

Section A

Date: _____

Application #: _____

TDU Ordinance
Application to
Create Sending Zone Density Units from Your Property
Article XX., Sec. 3-5-425 to 3-5-435, County Code

Have you had a Pre-petition Meeting yet?

If NO, call the following number to schedule a meeting - 941-743-1242. A Pre-petition Meeting is required prior to submitting this application.

If YES, attach a copy of the letter from staff summarizing the meeting.

The County will only process this application if the applicant is also the owner of the Sending Zone (SZ) property. An affidavit from each owner of the property consenting to the application for certification is required. The affidavit form is attached to this application.

Submit one paper copy of the application and a disc containing a copy of the application in PDF format to the Growth Management Department. (Any changes or additions to the application will require you to resubmit the PDF document)

APPLICANT INFORMATION

Applicant's: (add an attachment to the application if there is more than one owner and include % interest of each owner)

Name: Sandra W. Welles Ranch, LLC

Mailing Address: 3779 SE CR 760

City: Arcadia

State: FL

Zip Code: 34266

Phone Number: 863-990-1890

Fax Number:

Agent's:

Name: Robert H. Berntsson

Mailing Address: 3195 S. Access Road

City: Englewood

State: FL

Zip Code: 34224

Phone Number: 941-627-1000 x 2009

Fax Number:

Engineer/Surveyor's:

Name: N/A

Mailing Address:

City:

State:

Zip Code:

Phone Number:

Fax Number:

PE#/PLS#

CHECKLIST

- ☒ An affidavit from the property owner(s) of the proposed SZ property – use attached affidavit
 - ☐ Consent form from the mortgage holder if the property is under mortgage
- ☒ A copy of the most current deed or title to the proposed SZ property
- ☒ Legal description of the proposed SZ, with acreages
- ☒ A signed and sealed survey illustrating boundaries and all existing easements of the proposed SZ - if the proposed SZ consists of platted lots and there are no fractions of a lot, then you may satisfy this requirement by submitting a copy of the most recent plat map with the lot(s) outlined (you must still indicate easements or other encumbrances on the copy of the plat).
- ☒ Maps indicating the location of the proposed SZ (to scale)
- ☒ An Ownership and Encumbrance Report or other document of title issued by an attorney or a title insurance company which must be dated no later than two months prior to submittal of this application.
- ☒ A draft Covenant* –
 - ☐ Management plan, if required (Subsection 3-5-432(c)),
- ☒ A narrative indicating the Base Density (see Section 3-5-427, definitions) of the SZ and describing how the calculation was derived, including an indication of how any Encumbrances as identified per Subsection 3-5-429(b)(2)(iv) affect this Base Density; a statement of the number Density Units requested to be transferred from the property and the number of Density Units requested to be retained.
- N/A ☐ If the property is located in the Coastal High Hazard Area, a boundary map of the property with the storm surge zones illustrated upon the map along with an indication of the acreage of each associated storm surge. If there are VE and AE flood zones, these shall also be illustrated on the map. Any Encumbrances must be subtracted from the whole.
- N/A ☐ If required, maps and surveys of the property illustrating the existing land cover using Level 3 Florida Land Use Cover and Forms Classification system, locations of heritage trees and listed flora a fauna species,.
- ☒ An application fee (\$655), made out to the Charlotte County Board of County Commissioners
- ☒ Pre-application letter

*The Covenant must be signed and notarized prior to the Board of County Commissioners (BCC) hearing. This is one of the standards for approval of the petition by the BCC. In the event the petition is approved, the petitioner is required to file the Covenant with the Clerk of the Circuit Court. The petitioner is required to pay the cost of the filing fee. A certified copy must be given to the TDU program administrator for scanning before you will receive your Certificate.

AFFIDAVIT

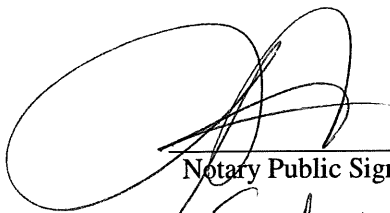
I, the undersigned, being first duly sworn, depose and say that I am the
[X] fee owner

[] part owner (% of ownership -)

of the property described and which is the subject matter of this application; that I request to have Density Units severed from the property; that I consent to the County initiating and taking action to modify the FLUM designation, and/or Zoning District as appropriate to reflect the reduced density permitted on the proposed SZ; that I consent to a vacation of the plat, as necessary, and agree to supply a boundary survey and utility easements as required; that all answers to the questions in this application, and all sketches, data and other supplementary matter attached to and made a part of the application are honest and true to the best of my knowledge and belief. I understand this application must be complete and accurate before the hearing can be advertised. I acknowledge that all items listed in the application must be submitted concurrent at the time the County accepts the application.

