

**Application No.**  
**PA-13-10-12-LS**  
**(Large Scale Plan Amendment)**

**Applicant**  
**Charlotte County Board of County**  
**Commissioners /**  
**DRI Mixed Use to Low Density**  
**Residential**

**Legislative**

**Commission Dist. I**



Community Development

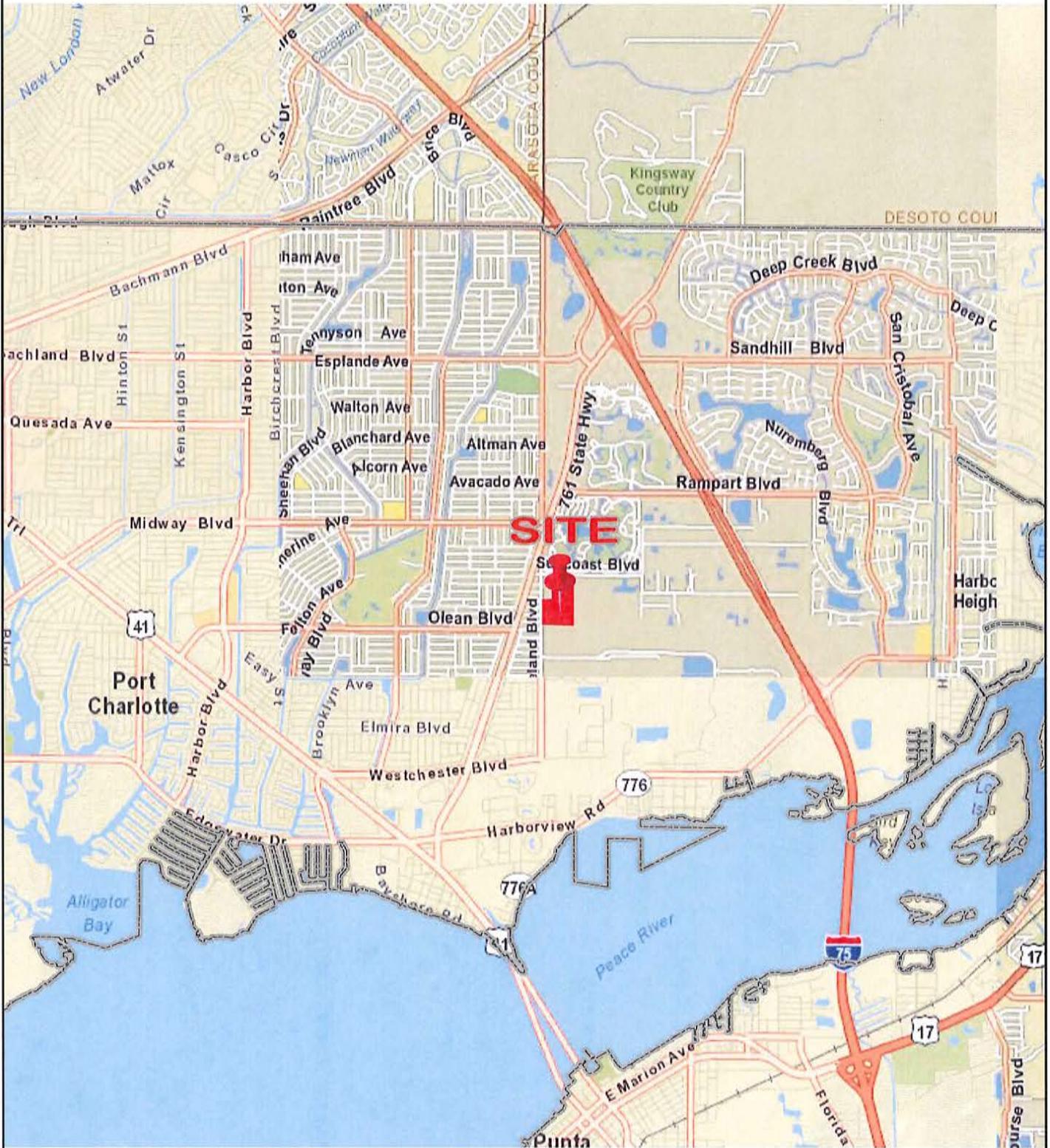
# CHARLOTTE COUNTY

## Location Map for PA-13-10-12-LS

Charlotte County Government

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

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18/40/23 Mid County

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Community Development

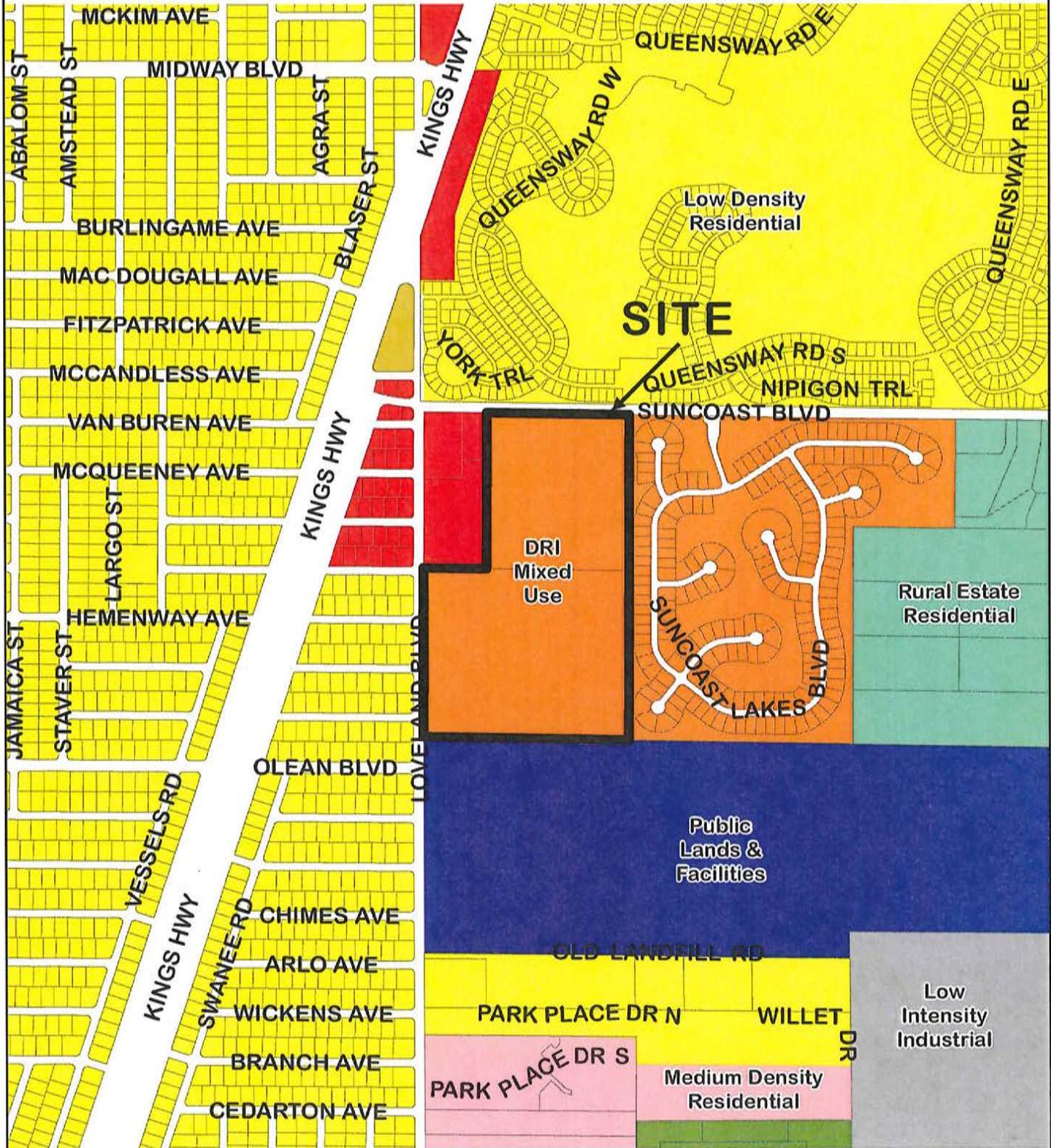
# CHARLOTTE COUNTY

## FLUM Map for PA-13-10-12-LS

Charlotte County Government

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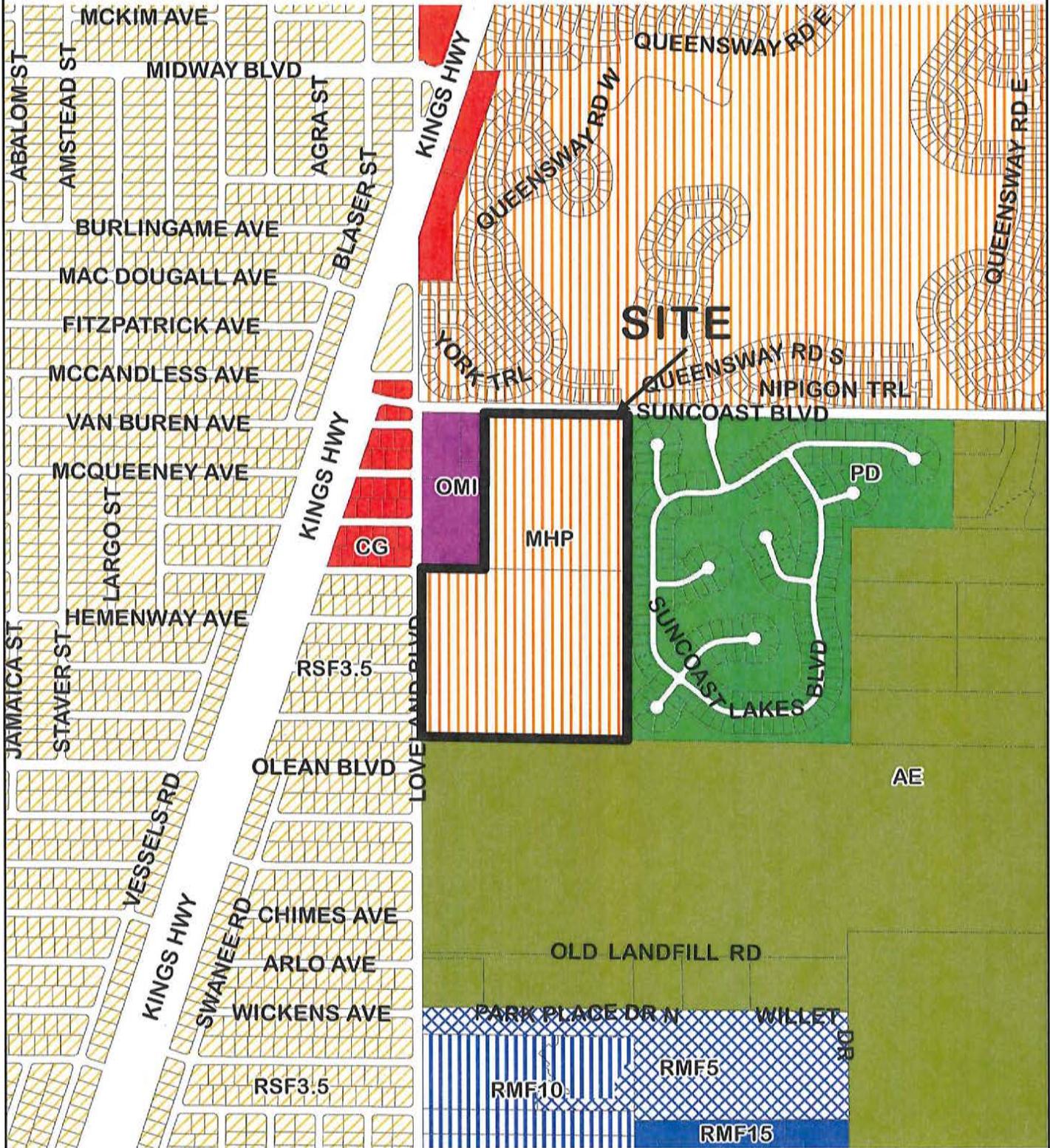
Community Development

# CHARLOTTE COUNTY Zoning Map for PA-13-10-12-LS

Charlotte County Government

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## Community Development Department Staff Report for PA-13-10-12-LS

**DATE:** November 22, 2013

**TO:** Honorable Board of County Commissioners  
The Planning and Zoning Board

**FROM:** Jie Shao, Planner III

### REQUESTED

**ACTION(S):** A publicly initiated request to amend Charlotte County FLUM Series Map #1, 2030 Future Land Use, from DRI Mixed Use (DRI) to Low Density Residential (LDR) with an annotation to the Future Land Use Map allowing a maximum of 234 residential dwelling units on the site

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### PART I

**Applicant(s):** Charlotte County Board of County Commissioners  
18500 Murdock Circle  
Port Charlotte, FL 33948

**Owner(s):** Charlotte County School Board  
1445 Education Way  
Port Charlotte, FL 33948

### General Location and Acreage:

The subject property is located at 2414 Loveland Boulevard and 24051 Suncoast Boulevard, in the Port Charlotte area, and it contains a total of 50± acres.

**Account Number(s):** 402318306006 & 402318351001

### Analysis:

Staff initiated, reviewed and is recommending approval of this large scale plan amendment. The request is to amend the property's Future Land Use Map designation from DRI Mixed Use (DRI) to Low Density Residential (LDR) with an annotation allowing a maximum of 234 residential dwelling units on the site. The subject property is owned by the Charlotte County School Board (School Board) and it contains approximately 50 acres.

***History***

The subject property was a part of the Victoria Estates DRI when the DRI was originally approved on July 11, 1989 but was excluded from the DRI in 2002 per Resolution 2002-109 (Please see Attachment 2). Despite the removal of the property from DRI, the Future Land Use Map (FLUM) designation was not been amended to reflect the change. The School Board purchased the property in 1999 and NB/85 Associates, Wayne M. Ruben and Benderson Development Company, Inc. initiated the removal of the property from the DRI.

Additionally, in 1999, the Charlotte County Board of Zoning Appeals approved a Special Exception (Petition #SE-99-12, please see Attachment 3) to allow a high school and other educational facilities of the public school system in the Mobile Home Park (MHP) zoning district for the subject site. The Special Exception uses shall run with the land in perpetuity.

***Present Time***

The FLUM designation of DRI is only appropriate for a property within a Development of Regional Impact so, on August 12, 2013, County staff had a meeting with School Board staff and attorney to discuss possible corrections to the FLUM designation of the property. A letter from the School Board's attorney, dated August 30, 2013 (Please see attachment 4), states that *it is in the best interest of the school district to retain the residential zoning on the subject property*. Therefore, County staff initiated an amendment as requested by the School Board. If the Board of County Commissioners approves this petition, the subject property will retain the maximum development rights of 234 units, which were granted through the Victoria Estates DRI. The proposed change will make the FLUM designation consistent with the existing MHP zoning and the approved Special Exception uses.

