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RESOLUTION  
NUMBER 89- ~~324~~  
330A

A RESOLUTION AMENDING THE DEVELOPMENT ORDER FOR THE SANDHILL PROPERTIES DEVELOPMENT OF REGIONAL IMPACT BY APPROVING THE DEVELOPMENT OF A UTS SWITCH STATION, PURSUANT TO F.S. SEC. 380.06(19)(b)6; AMENDING RESOLUTION 89-42.

89 NOV -1 PM 2:33

RECORDED

FINDINGS

RECORD VERIFIED - Barbara T. Scott, Clerk  
By: *Angela Perry* D. C.

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CHARLOTTE COUNTY

1. An amended Development Order and Planned Development Concept Plan for the Sandhill Properties Development of Regional Impact were approved by Resolution 86-230 of the Board of County Commissioners of Charlotte County on September 9, 1986, and amended by Resolutions 86-325, 87-07, 87-156, 87-289, 88-56, 88-57, 88-235, 88-282, and 89-42.

2. Spectra Engineering and Surveying, Inc. ("Spectra") has filed an application for Preliminary and Final Detail Plan approval for an unmanned telephone switching facility on behalf of the applicant, United Telephone Systems of Florida. The application for Preliminary and Final Detail Plan approval and the final development plans are on file in the Charlotte County Zoning Department under File #DRC-PD-80-4J and are incorporated herein by reference.

3. The Sandhill DRI, described in Ordinance 86-68 establishing the Sandhill MSTU, is not in an area of critical state concern designated pursuant to the provisions of Section 380.05, Florida Statutes.

4. The proposed development does not unreasonably interfere with the achievement of the objectives of any adopted state land development plan applicable to Charlotte County.

5. The Charlotte County Development Review Committee ("DRC") reviewed the application for Preliminary and Final Detail Plan approval on October 12, 1989, and recommended approval contingent upon two conditions.

6. Pursuant to paragraph 7 of Resolution 86-230, the Amended Development Order, a Municipal Service Taxing Unit has been established for the DRI to provide funding for other capital improvements and right of way dedications listed pursuant to Resolution 86-230.



7. Based on the data provided by the petitioner the Board of County Commissioners finds that the proposed development would not adversely impact existing and proposed development or traffic flow incident thereto in the Sandhill DRI.

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

8. Subject to the conditions outlined below, Attachment 1 to Resolution 86-230, known as "Land Use by Phase," as amended by subsequent resolutions, is further amended to indicate that a telephone switching facility of approximately 1,100 sq. feet shall be permitted within the DRI.

9. The land which is subject to this Resolution is described more fully in Exhibit 1, and it's approximate location is shown in Exhibit 2.

10. The application for Preliminary and Final Detail Plan Approval for DRC-PD-80-4J, the UTS Switching Station, is approved subject to the following:

- a. that Engineering approval be obtained;
- b. that letters of compliance and asbuilts, signed and sealed by a professional engineer, be submitted to the Engineering, Zoning, and Utilities Departments, prior to the issuance of a Certificate of Occupancy.

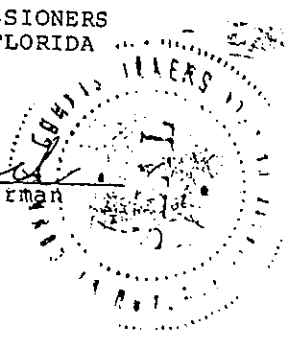
11. Unless explicitly amended herein, all provisions, conditions, and commitments, whether intended as impact mitigating actions or otherwise, contained within the Sandhill DRI Development Order as amended by Resolution 86-230, shall remain in effect.

12. Deviation from the approval detail plan or failure to comply with any requirements of the Zoning Regulations, except as modified by the plan as approved, shall constitute a violation of the Charlotte County Zoning Regulations.

PASSED AND DULY ADOPTED this 31st day of October 1989.

BOARD OF COUNTY COMMISSIONERS  
OF CHARLOTTE COUNTY, FLORIDA

By Bill Burdick  
Bill Burdick, Chairman



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

By Maureen M. McAuliffe  
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

Sandra J. Augustine  
Sandra J. Augustine  
County Attorney

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#DRC-PD-80-4J

United Telephone requesting preliminary and final detail plan approval for a UTS Switch Station on the following described property: Section 6, Township 40S, Range 23E, located on Kings Highway, 260 feet North of Peachland Boulevard, Port Charlotte, Florida.

Remarks

Mr. Kevin Rainey from Spectra Engineering represented the petition. He stated that the applicant has been exempted by SWFWMD because of the Sandhill Master Drainage Permit.

Mr. Missimer requested that the applicant submit a stormwater application and the Land Development Department would respond in a manner similar to the SWFWMD approval.

Mr. Burns had no comment.

Mr. Byrd had no comment.

Mr. Best indicated the landscaping plans were satisfactory.

Ms. Horne noted that the Development Order required that landscape and sign plans be submitted. Mr. Rainey responded that there would only be a small plaque by the front door. The landscaping plan, according to Mr. Rainey, would be the preservation of the nine trees on site.

