

Application No.
FP-14-10-01
(Final Plat)

Applicant
Jack DeGagne /
Red Lobster Port Charlotte

Quasi-Judicial

Commission Dist. IV



Community Development

CHARLOTTE COUNTY

Location Map for FP-14-12-02

Charlotte County Government

"To exceed expectations in the delivery of public services."

www.CharlotteCountyFL.com



07/40/22 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 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 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 6168 Date Saved: 1/6/2015 12:44:29 PM

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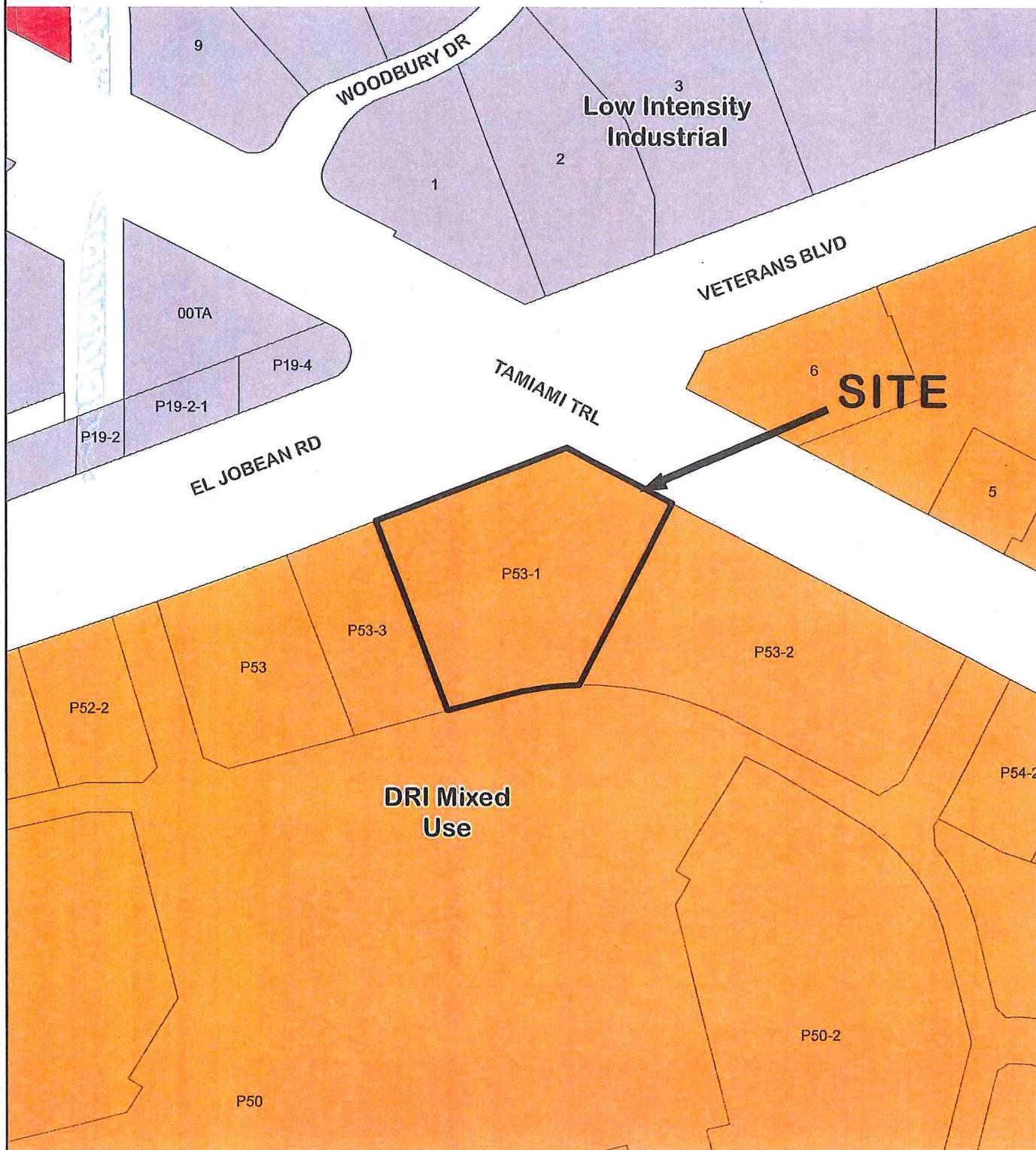
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Community Development

CHARLOTTE COUNTY

Future Land Use Map for FP-14-12-02



07/40/22 Mid-County

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NOT TO SCALE

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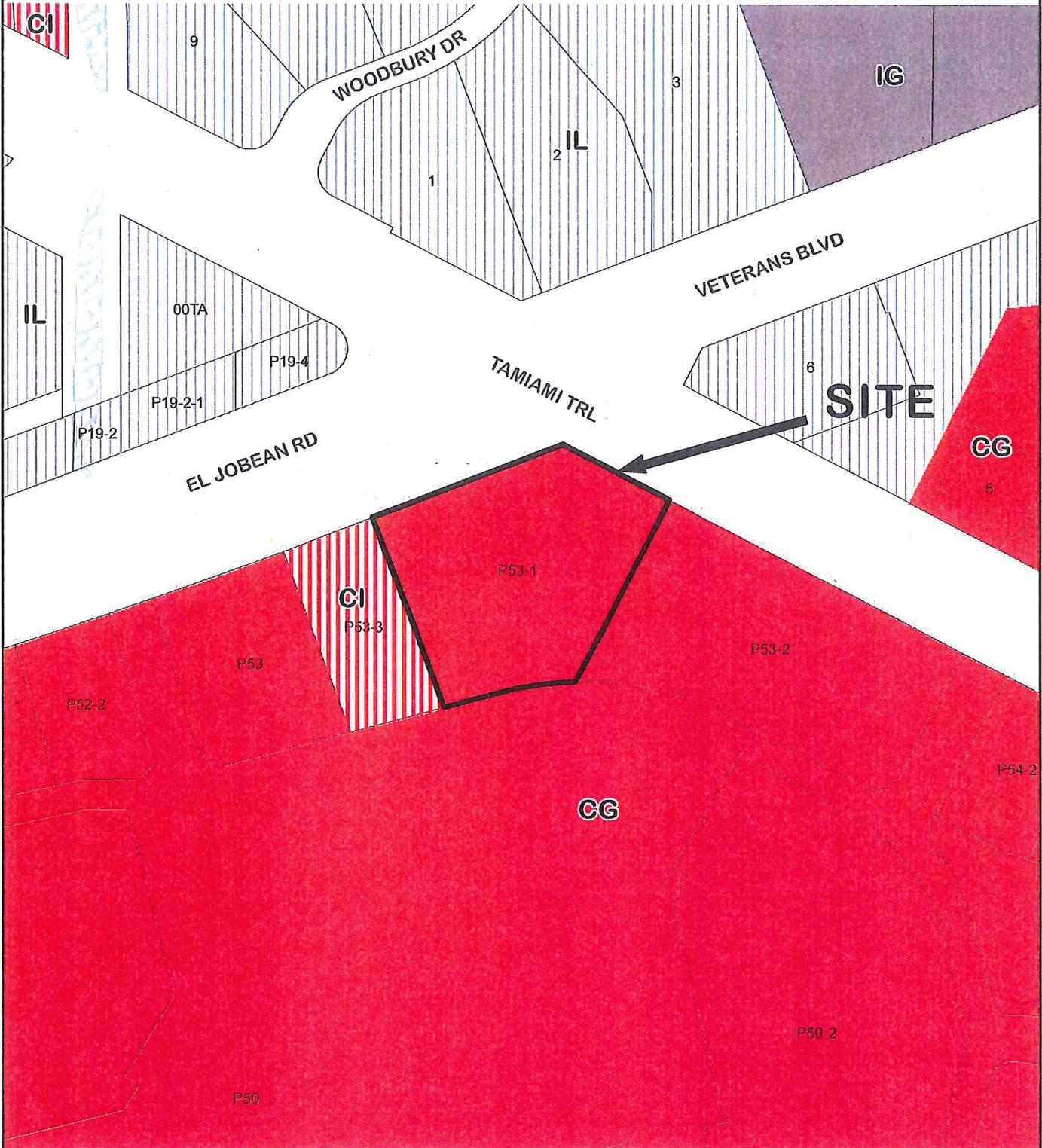
Community Development

