



CHARLOTTE COUNTY  
COMMUNITY DEVELOPMENT  
DEPARTMENT

**PLANNED DEVELOPMENT REZONING**  
**Application Information**

**Application Submittal Requirements**

- **Supply one unbound copy of the Application Materials (see checklist below).** Staff will have up to 5 working days following the application deadline day to review the application for completeness. If incomplete, the application will be returned with a description of the reasons why the application is incomplete. The applicant may resubmit the application any time prior to the next application deadline day.
- **Once deemed complete, the applicant will be notified that the application has been logged-in. The applicant is then required to supply one electronic copy, in PDF format, of all documents.** Additional copies of certain items will be required prior to the public hearing dates. ***Do not*** submit the additional copies to the Building and Growth Management Department until requested by a staff member of the department.
- **If deemed complete, the application will be logged in and assigned to a P&Z and BCC hearing cycle (see attached Application Schedule).** Staff will commence review.
  - The applicant is responsible for promptly providing any information that needs to be updated, modified, or newly submitted as part of the review; otherwise the petition may be continued to a later cycle or a recommendation of denial will be necessary.
- **No additional changes may be made to any information in an application subsequent to one week before the hearing packet is due to be compiled for the Planning and Zoning Board members or the NOVUS Agenda item deadline for the Board of County Commissioners.** The planner in charge of the petition will be able to inform the applicant of the final date.

**Consistency with the Comprehensive Plan**

The changes proposed by this application will be reviewed with regard to consistency with the Goals, Objectives, and Policies (GOPs) of the Smart Charlotte 2050 comprehensive plan. Inconsistency with Smart Charlotte will be a basis for a recommendation of denial by Staff.

The review will also be concerned with impacts to infrastructure (i.e. roads, water and sewer facilities, libraries, public buildings, parks, and schools), services (i.e. garbage collection, police protection, and fire/EMS service), the environment (i.e. impact to listed plant and animals species, soil content, erosion, generation of hazardous waste, water quality), and the potential for natural disasters (i.e. hurricanes and flooding).

### **Application Materials Checklist**

- ☒ Completed Application form
- ☒ Survey and accurate legal description (including acreage), signed and sealed by a registered land surveyor
  - For unplatted property, one original boundary survey - *one hard copy and one copy in AutoCAD format*
  - For platted land, one original surveyor's sketch
- ☒ Most current *Title Insurance Policy* or an *Ownership and Encumbrance Report* for subject property
- N/A ☐ Notarized authorization from each owner, as applicable (Form A)
- ☒ Notarized authorization for agent to submit petition, as applicable (Form B)
- N/A ☐ A copy of any covenants, easements or restrictions that have been recorded for the subject site
- ☒ *Environmental Assessment Report*
- ☒ *Traffic Impact Analysis*
  - *Hurricane Evacuation Study*, as applicable
- ☒ Letters of availability of utility service from sanitary sewer and potable water utilities that would provide service to the site and *Estimated Potable Water and Sanitary Sewer Usage Report*
- ☒ *Archeological/Historical Memo* indicating whether or not listed objects are located on the subject site
  - *Archeological/Historical Survey*, as applicable
- ☒ Narrative addressing rezoning standards of approval
- ☒ All information required by Section 15 of the application, 'A' through 'K'
- N/A ☐ Adjacent property owners map and an electronic copy of the adjacent property owners list in text format (txt file) provided on disc.
- ☒ Affidavits A & B, signed and notarized
- ☒ Filing fee of **\$4,540.00**, with check made payable to the Charlotte County Board of County Commissioners, or CCBCC.
- ☐ Filing of **\$2,590.00** for a Major Modification of a PD, with check made payable as noted above.

### **Additional Copies for Hearing Packet**

10 copies each of the following when requested by department staff:

- any bound items
- any maps or other graphics sized larger than 11 X 17 (except surveys)
- any items in color

### **For Purposes of Public Hearing Presentation**

Two views of the concept plan must be submitted to the County in an electronic format designed to fit on a PowerPoint slide; one view based against an off-white background, and one view presented as an overlay on a GIS aerial map of a scale to show adjacent properties. In order to make viewing of the PowerPoint concept plan easier, only the site plan, development standards, north arrow, and scale shall be portrayed. The concept (site) plan should be marked for easy reading:

- areas set aside for water retention should be colored blue
- areas set aside for Open Space should be colored green – dark green for preservation and light green for other areas
- areas set aside for Public Space should be colored brown

## **ATTENTION**

**If you are submitting an application that, if approved, will increase the amount of density allowed to be developed on your property, read this notice.**

FLU Policy 1.2.7 of Smart Charlotte County outlines those situations wherein the Transfer of Density Units program is applicable.