***Compatibility and Impacts on the Adjacent Residential Uses***

The subject property is currently vacant. To the north, across Suncoast Boulevard, there is Maple Leaf Estates Mobile Home Park. Victoria Estates DRI, containing residential single-family homes, is located directly to the east of the site. To the south is the County-owned Eastport Water Plant. The School Board owns another property located immediately to the west of the subject site and there are some vacant commercial lands and medical service offices located immediately to the northwest of the site. Across Loveland Boulevard, to the west, there are vacant platted residential lots. The proposed change will allow the site to have residential development or a school and ancillary educational facilities. All these permitted uses under the proposed LDR Future land Use Map designation are compatible with the predominately residential uses on surrounding properties.

***Consistency Issues***

- Water and Sewer: The site is currently vacant and it is within the boundary of the Charlotte County Utilities certificated area. Charlotte County Utilities has more than adequate capacity to accommodate the future development of the site.
- Traffic: After reviewing the application, the County's Transportation Planner has concluded that the proposed change will not cause the Level-of-Service (LOS) of the County's roadways to drop below the adopted LOS D.

Therefore, the proposed development will not create any concurrency issues.

**STAFF RECOMMENDATION:**

“Approve transmittal of Petition No. PA-13-10-12-LS to the Department of Economic Opportunity for review and comments based on the findings and analysis in the Comprehensive Planning Division staff report dated November 22, 2013 and the evidence presented at the public hearing on the application.”

**Conclusion:**

Staff recommends approval of this plan amendment because it is consistent with the goals, objectives, and policies set forth in the County’s Comprehensive Plan. The proposed change will make consistent the Future Land Use Map designation, Zoning District and the approved special exception uses of the site.

The Planning and Zoning Board proposed recommendations:

“Motion to forward application No. PA-13-10-12-LS to the Board of County Commissioners with a recommendation of Approval/Denial of the transmittal of petition No. PA-13-10-12-LS to the Department of Economic Opportunity for review and comments based on the findings and analysis in the staff report dated November 22, 2013 and the evidence presented at the public hearing on the application.”

**PART II: RESEARCH AND FINDINGS**

1. **2050 Framework Designation:** Emerging Neighborhood
2. **2030 Service Area Delineation:** Urban Service Area
3. **Existing Land Use on the Site:** The site is currently vacant.
4. **Existing Designation(s):**

FLUM	Development Standard
DRI Mixed Use (DRI)	The DRI category is used for lands where development is proposed that, because of the character, magnitude, or location, has a substantial effect upon the health, safety, and welfare of citizens within Charlotte County and at least one additional surrounding county or municipality. Lands designated as such meet the threshold requirements identified within Chapter 380.06, Florida Statutes and must undergo intergovernmental review as specified in that chapter as a Development of Regional Impact (DRI). All developments within a DRI Mixed Use district must be constructed in accordance with a final development order (DO or MDO) approved by the Board of County Commissioners. The mix of land uses and allowed densities and intensities within an approved DRI MDO, or DO

	if no MDO is approved, shall be adopted into Appendix VI: Developments of Regional Impact. Active DRIs are depicted on FLUM Series Map #25.
<b>Zoning</b>	<b>Development Standard</b>
Mobile Home Park (MHP)	<p>The mobile home park (MHP) district is intended to provide for parks consisting of mobile homes occupied as single-family dwellings in an environmental of residential character.</p> <ul style="list-style-type: none"> <li>• Minimum park area is 20 acres.</li> <li>• Minimum mobile home living area is 400 square feet.</li> <li>• Minimum lot requirements:             <ul style="list-style-type: none"> <li>○ Minimum lot area is 4,000 square feet.</li> <li>○ Minimum lot width is 50 feet.</li> </ul> </li> <li>• Minimum yard requirements:             <ul style="list-style-type: none"> <li>○ No structure other than screening required pursuant to article XXII, chapter 3-5, of the Code, shall be located closer than twenty-five (25) feet to a park boundary. A buffer in compliance with article XXII, chapter 3-5 shall be located within the twenty-five (25) foot setback.</li> <li>○ No structure shall be located closer than ten (10) feet to another structure and ten (10) feet to the pavement line of any internal street.</li> </ul> </li> <li>• Maximum height of structure is 38 feet.</li> <li>• Maximum density is 5 units per acre.</li> </ul>

