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RECEIVED  
JUN 6 1991  
CHARLOTTE COUNTY  
PLANNING DEPT.

RESOLUTION  
NUMBER 91- 123

91 JUN 19 PM 4:31

RECORDED

RECEIVED  
JUN 29 1991  
CHARLOTTE COUNTY  
PLANNING DEPT.

A1 RESOLUTION AMENDING THE DEVELOPMENT ORDER,  
AS REPRESENTED BY RESOLUTION 86-230 (AS  
AMENDED), FOR THE SANDHILL PROPERTIES  
DEVELOPMENT OF REGIONAL IMPACT; AND APPROVING,  
WITH CONDITIONS, A MODIFICATION OF CONCEPT (PD-  
80-4M) TO A PREVIOUSLY APPROVED PLANNED  
DEVELOPMENT.

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FINDINGS

109177  
CHARLOTTE COUNTY

1. On September 9, 1986, the Board of County  
Commissioners of Charlotte County, Florida, passed and approved  
Resolution 86-230, constituting the Development Order for a  
development known as Sandhill Properties Development of Regional  
Impact.

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2. The Development Order was amended by Resolutions ~~86-~~  
325, 87-07, 87-156, 87-289, 88-56, 88-57, 88-235, 88-282, 89-42,  
89-324, ~~90-49A~~ and 90-258.  
*Not an amendment - Detail plan approval*

*Sub. Rev  
Deter*

3. Albert J. Tiseo has requested that an additional  
amendment to the Development Order be considered by the Board of  
County Commissioners of Charlotte County. The application for  
modification of concept is on file in the Charlotte County Zoning  
Department under file #DRC-PD-80-4M and on file in the Charlotte  
County Planning Department under File #ZAR-90-12-52. This change  
would generally consist of changing a portion of a parcel presently  
designated R & D (research and development) to a commercial  
designation as follows:

RECORD VERIFIED - BARBARA T. SCOTT, CLERK  
TAMMIE WHISENANT

BY: JW D.C.

\* Return to Minutes

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Change 2.99 acres of Phase 2 R & D (7.2 acres) to commercial. The Phase 2 R & D is more particularly described as follows:

Begin at the Northwest Corner of Section 7, Township 40 South, Range 23 East; Thence East 425 feet; thence South 860 feet for Point of Beginning. Continue South 246.18 feet; Thence Southeasterly 107 feet, Easterly 400 feet, Southeasterly 302 feet, East 185 feet to West Right of Way of King's Highway; Thence Northerly along Right of Way 453.94 feet; Thence West 1000 feet to Point of Beginning.

Containing 7.2 acres, more or less.

4. The Board of County Commissioners of Charlotte County conducted a public hearing on May 21, 1991, pursuant to Section 380.06(19)(f)(5), Fla. Stat., 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.

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

6. The Charlotte County Development Review Committee ("DRC") reviewed the application for modification of concept to an existing planned development (DRC-PD-80-4M) on March 7, 1991, and recommended approval with the following condition:

That the uses shall be restricted to those allowed under the current Commercial General zoning district, Section 3-9-42 of the Charlotte County Code.

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

7. That Attachment B-1 to Resolution 86-230, known as "Land Use by Phase", be further amended to indicate that the Phase 2 R & D area previously shown as 7.2 acres is now reduced by 2.99 acres with the 2.99 acres being changed to commercial more particularly described as follows:

Being a part of the Northwest 1/4 of Section 7, Township 40 South, Range 23 East, Charlotte County, Florida, more particularly described as follows:

Commencing at the Northwest corner of said Section 7; Thence S 89°50'38" E, along the North line of said Section, 425 feet; Thence S 00°02'39" W, 860 feet; Thence S 89°50'38" E, 654.28 feet to the POINT OF BEGINNING.

Thence continue S 89°50'38" E, 346.38 feet to a point on the Westerly right-of-way line of Kings Highway (per O.R. Book 749 at Pages 1236 thru 1237 of the Public Records of Charlotte County, Florida), said point being on the arc of a circular curve concave southeasterly, having a radius of 1270 feet and a chord that bears S 13°23'14" W, 217.72 feet; Thence southwesterly along the arc of said curve to the left thru a central angle of 9°50'04" a distance of 217.99 feet to the Point of Tangency; Thence S 08°28'12" W, along said right-of-way line, 236.22 feet; Thence N 89°50'38" W, 185.07 feet; Thence N 54°13'27" W, 23.55 feet; Thence N 46°18'46" W, 68.95 feet; Thence N 49°05'37" W, 10.80 feet; Thence N 00°09'22" E, 377.42 feet to the Point of Beginning.

Containing 2.99 acres, more or less.

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8. The amendment incorporated herein does not constitute a substantial deviation of the Development Order.

9. The application of Albert Tiseo for modification of concept to the existing planned development (DRC-PD-80-4M, ZAR-90-12-52) is hereby approved, subject to the following conditions:

a. Acceleration and deceleration lanes of proper length, taper, and design will be installed on King's Highway at this site at the developer's expense.

b. Cross-access will be provided between this site and Peachland Promenades Shopping Center.

c. A screening buffer as specified in the Charlotte County Zoning Code will be maintained between this commercial site and the adjacent residential parcel.

d. Development of this seven acres will follow this schedule:

- 1.5 acres of Commercial may be developed immediately.

- 1.5 acres of Commercial may be developed upon completion of the current King's Highway 4-laning.

- 4.2 acres of Research & Development may be developed upon completion of the El Jobean Road extension Hillsborough Boulevard connection with Peachland Boulevard.

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10. A certified copy of this resolution shall be forwarded by the Clerk's Office to the Southwest Florida Regional Planning Council, 4980 Bayline Drive, North Fort Myers, Florida 33918-3455 and to the Department of Community Affairs, Division of Resource Planning, 2740 Centerview Drive, Tallahassee, Florida 32399-2100.

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PASSED AND DULY ADOPTED this 18th day of June, 1991.

BOARD OF COUNTY COMMISSIONERS  
OF CHARLOTTE COUNTY, FLORIDA

By *Wm. D. Noel, Jr.*  
Wm. D. Noel, Jr., Chairman



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

By *Donna Neiswinger*  
Deputy Clerk

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

*Beth A. Sullivan*  
Beth A. Sullivan  
Assistant County Attorney

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