CHARLOTTE COUNTY Zoning Map for FP-14-12-02

Charlotte County Government

"To exceed expectations in the delivery of public services."

www.CharlotteCountyFL.com



07/40/22 Mid County

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FP-14-12-02 - Proposed Changes



MEMORANDUM

Date: January 21, 2015

To: Charlotte County Board of County Commissioners,
Planning and Zoning Board

From: Steven A. Ellis, Planner II *SAE*
Community Development / Zoning

Subject: FP-14-12-02, Red Lobster Port Charlotte Subdivision

Jack DeGagne has applied for a two-lot Minor Subdivision to be named, Red Lobster Port Charlotte, located at 1331 and 1341 Tamiami Trail, Port Charlotte, Florida. The site is 3.8 acres, more or less, and is located south and east of El Jobean Road, south and west of Tamiami Trail, and north of Murdock Circle, in Commission District IV.

The subject property lies within the Urban Service Area and in the Murdock Center DRI. The Future Land Use Map designation is DRI Mixed Use and the Zoning District is Commercial General (CG). It lies within Flood Zone X and Storm Surge Evacuation Zone B.

Darden Restaurants is severing the relationship of two of their local restaurants, Olive Garden and Red Lobster. Both establishments currently occupy the same parcel of land in the area of Town Center Mall. In order to accomplish this separation, it is the applicant's intent to plat a two-lot subdivision. Both entities are recording easements in favor of each other regarding parking, access, and signage.

No construction is planned as a part of this petition. That fact, combined with their intention to plat fewer than six lots, qualifies this project as a Minor Subdivision according to the Charlotte County Land Development Regulations. All utilities are in place and operational. Other than drawing a lot line on the map between the two businesses, no changes are taking place on the ground.

Addressing has reviewed the application and had the following comment:

There will no changes in addresses, they will remain the same.

CHARLOTTE COUNTY COMMUNITY DEVELOPMENT

Zoning Division

18400 Murdock Circle, Port Charlotte, FL 33948

Phone: 941-764-4954 | Fax: 941-743-1598

CCU has reviewed the application and had no comments.

Disapproved. In order to approve this action – a utility easement is required along the south property line to address existing water main and hydrant. Additional easement along property line abutting US 41 and El Jobean would also be beneficial.

Comprehensive Planning has reviewed the application and had no comments.

Charlotte County Public Schools has reviewed the application and had the following comment:

The proposed location has no impact on school bus routes or on student stops.

Engineering has reviewed the application and had no comments.

Environmental Health has reviewed the application and had no comments.

GIS has reviewed the application and had no comments.

LIS has reviewed the application and had no comments.

Land Development has reviewed the application and had no comments.

Property Appraiser's Office has reviewed the application and had no comments.

Real Estate Services has reviewed the application and had the following comments:

There is currently a 10' wide drainage and utility easement along the northern boundary of proposed Lots "A" and "B". This easement is currently under the control of the Mall (as indicated by the OR Book/Page). Is this easement to remain under the control of the Mall? If not, then some stipulation should be made indicating differently. I did not see any mention of it in the Declaration of Easements and Covenants.

Zoning/Current Planning has reviewed the application and had the following comments:

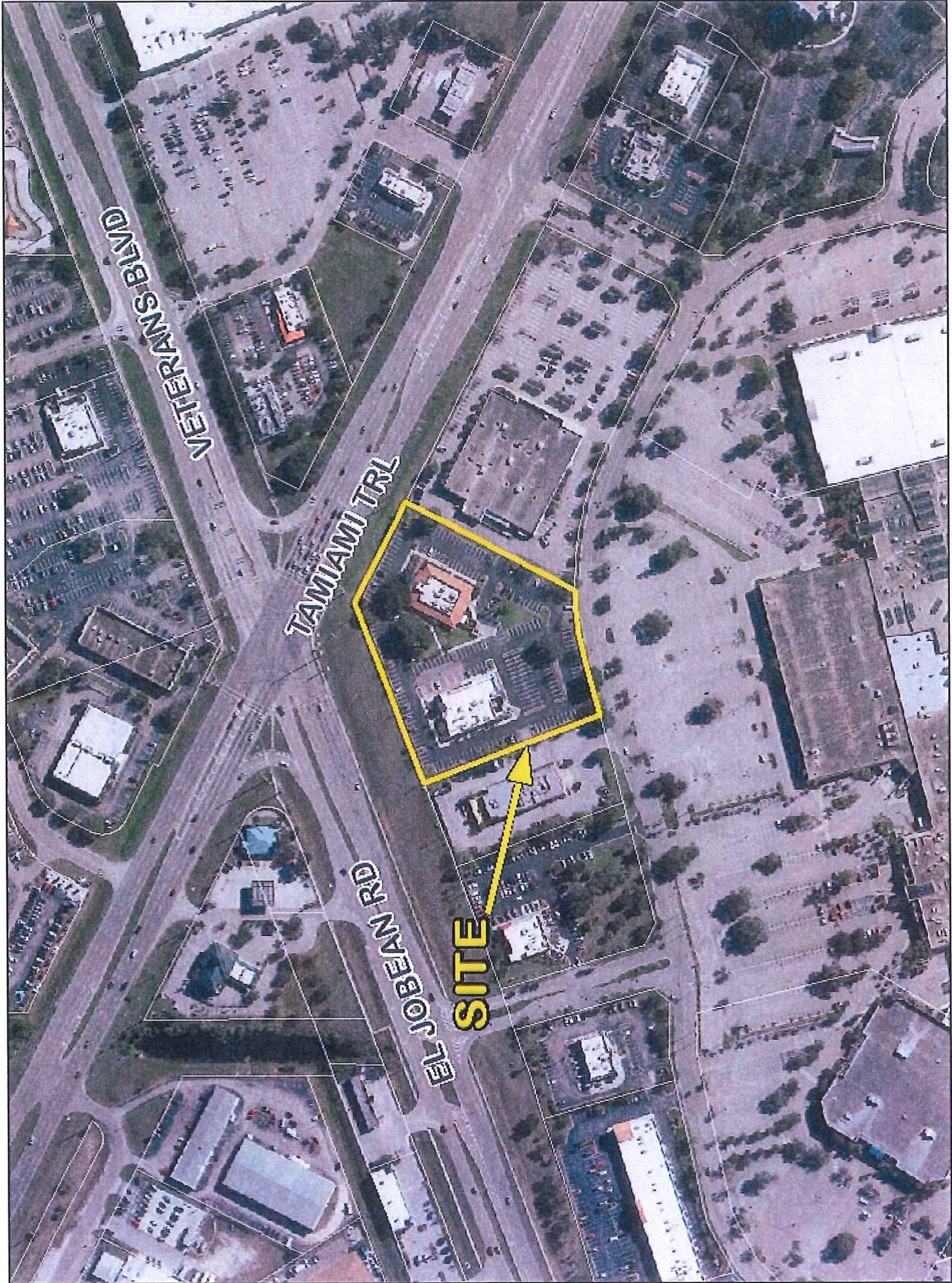
The proposed two-lot subdivision complies with Charlotte County's future land use designation, zoning classification, and minimum lot size requirements. Staff has no objections to the proposed two-lot subdivision. However, an acceptable subdivision name must be approved prior to Final Plat approval.

