

42:00

RESOLUTION

NUMBER 87-289

A RESOLUTION AMENDING THE DEVELOPMENT ORDER AND PLANNED DEVELOPMENT CONCEPT PLAN FOR THE SANDHILL PROPERTIES DEVELOPMENT OF REGIONAL IMPACT.

1. A resolution amending the Development Order and Planned Development Concept Plan for the Sandhill Properties Development of Regional Impact was approved by Resolution 86-230 of the Board of County Commissioners of Charlotte County on September 9, 1986, and amended by Resolution 87-07.
2. Pursuant to section 380.06(19)(f) Florida Statutes, Sandhill Properties has submitted to the local government, the Regional Planning Agency and the State Land Planning Agency a request for approval of a proposed change in its previously approval Development of Regional Impact, which the developer asserts would not create a substantial deviation, and this change would generally consist of altering the phasing plan of the project to allow for a 3.8 acre parcel (as described in Exhibit 1 and shown in Exhibit 2) to be developed as part of Phase II, rather than Phase III and permit on-site retention of stormwater.
3. The Board of County Commissioners of Charlotte County conducted a public hearing on September 15, 1987, pursuant to section 380.06(19)(f), Florida Statutes, to determine whether the proposed change required, further Development of Regional Impact review, and determined that subject to specific conditions, the proposed change does not constitute a substantial deviation.
4. The Charlotte County Development Review Committee and the Charlotte County Planning and Zoning Board have reviewed the application PD-80-4C for amendment to the Planned Development Concept Plan and have recommended approval subject to certain conditions..

FILE 87-866526

RECORDED IN OFFICIAL RECORDS

'87 DEC 21 P1:34

CLERK CHARLOTTE

RECORD VERIFIED - Barbara T. Scott, Clerk
By JEAN JONES
12/20/87

OK 952 PG 1254

5. The Board of County Commissioners has conducted a public hearing on December 15, 1987, on the proposed change and has considered the recommendations of the Development Review Committee and the Planning and Zoning Board, and the comments of all concerned.
6. Attachment B-1 and Attachment A-2 of the Development Order and Planned Development Concept Plan, as raised by Resolution 87-07, contained errors in need of correction.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA:

7. Subject to the conditions outlined below, Attachment B-1 to Resolution 86-230, as amended by Resolution 87-07, Exhibit 3, is deleted and replaced by Amended Attachment B-1, Land Use by Phases, attached hereto as Exhibit 3.
8. Subject to the conditions outlined below, Attachment B-2 of Resolution 86-230, as amended by Resolution 87-07, the Development Order for the Sandhill Development of Regional Impact is hereby deleted and replaced by the Revised Phasing Plan, which is attached hereto as Exhibit 4 reflecting the changes in phasing.
9. Attachment A-2, as revised by Resolution 87-07, is hereby deleted and replaced by Master Development Plan attached hereto as Exhibit 5.
10. The Official Zoning Atlas shall be updated to reflect the amendment to PD-80-4 adopted pursuant to this resolution.

CONDITIONS OF APPROVAL

Paragraph 13 of Resolution 86-230, as amended by Resolution 87-07, as amended to include the following:

1. Prior to the issuance of any construction or other permits for the development of the site, described as Parcels H and F on Attachment B-2, a Planned Development Detail Plan for the subject site must be approved by Charlotte County pursuant to section 7.19.4(f) of the Charlotte County Zoning Regulations."
2. Approval of the Planned Development detail plan for Parcel F and H on an Attachment B-2, is subject to demonstrated compliance with conditions of the Development Order, as amended, and the Planned Development Plan, including but not limited to those pertaining to access, drainage and internal circulation.