Recommendation

Upon motion by Mr. Missimer and seconded by Mr. Burns, it was VOTED TO APPROVE petition #DRC-PD-80-4J with the following conditions:

1. that engineering approval be obtained;
2. that letters of compliance and asbuilts, signed and sealed by a professional engineer, be submitted to the Engineering, Zoning and Utilities Departments, prior to the issuance of a certificate of occupancy.

VOTE: FOR: Ms. Horne, Messrs. Missimer, Burns, Byrd, Best  
AGAINST: None  
ABSENT: None

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SURVEYOR'S DESCRIPTION

Being a portion of the SW 1/4 of Section 6, Township 40 South, Range 23 East, Charlotte County, Florida, and being more particularly described as follows:

Commencing at the Southwest corner of said Section 6; thence S.89°40'59"E., along the south line of said Section, 1,985.89 feet to a point on the Northwesterly Right-of-Way line of Kings Highway (250 feet wide); thence N.36°54'32"E, along said Right-of-Way line, 115.20 feet to the POINT OF BEGINNING:

Thence continue N.36°54'32"E., along said Right-of-Way line, 145.00 feet;

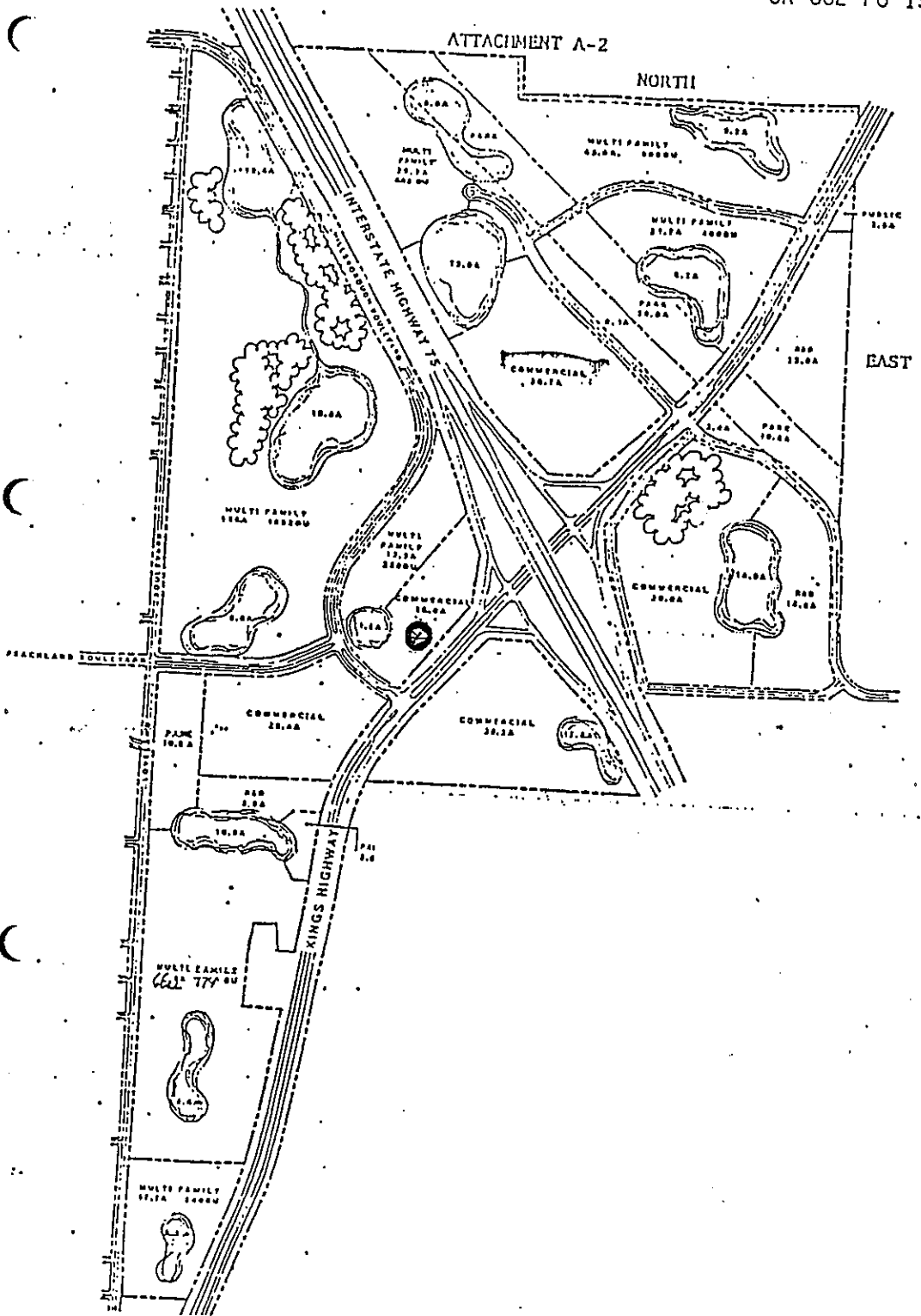
Thence N.53°05'28"W., 150.00 feet;

Thence S.36°54'32"W., 145.00 feet;

Thence S.53°05'28"E., 150.00 feet to the Point of Beginning, containing 0.4993 acres, more or less.

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NDHILL PROPERTIES

PREPARED BY WANKELMAN-SMITH & ASSOCIATES



EXHIBIT 2