

Application No.
PP-09-01-01
(Preliminary Plat
Extension Request)

Applicant
Jimmy Philman /
Winchester Lake Subdivision

Quasi-Judicial

Commission Dist. III



Charlotte County Government

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

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MEMORANDUM

Date: March 13, 2015
To: Planning and Zoning Board
From: Steven A. Ellis, Planner II *SAE*
Community Development/Zoning
Subject: PP-09-01-01, Winchester Lake

Jimmy Philman and Handy Phil, Inc. are requesting a two-year extension of the Preliminary Plat approval granted to them by the Charlotte County Board of County Commissioners on April 21, 2009, for Winchester Lake Subdivision, consisting of 169 residential lots, on 176 acres, more or less, located southeast of San Casa Drive, west of Sesame Road West, and south of Avenue of the Americas, in Section 16, Township 40 South, Range 20 East, in Commission District III.

The project previously received two extensions through actions of the State Legislature. Due to the poor economy, the applicant is requesting an additional two years to complete the infrastructure. If approved, the new expiration date would be April 21, 2017.

Community Development recommends approval of the two-year extension for PP-09-01-01.

CHARLOTTE COUNTY COMMUNITY DEVELOPMENT
Zoning Division

18400 Murdock Circle, Port Charlotte, FL 33948
Phone: 941-764-4954 | Fax: 941-743-1598



Community Development

CHARLOTTE COUNTY Location Map for PP-09-01-01

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16/41/20 West County

This map is a representation of compiled public information. It is believed to be an accurate and true depiction for the stated purpose, but Charlotte County and its employees make no guaranties, implied or otherwise, to the accuracy, or completeness. We therefore do not accept any responsibilities as to its use. This is not a survey or is it to be used for design. Reflected Dimensions are for Informational purposes only and may have been rounded to the nearest tenth. For precise dimensions, please refer to recorded plats and related documents. Created By: Land Information-D. Vance 6631 Date Saved: 3/13/2015 2:23:37 PM

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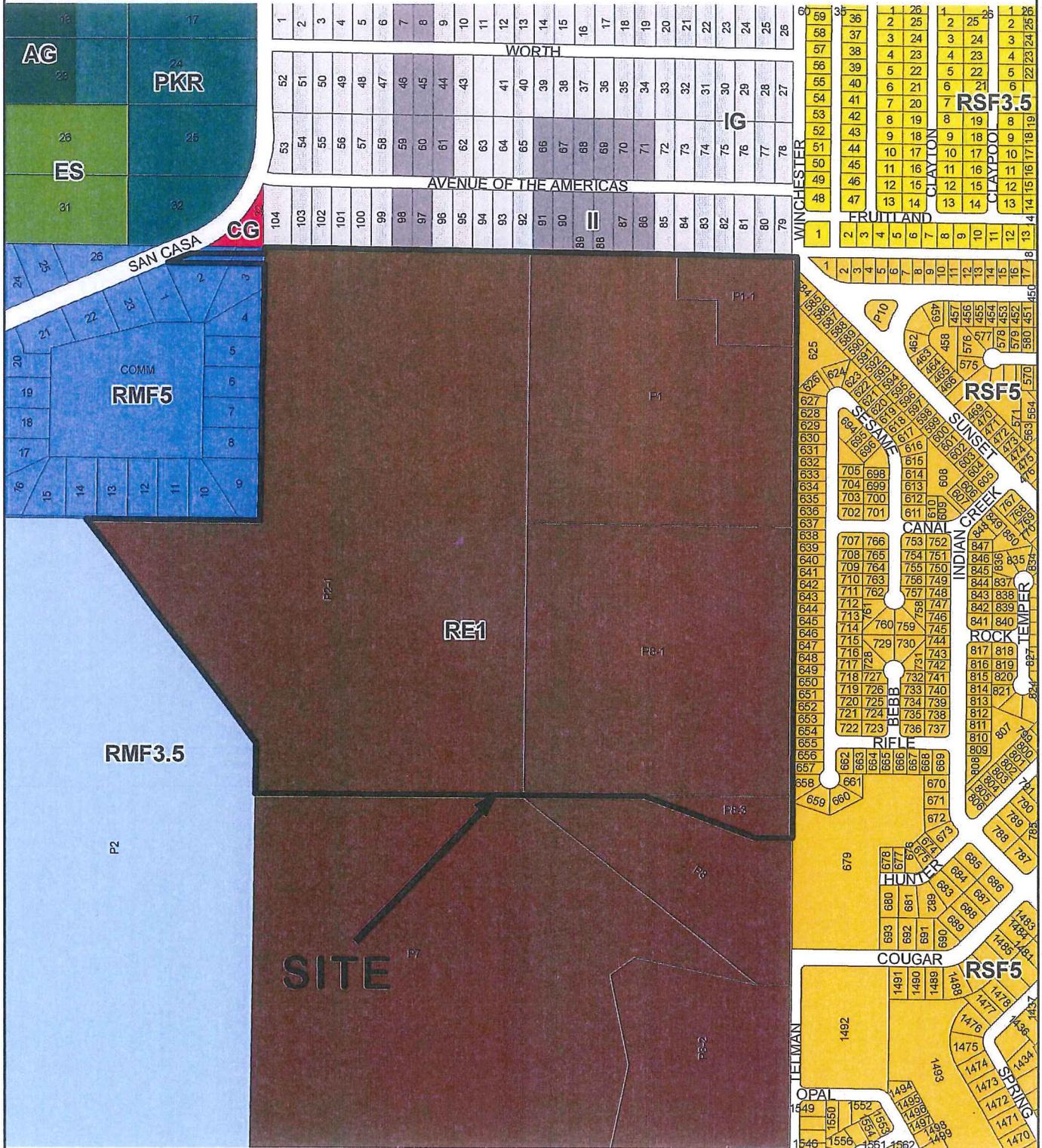
Community Development