Paragraph 1 of Resolution 86-230, entitled Drainage/Water Quality, as amended by Resolution 87-07, is amended to include the following:

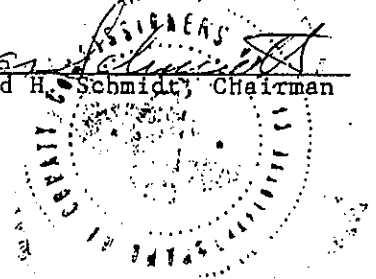
Charlotte County stormwater approval is required before a building permit will be issued in accordance to:

- 1) Individual sites will not be approved for stormwater until any and all downstream facilities for each basin and sub-basin related to that site are in place and certified as proper and functional by an engineer of record registered in the State of Florida.
- 2) On-site stormwater retention be permitted as a temporary means of accommodating storm drainage (prior to the completion of the Master Drainage Plan) provided:
 - a) that they be designed to tie into the Master Drainage system and;
 - b) that the cumulative total utilized for "on-site" retention/detention, for the DRI, be limited to approximately ten percent (10%) of the total DRI area, excluding the "Newport" project area. Retention/detention and distribution of pre-development stormwater run-off shall be permitted provided such distribution is consistent with pre-development distribution.

PASSED AND DULY ADOPTED THIS 15th DAY OF DECEMBER , 1987.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By David H. Schmidt
David H. Schmidt, Chairman



ATTEST:

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

By Michelle M. Picot
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By Sandra J. Augustine
Sandra J. Augustine
Assistant County Attorney

OR 952 PG 1257

Exhibit 1

LEGAL DESCRIPTION - PARCEL "H"

A portion of land lying in Section 7, Township 40 South, Range 23 East, Charlotte County, Florida, being more particularly described as follows:

From the Northwest corner of said Section 7, run South 89°40'59" East along the North line of Section 7, a distance of 35.00 feet; thence South 00°11'30" West, a distance of 82.50 feet; thence South 89°40'59" East, parallel with the North line of said Section 7, a distance of 987.68 feet to the Point of Beginning;

Thence continue South 89°40'59" East, a distance of 489.31 feet to the point of curvature of a circular curve concave Southwesterly having as elements a central angle of 20°16'47", a radius of 227.50 feet and a chord bearing of South 79°32'35" East; thence Southeasterly along the arc of said curve, a distance of 80.52 feet; thence South 36°54'32" West, a distance of 327.37 feet; thence North 53°05'20" West, a distance of 464.59 feet to the Point of Beginning.

Said lands containing 1.829 Acres, more or less.

Subject to restrictions, reservations and easements of record.

Said lands situate, lying and being in Charlotte County, Florida.

OR 952 PG 1258

LEGAL DESCRIPTION - PARCEL "F"

A portion of land lying in Section 7, Township 40 South, Range 23 East, Charlotte County, Florida, being more particularly described as follows:

From the Northwest corner of said Section 7, run South 89°40'59" East along the North line of Section 7, a distance of 35.00 feet; thence South 00°11'30" West, a distance of 82.50 feet; thence South 89°40'59" East, parallel with the North line of said Section 7, a distance of 987.68 feet; thence South 53°05'20" East, a distance of 464.59 feet to the Point of Beginning;