Table 1

**5. Proposed Designation(s):**

<b>FLUM</b>	<b>Development Standard</b>
Low Density Residential (LDR)	<p><b><u>General Range of Uses</u></b> Single-family residential, multi-family residential, manufactured residential dwelling units, recreational vehicles, recreational facilities in association with residential development, schools, and public services and facilities.</p> <p><b><u>Minimum and Maximum Density</u></b> Low Density Residential lands may be developed at a density of one dwelling unit per acre up to five dwelling units per acre. If zoned Environmentally Sensitive, the density is one dwelling unit per ten acres.</p>
<b>Zoning</b>	<b>Development Standard</b>
N/A	N/A

Table 2

**6. Surrounding Land Uses and their Future Land Use Map and Zoning Designations:**

<b>Direction</b>	<b>Existing Land Use</b>	<b>FLUM Designation</b>	<b>Zoning District Designation</b>
<b>North</b>	Suncoast Boulevard Maple Leaf Estates Mobile Home Park	Low Density Residential (LDR)	Mobile Home Park (MHP)
<b>East</b>	Single-family homes	DRI Mixed Use (DRI)	Planned Development (PD)

	Vacant lands designated for residential uses	Rural Estate Residential (RER)	Agriculture Estate (AE)
<b>South</b>	Eastport Water Plant owned by Charlotte County	Public Lands & Facilities	Agriculture Estates (AE)
<b>West</b>	Vacant lands designated for commercial uses Improved commercial Vacant lands designated for residential development	Commercial (COM) Low Density Residential (LDR)	Office, Medical and Institutional (OMI) Commercial General (CG) Residential Single-family 3.5 (RSF-3.5)

Table 3

**7. Buildout Calculations (square footage &/or density):**

The proposed change will allow a maximum of 234 residential dwelling units on the site.

**8. Is the subject site within a Community Planning Area or Special Plan area? No**

**9. Is the subject site located adjacent to existing or proposed Federal, State, or County wildlife management areas, parks, preserves or reserves?**

The subject property is not adjacent to any of the existing or proposed Federal, State, or County wildlife management areas, parks, preserves or reserves.

**10. Is the proposed land use designation(s) consistent with the provisions of the:**

- a. Charlotte Harbor Aquatic Preserves Management Plan?** The subject property is located outside the boundary of the Charlotte Harbor Aquatic Preserves.
- b. Lemon Bay Aquatic Preserve Management Plan?** The subject property is located outside the boundary of the Lemon Bay Aquatic Preserve.

**11. Does the subject site contain any designated archaeological site or historic structures?**

According to the Florida Master Site File, the subject site does not contain any historic structures nor is it designated as an archaeological site.

**12. Are there wetlands on the property? No**

- a. Number of acres of Category I:**No
- b. Number of acres of Category II:** No

**13. Natural Resources:**

- a. Significant natural resources and/or critical habitat for endangered/potentially endangered species:** Possible. According to the County Environmental Specialist’s report, dated November 18, 2013, a preliminary environmental review and site inspection was conducted by Charlotte County environmental staff on November 14, 2013. The site was historically cleared for agricultural purposes and is currently being used for cattle grazing. The native habitat originally located on site consisted primarily of Pine Flatwoods - Slash Pine (*Pinus elliotii*), Sabal Palm (*Sabal palmetto*), Saw Palmetto (*Serenoa repens*), Wax

Myrtle (*Myrica cerifera*), Sand Live Oak (*Quercus virginiana*) and Beautiful pawpaw (*Deeringothamnus pulchellus*). Currently the site consists of various species of pasture grass, Slash Pine and Sabal Palms interspersed with minimal Sand Live Oaks, Saw Palmetto and Beautiful pawpaw. No listed animal species utilization was observed during staff's cursory site inspection. The Beautiful pawpaw is listed as endangered nationally and by Florida. The site is not located within the U.S. Fish and Wildlife Service (FWS) Scrub Jay review area nor is it located within 660 feet of any documented Bald Eagles nest.

- b. Possible impacts to groundwater, surface water, wetlands or other significant natural resources:** No
- c. Is the subject site within the Special Surface Water Protection Overlay District?** No
- d. Is the subject site within the Watershed Overlay District?** No
- e. Is the subject site within a Wellhead Protection Area?** No
- f. Is the subject site within the Prime Aquifer Recharge Area?** No

#### 14. Coastal Planning:

- a. Is the subject site within the Coastal Planning Area?** The site is located within the Coastal Planning Area.
- b. Could the proposed changes impact beach accessibility?** No
- c. Could the proposed change affect other waterfront access?** No
- d. Flood Zone:** A portion of the site is in flood zone X, Which is an area determined to be outside the 0.2% annual chance floodplain. The remaining of the site is located in Flood Zone 14 AE, an area with a determined base flood elevation of 14 feet.
- e. Storm Surge Evacuation Zone:** The site is located within Evacuation Zone B.
- f. Coastal High Hazard Area?** No
- g. Could the proposed changes impact evacuation times?** No

#### 15. Facilities and Services

- a. Nearest Park:**  
*Name:* Harold Avenue Park  
*Classification:* Community Park  
*Address:* 23400 Harold Avenue, Port Charlotte  
*Distance:* approximately 1.8 miles to the northwest of the subject site
- b. Nearest Police Station:**  
*Name:* District 4 Office  
*Address:* 3280 Tamiami Trail Suite 505 (Promenades Mall), Port Charlotte  
*Distance:* approximately 3.6 miles to the southwest of the subject site
- c. Nearest Fire/EMS Station:**  
*Name:* Charlotte County Station No. 12  
*Address:* 2001 Luther Road, Port Charlotte  
*Response Time:* Approximate response time is 4-6 minutes
- d. Nearest Library:**  
*Name:* Mid-County Regional Library  
*Address:* 2050 Forrest Nelson Boulevard, Port Charlotte  
*Distance:* approximately 5.1 miles to the northwest of the subject site

**e. Nearest Hospital:**

*Name:* Peace River Regional Medical Center

*Address:* 3631 Tamiami Trail, Port Charlotte

*Distance:* approximately 3.9 miles to the southwest of the subject site

**f. Nearest Potential Emergency Shelter:**

*Name:* Pilgrim United Church of Christ

*Address:* 24515 Rampart Boulevard, Port Charlotte

*Distance:* approximately 1.7 miles to the northeast of the subject site

**g. Nearest Public Schools:**

1. **Elementary:**

*Name:* Deep Creek Elementary School

*Address:* 26900 Harborview Road., Port Charlotte

*Distance:* approximately 2.3 miles to the southeast of the subject site

2. **Middle:**

*Name:* Port Charlotte Middle School

*Address:* 23000 Midway Boulevard, Port Charlotte

*Distance:* approximately 1.8 miles to the northwest of the subject site

3. **High:**

*Name:* Charlotte High School

*Address:* 1250 Cooper Street, Punta Gorda

*Distance:* approximately 5.8 miles to the southeast of the subject site

**16. Concurrency**

**a. Roads Level of Service:** See attached report from Venkat Vattikuti, Transportation Planner

**b. Potable Water Level of Service:**

1. *Provider's Name:* Charlotte County Utilities (CCU)

Permitted Facility Capacity	225 gallons per ERU per day	
	Current Facility Usage	Proposed Land Use estimated water needs
16,100,000	9,236,000	44,460

Table 4

2. *Analysis:* If the Board approves this plan amendment application, it will allow the property owner to have a maximum of 234 dwelling residential units on the site. The estimated water usage would be 44,460 gallons per day. Charlotte County Utilities (CCU) retains enough capacity to serve the proposed residential development.

**c. Sanitary Sewage Level of Service:**

1. *Provider's Name:* Charlotte County Utilities (CCU)

Permitted Facility Capacity	190 gallons per ERU per day	
	Current Facility Usage	Proposed Land Use estimated sewer needs

6,000,000	6,162,000	37,791
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Table 5

2. *Analysis:* If the Board approves this plan amendment application, it will allow the property owner to have a maximum of 234 dwelling residential units on the site. The estimated sewer generation would be 37,791 gallons per day. Charlotte County Utilities (CCU) retains enough capacity to serve the proposed residential development.

**d. Park and Recreation Level of Service:**

1. *Level of Service*

Adopted Level of Service is 16 Park, Recreation and Open Space (PROS) point per 1,000 populations

2. *Analysis:*

A 2009 analysis shows that the County currently has 17.2 PROS points per 1,000 populations.

**e. Schools:**

1. *Analysis:* The subject property is owned by the Charlotte County School Board. In 1999, the Charlotte County Board of Zoning Appeals approved Petition #SE-99-12 to allow a high school and related facilities in the Mobile Home Park (MHP) zoning district for the subject property. The proposed change to make the Future Land Use Map designation be consistent with the existing MHP zoning. Therefore, no school concurrency issue shall occur as a result of this land use change.