CHARLOTTE COUNTY Zoning Map for PP-09-01-01

Charlotte County Government

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16/41/20 West County

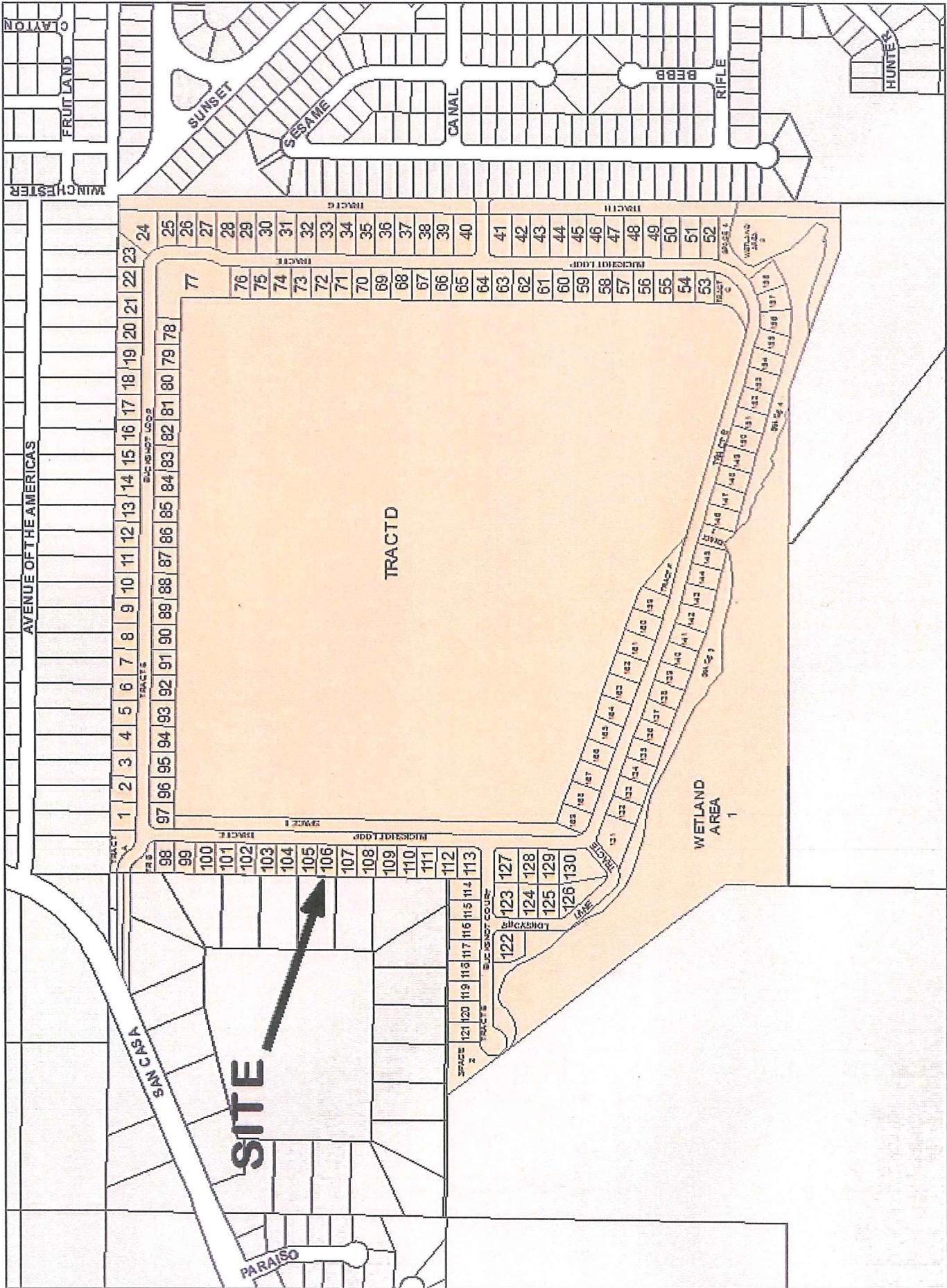
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PP-09-01-01 - Proposed Changes