Zoning/Environmental recommends approval of the application and had the following comment:

As this proposal moves forward, Environmental Staff has no issues that need to be addressed.

RECOMMENDATION

Community Development recommends approval of Petition #FP-14-12-02.



FP-14-12-02 - 2014 Aerial View



MEMORANDUM

To: Steven Ellis, Planner II
From: Ken Quillen, AICP, Planner III
Date: January 5, 2015
Subject: Review of proposed Street Vacation; file number: SV-14-12-03

Below are comments from the Current Planning and Zoning Division regarding the proposed street vacation of a portion of **Winchester Avenue** (platted as New Jersey Avenue) located in the recorded plat of **Grove City on the Gulf**, all located in Section 17, Township 41 South, Range 20 East.

Future Land Use Map: The lots adjacent to the proposed street vacation have a Future Land Use Map (FLUM) designation of Commercial.

Zoning: The lots adjacent to the proposed street vacation have a zoning classification of Commercial General (CG), which is intended to provide areas for a variety of commercial retail sales and service uses.

Flood Zone: The existing street and the adjacent lands are located in the 11AE and 12AE Flood Zones, which has a flood elevation of 11 to 12 feet. Lands in this area are also located in the Storm Serge Evacuation Zone "B".

History: A previous request for a street vacation of a portion of Winchester Avenue, located to the east of Placida Road, was approved by the Board of County Commissioners in 2006. The applicant wants to vacate the portion of Winchester Avenue west of Placida Road.

Finding: Staff finds that the proposed street vacation does complement the street vacation approved by the BCC in 2006 located to the east of Placida Road. This proposed street vacation would further build on this 2006 BCC action. The Zoning Division has no objections to the proposed vacation and recommends approval of the requested street vacation as described in the application.

cc: Shaun Cullinan, Zoning Official
File



MEMORANDUM

Date: January 13, 2015
To: Steven Ellis, Planner II
From: Jamie Scudera, Environmental Specialist
Subject: SV-14-12-03
Bossey Street Vacation
Winchester Ave.

The Current Planning and Zoning Environmental Review Section (ERS) have reviewed the above referenced petition for **Environmental and Tree and Landscaping compliance** and offer the following comments:

A GIS aerial review was conducted by staff. The site consists on an existing vehicular dirt path adjacent to several stands of mature Australian pine trees.

As this proposal moves forward, the Environmental Review Section has requested the following issues be addressed during the development process. **These conditions will be reviewed for compliance prior to any land clearing, development, or permit approvals.**

1. The project site is located in an area that is utilized by species listed by the United States Fish and Wildlife Service (FWS) and the Florida Fish and Wildlife Conservation Commission (FWCC) as endangered, threatened, or a species of special concern. If any new development is proposed the applicant must provide all appropriate comments, authorization/permits, and/or mitigation from the FWCC and FWS prior the issuance of county permits and/or land clearing activities, if applicable.
2. Any trees proposed to be removed (or preserved) must satisfy **Chapter 3-2, Article IX, Tree Requirements** of the County Code. If heritage trees are found to occur on site, the provisions of **Chapter 3-2, Article IX, Section 190** of the County Code must be followed. A Tree Removal Authorization, Memorandum of Fee Exemption, and Tree

Preservation permits must be obtained prior to any land clearing activity and/or the issuance of any building permits.

The applicant is advised that the Charlotte County ERS site review is cursory; additional wildlife or environmental reviews may be required by state and federal agencies.

For any questions pertaining to this application you may contact me at (941)743-1290.

JS

P:\ANIMAL\Street_Vacations\2014\SV-14-12-03(BosseySV).doc

COMMUNITY DEVELOPMENT DEPARTMENT

Planning and Zoning Division
18500 Murdock Circle | Port Charlotte, FL 33948
Phone: 941.743.1242 | Fax: 941.743.1292

INTEROFFICE MEMORANDUM
Growth Management/Land Information Section

To: Steven Ellis

FROM: Gerry Collins
Address Technician

DATE: December 16, 2014

RE: Addressing Comments
February 2, 2015 P&Z / March 24, 2015 BCC

FP-14-12-02 – Red Lobster Port Charlotte

There will be no changes in addresses, they will remain the same.
I have no other comments on this application.

Ellis, Steven

From: Alexander, Debbie
Sent: Tuesday, December 23, 2014 7:45 AM
To: Ellis, Steven
Cc: Payette, Paul; Walter, Bradford; Peruyera, Carlos; VonderMuehll, JoAnn
Subject: P&Z Review - 2-2-15

P&Z – 2-2-15

SV-14-12-03 MICHAEL BOSSEY

No comments.

FP-14-12-02 RED LOBSTER PORT CHARLOTTE (Comment only)

There is currently a 10' wide drainage and utility easement along the northern boundary of proposed Lots "A" and "B". This easement is currently under the control of the Mall (as indicated by the OR Book/Page). Is this easement to remain under the control of the Mall? If not, then some stipulation should be made indicating differently. I did not see any mention of it in the Declaration of Easements and Covenants.

Debra F. Alexander

Real Estate Specialist I
Real Estate Services Division
Budget and Administrative Services Department
Charlotte County Government
(941) 764-5589
(941) 764 5591 (Fax)

www.Debbie.Alexander@CharlotteCountyFL.gov

"To Exceed Expectations in the Delivery of
Public Services"

Ellis, Steven

From: Hunter, Judy
Sent: Thursday, December 18, 2014 2:15 PM
To: Ellis, Steven
Subject: RE: FP-14-12-02, Red Lobster Port Charlotte

Disapproved. In order to approve this action – a utility easement is required along the south property line to address existing water main and hydrant. Additional easement along property line abutting US 41 and El Jobean would also be beneficial.

