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RESOLUTION
NUMBER 2011- 023

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF CHARLOTTE COUNTY, FLORIDA, AMENDING THE BUILDOUT DATES FOR THE DEVELOPMENT ORDERS OF RIVERWOOD DEVELOPMENT OF REGIONAL IMPACT (DRI), RIVERWOOD INCREMENT I DEVELOPMENT OF REGIONAL IMPACT (DRI), RIVERWOOD INCREMENT II DEVELOPMENT OF REGIONAL IMPACT (DRI), MURDOCK CENTER MASTER DEVELOPMENT OF REGIONAL IMPACT (DRI), MURDOCK CENTER INCREMENT I DEVELOPMENT OF REGIONAL IMPACT (DRI), MURDOCK CENTER INCREMENT II DEVELOPMENT OF REGIONAL IMPACT (DRI), MURDOCK CENTER INCREMENT III DEVELOPMENT OF REGIONAL IMPACT (DRI), MURDOCK CENTER INCREMENT IV DEVELOPMENT OF REGIONAL IMPACT (DRI), AND TERN BAY DEVELOPMENT OF REGIONAL IMPACT (DRI); FINDING THAT THIS AMENDMENT DOES NOT CONSTITUTE A SUBSTANTIAL DEVIATION; AND PROVIDING FOR AN EFFECTIVE DATE.

RECITALS

WHEREAS, Section 380.06(19) (c), Florida Statutes (F.S.), states: "In recognition of the 2007 real estate market conditions, all phase, buildout, and expiration dates for projects that are developments of regional impact and under active construction on July 1, 2007, are extended for 3 years regardless of any prior extension. The 3-year extension is not a substantial deviation, is not subject to further development-of-regional-impact review, and may not be considered when determining whether a subsequent extension is a substantial deviation under this subsection"; and

WHEREAS, Victoria Estates DRI Development Order and Sandhill DRI Development Order buildout dates have previously been granted this 3 year extension per prior action of the Board of County Commissioners of Charlotte County, Florida ("Board"); and

CHARLOTTE COUNTY CLERK OF CIRCUIT COURT
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WHEREAS, all DRIs referenced in the title of this resolution were under active construction on July 1, 2007 and these buildout dates have not yet been extended; and

WHEREAS, the Board has considered the amendment requested by the Charlotte County Building and Growth Management Department and finds that, pursuant to Chapter 380.06(19)(c), Florida Statutes, it does not constitute a substantial deviation; and

WHEREAS, the amendment request qualifies as a 380.06(19)(c), Florida Statutes amendment that does not require the filing of a Notice of Proposed Change.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Charlotte County, Florida, that the following resolutions be amended as follows:

1. Resolution 90-285, the buildout date of Riverwood Development of Regional Impact Master Development Order is extended to November 12, 2013.
2. Resolution 2004-255, the buildout date of Riverwood Increment I Development of Regional Impact Development Order is extended to January 8, 2012.
3. Resolution 2004-256, the buildout date of Riverwood Increment II Development of Regional Impact Development Order is extended to January 8, 2012.
4. Resolution 2009-164, the buildout date of Murdock Center Development of Regional Impact Master Development Order is extended to March 1, 2015.

5. Resolution 2009-165, the buildout date of Murdock Center Increment I Development of Regional Impact Development Order is extended to March 1, 2015.
6. Resolution 2009-166, the buildout date of Murdock Center Increment II Development of Regional Impact Development Order is extended to March 1, 2015.
7. Resolution 2006-055, the buildout date of Murdock Center Increment III Development of Regional Impact Development Order is extended to March 1, 2015.
8. Resolution 2009-167, the buildout date of Murdock Center Increment IV Development of Regional Impact Development Order is extended to March 1, 2015.
9. Resolution 2006-043, the buildout date of Tern Bay Development of Regional Impact Development Order is extended to January 17, 2015.

This Resolution shall become effective immediately upon its adoption.

County staff is hereby directed to forward a copy of this Resolution to the Florida Department of Community Affairs, 2555 Shumard Oak Boulevard, Tallahassee, FL 32399-2100, and to the Executive Director, Southwest Florida Regional Planning Council, 4980 Bayline Drive, 4th Floor, North Fort Myers, FL 33918-3909.

PASSED AND DULY ADOPTED this 22nd day of March, 2011.

BOARD OF COUNTY COMMISSIONERS
OF CHARLOTTE COUNTY, FLORIDA

By: Robert J. Stark
Robert J. Stark, Chairman

ATTEST:

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

By: Joanne Lansing
Deputy Clerk

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: Janette S. Knowlton
Janette S. Knowlton, County Attorney LR 11-1272