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OFFICIAL RECEIPT

Trans Number : **168190**

Date Issued. : 02/23/2015

Application No. : PPX-15-00003

Project Name : N/A

Received From : Handy Phil, Inc.

Applicant : Handy Phil Inc.

DBA : Handy Phil, Inc.

Address : 7521 Winchester Blvd
Englewood, FL, 34224

PAYMENT INFO

Method of Payment Fee / Description	Ref Doc	Amount Paid	Comment
Check			
PRE_PLAT_EXT Preliminary Plat Extension		\$370.00	
		\$370.00	Total Check

Total Receipt Amount: **\$370.00**

Change Due: \$0.00

Cashier ID : KNOEBELW

APPLICATION INFO

Application #	Invoice #	Invoice Amt	Job Address
PPX-15-00003	200857	\$370.00	
Total Amount :		\$370.00	

Community Development Department
Permitting | Licensing | Building Code | Plans Examiner | Inspections
18400 Murdock Circle | Port Charlotte, FL 33948
Phone: 941.743.1201 | Fax: 941.743.1213

BERNTSSON, ITTERSAGEN, GUNDERSON & WIDEIKIS, LLP
THE BIG W LAW FIRM
ATTORNEYS AT LAW

ROBERT C. BENEDICT
ROBERT H. BERNTSSON*^#
MIKO P. GUNDERSON
SCOTT D. ITTERSAGEN
JOHN L. WIDEIKIS

431 PALM AVENUE
P.O. BOX 752
BOCA GRANDE, FLORIDA 33921
PHONE: (941) 964-1223
TELEFAX (941) 964-0654

*also admitted in New York and Georgia
^Certified by the Florida Bar in City, County
and Local Government Law
#Certified Circuit Civil Mediator



18401 MURDOCK CIRCLE
PORT CHARLOTTE, FLORIDA 33948
PHONE: (941) 627-1000
TELEFAX (941) 255-0684
E-MAIL: rberntsson@bigwlaw.com