**f. Solid Waste:**

1. *Refuse Collector:* Waste Management Inc. of Florida
2. *Solid Waste Provider:* Public Works Department - Municipal Solid Waste Management
3. *Level of Service*
  - Solid Waste (Landfill) 5.0 pounds per day per equivalent fulltime resident
  - Solid Waste (Recycle) 2.2 pounds per day per equivalent fulltime resident
  - Zemel Rd. landfill currently has capacity to dispose of 4.6 million cubic yards of waste. The landfill has a projected remaining lifespan to the year 2027. An existing estimated 170 acres for future disposal cells will provide disposal capacity beyond the year 2050.

**g. Drainage:**

1. *Level of Service*

New arterials – flood free in the 100-year rainfall event

New and improved collectors - not less than one lane of traffic in each direction above the design high water elevation from a 25-year, 24-hour rainfall.

New local residential streets - designed and constructed with the pavement centerline at or above the design high water elevation resulting from a 5-year, 24-hour rainfall

Stormwater management facilities - in all new subdivisions manage a 25-year, 24-hour rainfall.

New parking facilities- maximum temporary detention depth of nine (9) inches resulting from a 5-year, 24-hour rainfall.

New development on existing platted lots (except single-family, duplex, and triplex dwellings) - on-site stormwater management for a 25-year, 24-hour rainfall.

2. *Analysis:*

The Southwest Florida Water Management District and the Community Development Department review stormwater management plans on a project specific basis.

**17. Capital Improvements Program**

a. **Are any updates to the CIP required as a result of this petition?** No

**18. Intergovernmental Coordination**

a. **Does this amendment require comments from or coordination with adjacent governments or other governmental agencies?** Yes, the site is owned by the Charlotte County School Board. On August 12, 2013, County staff had a meeting with School Board staff and its attorney to discuss possible solution to amend the Future Land Use Map designation for the property, which was excluded from the DRI in 1999. A letter from the School Board's attorney, dated August 30, 2013 states that it is in the best interest of the school district to retain the residential use of the subject property. That is the reason that staff initiated this large scale Future Land Use Map amendment.

**19. Has a public hearing been held on this property within the last year?** No

**20. 2050 Comprehensive Plan; Goals, Objectives, and Policies that may be relevant to the proposed amendment:**

Various goals, objectives and policies are related to this petition.

**21. Standards for Rezoning Approval:** Not Applicable

**Attachment 1: Account, Short Legal and Legal Description**

<b>Account Number</b>	<b>Short Legal</b>	<b>Legal Description</b>
402318351001	ZZZ 184023 P1-2-4	18 40 23 P-1-2-4 30.720A M/L BEG AT SW COR SEC 18 TH E ALG S LN OF SEC 18 1287.83FT N 1039.07FT W 1288 .39FT TO E ROW LOVELAND BLVD TH S ALG ROW 1037.60FT TO POB 1718/789 E2117/1791
402318306006	ZZZ 184023 P1-2-3	18 40 23 P-1-2-3 19.311A M/L COMM AT SW COR SEC 18 SAID POINT ALSO BEING ON E ROW LOVELAND BLVD TH N ALG ROW 1037.60FT E 410.47FT FOR POB CONT E 877.92FT N 958.94FT TO S ROW LN SUNCOAST BLVD TH W ALG ROW 877.34FT S 958.19FT TO POB1718/789

RESOLUTION  
NUMBER 2002- 109

A RESOLUTION AMENDING RESOLUTION 94-111 AND RESOLUTION 89-141, AMENDING THE DEVELOPMENT ORDER FOR VICTORIA ESTATES DEVELOPMENT OF REGIONAL IMPACT; PROVIDING FOR AN EXTENSION OF THE EFFECTIVE PERIOD OF THE DEVELOPMENT ORDER; PROVIDING FOR AN AMENDMENT TO THE PROPOSED LAND USE AND PHASING SCHEDULE; PROVIDING FOR A DELETION OF THE AMOUNT OF PROPERTY SUBJECT TO THE DEVELOPMENT ORDER; PROVIDING FOR ADDITIONAL TRAFFIC MONITORING; FINDING THAT THIS AMENDMENT DOES NOT CONSTITUTE A SUBSTANTIAL DEVIATION; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, on July 11, 1989, the Board of County Commissioners of Charlotte County, Florida (herein "the Board"), approved Resolution 89-141, constituting a Development Order for the Victoria Estates Development of Regional Impact (herein "the Victoria Estates DRI"); and

WHEREAS, pursuant to Resolution 89-141, the Victoria Estates DRI consisted of two parcels known as Parcel A (301.26 acres) which was to contain a golf course, 370,000 square feet of commercial development on 30 acres, 1,100 residential mobile home units, and acreage for open space, active recreation, roadways, maintenance areas, a fire station, and lakes (herein "Parcel A"), and Parcel B (approximately 122.5 acres) which was to contain 600 residential mobile home units, and acreage for open space, roadways and lakes (herein "Parcel B" or "Tract B"); and

WHEREAS, on June 21, 1994, the Board approved Resolution 94-111 amending Resolution 89-141, extending the effective period of the Development Order for Victoria

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BARBARA T. SCOTT, CLERK, CHARLOTTE CO  
REC 84.50

IMAGED

Attachment 2 JV

★ #75  
minutes

Ms  
Bcl

Estates DRI, amending the Proposed Land Use and Phasing Schedule, deleting the fire station site requirement, and determining that such amendments did not constitute a substantial deviation of the previously approved Development Order (such Development Order created by Resolution 89-141 as amended by Resolution 94-111 herein referred to as "the Development Order" or "Victoria Estates DRI Development Order"); and

WHEREAS, on December 17, 1996, by adoption of Ordinance 96-42, Resolution 97-0510A and Resolution 2001-169, the Board approved a rezoning and concept plan, a partial detail plan, and a major modification to the concept plan, respectively, for a planned development zoning providing for development of mobile home residential units, conventionally built residential units, a golf course, clubhouse and amenities to be built in phases within a set time frame on 264.9 acres of Parcel A (herein "PD 96-3"); and

WHEREAS, in June 1999, 50 acres of the approximately 122.5 acres of Parcel B was conveyed to the School Board of Charlotte County for future construction of a school (a development exempt from development of regional impact review), thereby reducing the residential units attributable to Parcel B from the 600 units allowed under the Development Order to 366 on the remaining 72.5 acres; and

WHEREAS, the ownership of the 50 acres of Parcel B by the School Board of Charlotte County would require any access to Loveland Boulevard for the remaining 72.5 acres of Parcel B to be accomplished by traversing the 50 acres owned by the School Board, thereby leaving Suncoast Boulevard as the only public road abutting the remaining 72.5 acres of Parcel B; and

WHEREAS, on June 21, 2001, the Southwest Florida Regional Planning Council approved a Notice of Proposed Change (NOPC) for the Victoria Estates DRI, extending the effective period of the Development Order to December 30, 2004, and determined that such an extension and the deletion of the 50 acres of Parcel B owned by the School Board of Charlotte County does not create a substantial deviation to the Development Order in accordance with Section 380.06(19), F.S.; and

WHEREAS, NB/85 Associates and Wayne M. Ruben, owners of property in Parcel B, and Benderson Development Company, Inc., project developer, have requested that the Board consider additional amendments to the Development Order to extend the effective period of the Development Order, to amend the Land Use and Phasing Schedule to reflect the amended effective period and the inclusion of conventionally built homes and the number of residential units reflected in PD 96-3, to reduce the size of Parcel B, and to add traffic monitoring requirements for segments of Suncoast Boulevard;

WHEREAS, the Board has reviewed and considered the requested amendment and finds that it is not inconsistent with the Charlotte County Comprehensive Plan or local land use regulations, or with the previously approved Development Order, and also finds that, pursuant to Section 380.06 (19), F.S., the amendments of the extension of the Development Order, the amendment of the Land Use and Phasing Schedule, the elimination of the 50 acres from Parcel B, and the addition of traffic monitoring requirements for portions of Suncoast Boulevard do not constitute a substantial deviation;

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

1. Section 7 of Resolution 89-141, as amended by Resolution 94-111, shall be amended to read, in its entirety, as follows (additions underlined, deletions ~~stricken~~):

Section 7. Effective Period of Development Approval.

This Development Order shall remain in effect for a period of eleven approximately 15 years, 5 months, until December 30, 2004.

2. The Proposed Land Use and Phasing Schedule contained in Attachment VI of Exhibit 3 of Resolution 89-141, as replaced by Exhibit "A" of Resolution 94-111, is hereby deleted in its entirety and replaced with the Land Use and Phasing Schedule attached hereto as Exhibits "A" and "B", which are incorporated herein by this reference.

3. Resolution 89-141, as amended by Resolution 94-111, is hereby amended by the addition of the following Section 11 (additions underlined, deletions ~~stricken~~):

Section 11. Affected Property.

The property affected by this Development Order shall be the property described in Exhibit 1-A and Exhibit 1-B, less and except the property described in Exhibit 1-C, all attached hereto and incorporated herein by this reference.

Exhibit 1-C attached hereto and incorporated herein shall constitute the Exhibit 1-C referred to in such newly added Section 11.