STATE OF FLORIDA, COUNTY OF CHARLOTTE

The foregoing instrument was acknowledged before me this 16th day of September, 2025, by Sandra W. Welles, by Leslie Welles-Hale, POA who is personally known to me or has produced driver license as identification and who did/did not take an oath.



Notary Public Signature
Sandra Hernandez

Notary Printed Signature



Signature of Applicant
Sandra W. Welles, by Leslie Welles-Hale, POA

Printed Signature of Applicant

Notary

Title
HH 424577

Commission Code

Address

City, State, Zip

Telephone Number



SANDRA HERNANDEZ
Commission # HH 424577
Expires July 23, 2027

WIDEIKIS, BENEDICT & BERNTSSON, LLC

THE BIG W LAW FIRM

ATTORNEYS AT LAW

JOHN L. WIDEIKIS
ROBERT C. BENEDICT
ROBERT H. BERNTSSON*^

3195 S. ACCESS ROAD
ENGLEWOOD, FLORIDA 34224
PHONE:(941)627-1000
Reply to this office location
EMAIL: rberntsson@BigWLaw.com



PORT CHARLOTTE, FLORIDA
NORTH PORT, FLORIDA
BY APPOINTMENT ONLY

433 4th Street W., Unit #4
BOCA GRANDE, FLORIDA 33921
PHONE:(941)964-1223

*Certified by the Florida Bar in City,
County and Local Government Law
2000-2021;

^Also admitted to New York Bar

May 9, 2026

Jie Shao, AICP, MCP
Planner, Principal
Charlotte County Community Development Department
18400 Murdock Circle
Port Charlotte, FL 33948

Re: Ownership letter for Parcel 402525207001, Del Verde Section A

Dear Jie:

This letter will confirm my review of the public records, deeds, and other available information showing the title to the above referenced parcel is in the name of Sandra W. Welles Ranch, LLC.

Very truly yours,

Robert H. Berntsson

Robert H. Berntsson

[illegible][illegible]STATE OF FLORIDA § 5.5
COUNTY OF ORANGE § 5.5

I hereby certify that upon me this day personally appeared James E. Rife, the person known to me as the person who executed the foregoing instrument, and that he acknowledged to me that he executed the same for the purposes and consideration therein expressed, and that he was at that time of legal age, sound mind, and of lawful memory, and was not under any legal disability, and that the said instrument is the free act and deed of said person.