1861 PLACIDA ROAD, SUITE 204
ENGLEWOOD, FLORIDA 34223
PHONE: (941) 474-7713
TELEFAX (941) 474-8276

Reply To: Port Charlotte

February 17, 2015

VIA EMAIL AND HAND DELIVERY
Steven Ellis, Planner II
Community Development Department
18400 Murdock Circle
Port Charlotte, Florida 33948

Re: PP-09-01-01, Winchester Lake Subdivision

Dear Steven:

Please have this letter serve as a request for an extension of the above referenced plat. We thank you for your letter of February 3, 2015 reminding us of the April 21, 2015 expiration date for the plat. We have continued work on the plat and construction of the lake, but with the down turn in the economy, we were unable to complete all of the improvements prior to the current expiration date.

Please advise when any hearings are scheduled for the extension. We enclose our client's check #14690 made payable to CCBC in the amount of \$370.00 as the fee for the extension request. Please let me know if you need anything further to process this request.

Very Truly Yours,

Robert H. Berntsson

CC: Jimmy Philman
DMK Associates (Karl Kokomoor via email)

CHARLOTTE COUNTY
Preliminary Plat Application Form
(Must have Preliminary DRC approval before submitting)

Date Received <u>JAN: 20, 2009</u>	Petition #: <u>PP-09-01-01</u>
Preliminary: _____	_____
Receipt #: <u>2122620</u>	Amount Paid: <u>\$3,858.00</u>

Please provide the following with your preliminary application:

- Letter of intent
- Twelve (12) sets of proposed plans for your subdivision
- Filing Fee: \$1830.00 plus \$12.00 per lot (Final Plat fee will be due at filing Final Plat)
- 35 copies proposed plans on 11" x 17" paper
- Disk in PDF format of Proposed Plat, and all graphics submitted with application
- Copy of Preliminary DRC approval letter
- Disk in .DWG AutoCad format or .DXF universal cad format

1. Name of proposed subdivision: Winchester Lake

2. Name of applicant*: Jimmy Philman Phone: 941-697-5090
Address: 7521 Winchester Blvd. City: Englewood Zip: 34224

3. Name of local agent: Robert H. Berntsson Phone: 941-627-1000
Address: 18401 Murdock Circle Suite C City: Port Charlotte Zip: 33948

4. Owner(s) of record*: Jimmy Philman & Handy Phil Inc. Phone: 941-697-5090
Address: 7521 Winchester Blvd. City: Englewood Zip: 34224

5. Land surveyor: DMK Associates, Inc. - Warren McLeod, PSM Phone: 941-475-6596
Address: 4315 Access Rd. City: Englewood Zip: 34224

6. Engineer: DMK Associates, Inc. - Karl Kokomoor, PE Phone: 941-412-1293
E-Mail Address: kkokomoor@dmkasso.com Fax: 941-412-1043
Address: 435 Commercial Ct. Suite 300 City: Venice Zip: 34292

7. Attorney: Robert H. Berntsson Phone: 941-627-1000
Address: 18401 Murdock Circle Suite C City: Port Charlotte Zip: 33948

* Any person or entity holding real property in the form of a partnership, limited partnership, corporation, trust, or in any form of representative capacity whatsoever for others, shall in this application disclose the name and address of every person having a beneficial interest in the real property however small and attach list to this application.

8. Property Location: Section 16 Township: 41S Range: 20E

Legal Description of Property: (do not put see attached)

ZZZ 16420 P2-1, ZZZ 16420 P1-1, ZZZ 16420 P1, ZZZ 16420 P8-1, and ZZZ 16420 P8-3

412016200001, 412016200002, 412016200003, 412016200004, and

Property ID# (required) 412016400001,

9. Has an administrative interpretation of the Comprehensive Plan ever been applied for or received for subject property or proposed development? (e.g., Vested Rights, Future Land Use Map Boundary Clarification, Representations Previously Made, Deed Restrictions, Sales Maps, or Master Plan Maps, or Master Plan Maps Registered with the State Division of Land Sales). If so, PLEASE PROVIDE A COPY OF THIS INTERPRETATION.