“The TDU program shall be used during the review and approval process for all plan amendments and rezonings that propose to increase the base density on land and street vacations that would result in an accumulation of acreage allowing development of new units of density; this requirement shall continue to apply to lands that have been annexed by the City of Punta Gorda.”

Property may be exempted from the TDU program if located within a Revitalizing Neighborhood with an adopted Revitalization Plan. The exemption would need to be consistent with policies adopted into Smart Charlotte.

If not exempted, property must meet one of these requirements in order to be an acceptable Receiving Zone:

### **FLU Policy 1.2.10 TDU Receiving Zones**

Receiving zones inside the Urban Service Area include lands within the following designations of FLUM Series Map #2: 2050 Framework:

1. Emerging Neighborhoods.
2. Maturing Neighborhoods.
3. Economic Corridors and Centers.
4. CRAs
5. Revitalizing Neighborhoods prior to adoption of a Revitalization Plan and also what may be required in accordance with a Revitalization Plan.

Receiving Zones within the Rural Service Area include lands within:

1. Rural Community Mixed Use areas.
2. The Rural Settlement Area Overlay District.

## **AND**

Must not be in a prohibited Receiving Zone:

### **FLU Policy 1.2.11 Prohibited Receiving Zones**

Density shall not be transferred into:

1. Lands within Managed Neighborhoods (FLUM Series Map #2).
2. Lands within the Resource Conservation and Preservation FLUM categories.
3. Land containing historical or archeological resources, or land deemed to contain environmentally sensitive resources; when a portion of a property contains resources, that area deemed not to contain resources may receive density if it meets one of the criteria of a receiving zone, a conservation easement will be required over the resource along with an undeveloped buffer of at least 100 feet. An historical structure that is to be integrated into a development will not need to be buffered.
4. Lands within the Prime Aquifer Recharge Area (FLUM Series Map #6).
5. Lands within the one-half mile setback of the Watershed Overlay District and Tippen Bay and Long Island Marsh (FLUM Series Map #4).
6. Land within a Public Water System Wellhead Protection Area (FLUM Series Map #7).
7. Land on a barrier island.



CHARLOTTE COUNTY  
COMMUNITY DEVELOPMENT DEPARTMENT

APPLICATION for  
PLANNED DEVELOPMENT REZONING

Date Received:	Time Received:
Date of Log-in:	Petition #:
	Accela #:
Receipt #:	Amount Paid:

**1. PARTIES TO THE APPLICATION**

**Name of Applicant:** TAG Lakeside, LLC

Mailing Address: 33241 Washington Loop Road

City: Punta Gorda State: FL Zip Code: 33982

Phone Number: 941-916-7032 Fax Number:

Email Address: rommer@taginvest.com

**Name of Agent:** Robert H. Berntsson

Mailing Address: 3195 S. Access Road

City: Englewood State: FL Zip Code: 34224

Phone Number: 941-627-1000 x5 Fax Number:

Email Address: rberntsson@bigwlaw.com

**Name of Engineer/Surveyor:** Banks Engineering

Mailing Address: 2852 Tamiami Trail, Unit 5

City: Port Charlotte State: FL Zip Code: 33952

Phone Number: 941-625-1165 Fax Number:

Email Address: trebol@bankseng.com

**Name of Property Owner** (if more than one property owner, attach a separate sheet with a list of all owners):  
Same as Applicant

Mailing Address:

City: State: Zip Code:

Phone Number: Fax Number:

Email Address:



## 2. PROPERTY INFORMATION

If more than one account number exists, attach a separate sheet listing all information required by this section

Property Account #: 402301451001, 402312226001, 402312201001, 402301476002, 402301476001		
Section: 1 and 12	Township: 40	Range: 23
Parcel/Lot #:	Block #:	Subdivision:
Total acreage or square feet of the property: 139.88 +/- acres		

## 3. SURVEY:

- For unplatted property, provide one original boundary survey that is **signed and sealed** by a registered land surveyor and an accurate legal description (including acreage) of the property.
- For platted land, provide one original surveyor's sketch that is **signed and sealed** by a registered land surveyor and an accurate legal description (including acreage) of the property.

## 4. PROOF OF LAND OWNERSHIP: Provide the most current *Title Insurance Policy* or an *Ownership and Encumbrance Report* on the subject property.

## 5. NOTARIZED AUTHORIZATION:

- If the applicant is not the owner of the property, a written, notarized authorization from each owner must be provided with this application – use Form A, attached. Property owner authorization is required. If the property owner withdraws permission at any point during the review and approval process, the application is considered null and void.
- If an agent is submitting the application for the applicant – authorization from the applicant is required – use Form B, attached.