4. Section 4.b. of Exhibit 3 of Resolution 89-141 is hereby amended by the addition of the following language at the end of such Section 4.b. (additions underlined, deletions ~~stricken~~):

Suncoast Boulevard  
-King's Highway to Loveland Boulevard  
-Loveland Boulevard to Minneola Avenue

Loveland Boulevard at Suncoast Boulevard

The remainder of Section 4.b. shall remain in full force and effect. Nothing contained in this paragraph shall imply approval of access to Suncoast Boulevard or approval of any subsequent development on Tract B.

5. Attachment IV of Exhibit 3 of Resolution 89-141 is hereby deleted in its entirety and replaced with the attached Attachment IV, which is incorporated herein by reference.

6. Map H1, containing the Master Phasing Plan, and consisting of Attachments VI A and VI B of Exhibit 3 of Resolution 89-141, is hereby deleted in its entirety and replaced with Map H-"A" and Map H-"B" which are attached hereto and incorporated herein by this reference.

7. The amendments to the Development Order contained in this resolution do not constitute a substantial deviation to the conditions of the Victoria Estates DRI Development Order adopted by Resolution 89-141, as amended.

8. All other terms and conditions of the Victoria Estates DRI Development Order adopted by Resolution 89-141, as amended, not affected by this resolution, shall remain unchanged and in full force and effect.

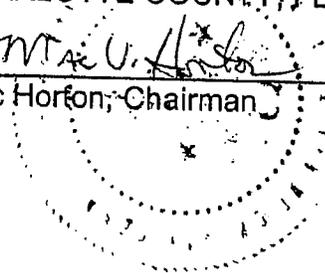
9. This resolution shall become effective immediately upon its adoption.

10. The Clerk of the Circuit Court is hereby directed to forward certified copies of this resolution to Department of Community Affairs, Community Planning, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100; and to Southwest Florida Regional Planning Council, 4980 Bayline Drive, 4<sup>th</sup> Floor, North Fort Myers, Florida 33918-3909.

PASSED AND DULY ADOPTED this/ <sup>HR</sup> 3 day of August, 2002.

BOARD OF COUNTY COMMISSIONERS  
OF CHARLOTTE COUNTY, FLORIDA

By: Mac U. Horton  
Mac Horton, Chairman



ATTEST:  
Barbara T. Scott, Clerk of Circuit  
Court and Ex-officio Clerk to the  
Board of County Commissioners

By: Anne L. Pfahler  
Deputy Clerk

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

Renee Francis Lee  
Renee Francis Lee, County Attorney *RFL*

p:\wpdata\bast\res\ victoriaestatesdri.do.doc  
LR2002-183  
08/14/2002

**EXHIBIT "A"**  
**VICTORIA ESTATES**  
**LAND USE AND PHASING SCHEDULE**  
**RESOLUTION 89-141**  
**DATE DEVELOPMENT ORDER RECORDED: JULY 18, 1989**  
**RESOLUTION 94-111, RECORDED JUNE 21, 1994**  
**RESOLUTION 02-\_\_**

**TRACT "A"**

	<b>COMPLETED: VICTORIA ESTATES MOBILE HOMES; KINGS GATE RESIDENTIAL; KING S CROSSING COMMERCIAL; KINGS GATE II, GOLF COURSE CLUB HOUSE</b>	<b>TO BE COMPLETED: KINGS. GATE III  July, 2002</b>	<b>TO BE COMPLETED: KINGS GATE IV  October 2002- May 2003</b>	<b>TO BE COMPLETED: KINGS GATE V  June 2003- December, 2004</b>	<b>TO BE COMPLETED: KINGS GATE VI  June 2003- December 2004</b>
<b>Residential:</b> Mobile Homes (# of units)	198	0	0	0	0
Site Built Homes (# of units)	311	121	59	95	137
Commercial (All infrastructure completed; buildout to be completed December 2004)	250,000 square feet	0	0	0	0
Office (All infrastructure completed; buildout to be completed December 2004)	120,000 square feet	0	0	0	0
Golf Course	50.07 acres	0	0	0	0

Open Space	6.66 acres	0*	0*	0*	0*
Active	5.3 acres	0*	0*	0*	0*
Roadways	13.96 acres	2.35 acres	1.39 acres	2.39 acres	3.21 acres
Maintenance	3.4 acres	0*	0*	0*	0*
Lakes	50.37 acres	0*	0*	0*	1.2 acres

\*Zero values for Open Space, Active, Roadways, Maintenance, and Lakes--counted in what was previously constructed

**EXHIBIT "B"**  
**VICTORIA ESTATES**  
**LAND USE AND PHASING SCHEDULE**  
**RESOLUTION 89-141**  
**DATE DEVELOPMENT ORDER RECORDED: JULY 18, 1989**  
**RESOLUTION 94-111, RECORDED JUNE 21, 1994**  
**RESOLUTION 02-\_\_\_**

**TRACT "B"**  
 (72.5 acres remaining from the initial 122.5 acres)

	<b>TO BE COMPLETED</b> March 2003-December 2004
<u>Residential:</u> Mobile Homes (# of units)	366
Recreation/Open Space	7.57 acres
Roadways	5.43 acres
Lakes	27.12 acres



Surveying For Mike McKinley

Date: 8/20/20 Time: 05:42:28

Page 2 of 2

OR OK 1718 PAGE 0791

### SURVEYOR'S DESCRIPTION:

A tract of land lying in Section 18, Township 40 South, Range 23 East, Charlotte County, Florida, being more particularly described as follows:

BEGINNING at the southwest corner of said Section 18, said point also being on the easterly Right-of-Way line of Loveland Boulevard, as shown on the plat of PORT CHARLOTTE SUBDIVISION SECTION TWENTY, as recorded in Plat Book 5, Pages 10-A through 10-F, of the Public Records of Charlotte County, Florida;

Thence N.00°09'35"E., along the west line of said Section 18 and said easterly Right-of-Way line, 1037.60 feet;

Thence S.89°06'39"E., 410.47 feet;

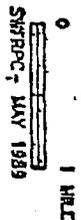
Thence N.00°09'35"E., 958.19 feet to the southerly Right-of-Way line of Suncoast Boulevard, as recorded in Official Records Book 754, Pages 2177 through 2179, of the Public Records of Charlotte County, Florida;

Thence S.89°09'34"E., along said southerly Right-of-Way line, 877.34 feet;

Thence S.00°09'35"W., 1998.01 feet to the south line of said Section 18;

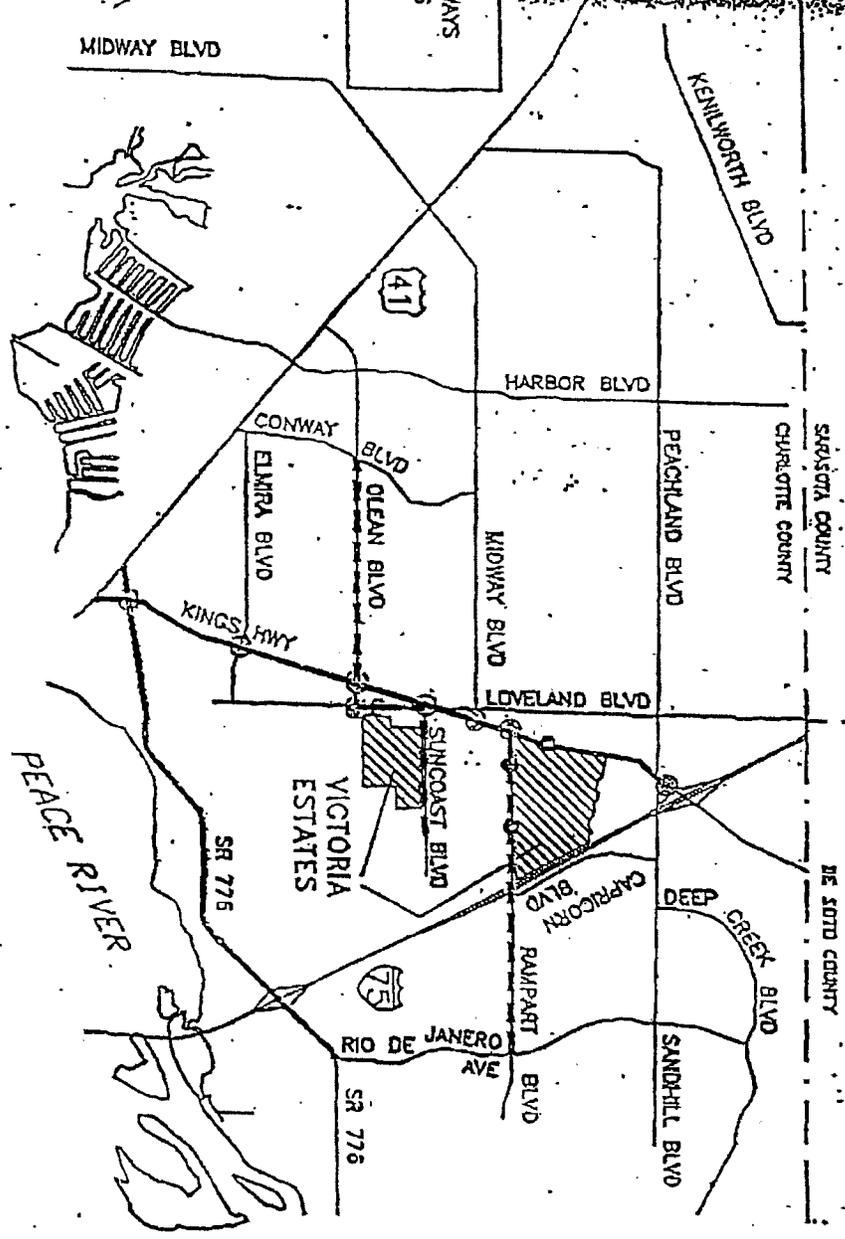
Thence N.89°02'42"W., along said south line, 1287.83 feet to the Point of Beginning, containing 50.0000 acres.