Date: _____

Type: _____

Has this property been the subject of a public hearing within the last six (6) months?

Yes No If yes, in whose name: DRC

Petition number: DRC - P -09 - 01 PP Preliminary

Hearing Held by:

Date:

Board of County Commissioners _____

Planning and Zoning Board _____

Development Review Committee (DRC) 01/15/2009

(attach all Department comments and decision letters)

PLEASE ATTACH COPY OF MINUTES OR NOTICE OF DECISION

10. Has this property been platted before?

Yes No If yes, in what name: _____

Date Recorded: _____

Has the previous plat been vacated? Yes No

11. Future Land Use Map Designation: Low Density Residential

Existing zoning: AE

Number of lots allowed: 176 Number of lots proposed: 169

Minimum lot size: 10,000 sq ft Minimum lot dimension: 80 x 125

Total acreage: 176 Total Density: 1/acre

12. Type of proposed development:

Cluster Housing single family _____ mobile home
_____ multi-family _____ commercial
_____ industrial _____ planned development

13. Will the proposed development require any rezoning? Yes _____ No x

If yes, please indicate proposed zoning: _____

14. Has any variance, exception, or special permit concerning this property been granted by the Board of Zoning Appeals? Yes x No _____

If yes, please specify: The request Special Exception is to allow cluster housing in the Agriculture Estates (AE) zoning district.

15. Is any variance from the subdivision requirements anticipated or requested: Yes _____ No x

If yes, please specify: _____

16. Is this proposed plat part of a Development of Regional Impact (DRI)? Yes _____ No x

If yes, name the DRI and specify how this plat complies with the DRI development approval:

17. Is the proposed subdivision located within a flood hazard zone as established by F.E.M.A.?

Yes x No _____ If yes, please specify: 10AE, 11AE, and x

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

Road: 8.5 feet above mean sea level Lot: 10.0 feet above mean sea level

Existing elevation ranges from an average low of 8 to an average high of 15 feet above mean sea level _____.

Elevations based on NGVD -1929 NGVD-1988

19. What type of sanitary water and sewer facilities are proposed?

- a. _____ septic tanks
- b. centrally collected and treated sewer
- c. _____ wells
- d. treated and centrally distributed water
- e. _____ if "d" is checked, hydrants and 6" line is required as minimum

20. Provide letter of availability from each utility for water and sewer service. Applicant is to provide a notarized developer's letter of intent as required by C.C.C. Sec. 3.7.56 (1) Article III.

21. If any combination of proposed utilities using wells and/or septic tanks are proposed, please attach a statement from the Charlotte County Health Department verifying that the systems are acceptable based on the proposed subdivision.

22. Has applicant requested any soil survey from the Soil Conservation Department? Yes _____ No

23. Has applicant made initial contact with the Charlotte County Engineer? Yes No _____
If private roads are proposed a letter from the County Engineer approving the design concept of the roads is required.

a. The rights-of-way for this proposed subdivision are to be:

- | | |
|---|--|
| <input checked="" type="checkbox"/> dedicated | _____ private |
| _____ paved to County specifications | <input checked="" type="checkbox"/> paved not to County specifications |
| _____ unpaved | _____ existing dedicated roads |

24. Provide a written description of any environmental conditions existing on the site including flora and fauna. The County may require additional information including a professional report.

25. Do any natural bodies of water exist on property? Yes No _____

If yes, please state if it is tidal: No _____

26. Is any excavation in any form proposed? Yes No _____

If yes, please indicate the type (canal, lake, etc.,) and proposed use (navigable, drainage, scenic, etc.):

Lake and reclamation plan slopes and grades

27. Will the resultant water be fresh, brackish, or salt? Fresh

If fresh, has applicant provided for control of aquatic weeds? Explain: _____

Aquatic vegetation to be controlled by Homeowner Asso.

28. Is the proposed subdivision to be developed in phases or is it all to be developed initially?

Single Phase

29. Is the subdivision to be developed prior to the filing of the final plat? Yes x No ___ If no, is it the desire of the applicant to post a bond acceptable to the Board of County Commissioners under conditions of the Charlotte County Subdivision Regulations?