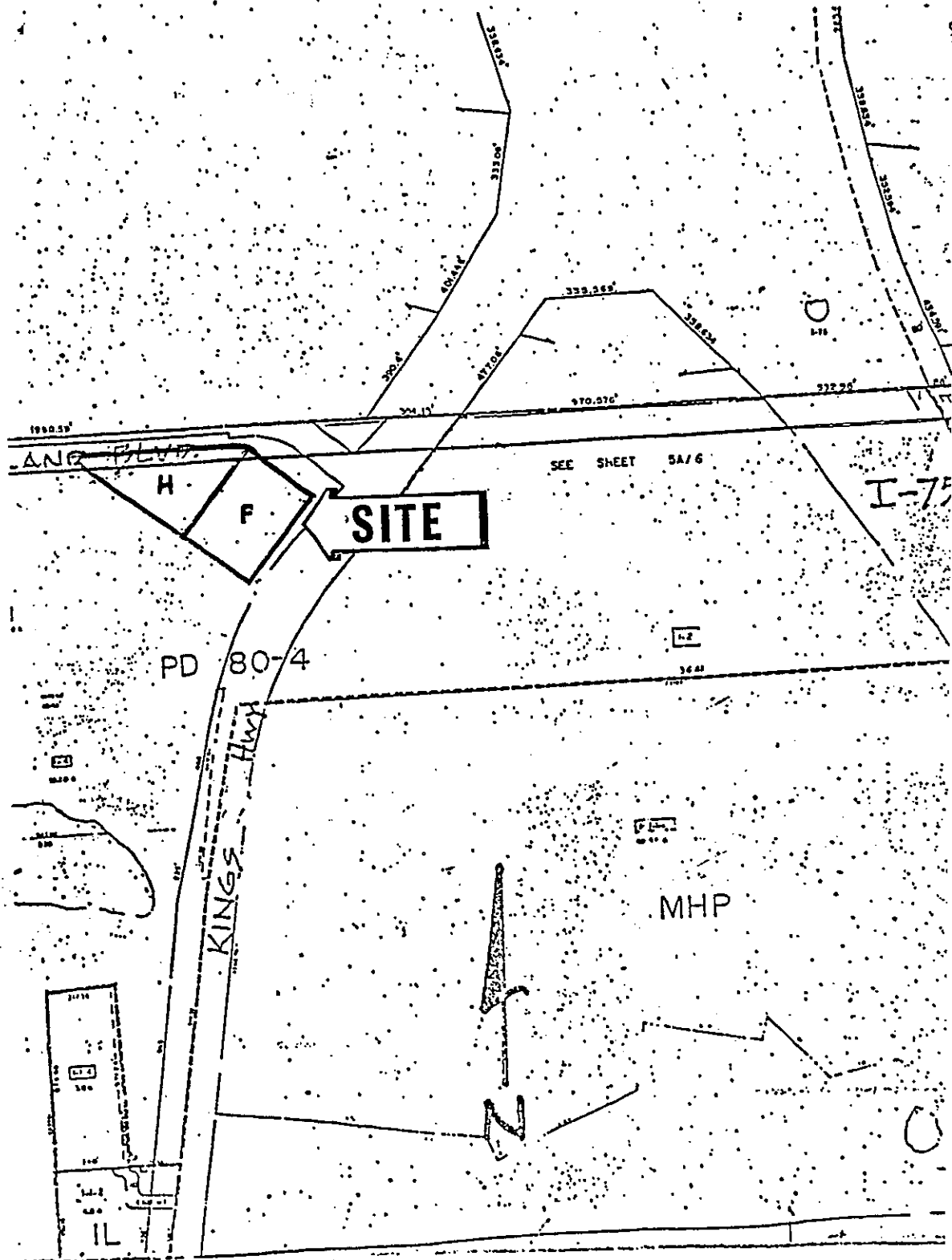
Thence continue South 53°05'20" East, a distance of 259.45 feet to the Northwesterly right-of-way line of Kings Highway (250 feet right-of-way); thence North 36°54'32" East along said right-of-way line, a distance of 336.53 feet; thence North 53°05'20" West, a distance of 195.56 feet to the point of curvature of a circular curve concave Southwesterly having as elements a central angle of 16°18'4" a radius of 227.50 feet and a chord bearing of North 61°14'50" West; thence Northwesterly along the arc of said curve, a distance of 64.77 feet; thence South 36°54'32" West, a distance of 327.37 feet to the Point of Beginning.

Said lands containing 2.00 Acres, more or less.

Subject to restrictions, reservations and easements of record.

Said lands situate, lying and being in Charlotte County, Florida.