Said lands subject to all reservations, restrictions, easements and Rights-of-way of record.



**LEGEND**

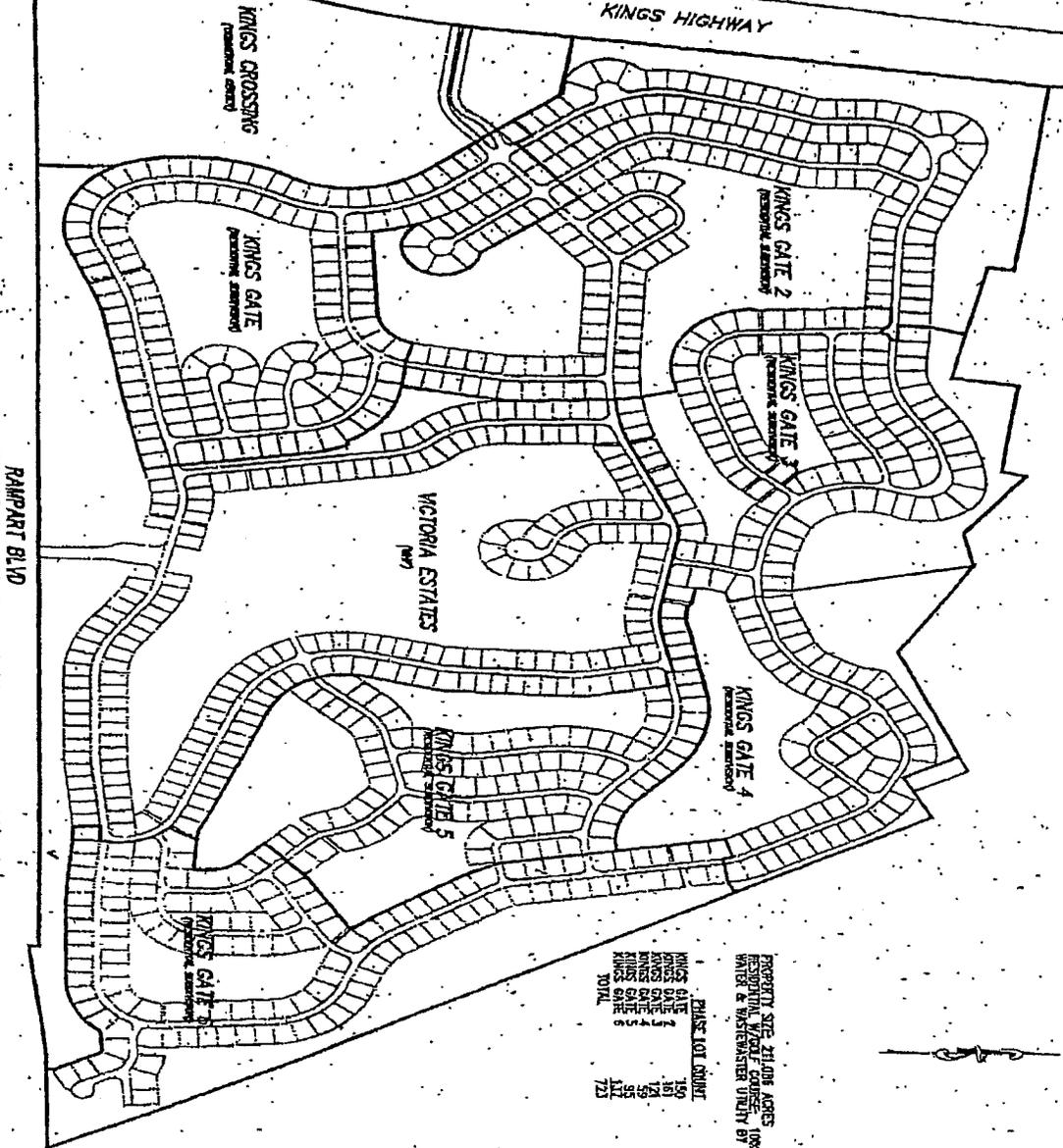
- REGIONAL ROADWAYS
- LOCAL ROADWAYS
- ⊕ INTERSECTIONS
- DRI ACCESSES



MAP D-2  
 VICTORIA ESTATES  
 DRI ACCESSES

WINDING

Attachment IV



MAP H - "A"

PROPERTY SIZE 21.008 ACRES  
RESERVATION 1/4 ACRES  
MINOR & W/STRENGTHEN OTHER BY E.C.U.

PHASE	LOT COUNT
KINGS GATE 1	110
KINGS GATE 2	124
KINGS GATE 3	59
KINGS GATE 4	51
KINGS GATE 5	142
TOTAL	723

DATE	5/8/02
DRAWN	J. G. FARR
CHECKED	J. G. FARR
SCALE	AS SHOWN
PROJECT	VICTORIA ESTATES
SHEET	1

FOR  
KINGS GATE ASSOCIATES II LTD  
370 DELAWARE AVE.  
BUFFALO, NY 14202  
(716) 846-0211

**SITE & PHASE PLAN**  
**VICTORIA ESTATES**  
(also KINGS GATE, COPSEY, KINGS CROSSING)

**CHARLOTTE ENGINEERING & SURVEYING, INC.**  
CIVIL ENGINEERS-LAND SURVEYORS-PLANNERS  
LAND DEVELOPMENT CONSULTANTS  
1700 W. JEFFERSON BLVD., SUITE 200, CHARLOTTE, NORTH CAROLINA 28202-1843

Attachment VI A



# DESCRIPTION

A Tract of land lying in Section 18, Township 40 South, Range 23 East, Charlotte County, Florida, being more particularly described as follows:

Commencing at the Southwest corner of said Section 18, said point also being on the Easterly right-of-way line of Loveland Boulevard, as shown on the plat of PORT CHARLOTTE SUBDIVISION SECTION TWENTY, as recorded in Plat Book 5, Pages 10-A through 10-F, of the Public Records of Charlotte County, Florida; thence South 89°02'42" East (assumed bearing basis), along the Southerly line of said Section 18, a distance of 1,287.83 feet to the POINT OF BEGINNING;

Thence North 00°09'35" East, a distance of 1,998.01 feet to the Southerly right-of-way line of Suncoast Boulevard, as recorded in Official Records Book 754, Pages 2177 through 2179, of the Public Records of Charlotte County, Florida; thence South 89°09'34" East, along said Southerly right-of-way line, a distance of 1,370.27 feet to the Northwesterly corner of COUNTRY CHARM ESTATES, a subdivision according to the plat thereof, as recorded in Plat Book 16, Page 24, of the Public Records of Charlotte County, Florida; thence South 89°19'31" East, continuing along the Southerly right-of-way line of said Suncoast Boulevard and along the Northerly line of said COUNTRY CHARM ESTATES, a distance of 629.32 feet to the Northeasterly corner of Lot 4, of said COUNTRY CHARM ESTATES; thence South 00°04'29" West, leaving said Southerly right-of-way line and along the Easterly lines of Lot 4, Lot 3 and an extension of Lot 3, all of said COUNTRY CHARM ESTATES, a distance of 667.55 feet to a point on the Southerly line of Lot 8, COUNTRY CHARM ESTATES, said point also being on the Southerly line of said COUNTRY CHARM ESTATES; thence North 89°17'02" West, along said Southerly line, a distance of 622.83 feet to the Southwesterly corner of said Lot 8, said point also being on the Easterly line of the Southwest 1/4 of said Section 18; thence South 00°07'04" West, along said Easterly line, a distance of 1,333.64 feet to the Southeast corner of the Southwest 1/4 of said Section 18; thence North 89°02'42" West, along the Southerly line of said Section 18, a distance of 1,371.77 feet to the POINT OF BEGINNING.

Containing 72.5153 Acres, more or less.

Said lands being subject to all restrictions, reservations and easements of record.