AFFADAVIT

I, the undersigned, being first duly sworn, depose and say that I am the owner, attorney-in-fact, agent or lessee of the property described and which is the subject matter attached of the proposed hearing, that data and other supplementary matter attached to and made part of the application, are honest and true to the best of my knowledge and before a hearing can be held, and that I am authorized to sign this application by the owner, or owners.

ROBERT H. BERNTSSON
Print Applicant or Authorized Agent Name

Sworn and subscribed before me this 20th day of
JANUARY, 2009.

[Signature]
Signature of Applicant or Authorized Agent

My commission expires: MARCH 27, 2009

[Signature]
NOTARY PUBLIC

 Sarah E. Magnoli
Commission # DD580512
Expires March 27, 2009
Bonded Trep Fair - Insurance, Inc. 888-988-7819

Narrative for the Handy Phil Preliminary Plat.

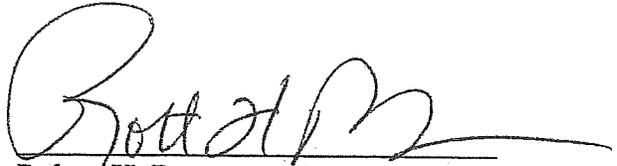
This is a request for a preliminary plat to allow cluster housing on a 176 +/- acre parcel of property located in the Englewood area. The subject property contains an existing excavation site. In the past, a special exception had been granted for the property, which allowed for an air curtain incinerator. That special exception expired in the early 1990's. A special exception for cluster development was approved in 2006, and this plat will further that approval.

The owner of the property intends to provide a subdivision around the excavated lake. A Group II permit may be required to finish the lake in furtherance of this plat.

The property will be developed for a residential subdivision with a large lake amenity in keeping with other projects in the surrounding areas.

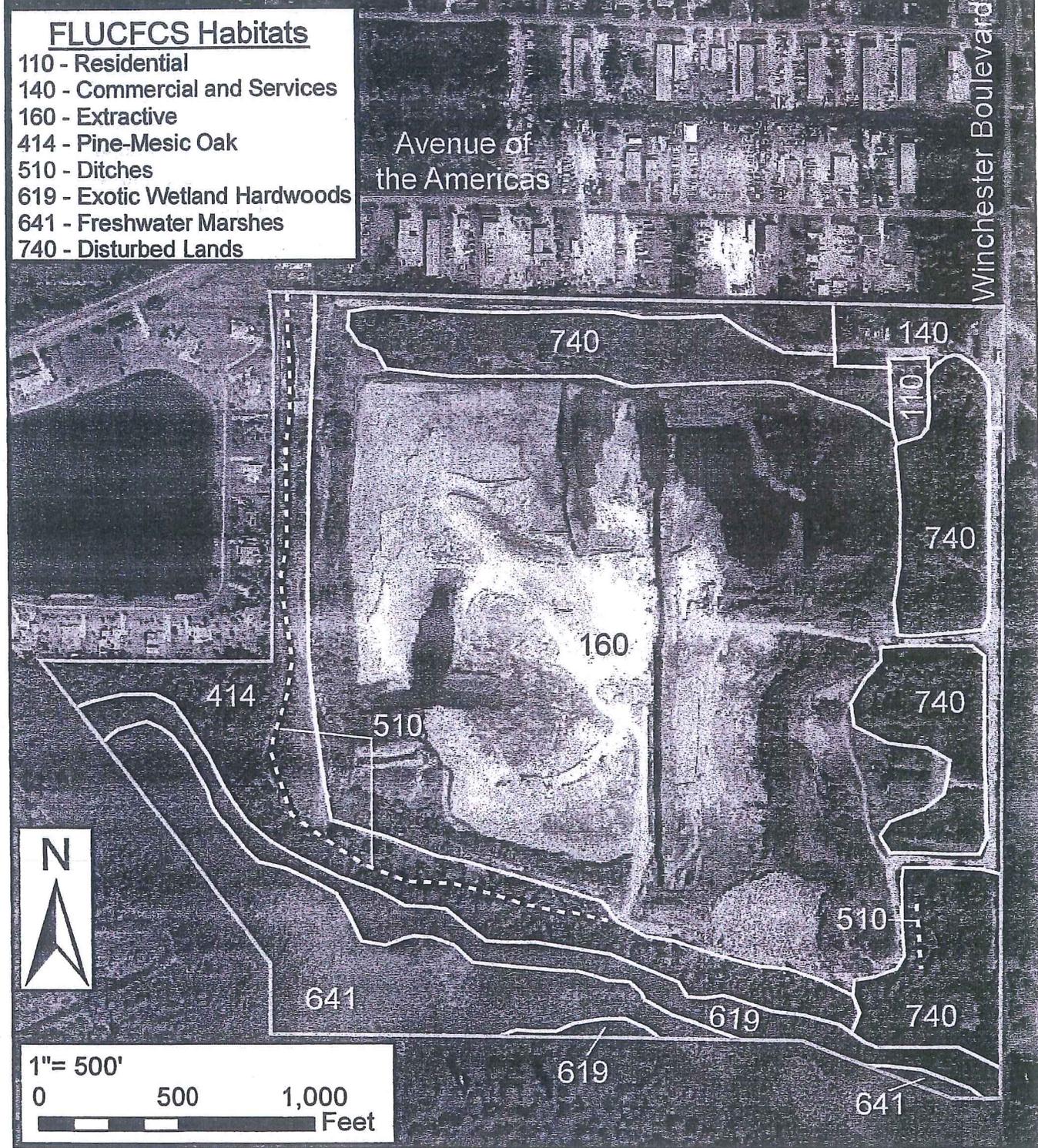
Based on the foregoing, it is respectfully requested that the preliminary plat be approved.