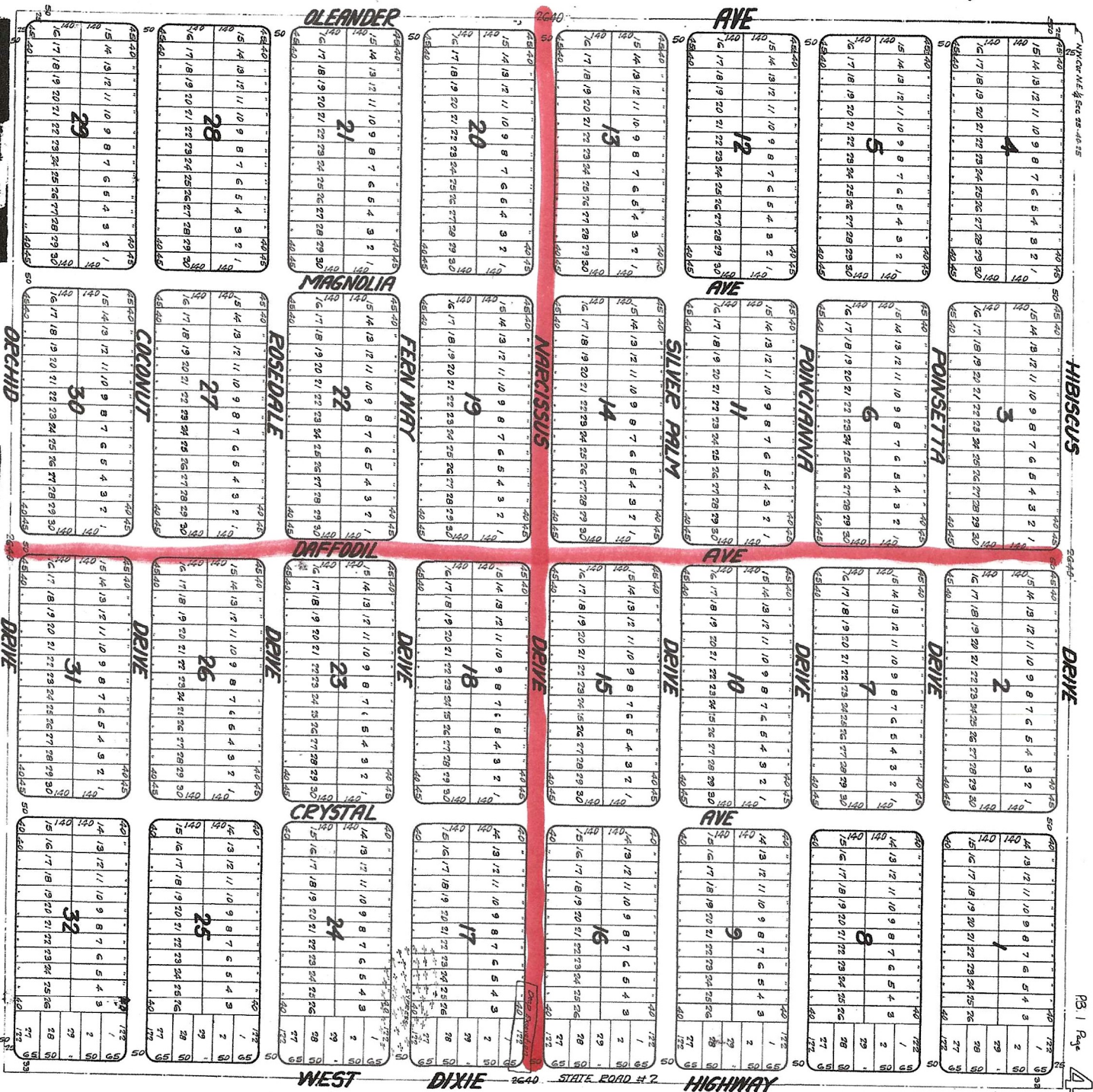
Witness my hand and seal this 5th day of July 1925 at
Newport, Lake County, Florida

Francette D. Davidson
Navy Public Affairs Office
6-27-29

h. 56 7/8

Found in the sphere of the
Black & white front back & side

1910 - 1920
B. S. Brown, Clerk



DEL-VERDE

SECTION A

A SUBDIVISION OF THE N.E. 1/4 SEC. 25 T14P40 S. R. 25 EAST
SCALE 1" = 100'

DIVISION OF THE NEW YORK SEC. 25 IMP-40 S.R. 25 EAST
100' JANUARY 1922

I hereby certify that the foregoing plot is a true and correct plot according to original survey made by me.

Wm. Colclough
County Surveyor Charlotte Co. F.

NY CAR N.E. 1/4 Sec 25.40.25

4413156115

DELIK

PB.1 Page 410

Exhibit A-Del Verde Section A- Legal Descriptions and Parcel Identification Number

Parcel Identification Number 402525207001

73 lots

Lot 4, Block 1, Del Verde, Section A, according to the plat thereof, recorded in Plat Book 1, Page 49, of the Public Records of Charlotte County, Florida; and

Lots 20-21, Block 6, Del Verde, Section A, according to the plat thereof, recorded in Plat Book 1, Page 49, of the Public Records of Charlotte County, Florida; and

Lot 1, Block 8, Del Verde, Section A, according to the plat thereof, recorded in Plat Book 1, Page 49, of the Public Records of Charlotte County, Florida; and

Lots 3-17 and 22-30, Block 10, Del Verde, Section A, according to the plat thereof, recorded in Plat Book 1, Page 49, of the Public Records of Charlotte County, Florida; and

Lots 10-11, 27 and 30, Block 11, Del Verde, Section A, according to the plat thereof, recorded in Plat Book 1, Page 49, of the Public Records of Charlotte County, Florida; and

Lots 5-6, 12-14 and 17-29, Block 12, Del Verde, Section A, according to the plat thereof, recorded in Plat Book 1, Page 49, of the Public Records of Charlotte County, Florida; and

Lots 4, 13 and 23-25, Block 16, Del Verde, Section A, according to the plat thereof, recorded in Plat Book 1, Page 49, of the Public Records of Charlotte County, Florida; and

Lot 20, Block 17, Del Verde, Section A, according to the plat thereof, recorded in Plat Book 1, Page 49, of the Public Records of Charlotte County, Florida; and

