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R E S O L U T I O N
NUMBER 94-111

A RESOLUTION AMENDING RESOLUTION 89-141 AMENDING THE DEVELOPMENT ORDER FOR VICTORIA ESTATES DEVELOPMENT OF REGIONAL IMPACT; FINDING THAT THIS AMENDMENT DOES NOT CONSTITUTE A SUBSTANTIAL DEVIATION; PROVIDING FOR AN AMENDMENT TO THE "PROPOSED LAND USE AND PHASING SCHEDULE"; PROVIDING FOR AN AMENDMENT TO THE EFFECTIVE PERIOD OF DEVELOPMENT APPROVAL; AND PROVIDING FOR AN AMENDMENT TO CHANGE THE FIRE DISTRICT AND DELETE THE FIRE STATION SITE REQUIREMENT.

RECITALS

WHEREAS, on July 17, 1989, the Board of County Commissioners of Charlotte County, Florida, approved Resolution 89-141, constituting the Development Order for a development known as Victoria Estates; and

WHEREAS, H. K. Victoria Estates, Inc., has requested that an amendment to the Development Order be considered by the Board of County Commissioners of Charlotte County, Florida; and

WHEREAS, the Board of County Commissioners of Charlotte County has reviewed the amendment requested by H. K. Victoria Estates, inc., and finds that pursuant to Section 380.06(19), Fla. Stat., it does not constitute a substantial deviation;

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

1. The "Proposed Land Use and Phasing Schedule" contained within Resolution 89-141 (Exhibit 3, Attachment VI) is hereby deleted in its entirety and replaced with the revised

✓ Minutes

"Proposed Land Use and Phasing Schedule", attached hereto as Exhibits A and B and incorporated herein by reference.

2. Section 7 of Resolution 89-141 shall be amended as follows:

This Development Order shall remain in effect for a period of ~~ten~~ eleven years from the date of its rendition. ~~In the event that significant physical development has not commenced within a two year period, development approval will terminate and this Development Order shall no longer be effective. For purposes of this requirement, "significant physical development" does not include roads, drainage or landscaping but does include construction of buildings or installation of utilities and facilities such as sewer and water lines.~~

3. Section 9 of Exhibit 3 of Resolution 89-141 shall be amended as follows:

Section 9. Fire Protection.

This project is within the ~~Harbour Heights Fire Control District~~ Charlotte County Fire and Emergency Medical Services Department and fire coverage will be provided by the Maple Leaf Estates station located on mile from this DRI.

a. Fire sprinklers shall be included through the project in areas identified by the fire marshal.

b. The applicant shall review site development plans with the fire department to incorporate fire protection design recommendations into the project.

~~e. At the completion of Phase I, the applicant shall convey a .34 acre site, located in the southeast corner of the project, as committed in the PDA for construction of a fire station within the DRI boundary, to the Harbour Heights Fire Control District. Construction of the station, equipment, and personnel will be provided by the Harbour Heights Fire Control District.~~

4. The amendments incorporated herein do not constitute a substantial deviation of the Development Order.

5. All terms and conditions of the Development Order not affected by this resolution shall remain unchanged and in full force and effect.

PASSED AND DULY ADOPTED this 21ST day of June, 1994.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By 
Richard G. Leonard, Chairman

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

By 
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

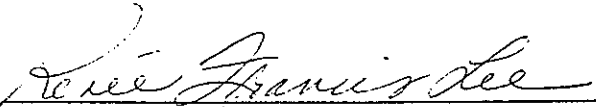

Renee Francis Lee, County Attorney JSC

EXHIBIT "A"
VICTORIA ESTATES
PROPOSED LAND USE AND PHASING SCHEDULE
RESOLUTION NUMBER 89-141
DATE DEVELOPMENT ORDER RECORDED: JULY 18, 1989

TRACT "A"

	PHASE I 6/30/96 Area % of Phase		PHASE II 6/30/96-6/30/97 Area % of Phase		PHASE III 6/30/97-6/30/98 Area % of Phase		TOTAL TRACT Area % of Phase	
<u>Residential:</u>								
Mobile Homes (# of units)	41.19 (350)	26.9	53.0 (425)	55.5	38.18 (325)	72.3	132.37 (1100)	43.9
<u>Commercial:</u>								
Neighborhood (Square ft.)	30.0 (250,000)(1) (120,000)	19.6	0	0	0	0	30.0	9.9
<u>Recreation:</u>								
Golf Course	32.82	21.3	17.25	18.2	0	0	50.07	16.6
Open Space	1.66	1.1	3.9	4.1	1.1	2.1	6.66	2.2
Active	3.8	2.5	0.6	0.5	0.9	1.7	5.3	1.8
Roadways	9.8	6.4	7.1	7.4	6.6	12.5	23.5	7.8
Maintenance	3.4	2.2	0	0	0	—	3.4	1.1
Lakes	30.7	20.0	13.67	14.3	6.0	11.4	50.37	16.7
TOTALS	153.37	100%	95.52	100%	52.78	100%	301.67	100%

(1) 250,000 Sq.Ft. of Commercial
120,000 Sq.Ft. of Office

(REVISED 4/25/94)

EXHIBIT "B"
 VICTORIA ESTATES
 PROPOSED LAND USE AND PHASING SCHEDULE
 RESOLUTION NUMBER 89-141
 DATE DEVELOPMENT ORDER RECORDED: JULY 18, 1989

TRACT "B"

	PHASE IV 6/30/97-6/30/98 Area % of Phase		PHASE V 6/30/98-6/30/99 Area % of Phase		PHASE VI 6/30/99-6/30/2000 Area % of Phase		TOTAL TRACT Area % of Phase	
<u>Residential:</u>								
Mobile Homes (# of units)	11.24 (100)	33.3	29.87 (250)	62.0	20.10 (250)	49.4	62.21 (600)	49.9
<u>Recreation:</u>								
Open Space	4.52	13.4	1.37	2.8	6.2	15.3	12.09	9.9
Roadways	1.92	5.6	4.51	9.4	3.01	7.4	9.44	7.7
Lakes	16.09	47.7	12.42	25.8	11.35	27.9	39.86	32.5
TOTALS	33.77	100%	48.17	100%	40.66	100%	123.6	100%

(REVISED 4/25/94)