Respectfully submitted this 20th day of January, 2009.



Robert H. Berntsson, Agent

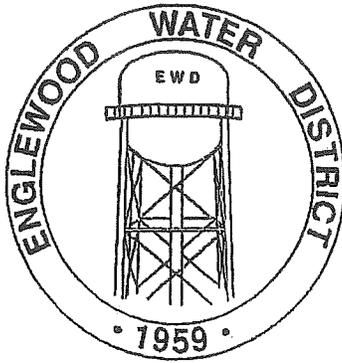
Figure 1. 176 +/- Acre Philman Tract, FLUCFCS Habitat Map, Charlotte County, Florida



Date: May 31, 2006
 Sec: 16 Twp: 41S Rng: 20E
 Project No. 254.41

Dick Seagle & Associates, Inc.
 7357 International Place, Suite 107
 Sarasota, FL 34240





**STATEMENT REGARDING
AVAILABILITY OF ENGLEWOOD WATER DISTRICT SERVICE**

ISSUE DATE: 12/10/08

EXPIRATION DATE: 12/10/11

PROJECT NAME: Winchester Lakes

DEVELOPER: Handy Phil, Inc.

PROPOSED # OF UNITS: 176

PROPOSED TYPE UNIT: SFR

PROPERTY DESCRIPTION: 7521 Winchester Blvd. PID#41201-620000-3

PROJECT ENGINEER: Howard White, DMK

SENT VIA E-MAIL: 12/10/08

Board of Supervisors

Steven Samuels, Chair
Taylor Meals, Vice-Chair
Sydney B. Crampton
Phyllis Wright
Paul F. Manke

Richard L. Rollo, P.E.
Administrator

Please be advised that the Englewood Water District hereinafter called "District", a political subdivision and body corporate, created pursuant to a Special Act of the Florida Legislature, as amended, has the authority and duty to serve property located within the District service area.

Based upon information supplied, it appears the subject property lies within the District, and there is an existing 8" watermain, a 24" wastewater main, and a 16" reclaimed watermain located near the property to provide water and sewer service. This statement does not constitute a contract for service. The District has available plant capacity and will provide both water service and sewer service, when the owner/developer executes a Water and Wastewater Service Agreement, pays the applicable rates, fees, and charges and complies with the rules and regulations of the District. Payment of the Capital Capacity Charges must be made on or before DEP Certification of Completion of Construction.