Judy Hunter, AA
Engineering Services
Charlotte County Utilities
941.764.4539
Judy.hunter@charlottefl.com
www.charlottecountyfl.gov

"To Exceed Expectations in Delivery of Public Services"

From: Ellis, Steven
Sent: Tuesday, December 16, 2014 2:44 PM
To: Matarese, Monte; Vattikuti, Venkat; Pederzoli, Gary; Quillen, Ken; Nocheck, Elizabeth; Scudera, Jamie; Gilbreath, Gina; jerry.olivo@yourcharlotteschools.net; Duckworth, Richard (richard.duckworth@yourcharlotteschools.net); MacDonald, John; Horton, Maggie; Collins, Gerry; Reager, Steve; Alexander, Debbie; DUrso, Chris; Hunter, Judy; Anspach, Dawn
Cc: Cullinan, Shaun; Clim, Diane
Subject: FP-14-12-02, Red Lobster Port Charlotte

Please review the attachments.

Thanks,

Steven A. Ellis, Planner II
Community Development Department
Zoning Division
18400 Murdock Circle
Port Charlotte, FL 33948
Voice: 941-764-4954
Fax: 941-743-1598
www.charlottecountyfl.gov

Ellis, Steven

From: Duckworth, Richard <richard.duckworth@yourcharlotteschools.net>
Sent: Friday, December 19, 2014 2:35 PM
To: Ellis, Steven
Cc: Olivo, Jerry
Subject: Re: FP-14-12-02, Red Lobster Port Charlotte

Good afternoon:

The proposed location has no impact on school bus routes or on student stops.

Thanks for letting me take a look,

Richard

From: Ellis, Steven <Steven.Ellis@charlottecountyfl.gov>
Sent: Tuesday, December 16, 2014 2:44 PM
To: Matarese, Monte; Vattikuti, Venkat; Pederzoli, Gary; Quillen, Ken; Nocheck, Elizabeth; Scudera, Jamie; Gilbreath, Gina; Olivo, Jerry; Duckworth, Richard; MacDonald, John; Horton, Maggie; Collins, Gerry; Reager, Steve; Alexander, Debbie; DUrso, Chris; Hunter, Judy; Anspach, Dawn
Cc: Cullinan, Shaun; Clim, Diane
Subject: FP-14-12-02, Red Lobster Port Charlotte

Please review the attachments.

Thanks,

Steven A. Ellis, Planner II
Community Development Department
Zoning Division
18400 Murdock Circle
Port Charlotte, FL 33948
Voice: 941-764-4954
Fax: 941-743-1598
www.charlottecountyfl.gov



MEMORANDUM

Date: January 13, 2015
To: Steven Ellis, Planner II
From: Jamie Scudera, Environmental Specialist
Subject: FP-14-12-02
Red Lobster Plat Vacation
1331 Tamiami Trail

The Current Planning and Zoning Environmental Review Section reviewed the above referenced petition for **environmental, landscaping and tree compliance** and offer the following comments:

The subject parcel was reviewed and approval was recommended by environmental staff through the Site Plan Review Committee review.

If this petition is approved, the following conditions will be reviewed for compliance prior to final Site Plan Review Committee approval and the issuance of any county permits or land improvement activities.

- ❖ As this proposal moves forward, the Environmental Review Section has no issues which need to be addressed.

Please contact me if you have any questions or need additional information (941) 743-1290.

JS

P:\ANIMAL\PLATS\2014\FP-14-12-02(RedLobster).doc



MEMORANDUM

To: Steven Ellis, Planner II
From: Ken Quillen, AICP, Planner III 
Date: January 5, 2015
Subject: Review of proposed Preliminary Plat; file number **FP-14-12-02**

The Zoning Division has the following comments regarding the proposed preliminary subdivision plat for **Red Lobster and Olive Garden Restaurants** located at 1331 and 1341 Tamiami Trail, in Sections 07, Township 40 South, Range 22 East.

Plat Name: This Preliminary Plat should propose a name for the Final Plat. Names for subdivisions are supposed to be unique and different from any other named subdivision so as to avoid any confusion. Staff cannot check this if there is no name for the proposed subdivision. Please see section 177.051 Florida Statutes and section 3-7-51 of Charlotte County Codes and Ordinances.

Project Summary: This Preliminary Plat proposes dividing parcel P53-1, a 3.8 acre out parcel, into two lots intended for the separation of ownership of the two restaurants.

Zoning: This property has an existing zoning classification of Commercial General (CG). The minimum lot size requirement in the CG zoning district is 12,000 square feet of land area and a minimum lot width of 100'. Both of the proposed lots meet the minimum lot size and width requirements of code. All other development standards of County Codes also apply to the future development on these two commercial lots.

FLUM: This property lies within the "Urban Service Area" and has a Future Land Use Map (FLUM) designation of DRI Mixed Use.

Flood Zone: This property has a Flood Zone classification of "X", which means it is located outside of any flood zone. This property is also located in Zone "B" of the Storm Surge Evacuation Zones.

Finding: Staff finds that the proposed two-lot subdivision does comply with Charlotte County's future land use designation, zoning classification, and minimum lot size requirements and therefore has no objections to the proposed two-lot preliminary plat. However, an acceptable subdivision name must be approved prior to Final Plat approval.

cc: Shaun Cullinan, Planning and Zoning Official
File

Community Development Department – Zoning Division

18400 Murdock Circle, Port Charlotte, FL 33948

Phone: 941.743.1964 | Fax: 941.743.1598



CHARLOTTE COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT

FINAL PLAT APPLICATION

Date Received: 12/11/14	Date of Log-in: 12/8/14
Petition #: FP-14-12-02	CAP #/MSD-14-00001
Receipt #: 161601	Amount Paid: \$1,493.00

1. Name of proposed subdivision: RED LOBSTER- PORT CHARLOTTE

2. Preliminary Plat Petition #: N/A
Date approved: N/A

3. Parties involved in the application:
Have any of the parties involved in this Application changed since the property received Preliminary Plat approval? Yes No
If yes, please explain: _____
Combined application for preliminary and final plat

A. Name of Applicant: Jack DeGagne
Mailing Address: 1000 Darden Center Drive
City: Orlando State: FL Zip Code: 32837
Phone Number: 407-245-5935 Fax Number: 407-241-5817
Email Address: JDeGagne@darden.com

B. Name of Agent: Robert Vint
Mailing Address: 1889 Manzana Ave
City: Punta Gorda State: FL Zip Code: 33950
Phone Number: 941-575-3555 Fax Number: 941-237-5500
Email Address: robertv@ldreeves.com

C. Owner of Record*: ARCP RL/OG Port Charlotte, FL LLC
Mailing Address: 2325 East Camelback Road, Suite 1100
City: Phoenix State: Arizona Zip Code: 85016
Phone Number: 407-245-5935 Fax Number: 407-241-5817
Email Address: JDeGagne@darden.com

* The name and address of every person having a beneficial interest in this property, however small, in the form of a partnership, limited partnership, corporation, trust, or in any form of representative capacity whatsoever for others, shall be disclosed and a list attached to this application, with no exceptions.