EXHIBIT 2

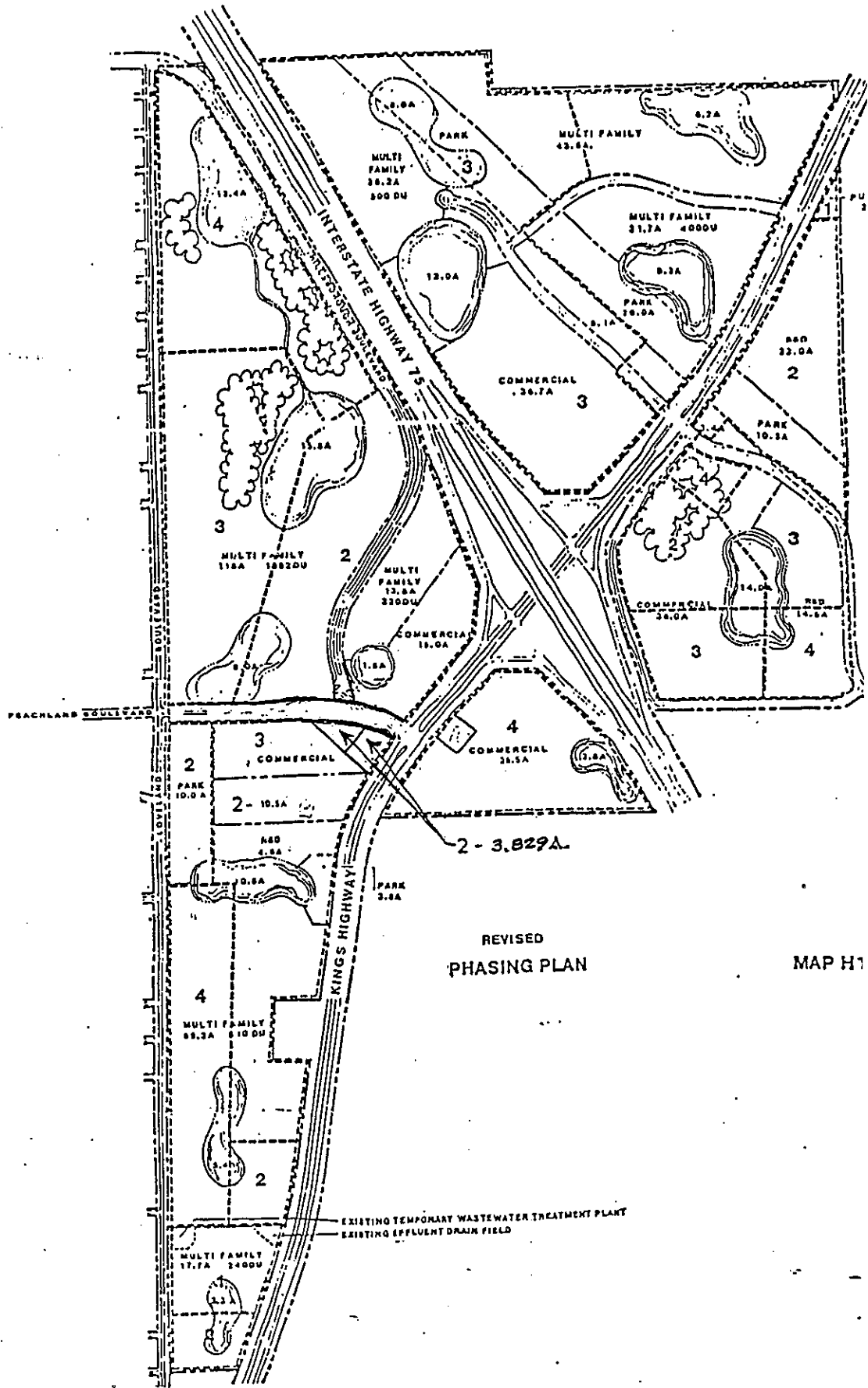


JULY 15, 1987

AMENDED ATTACHMENT B-1
TABLE 20-10
LAND USE BY PHASE

	1980-1986 Phase 1		1987-1991 Phase 2		1992-1996 Phase 3		1997-2001 Phase 4		Total	
	Acres	DU's	Acres	DU's	Acres	DU's	Acres	DU's	Acres	DU's
Multi Family	5.5	0.7	92.5	12.7	85.8	11.8	89.5	12.3	273.3	37.5
Retail	---	---	---	---	40.9	5.6	18.3	2.5	59.2	8.1
Hotel	---	---	32.0	4.4	15.0	2.1	34.4	4.7	81.4	11.2
Restaurant	---	---	4.0	0.5	6.0	0.8	4.0	0.6	14.0	1.9
Service Station	---	---	5.1	0.7	7.6	0.8	2.3	0.3	13.2	1.8
Office, Research & Development	---	---	22.0	3.0	12.2	1.7	7.2	1.0	41.4	5.7
Parks	---	---	35.4	4.9	---	---	---	---	35.4	4.9
Golfcourse	---	---	95.7	13.2	---	---	---	---	95.7	13.2
Lakes	34.5	4.7	15.7	2.2	20.0	2.8	2.8	0.4	73.0	10.1