The District does not regulate design for fire protection. Our specifications mandate the installation of the mains and their appurtenances to supply water and sewer to the property or proposed development site. It is the owner's responsibility to have a certified engineer design the system for the proposed project to include fire protection if necessary and follow any stipulation made by the appropriate regulatory agencies.

For your information and use, attached is the PROPERTY DEVELOPMENT SUBMITTAL PACKAGE LIST. It is recommended that the owner prepare the necessary documents required by the District as soon as possible prior to the intended commencement date of the project to accommodate the service request. If you have any questions or require additional information, please e-mail me at rsofa@englewoodwater.com or contact me at (941) 460-1033.

Sincerely,

Robin Sofa
Project Coordinator

/rs

cc: Susan Franklin, Customer Service Manager
Jay Linden, PE, Technical Support Manager

Englewood Water District

201 Selma Avenue
Englewood, FL 34223

Phone: 941-474-3217
Toll Free: 1-866-460-1080
Fax: 941-460-1025
Email: info@englewoodwater.com
Website: englewoodwater.com

NOTICE OF APPROVAL
FOR A SPECIAL EXCEPTION
TO THE CHARLOTTE COUNTY ZONING CODE

Pursuant to Charlotte County Code Section 3-9-7 (f), this is to acknowledge the approval of the Special Exception application, which was heard by the Charlotte County Board of Zoning Appeals

Applicant: Handy Phil, Inc., 7521 Winchester Boulevard, Englewood, Florida

Owner: Same

Location: 7521 Winchester Boulevard, Englewood, Florida and is described as Parcels P1, P1-1, P2-1, P8-1 and P8-3 located in Section 16, Township 40 South, Range 20E. The property contains +/- 176 acres.

Petition #SE-06-23

Approval Date: June 14, 2006

Requested Special Exception:

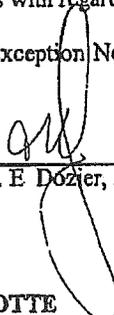
The requested Special Exception is to allow cluster housing in the Agriculture Estates (AE) zoning district.

Conditions Placed on the Approval:

1. The project shall be in general conformance with all the submitted materials contained with the file. Any modification, alteration or revision to such materials may require a modification to the special exception.
2. Approval of this special exception is limited to the cluster housing use only. Additional DRC (Development Review Committee) and other technical requirements shall apply to the property and shall supercede the contents of this application.
3. These conditions shall carry with the land, as defined by Section 3-9-7(h), County Code, as this section may be amended or replaced.

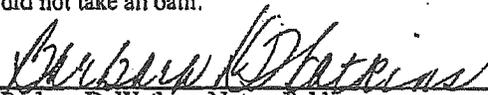
The special exception granted shall expire three (3) years after the date of approval unless the use allowed by the special exception is in existence and actively occurring on the subject property prior to the date of expiration. Any such special exception which ceases to exist and actively occur on the subject property shall expire (3) three years from the effective date the activity permitted by the special exception ceased. Prior to expiration, the applicant or property owner may request an extension from the Board of Zoning Appeals. Such extension may be granted to the applicant or owner upon showing of good cause. Any non-conforming special exception shall be subject to the requirements of Section 3-9-10 of the Zoning Regulations with regard to non-conforming uses.

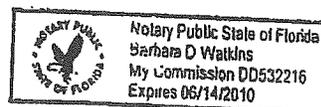
A copy of this Special Exception Notice of Approval shall be filed in the Public Records of Charlotte County.

Prepared by: 
Nicole C. E. Dozier, Zoning Official

STATE OF FLORIDA
COUNTY OF CHARLOTTE

The foregoing instrument was acknowledged before me this 11th day of July, 2006 by Nicole Dozier who is personally known to me, and who did not take an oath.


Barbara D. Watkins, Notary Public



#116
★
Return to Community Development
Barbara D. Watkins - Room 105