D. Name of Surveyor: B Gregory Rieth, PSM, CFM (Strayer Surveying)

Mailing Address: 742 Shamrock Boulevard

City: Venice State: FL Zip Code: 34293

Phone Number: 941-497-1290 Fax Number: 941-497-6186

Email Address: greg@strayersurveying.com

E. Name of Engineer: Melibe Thomas, PE

Mailing Address: 445 24th Street, Suite 200

City: Vero Beach State: FL Zip Code: 32960

Phone Number: 772-794-4055 Fax Number: 561-863-8175

Email Address: Melibe.Thomas@kimley-horn.com

F. Name of Attorney:

Mailing Address:

City: State: Zip Code:

Phone Number: Fax Number:

Email Address:

4. Property ID #: 402207253003

5. Has the property undergone any public hearings, other than the public hearings for the Preliminary Plat approval, since the Preliminary Plat application was submitted?

Yes No

If yes,

Hearing Held by:

Date:

Petition #:

Board of County Commissioners

Planning and Zoning Board

Board of Zoning Appeals

Other (Describe)

ATTACH ALL DEPARTMENT COMMENTS AND DECISION LETTERS

6. Number of lots allowed: Number of lots Proposed:

Minimum lot size previously approved in Preliminary Plat:

Minimum lot dimension previously approved in Preliminary Plat:

AFFIDAVIT

I, the undersigned, being first duly sworn, depose and say that I am the applicant or agent of the property described and that is the subject matter of the proposed Final Plat request, that data and other supplementary matter attached to and made part of the application, are honest and true to the best of my knowledge.

STATE OF Florida, COUNTY OF Orange

The foregoing instrument was acknowledged before me this 9 day of September, 2014, by Jack Degagne agent for owner * who is personally known to me or has/have produced _____ as identification and who did/did not take an oath. *ARCP R40g Port Charlotte, FL LLC

Anne Wyre

Notary Public Signature

Jack Degagne

Signature of Applicant/Agent

Anne Wyre

Notary Printed Signature

JACK DEGAGNE

Signature of Applicant/Agent

Senior Paralegal

Title

1000 DARDEN CENTER DR.

Address

FF021244

Commission Code

ORLANDO, FL 32837

City, State, Zip

407.245.5935

Telephone Number



ANNE WYRE
MY COMMISSION # FF 021244
EXPIRES: June 21, 2017
Bonded Thru Budget Notary Services

PROPERTY OWNER AUTHORIZATION TO APPLICANT

I, the undersigned, being first duly sworn, depose and say that I am the owner of the property described and which is the subject matter of the proposed hearing.

I give authorization for Jack DeGagne to be the applicant for this Final Plat.

STATE OF ARIZONA, COUNTY OF MARICOPA

The foregoing instrument was acknowledged before me this 3rd day of September 2014,

by Todd T. Weiss who is personally

known to me or has/have produced _____ as identification

and who did not take an oath.

Gale M. Toombs

Notary Public Signature

[Signature]

Signature of Owner

Gale M. Toombs

Notary Printed Signature

ARCP RL/OG Port Charlotte FL, LLC

By Cole REIT Advisors III, LLC, mgr

Printed Signature of Owner

By Todd J. Weiss

Legal Secretary

Title

0325 E.

Address

Authorized Officer
Camelback Rd.

Suite 1100

140145

Commission Code

Phoenix, AZ 85016

City, State, Zip

Telephone Number

APPLICANT AUTHORIZATION TO AGENT

I, the undersigned, being first duly sworn, depose and say that I am the applicant for the Final Plat of the property described and which is the subject matter of the proposed hearing. I give authorization for ROBERT VINT to be my agent for this application.

STATE OF Florida, COUNTY OF Orange

The foregoing instrument was acknowledged before me this 9 day of September, 2014,

by JACK DeGagne agent for owner * who is personally known

to me or has/have produced _____ as identification and who did/did not take an oath. * ARCP RL/09 Post Charlotte, FL LLC

Anne Wyss

Notary Public Signature

Jack DeGagne

Signature of Applicant

ANNE WYSS

Notary Printed Signature

JACK DEGAGNE

Printed Signature of Applicant

Senior Paralegal

Title

1000 DARDEN CENTER DR.

Address

FF021244

Commission Code

ORLANDO, FL 32837

City, State, Zip

407.245.5935

Telephone Number



**CHARLOTTE COUNTY
COMMUNITY DEVELOPMENT DEPARTMENT**

PRELIMINARY PLAT APPLICATION

Date Received: 12/11/14	Log-in Date: 12/8/14
Petition #: FP-14-12-02	CAP# MSD-14-00001
Receipt #: 161601	Amount Paid: \$1,493.00

1. Name of proposed subdivision: RED LOBSTER - PORT CHARLOTTE

2. Parties involved in the application:

A. Name of Applicant: Jack DeGagne (Florida SE, Inc.)

Mailing Address: 1000 Darden Center Drive

City: Orlando	State: FL	Zip Code: 32837
---------------	-----------	-----------------

Phone Number: 407-245-5935	Fax Number: 407-241-5817
----------------------------	--------------------------

Email Address: JDeGagne@darden.com

B. Name of Agent: Robert Vint

Mailing Address: 1889 Manzana Ave

City: Punta Gorda	State: FL	Zip Code: 33950
-------------------	-----------	-----------------

Phone Number: 941-575-3555	Fax Number: 941-237-5500
----------------------------	--------------------------

Email Address: robertv@ldreeves.com

C. Owner of Record*: ARCP RL/OG Port Charlotte, FL LLC

Mailing Address: 2325 Camelback Road, Suite 1100

City: Phoenix	State: Arizona	Zip Code: 85016
---------------	----------------	-----------------

Phone Number: 407-245-5935	Fax Number: 407-241-5817
----------------------------	--------------------------

Email Address: JDeGagne@darden.com

* The name and address of every person having a beneficial interest in this property, however small, in the form of a partnership, limited partnership, corporation, trust, or in any form of representative capacity whatsoever for others, shall be disclosed and a list attached to this application, with no exceptions.

D. Name of Surveyor: B Gregory Rieth, PSM, CFM (Strayer Surveying)

Mailing Address: 741 Shamrock Blvd

City: Venice State: FL Zip Code: 34293

Phone Number: 941-497-1290 Fax Number: 941-497-6186

Email Address: greg@strayersurveying.com

E. Name of Engineer: Melibe Thomas, PE

Mailing Address: 445 24th Street

City: Vero Beach State: FL Zip Code: 32960

Phone Number: 772-794-4055 Fax Number: 561-863-8175

Email Address: Melibe.Thomas@kimley-horn.com

F. Name of Attorney:

Mailing Address:

City: State: Zip Code:

Phone Number: Fax Number:

Email Address:

3. Property Location

Section: 07 Township: 40 Range: 22

Property ID #: 40220753003 402207 253003

Commission District: 4

4. Total acreage: 3.8+-

5. Has the property ever been the subject of a public hearing?

x Yes No

If yes,

Hearing Held by: Date: Petition #:
Board of County Commissioners
Planning and Zoning Board
Board of Zoning Appeals
Other (Describe)

ATTACH ALL DEPARTMENT COMMENTS AND DECISION LETTERS

6. Has an administrative interpretation ever been applied for or received for the subject property?

Yes No

If yes, Date: _____ Type: _____

PROVIDE A COPY OF THIS INTERPRETATION.