DR BOOK 02087 PAGE 2086

Date 11/18/00 Drawn by Checked by Prepared by 11/18/00 Sheet 2 of 2	FOR NB/BS ASSOCIATES & WAYNE M. RUBEN % BENDERSON DEVELOPMENT, INC. 6441 COOPER CREEK BOULEVARD UNIVERSITY PARK, FLORIDA 34201 Telephone No. (941) 259-4200 Fax No. (941) 259-1838	<b>Map H-B</b> <b>ATTACHMENT VI-B</b>  SUNCOAST LAKES PORT CHARLOTTE, FLORIDA	 <b>CHARLOTTE ENGINEERING &amp; SURVEYING, INC.</b> <small>ONE SUNCOAST LAKES DEVELOPMENT &amp; STAFFING PROJECT CONSULTING</small> <small>LAND SURVEYING - SURVEYING - PLANNING - PROJECT MANAGEMENT</small>	<input type="checkbox"/> <b>Port Charlotte Office</b> 7700 W. Adams Road Port Charlotte, Florida 34952 Telephone No. (941) 259-4200 Fax No. (941) 259-1838 E-mail: <a href="mailto:info@charlotteeng.com">info@charlotteeng.com</a>	<input type="checkbox"/> <b>Spring Office</b> 130 S. Moore Blvd. Suite 200 Spring, FL 32908 Telephone No. (888) 288-2200 Fax No. (941) 259-4200	<input type="checkbox"/> <b>Plant City Office</b> 4720 E. Van Horn Road, Suite 100 Plant City, FL 33566 Telephone No. (888) 288-2200 Fax No. (888) 288-2200
				00 11 2000 01 11 2000 02 11 2000		



# COUNTY OF CHARLOTTE

## COMMUNITY DEVELOPMENT DEPARTMENT

### PLANNING AND ZONING DIVISION

CHARLOTTE COUNTY ADMINISTRATION CENTER

18500 MURDOCK CIRCLE

PORT CHARLOTTE, FL 33948-1094

PLANNING DIVISION (941) 743-1222 \* (941) 743-1224 \* (941) 743-1230

ZONING DIVISION (941) 1984

FAX (941) 743-1598

April 26, 1999

Charlotte County School Board  
1445 Education Way  
Port Charlotte, FL 33948

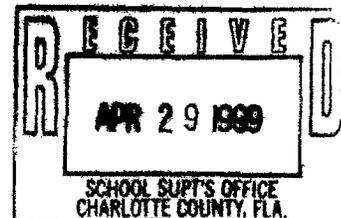
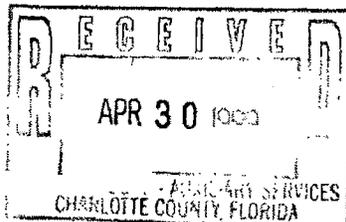
RE: Petition # SE-99-12

Dear Petitioner:

This letter is to confirm the decision of the Charlotte County Board of Zoning Appeals meeting held on April 14, 1999, regarding Petition #SE-99-12, Robert H. Berntsson, Esq., representing Charlotte County School Board, requesting a special exception to allow a high school and related facilities in the Mobile Home Park (MHP), zoning district. The property is described as a portion of Section 18, Township 40S, Range 23E, also known as 2414 Loveland Boulevard and 24101 Suncoast Boulevard, Port Charlotte, Florida. The property contains 111 acres more or less.

It was the decision of the Board of Zoning Appeals to Approve SE-99-12, based on the findings and analysis presented in the Community Development Department report dated *March 29, 1999*, and evidence presented at the hearing *with the following two (2) conditions*:

1. **The approval should run with the land in perpetuity to allow a public high school and other educational facilities of the public school system in the Mobile Home Park (MHP) zoning district.**
2. **The applicant construct and maintain one sign visible from Loveland Boulevard and another visible from Suncoast Boulevard of the Charlotte County School Board's intent to construct a high school and other educational facilities on this property.**

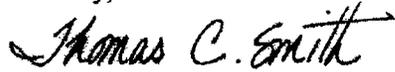


Attachment 3

(Continued Page 2 SE-99-12 Decision Letter)

Please be advised that this special exception *shall run with the land in perpetuity to allow a public high school and other educational facilities of the public school system in the mobile home park zoning district.*

Sincerely,



Thomas C. Smith  
Zoning and Current Planning Supervisor

TCS/vmz/C-99-152

cc: Robert H. Bernstsson, Esq.  
NB/85 Associates & Wayne M. Ruben

Wotitzky, Wotitzky & Ross, P.A. dba

# WOTITZKY, WOTITZKY, ROSS & MCKINLEY

ATTORNEYS AT LAW

223 TAYLOR STREET  
PUNTA GORDA, FLORIDA 33950-4427

WEBSITE: [www.wotitzkylaw.com](http://www.wotitzkylaw.com)

TELEPHONE (941) 639-2171

ENGLEWOOD (941) 473-1700

FACSIMILE (941) 639-8617  
(941) 639-2197

FRANK WOTITZKY\*  
EDWARD L. WOTITZKY\*\*  
WARREN R. ROSS\*\*\*  
MICHAEL R. MCKINLEY\*  
CHEYENNER YOUNG  
REBECCA M. BEANE

\* OF COUNSEL  
\*\* FL BAR BOARD CERTIFIED  
REAL ESTATE LAWYER  
\*\*\* ALSO MEMBER OHIO BAR

LEO WOTITZKY (1912-2005)

August 30, 2013

Via e-mail [County.Attorney@charlottefl.com](mailto:County.Attorney@charlottefl.com)

Ty Harris  
Charlotte County Attorney's Office  
18500 Murdock Circle, Room #573  
Port Charlotte, FL 33948

Re: Charlotte County School Board / Property located at the corner of Suncoast Blvd.  
Loveland Blvd.

Dear Ty,

It was a pleasure meeting with you, Jie Shao and Inga Williams a couple of weeks ago to discuss the above situation.

The school district administrative staff has decided that we still feel that it is in the best interest of the school district to retain the residential zoning on the above-referenced property.

In order to help complete your files I enclose a photo copy of the special exception issued for this property issued in 1999.

Do not hesitate to call if you have any questions.

Sincerely,

Wotitzky, Wotitzky, Ross & McKinley



Michael R. McKinley, Esquire

MRM/yd  
Enclosure

cc: Jerry Olivo to [jerry.olivo@yourcharlotteschools.net](mailto:jerry.olivo@yourcharlotteschools.net)  
Jie Shao to [jie.Shao@charlottefl.com](mailto:jie.Shao@charlottefl.com)  
Inga Williams to [inga.williams@charlottefl.com](mailto:inga.williams@charlottefl.com)

g:\mike\clients\ccsb\suncoast blvd\letter to ty harris.8.30.13.docx

ESTABLISHED 1940

PERSONAL INJURY • WRONGFUL DEATH • CIVIL LITIGATION • WAGE CLAIMS  
WILLS, TRUSTS & ESTATE PLANNING • PROBATE • CORPORATION & BUSINESS LAW • CONSTRUCTION LAW • ZONING, LAND USE & ADMINISTRATIVE LAW  
REAL ESTATE CLOSINGS • TITLE INSURANCE • REAL PROPERTY LAW • CONDOMINIUM & COMMUNITY ASSOCIATION LAW • DIVORCE, CUSTODY & FAMILY LAW

Attachment 4

**Application for Large Scale Plan Amendment (MAP)  
Petition Number: PA -13 -10 -12-LS**

**TO:** Honorable Board of County Commissioners  
The Planning and Zoning Board

**FROM:** Venkat Vattikuti

**DATE:** November 15, 2013

<b>REQUESTED ACTION:</b>
--------------------------

**APPLICANT:** Charlotte County Board of County Commissioners

**OWNER:** Charlotte County School Board, 1445 Education Way, Port Charlotte, FL

**GENERAL LOCATION:** in the vicinity of the Suncoast and Loveland Boulevards

**ACCOUNT NUMBER:** 402318306006 & 402318351001.

1 **ANALYSIS:** From the transportation perspective, based on the review of the  
2 proposed Future Land Use Map amendment<sup>1</sup> of the subject property, the  
3 surrounding roadway segments within the area of significance which are currently  
4 operating at acceptable levels of service would continue to operate at  
5 acceptable levels of service to the year 2015 (which is the estimated built-out  
6 year). There wouldn't be any roadway concurrency failures with the proposed re-  
7 zoning. No modifications would be required for the adopted FDOT Transportation  
8 Improvement Program, 2035 Long range Transportation Plan and County's Capital  
9 Improvements Program.

10  
11 **RECOMMENDATION:** Approve the requested re-zoning with a condition of allowing  
12 a maximum 234 dwelling units on the site.

13

---

<sup>1</sup> Requesting from the existing DRI Mixed Use Future Land Use Map (FLUM) designation to Low Density Residential (LDR) with a condition attached to the FLUM allowing a maximum of 234 dwelling units on the site.



## MEMORANDUM

**Date:** November 13, 2013  
**To:** Jie Shao, Planner III  
**From:** Jamie Scudera, Environmental Specialist  
**Subject:** PA-13-10-12  
Charlotte County School Board  
24051 Suncoast Blvd. & 2414 Loveland Blvd.

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 applicant is proposing to amend the current FLUM designation of DRI Mixed Use to Low Density Residential (LDR) with an annotation to allow a maximum of 234 residential units on the site.
- A preliminary environmental review and site inspection was conducted by Charlotte County environmental staff on November 14, 2013. The site was historically cleared for agricultural purposes and is currently being used for cattle grazing. The native habitat originally located on site consisted primarily of Pine Flatwoods - Slash Pine (*Pinus elliottii*), Sabal Palm (*Sabal palmetto*), Saw Palmetto (*Serenoa repens*), Wax Myrtle (*Myrica cerifera*), Sand Live Oak (*Quercus virginiana*) and Beautiful pawpaw (*Deeringothamnus pulchellus*). Currently the site consists of various species of pasture grass, Slash Pine and Sabal Palms interspersed with minimal Sand Live Oaks, Saw Palmetto and Beautiful pawpaw. No listed species utilization was observed during staff's cursory site inspection. The site is not located within the U.S. Fish and Wildlife Service (FWS) Scrub Jay review area nor is it located within 660 feet of any documented Bald Eagles nest.

**If this petition is approved, the following conditions will be reviewed for compliance prior to the issuance of any county permits or land improvement activities.**

- All applicable county, state and federal authorization/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 XVI, *OPEN SPACE / HABITAT RESERVATION TRUST*,  
Article XVIII, *LANDSCAPING AND BUFFERS*.