Lot 5, Block 18, Del Verde, Section A, according to the plat thereof, recorded in Plat Book 1, Page 49, of the Public Records of Charlotte County, Florida; and

Lots 6-8, Block 19, Del Verde, Section A, according to the plat thereof, recorded in Plat Book 1, Page 49, of the Public Records of Charlotte County, Florida; and

Lots 24-25, Block 23, Del Verde, Section A, according to the plat thereof, recorded in Plat Book 1, Page 49, of the Public Records of Charlotte County, Florida; and

Lots 23 and 25-26, Block 25, Del Verde, Section A, according to the plat thereof, recorded in Plat Book 1, Page 49, of the Public Records of Charlotte County, Florida; and

Lot 6, Block 26, Del Verde, Section A, according to the plat thereof, recorded in Plat Book 1, Page 49, of the Public Records of Charlotte County, Florida; and

Lots 3-4 and 29-30, Block 27, Del Verde, Section A, according to the plat thereof, recorded in Plat Book 1, Page 49, of the Public Records of Charlotte County, Florida; and

Lots 4 and 10, Block 28, Del Verde, Section A, according to the plat thereof, recorded in Plat Book 1, Page 49, of the Public Records of Charlotte County, Florida; and

Lot 13, Block 32, Del Verde, Section A, according to the plat thereof, recorded in Plat Book 1, Page 49, of the Public Records of Charlotte County, Florida.



CSZ Pre-Application Acknowledgement

- Applicant: Sandra W. Welles Ranch LLC, 3779 SE County Road 760, Arcadia, FL 34266
- Date of Pre-app: March 21, 2026
- Property ID(s): 402525207001
- Property Address: These lots are generally located west of SR 31 and north of Bermont Road, in the East County area.
- Property Owner: Sandra W. Welles Ranch LLC, 3779 SE County Road 760, Arcadia, FL 34266
- Agent: Robert H. Berntsson, Esq.
- Area: The actual acreage will be determined during the review process;
- Location: East County area
- FLUM designation: Agriculture
- Zoning: AG
- Estimated Base Density: 73
- Storm Surge Zone: Outside of CHHA
- FEMA Flood Zone: X
- Service Area: Rural Service Area
- Neighborhood Framework: Agricultural/Rural
- Are there submerged lands? No
- Other encumbrances: N/A
- Public utilities: None

- Sending Zone Qualifications:
 - ☐ Managed Neighborhood (FLU Policy 1.2.9 criteria 1)
 - ☒ **Rural Service Area (FLU Policy 1.2.9 criteria 2)**
 - ☐ Bona fide agriculture
 - ☒ **Substandard platted lots**
 - ☐ Resource Conservation or Preservation FLUM (FLU Policy 1.2.9 criteria 3)
 - ☐ **CHHA (FLU Policy 1.2.9 criteria 4)**
 - ☐ Historical or Archaeological Resources (FLU Policy 1.2.9 criteria 5)
 - ☐ **Environmentally Sensitive Resources (FLU Policy 1.2.9 criteria 5)**
 - ☐ Prime Aquifer Recharge Area (FLU Policy 1.2.9 criteria 6)
 - ☐ Watershed Overlay District (0.5-mile setback) (FLU Policy 1.2.9 criteria 7)
 - ☐ Public Water System Wellhead Protection Area (FLU Policy 1.2.9 criteria 8)
 - ☐ Wildlife Corridor Critical Linkage (FLU Policy 1.2.9 criteria 9)
 - ☐ Building permit or CO has been issued (FLU Policy 1.2.9 criteria 10)
 - ☐ Density Reduction (FLU Policy 1.2.9 criteria 11)
- Density Retained: 0
- Is FLUCCS mapping and species survey required? N/A
- Type of Covenant: Restrictive Covenant
- Plat: Del Verde Section A, Blocks 1, 6, 8, 10-12, 16-19, 23, 25-28, and 32
- Other Requirements: N/A

Jie Shao

Jie Shao, Planner Principal, AICP, MCP
 Charlotte County Community Development

Robert H. Berntsen

Property Owner or Agent

Document prepared under the supervision of:
Charlotte County Attorney
18500 Murdock Circle
Port Charlotte, FL 33948

This instrument prepared by
and after recording return to:
Robert H. Berntsson
BIG W LAW
3195 S. Access Road
Englewood, FL 34224

SPACE ABOVE THIS LINE FOR RECORDING DATA

DECLARATION OF RESTRICTIVE COVENANT TO SEVER DENSITY

This Declaration of Restrictive Covenant is made this ____ day of _____, 2026, by Sandra W. Welles Ranch, LLC, whose address is 3779 SE CR 760, Arcadia, Florida 34266, hereinafter referred to as “Owner.”