7. Has this property been platted before?

Yes No

No records could be found indicating this parcel was previously platted.

If yes, in what name? Murdock Center DRI

Date recorded: 1987 (Book 911, Page 779)

Has the previous plat been vacated? Yes No

The above referenced code is the authorization for the DRI

8. *Zoning designation(s): Commercial General

*Future Land Use Map designation(s): DRI Mixed Use

*if more than one, provide acreage of each

Number of lots allowed: _____ Number of lots proposed: 2

Minimum lot size: 10,000sf Minimum lot dimension: _____

Total density: _____

9. Type of proposed development:

Single family Mobile home Institutional

Multi-family Commercial

Industrial Mixed Use

10. Is any variance from the subdivision requirements anticipated or requested per Article II, Section 3-7-21, of the County Code?

Yes No

If yes, ATTACH a description of the variance request.

11. Is this proposed plat part of a Development of Regional Impact (DRI)?

Yes No

If yes, name the DRI: Murdock Center DRI

12. Is the proposed subdivision located within a flood hazard zone as established by F.E.M.A.?
 Yes No

If yes, please specify: _____

13. What is the proposed minimum elevation of road crown and of the lots?

Road: _____ feet above sea level Lots: _____ feet above sea level

Existing conditions to be maintained

Existing elevation ranges from an average low of _____ to an average high of _____ feet above sea level.

Elevations based on: NGVD – 1929 NGVD – 1988

14. What type of potable water and sanitary sewer facilities will service this plat?

Wells Septic Tanks

Central Water Central Sewer

ATTACH:

- Utility letters proving service is available

or

- Health Dept. letter verifying that the septic systems are acceptable based on the proposed subdivision

15. Is development of utility infrastructure proposed prior to final plat?

Yes No

16. Rights-of-way for this proposed subdivision are intended to be:

dedicated private existing dedicated roads

Indicate which of the processes you will be following for roadway construction:

_____ Not constructing roadways prior to final plat. (note: bonding is required - show proof that applicant has met with County Engineer to ensure the rights-of-way will be constructed under the supervision of the County Engineer.)

_____ Constructing roadways prior to final plat. (note: documentation must be submitted with final plat showing that the rights-of-way have been constructed under the supervision of the County Engineer and approved.)

If constructing new roads, and they are to be dedicated to the County, all paperwork shall be in accordance with Article VII of Charlotte County Code 3-7.

ALL ROADS SHALL BE CONSTRUCTED TO COUNTY STANDARDS

17. Is any excavation activity proposed as part of this subdivision? Yes No
If so, indicate if the applicant will need to file for an exemption from the Excavation and Earthmoving Code or what excavation Group # will be applied for: _____

17. Will the subdivision be constructed in phases? Yes No
If yes, please specify: No new construction is planned.

AFFIDAVIT

I, the undersigned, being first duly sworn, depose and say that I am the applicant or agent of the property described and that is the subject matter of the proposed Preliminary Plat request, that data and other supplementary matter attached to and made part of the application, are honest and true to the best of my knowledge.

STATE OF Florida, COUNTY OF Orange

The foregoing instrument was acknowledged before me this 9 day of September, 2014, by JACK DEGAGNE agent for owner * who is personally known to me or has/have produced _____ as identification and who did/did not take an oath. * ARCP RLYOG Port Charlotte, FL LLC

<u>Anne Wyre</u> Notary Public Signature	<u>Jack Degagne</u> Signature of Applicant/Agent
<u>Anne Wyre</u> Notary Printed Signature	<u>JACK DEGAGNE</u> Printed Signature of Applicant/Agent
<u>Senior Paralegal</u> Title	<u>1000 DARDEN CENTER DR.</u> Address
<u>FF021244</u> Commission Code	<u>ORLANDO, FL 32837</u> City, State, Zip
	<u>407.245.5935</u> Telephone Number



PROPERTY OWNER AUTHORIZATION TO APPLICANT

I, the undersigned, being first duly sworn, depose and say that I am the owner of the property described and which is the subject matter of the proposed hearing.

I give authorization for Jack DeGagne to be the applicant for this Preliminary Plat.

STATE OF ARIZONA COUNTY OF MARICOPA

The foregoing instrument was acknowledged before me this 3rd day of September, 2014.

by Todd J. Weiss who is personally known to me or has/have produced _____ as identification and who did/did not take an oath.

Gale M. Toombs
Notary Public Signature

[Signature]
Signature of Owner

Gale M. Toombs
Notary Printed Signature

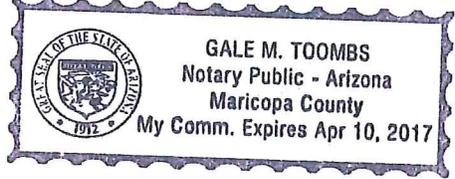
AREP RLYG PORT Charlotte FL, LLC,
BV: Cole REIT Advisors III, LLC, mgr
Printed Signature of Owner By: Todd J Weiss,

Legal Secretary
Title

2325 E. Camelback Rd
Address Authorized Offices

160145
Commission Code

Phoenix, AZ 85016
City, State, Zip



Telephone Number

APPLICANT AUTHORIZATION TO AGENT

I, the undersigned, being first duly sworn, depose and say that I am the applicant for the Preliminary Plat of the property described and which is the subject matter of the proposed hearing.

I give authorization for ROBERT VINT to be my agent for this application.

STATE OF Florida, COUNTY OF Orange

The foregoing instrument was acknowledged before me this 9 day of September, 2014, by Jack DeGagne agent for owner * who is personally known to me or has/have produced _____ as identification and who did/~~did not~~ take an oath. * ARCP R409 Post-Charlotte, FL LLC

Anne Wyre | Jack DeGagne
Notary Public Signature | Signature of Applicant

Anne Wyre | JACK DE GAGNE
Notary Printed Signature | Printed Signature of Applicant

Senior Paralegal | 1000 DARDEN CENTER DR.
Title | Address

FF021244 | ORLANDO, FL 32837
Commission Code | City, State, Zip

407.245.5935
Telephone Number

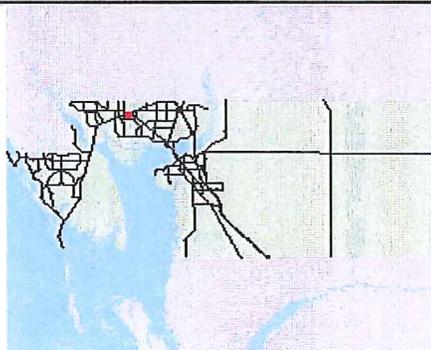


Charlotte County GIS Map



Charlotte County GIS Department Copyright (C) 2014

0 300ft



Copyright 2014
Charlotte County GIS
18500 Murdock Circle
Port Charlotte, FL 33948

- Legend**
- Highlighted_Feature
 - Selected_Features
 - Accounts
 - Lots
 - Waterway Names

DISCLAIMER : 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. C.C.G.I.S. maintains a record regarding the methods used to produce this map and can be furnished upon request.