- The project must comply with the Charlotte County Smart Charlotte 2050 Comprehensive Plan with particular attention paid to the *NATURAL RESOURCES (ENV) – GOALS, OBJECTIVES AND POLICIES* sections.

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

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

JS

P:\ANIMAL\Planamen\_Rezonings\2013\PA-13-10-12(CharlotteCoSchoolBoard).doc



CHARLOTTE COUNTY  
 COMMUNITY DEVELOPMENT DEPARTMENT

APPLICATION for  
 LARGE SCALE PLAN AMENDMENT (MAP)

Date Received: <b>OCT. 22, 2013</b>	Time Received:
Date of Log-in: <b>OCT. 22, 2013</b>	Petition #: <b>PA-13-10-12</b> Accela #:
Receipt #: <b>N/A</b>	Amount Paid: <b>N/A</b>

**1. PARTIES TO THE APPLICATION**

**Name of Applicant:** Charlotte County Board of County Commissioners

Mailing Address: 18500 Murdock Circle

City: Port Charlotte

State: FL

Zip Code: 33948

Phone Number: 941-743-1272

Fax Number: 941-743-1292

Email Address:

**Name of Agent:** Jie Shao, Planner III

Mailing Address:

City:

State:

Zip Code:

Phone Number:

Fax Number:

Email Address: Jie.Shao@Charlottefl.com

**Name of Engineer/Surveyor:** N/A

Mailing Address:

City:

State:

Zip Code:

Phone Number:

Fax Number:

Email Address:

**Name of Property Owner** (if more than one property owner, attach a separate sheet with a list of all owners):

Charlotte County School Board

Mailing Address: 1445 Education Way

City: Port Charlotte

State: FL

Zip Code: 33948

Phone Number:

Fax Number:

Email Address: Jerry.Olivo@yourcharlotteschools.net

**2. PROPERTY INFORMATION**

If more than one account number exists, attach a separate sheet listing all information required by this section

Property Account #: 402318306006 & 402318351001		
Section: 18	Township: 40	Range: 23
Parcel/Lot #: P-1-2-3	Block #:ZZZ	Subdivision: ZZZ
Total acreage or square feet of the property: 50 acres more or less		

**3. SURVEY:**

- For unplatted property, provide one original boundary survey that is **signed and sealed** by a registered land surveyor and an accurate legal description (including acreage) of the property.
- For platted land, provide one original surveyor’s sketch that is **signed and sealed** by a registered land surveyor and an accurate legal description (including acreage) of the property.

N/A

**4. PROOF OF LAND OWNERSHIP:** Provide a recent *Ownership and Encumbrance Report* or *Title Insurance Policy* on the subject property.

N/A

**5. NOTARIZED AUTHORIZATION:**

- If the applicant is not the owner of the property, a written, notarized authorization from each owner must be provided with this application – use Form A, attached. Property owner authorization is required. If the property owner withdraws permission at any point during the review and approval process, the application is considered null and void.
- If an agent is submitting the application for the applicant – authorization from the applicant is required – use Form B, attached.

**6. RESTRICTIONS:** Provide a copy of any covenants, easements or restrictions that have been recorded for the subject site.

N/A

**7. EXISTING LAND USE DESIGNATIONS**

Future Land Use Map (FLUM) designation(s)	Acreage
DRI Mixed Use	50 acres more or less
<hr/>	
Zoning District(s)	Acreage
Mobile Home Park (MHP)	50 acres more or less

**8. APPLICANT’S PROPOSED CHANGE(S):**

Amend the Future Land Use Map designation to Low Density Residential (LDR) with an annotation to the Future Land Use Map to allow a maximum of 234 residential dwelling units on the site.

**If the proposed change involves an increase in density, which of the Receiving Zone criteria does the property meet, or would this be an exemption consistent with a Revitalization Plan?**  
The property retains development rights to 234 units of density through the Victoria Estates DRI and will be retaining that density through the plan amendment

**9. REASON FOR PROPOSED CHANGE(S)** (attach additional sheets if necessary):

The site is owned by the School Board. While it was a part of the Victoria Estates DRI when the DRI was originally created, it was excluded in 2002 per Resolution Number 2002-109.

**10. CURRENT LAND USE OF SUBJECT PROPERTY** (example: house, vacant land, barn, etc.):

The site is currently vacant.

**11. SURROUNDING LAND USES:**

North: Mobile home park

South: Lands owned by Charlotte County

East: Vacant lands

West: Vacant lands designated for residential uses

**12. ENVIRONMENTAL ASSESSMENT:**

- Provide an *Environmental Assessment Report*, conducted within one year or less from the date of submittal, that includes:
  - Maps and surveys of the subject site illustrating the existing land cover according to Level 3 of the FLUCCS
  - Locations of listed flora and fauna species, if present.
  - If any wetlands are identified on site, provide a survey showing delineations of any wetlands, acreages, and the wetland Category (ENV Policy 3.1.3) under which they fall.
  - If the property is adjacent to any Federal, State, or County wildlife management areas, parks, preserves or reserves, supply a science-based analysis of possible impacts to the environmental resources of these lands and the manner in which these impacts can be eliminated. Where elimination is not possible, the analysis shall detail how these impacts can be reduced and mitigated.

***Requirement is waived.***

**13. INFRASTRUCTURE:**

**A. Roadway**

- i. List the roads or streets upon which vehicles may travel to gain access to the site (generally within ¼ mile radius):

Suncoast Boulevard & Loveland Boulevard

- ii. *Traffic Impact Analysis*: This study must be authored by a registered professional engineer in the State of Florida. Provide a study showing the impacts development of the subject site, at the maximum buildout allowed, under the proposed FLUM designation(s) would have on the surrounding roadway network. Where traffic impacts reduce LOS below 'D', provide a proportionate fair share assessment for those impacted roadways. If buildout is voluntarily restricted by the applicant, the report may utilize the restricted buildout numbers.

- *Hurricane Evacuation Study*: For any property that is even partially located in a Coastal High Hazard Area, or which generates trips wherein the majority of those trips would utilize a roadway that runs through a Coastal High Hazard Area, a *Hurricane Evacuation Study* must accompany any *Traffic Impact Analysis*.

***Requirement is waived.***

**B. Potable Water and Sanitary Sewer and other Utility Services**

- i. Submit a letter from any water or sewer utilities that will be serving the subject site stating availability of utility service to the property.
- ii. Attach an *Estimated Potable Water and Sanitary Sewer Usage Report*: provide a report showing the gallons per day that may be generated by development of the subject site at the maximum buildout allowed under the proposed FLUM designation(s). If buildout is voluntarily restricted by the applicant, the report may utilize the restricted buildout numbers.

***Requirement is waived.***

**14. HISTORICAL OR ARCHEOLOGICAL SITES:** The applicant must submit an *Archeological/Historical Memo* indicating that a review of the National Register of Historic Places, the Florida Master Site File and the Local Historic Register (when available) has been performed and the results of that review. If the subject site contains any object listed in these resources, the applicant must provide an *Archeological/Historical Survey* performed by a professional archeologist licensed in the State of Florida.

***Requirement is waived.***

**15. ADJACENT PROPERTY OWNERS INFORMATION:**

Provide an *electronic text file (.txt)* that includes the names and addresses of all property owners within 200 feet of the subject property (excluding street right-of-ways), and a map indicating which properties are included in the address list. The Adjacent Property Owner List must be based upon the latest available property records of the Property Appraiser's Office. The list shall include property owner's name, mailing address, and parcel(s) or lot(s) description or account number so each parcel can be referenced on the Adjacent Property Owner Map. Refer to the Geographic Information System Internet site for mapping and owner information at <http://www.ccgis.com/>. (Use a buffer of 250 feet or larger in order to account for right-of-ways, canals, etc.) Every property owner within 200 feet of every parcel of land involved will be notified of the schedule of public hearings

**AFFIDAVIT**

I, the undersigned, being first duly sworn, depose and say that I am the owner or agent of the property described and which is the subject matter of the proposed hearing; that all answers to the questions in this application, and all sketches, data and other supplementary matter attached to and made a part of the application are honest and true to the best of my knowledge and belief. I understand this application must be complete and accurate before the hearing can be advertised, and that if I am not the owner of the property I have attached a notarized authorization from the owner(s) to submit this application. I acknowledge that all items listed in the application must be submitted concurrent at the time the County accepts the application. I swear that the attached list of adjacent property owners is complete, including all property owners within 200 feet of the subject properties (excluding right-of-ways), that it is correct, providing addresses as listed in the County Tax Roll.

STATE OF FLORIDA, COUNTY OF CHARLOTTE

The foregoing instrument was acknowledged before me this 22 day of October, 2013, by Jie Shao who is personally known to me or has/have produced \_\_\_\_\_ as identification and who did/did not take an oath.



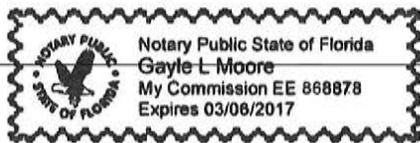
Notary Public Signature

Jie Shao  
Signature of Applicant or Agent

Notary Printed Signature

Jie Shao  
Printed Signature of Applicant or Agent

Title



18500 Murdock Circle  
Address  
Port Charlotte, FL 33948

Commission Code

City, State, Zip  
941 743 1272  
Telephone Number