewer service when such centralized utility services are made available.

Water and Sewer (WSW) GOAL 5 - SANITARY SEWER

Provide adequate sanitary sewage collection and treatment throughout the County.

Water and Sewer (WSW) GOAL 6 - CHARLOTTE COUNTY UTILITIES

Operate CCU in an efficient and business-like manner to the benefit of the public.

WSW Objective 6.1 Public Benefits

To ensure that CCU operations fulfill public health standards and meet the adopted LOS.

WSW Policy 6.1.1 Project Prioritization

The County shall give high priority to CCU capital projects that are needed to rectify existing deficiencies in the utility systems.

WSW Policy 6.1.2 Sewer Expansion Program

CCU shall develop a cost-effective sewer expansion program consistent with the Goals, Objectives, and Policies of this Plan with the intent of reducing the impact of pollutants on the natural environment and preserving groundwater quality.

WSW Policy 6.1.3 System Extension MSBU's

CCU may continue to finance the extension of its centralized potable water and sanitary sewer facilities through MSBUs or other funding mechanisms.

WSW Objective 6.2 System Efficiencies

To ensure that CCU operations are efficient in the expenditure of public funds.

WSW Policy 6.2.1 Facility Rehabilitation and Reuse

CCU shall evaluate the rehabilitation and reuse of existing facilities and structures as an alternative to new construction.

WSW Policy 6.2.2 Funding Options

CCU shall actively seek Federal and State assistance for the funding of its central potable water and sanitary sewer infrastructure.



MEMORANDUM

Date: April 15, 2014
To: Ken Quillen, Planner III
From: Jamie Scudera, Environmental Specialist
Subject: SE-14-006, Charlotte County Utilities, 19412 Edgewater Drive

The Zoning Environmental Review Section has conducted a cursory review (additional wildlife or environmental reviews may be required by state or federal agencies) of the above referenced petition for compliance with Environmental, Tree and Landscaping codes/ordinances and offers the following comments:

- ❖ A preliminary environmental review was conducted by staff. The site consists of an undeveloped lot in a residential neighborhood. Due to the fact the property is currently undeveloped there is a probability of listed species occurrence on site.
- ❖ County staff will conduct a field review prior to the issuance of county permits and land clearing activities. If listed species are documented on site all required U.S. Fish and Wildlife Service (FWS) and Florida Fish and Wildlife Conservation Commission (FWCC) permits (if applicable) must be provided to staff prior to the issuance of county permits and land clearing activities.

If this petition is approved, the following conditions will be reviewed for compliance upon Site Plan Review (if required) and the issuance of any county permit or land improvement activities:

- ❖ All applicable county, state and federal authorization or permits, and mitigation (if necessary) will be required.
- ❖ If this proposal moves forward, it will be reviewed for compliance with:
 - Chapter 3-2: Article IX. *TREE REQUIREMENTS*
**All heritage trees (per Section 3-2-190) must remain preserved.
 - Chapter 3-5: Article IV, *CLEARING, FILLING AND SOIL CONSERVATION*,
Article XVIII, *LANDSCAPING AND BUFFERS*.

(Exhibit G-1)

**Per Linda Moore, Charlotte County Landscape Plans Reviewer:

1. It will be necessary to obtain CCU approval or authorization for Wax Myrtle to be used as shrubs. It was not a species listed for use on the master landscape plan which was created to allow the specific use of listed materials.
2. Identify any overhead power lines on or adjacent to the site. Ensure compliance with County Code and FPL guidelines for trees planted adjacent to power lines.
3. Identify utility lines and ensure sufficient distance from the lines to the trees.
4. There is a requirement for no less than one canopy tree, one accent or understory tree and two shrubs on each side of the driveway.
5. The NW segment seems to meet the code for the canopy tree and shrubs; however, one accent tree is required. The SW segment is sufficient for shrubs; however, needs one each of canopy and accent/understory trees.
6. One additional canopy tree must be provided in the segments on the north, south and east.
7. The landscaping shall meet the minimum standards of the master landscape plan which is on file in the Zoning Department.

If there are any questions regarding this review please feel free to contact me at 941-743-1290.

JS

(Exhibit G-2)