Notice of Ad Valorem Tax and Non-Ad Valorem Assessments

2013 PAID REAL ESTATE
 Vickie L. Potts, Charlotte County Tax Collector
 18500 Murdock Cir, Port Charlotte FL 33948-1075

REAL ESTATE
 Property Address: 1331 TAMIAMI TRL

10002269079

Legal Description: ZZZ 074022 P53-1 07 40 22 P-53-1 3.8 AC. M/L
 See Additional Legal on Tax Roll

FLORIDA SE INC
 PO BOX 695019
 ORLANDO, FL 32869



Parcel ID: 402207253003

Tax District: 104

Scan the QR Code at right to view your tax bill from your web-enabled mobile phone.

WALK-IN CUSTOMERS PLEASE BRING ENTIRE NOTICE

If Postmarked By **Nov 30, 2013**

Discount

Please Pay \$0.00

GREATER CHARLOTTE LIGHTING	941-743-1551	0.23870	3,355,606	0	3,355,606	800.98
LAW ENFORCEMENT	941-743-1551	2.58550	3,355,606	0	3,355,606	8,675.92
WEST COAST INLAND NAVIGATION	941-485-9402	0.03940	3,355,606	0	3,355,606	132.21
ENVIRONMENTALLY SENSITIVE LANDS	941-743-1551	0.20000	3,355,606	0	3,355,606	671.12
SOUTHWEST FL WATER MANAGEMENT	352-796-7211	0.38180	3,355,606	0	3,355,606	1,281.17
CHARLOTTE COUNTY SCHOOL BOARD	941-255-0808	7.58100	3,355,606	0	3,355,606	25,438.85
CHARLOTTE COUNTY	941-743-1551	6.30070	3,355,606	0	3,355,606	21,142.67

TOTAL MILLAGE RATE 17.32710 **TOTAL AD VALOREM** \$58,142.92

MFD1 CHARLOTTE CO FIRE RESCUE DEPT	941-743-1914	3,431.57
MMSU MID-CHARLOTTE STORMWATER UTIL	941-743-1914	631.48

TOTAL NON-AD VALOREM \$4,063.05
TOTAL COMBINED TAXES AND ASSESSMENTS: \$62,205.97

For additional information please see reverse side.
 Save Time - Pay Online at www.cctaxcol.com

Email: cctaxinfo@charlottefl.com
 Phone (941) 743-1350

- E-Check-A FREE electronic payment from your checking account.
- Credit Card - 2.5% fee or \$2.50 min. charge for M/C, Visa, Amex, Discover

Notice of Ad Valorem Tax and Non-Ad Valorem Assessments

2013 PAID REAL ESTATE
Make checks payable in U.S. funds to:
 Charlotte County Tax Collector
 18500 Murdock Circle Port Charlotte FL 33948
 Telephone: 941-743-1350

10002269079

RETURN WITH PAYMENT

Parcel ID: 402207253003
Owner Information: FLORIDA SE INC
 PO BOX 695019
 ORLANDO, FL 32869
Property Address:
 1331 TAMIAMI TRL, PORT CHARLOTTE

I am paying the following amount (check ONLY one box) based on the date paid online, in the office, or postmarked:

<input type="checkbox"/>	Nov 30, 2013	\$0.00
<input type="checkbox"/>		

Taxes become delinquent on 03/31/2014 - Add 3%

Charlotte County Property Appraiser

Paul L. Polk, CFA

Real Property Record

Show 2014	Show 2013	Show 2012	Show 2011
Show 2010			

If a discrepancy is discovered in your property's records, or those of another, please bring it to our attention immediately.

General Parcel Information for 402207253003 for the 2014 Tax Roll

Parcel ID:	402207253003	Property Address:	1331 TAMIAMI TRL or 1341 TAMIAMI TRL
Old Parcel ID Number:	00705630115004	Property Zip Code:	33948
Business Name:	OLIVE GARDEN & RED LOBSTER	Section-Township-Range:	07-40-22
Map Number:	4A07N	Zoning Code:	CG
Current Use:	RESTAURANTS, CAFETERIAS	Roads:	PAVED
Future Land Use (Comp. Plan):	DRI MIXED USE	Taxing District:	104
Utilities:	WATER & SEWER	Market Area / Neighborhood:	01 /70
Waterfront:	NO	SOH Base Year:	

FEMA Flood Zone (Effective 5/5/2003)

Firm Panel	Floodway	SFHA	Flood Zone	FIPS	COBRA	Community	Base Flood Elevation (ft.)	Letter of Map Revision (LOMR)
0044F		OUT	X	12015C	COBRA_OUT	120061		

*If parcel has more than 1 flood zone, refer to the flood maps available on the GIS web site by clicking on View Map below. [Click here for definitions.](#)
For more information, please contact Building Construction Services at 941-743-1201.

Ownership Information

FLORIDA SE INC
PO BOX 695019
ORLANDO, FL 328699901

Ownership current through: 2/26/2014

Sales Information

Date	Book/Page	Sales Codes	Qualification/ Disqualification Code	Selling Price
10/1/1989	1064/1723	VACANT		\$1,738,100
5/27/2008	3303/2190	IMPROVED	19	\$100
5/27/2008	3303/2194	IMPROVED	19	\$100

Click on the book/page to view transaction document images on the Clerk of the Circuit Court's web site.
Click on Qualification/Disqualification Code for description of code. Codes are not available prior to 2003.

2014 Preliminary tax roll values are not yet available.
Preliminary values are typically available mid-August.
For the most up to date values, see the 2013 tax year.

Tax Information

Land Information

Line	Description	Land Use	Zoning	Unit Type	Unit Rate	Units	Depth	Table/Factor	Acreage
1	ZZZ 074022 P53-1	2100	CG	SQUARE FOOT	\$16.85	165528	0		0

Land Value may be adjusted due to scrub jay habitat. To determine if this parcel is within scrub jay habitat [click here](#).

Land Improvement Information

Code	Description	Size	Year Built	Year Condition
1012	Storm Water Drainage	98948	1990	1990
1012	Storm Water Drainage	9825	1990	1990
1080	Fence - Solid Wood 6' (lf)	12	1990	1990
1080	Fence - Solid Wood 6' (lf)	8	1999	1999
1095	Metal Fence/rail (sf)	147	1990	1990
1095	Metal Fence/rail (sf)	144	1990	1990
1220	Wall 8" CBS (sf)	200	1990	1990
1221	Wall 8" CBS(sf) Both Sides	400	1999	1999
1310	Paving Asphalt	98948	1990	1990
1320	Paving Concrete (sf)	9825	1990	1990
1624	Comml Irrigation(fv)	1	1990	1990
1720	Light Poles - Good (number)	13	1990	1990
1730	Lights - Low Cost (number)	34	1990	1990
1780	Lights Vapor Good (number)	15	1990	1990
1791	Residential Cost Wallmounts (low Cost)	56	1990	1990

Building Information [View Building Sketch](#)

Building Number	Description	Building Use	Year Built	Year Cond	Floors	Rooms	Bedrooms	Plumbing Fixtures	Living Area	A/C Area	Total Area
1	OLIVE GARDEN REST	2100	1990	1991	1	0	0	0	9069	9005	9101
2	RED LOBSTER	2100	1990	1996	1	0	0	0	9693	9693	10313
3	STORAGE	3	0700	2004	2004	1	1	0		160	0 160