WHEREAS, Owner is the fee title owner of those certain real properties situated in Charlotte County, Florida, and legally described in Exhibit A, attached hereto and incorporated herein by reference (the “Property”); and

WHEREAS, Owner hereby declares that Owner is lawfully seized of said Property in fee simple; that the Property is free and clear of all encumbrances that are inconsistent with the terms of this Declaration; that Owner has good right and lawful authority to make this Declaration; and that Owner agrees to fully warrant and defend this Declaration against the claims of all persons whomsoever; and

WHEREAS, except as otherwise provided herein, Owner intends to sever the Density Units allocated to the Property pursuant to Section 3-9-150 of the Charlotte County Code of Laws and Ordinances (hereinafter referred to as the “TDU Ordinance”); and

WHEREAS, as defined by TDU Ordinance, a Density Unit is development right which equals one (1) increment of housing designed and intended for residential use by one (1) family, whether a single-family residence, mobile home or as part of a duplex, apartment or condominium project; and

WHEREAS, Owner has applied to Charlotte County to create Sending Zone Density Units from the Property; and

WHEREAS, the Property was qualified as a Sending Zone under Petition No. CSZ-26-____ because it is located outside of the Urban Service Area, contains substandard platted lots, and is designated as Agriculture on the Future Land Use Map with AG zoning; and

WHEREAS, the Property is currently vacant; and

WHEREAS, a management plan is not required for the Property; and

WHEREAS, Owner intends to retain zero (0) Density Units on the Property; and

WHEREAS Owner has applied to Charlotte County for severance of all 73 of the Density Units allocated to the Property; and

WHEREAS, pursuant to the TDU Ordinance, a condition of the severance of Density Units of that Owner must provide a covenant imposing certain limitations upon the Property; and

WHEREAS, Owner, in fulfillment of that obligation, hereby places the following restrictive covenant on the use of the Property;

NOW, THEREFORE.

1. Recitals. The recitals set forth above are true and correct and are incorporated into this restrictive covenant.
2. Covenants. Owner hereby declares that the Property shall be held, maintained, transferred, sold, conveyed and owned subject to the following restrictive covenant:

Owner hereby agrees that zero (0) Density Units exist on the Property. Any future development of the Property shall be restricted by the provisions herein, and the Density, as such term is defined by Charlotte County Code, shall be limited to zero (0).

3. Except for the restrictive covenant described herein, Owner retains all zoning and land use rights afforded Owner pursuant to the Charlotte County Code, the Charlotte County Future Land Use Map and the Charlotte County Comprehensive Plan, as the same may exist from time to time, limited to the zoning designation of Agriculture (AG).
4. This Declaration of Restrictive Covenant shall be recorded in the Public Records of Charlotte County, Florida, and shall run with the Property, and be binding upon Owner and its heirs, successors and assigns.
5. Charlotte County, through its Board of County Commissioners, its successors and assigns, is the beneficiary of this restrictive covenant and Charlotte County may enforce this restrictive covenant by action at law or in equity against any person or persons, entity or entities, violating or attempting to violate the terms of this restrictive covenant.
6. This Declaration of Restrictive Covenant shall only be amended with the consent of Charlotte County, Florida, through its Board of County Commissioners.
7. Any failure of Charlotte County to enforce this restrictive covenant shall not be deemed a waiver of the right to do so thereafter.
8. This Declaration of Restrictive Covenant shall be recorded in the Public Records of Charlotte County, Florida, and shall become effective upon recordation.

[Signature page to follow.]

IN WITNESS WHEREOF, Owner has executed this Declaration of Restrictive Covenant as follows:

Signed, sealed and delivered in the presence of:

Sandra W. Welles Ranch, LLC

Witness #1 Signature

Printed Name: _____

Address: _____

Address : _____

By Leslie Welles-Hale, POA

Witness #2 Signature

Printed Name: _____

Address: _____

Address : _____

STATE OF FLORIDA

COUNTY OF CHARLOTTE

The foregoing instrument was acknowledged before me, by means of ☐ physical presence or ☐ online notarization, this _____ day of _____, 2026, by Leslie Welles-Hale, POA on behalf of Sandra W. Welles Ranch, LLC. She is personally known to me or has produced _____ as identification and who did not take an oath.

Notary Signature

EXHIBIT A – DEL VERDE –SECTION A LEGAL DESCRIPTIONS
PARCEL IDENTIFICATION NUMBER 402525207001