Public Facilities	2.6	0.4	---	---	---	---	---	---	2.6	0.4
Roads	---	---	32.3	4.4	5.5	0.8	---	---	37.8	5.2
TOTAL ACRES AND *	42.6	5.8	334.7	46.0	191.2	26.4	158.5	21.8	727	100.0
TOTAL DU'S	54	54	1,432	1,432	1,336	1,336	1,200	1,200	397.85	397.85

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EXHIBIT 4A (REVISED)



SANDHILL PROPERTIES

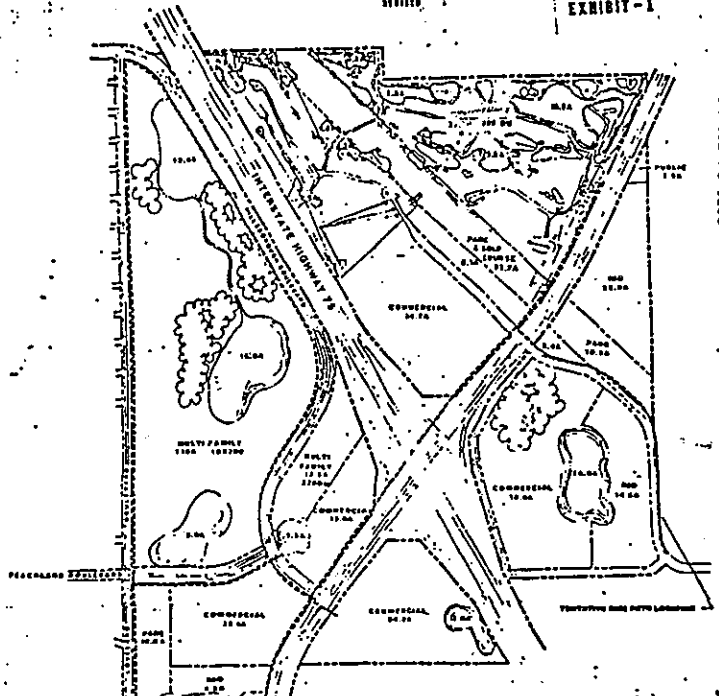
JAN 21 1987

Sheet 5
A-2

EXHIBIT - 1

OR 902 PG 1293

OR 952 PG 1262



MASTER DEVELOPMENT PLAN MAP H

LAND USE	ACRES	DWELLING UNITS
RESIDENTIAL	273.3	4022
COMMERCIAL	167.8	
RESEARCH & DEVELOPMENT	17.7	
GOLF COURSE	65.7	
PARK	35.4	
LAKE	73.0	
PUBLIC	2.6	
ROADS	37.8	
TOTAL	727.0	4022

SANDHILL PROPERTIES

PREPARED BY: WANDEL, KIRK-SMITH & ASSOCIATES