Building Component Information

Bld #	Code	Description	Category	Area	Percent	Year Built	Year Cond	Type
1	9264	Commercial Utility (SF)	Porch/Deck	32	100	1990	1991	Appendage Component
1	108	Frame, Siding, Wood	Exterior Walls	0	100	1990	1991	Construction Component
1	202	Built-up Rock	Roofing	0	100	1990	1991	Construction Component
1	351	Warmed & Cooled Air	Heating/Cooling	0	100	1990	1991	Construction Component
1	402	Automatic Floor Cover Allowance	Floor Cover	0	100	1990	1991	Construction Component
1	546	Sprinklers (SF or %)	Extras	9069	100	1990	1991	

								Construction Component
1	40109	Fill	Segregated Costs	2	100	1990	1991	Construction Component
2	9211	Commercial Canopy (SF)	Porch/Deck	620	100	1990	1996	Appendage Component
2	202	Built-up Rock	Roofing	0	100	1990	1996	Construction Component
2	351	Warmed & Cooled Air	Heating/Cooling	0	100	1990	1996	Construction Component
2	546	Sprinklers (SF or %)	Extras	9693	100	1990	1996	Construction Component
2	40109	Fill	Segregated Costs	2	100	1990	1996	Construction Component

Legal Description

Short Legal	Legal Description
ZZZ 074022 P53-1	07 40 22 P-53-1 3.8 AC. M/L BEG INTX OF S R/W SR 776 & S R/W US 41 TH SE ALG US 41 220 FT TH LEAVING US 41 TH SW 379.32 FT TH W ALG A CURVE 132 FTTH SW 116.09 FT TH NW 374.5 FT TO S R/W SR 776 TH NE ALG S R/S 380 FT TO POB 1064/1723-41 3303/2190 3303/2194

Data Last Updated: 3/5/2014- Printed On: 3/5/2014.

[View Map](#)

[New Search](#) [Help](#)

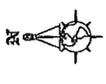
[Home](#) [Send Us Email](#)

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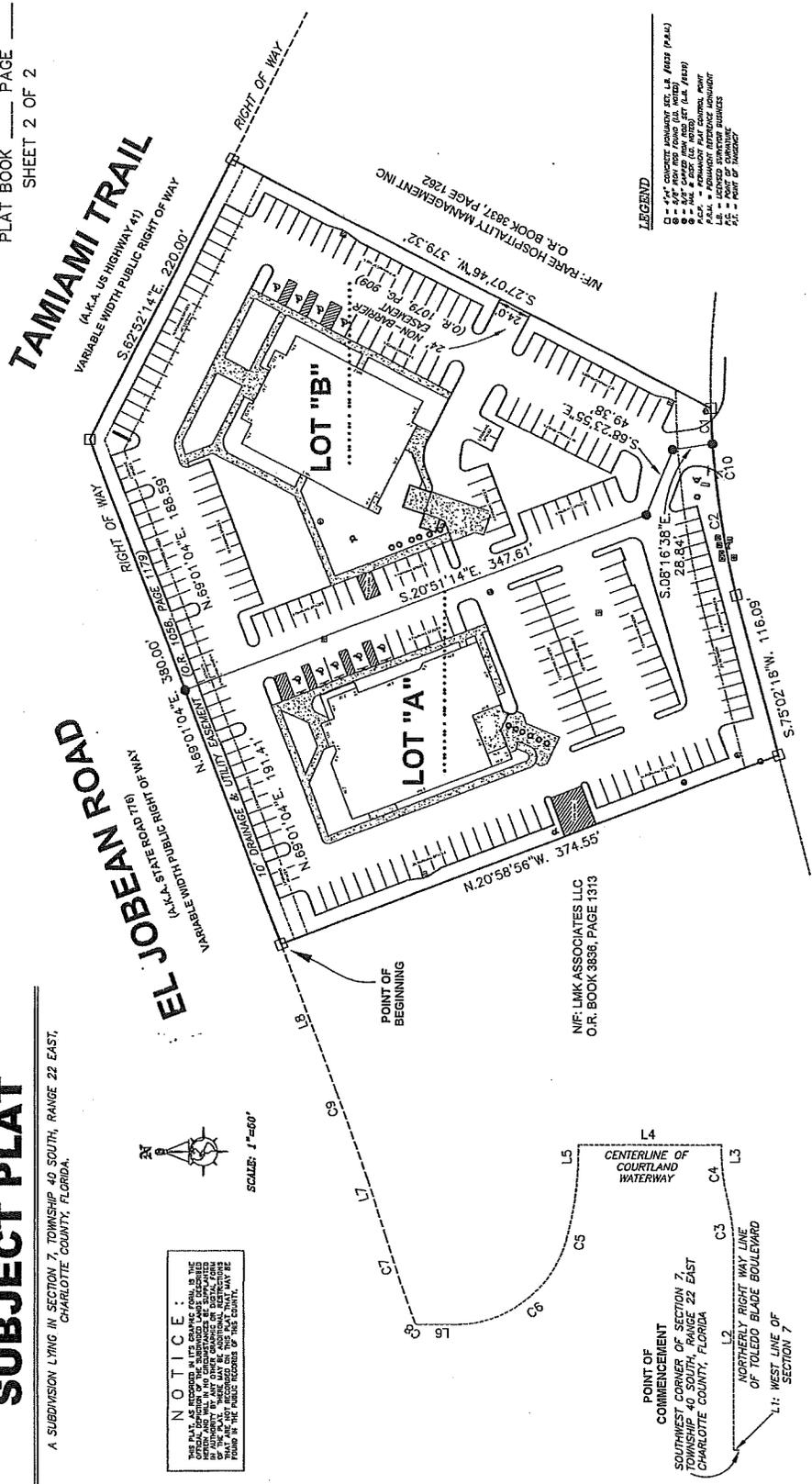
SUBJECT PLAT

A SUBDIVISION LYING IN SECTION 7, TOWNSHIP 40 SOUTH, RANGE 22 EAST,
CHARLOTTE COUNTY, FLORIDA.

NOTICE:
THIS PLAT IS PREPARED IN ACCORDANCE WITH THE
OFFICIAL RECORDING ACT AND THE SUBDIVISION LAWS ENACTED
BY THE FLORIDA LEGISLATURE. THE INFORMATION CONTAINED
HEREIN IS FOR INFORMATION ONLY AND DOES NOT CONSTITUTE
A WARRANTY OF ANY KIND. THE USER OF THIS PLAT MAY BE
DEEMED TO HAVE BEEN ADVISED OF THIS NOTICE.



SCALE: 1"=60'



LEGEND

- = 4\"/>

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 00° 05' 44\"/>	

CURVE TABLE

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	25.13'	1610.00'	2° 21' 38\"/>		

NIF: PORT CHARLOTTE LAND LLC
O.R. BOOK 1842, PAGE 1825

DESCRIPTION:

A parcel of land lying in Section 7, Township 40 South, Range 22 East, Charlotte County, Florida, described as follows:
Commencing at the Southwest Corner of said Section 7, and thence North 0° 05' 44\"/>