## 6. RESTRICTIONS: Provide a copy of any covenants, easements or restrictions that have been recorded for the subject site.

## 7. EXISTING LAND USE DESIGNATIONS

Future Land Use Map (FLUM) designation(s)	Acreage
Low Density Residential	138.32 +/- acres
Commercial	1.56 +/- acres
Zoning District(s)	Acreage
PD	138.32 +/- acres
Commercial	1.56 +/- acres

## 8. APPLICANT'S PROPOSED CHANGE(S):

If the proposed change involves an increase in density, which of the Receiving Zone criteria does the property meet, or would this be an exemption consistent with a Revitalization Plan?  
 Maturing Neighborhood

## 9. REASON FOR PROPOSED CHANGE(S):

To allow for a multifamily residential project rather than a manufactured home community.

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**10. CURRENT LAND USE OF SUBJECT PROPERTY** (example: house, vacant land, barn, etc.):

Vacant

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**11. SURROUNDING LAND USES:**

North: Single family

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South: Single family

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East: US 17 then vacant

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West: Railroad tracks then residential

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**12. ENVIRONMENTAL ASSESSMENT:**

- Provide an *Environmental Assessment Report*, conducted within one year or less from the date of submittal, that includes:
  - Maps and surveys of the subject site illustrating the existing land cover according to Level 3 of the FLUCCS
  - Locations of listed flora and fauna species, if present.
  - If any wetlands are identified on site, provide a survey showing delineations of any wetlands, acreages, and the wetland Category (ENV Policy 3.1.3) under which they fall.
  - If the property is adjacent to any Federal, State, or County wildlife management areas, parks, preserves or reserves, supply a science-based analysis of possible impacts to the environmental resources of these lands and the manner in which these impacts can be eliminated. Where elimination is not possible, the analysis shall detail how these impacts can be reduced and mitigated.

**13. INFRASTRUCTURE:**

**A. Roadway**

- i. List the roads or streets upon which vehicles may travel to gain access to the site (generally within ¼ mile radius):

US 17, Turbak Drive.

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- ii. *Traffic Impact Analysis*: This study must be authored by a registered professional engineer in the State of Florida. Provide a study showing the impacts development of the subject site would have on the surrounding roadway network. Where traffic impacts reduce LOS below 'D' provide a proportionate fair share assessment for impacted roadways.

- *Hurricane Evacuation Study*: For any property that is even partially located in a Coastal High Hazard Area, or which generates trips wherein the majority of those trips would utilize a roadway that runs through a Coastal High Hazard Area, a *Hurricane Evacuation Study* must

accompany any *Traffic Impact Analysis*.

**B. Potable Water and Sanitary Sewer**

- i. Submit a letter from any water or sewer utilities that will be serving the subject site stating availability of utility service to the property.
- ii. Attach an *Estimated Potable Water and Sanitary Sewer Usage Report*: provide a report showing the gallons per day that may be generated by development of the subject site at the maximum buildout

**14. HISTORICAL OR ARCHEOLOGICAL SITES:** When the property under review is within the area determined to contain potential historic and archeological resources by the Archaeological Predictive Model (depicted on SPAM Series Map #3), the applicant must submit an *Archeological/Historical Memo* indicating that a review of the National Register of Historic Places, the Florida Master Site File and the Local Historic Register (when available) has been performed and the results of that review. If the subject site contains any object listed in these resources, the applicant must provide an *Archeological/Historical Survey* performed by a professional archeologist licensed in the State of Florida.

**15. REZONING NARRATIVE**

Charlotte County Code Section 3-9-11(e) lists the following standards for approval. A narrative stating the applicant's justification for the rezoning based upon the following standards of approval is required:

- A. Whether the proposed change would be contrary to the Comprehensive Plan.
- B. The existing land use pattern in adjacent areas.
- C. The capacity of public facilities and services, including but not limited to schools, roads, recreational facilities, wastewater treatment, water supply, and stormwater drainage facilities.
- D. Whether the proposed change will adversely influence living conditions or property values in adjacent areas.
- E. Whether the proposed change will affect public safety.

**16. CONCEPT PLAN and DEVELOPMENT INFORMATION: Submit the following information regarding the proposed project.**

(All maps must contain title of the project, landowner of record, names of the representatives of the landowner of record, scale, date, and north arrow)

- A. Include a *General Location Map*.
- B. Include *Existing Features Map(s)* showing all streets, curb cuts, buildings, watercourses, easements, other important physical features, zoning designations and future land use map designations in the property and on adjacent lands.
- C. Include a *Concept Design Map* showing locations of structures, acreage, density, and intensity for each proposed land use; show points of access and traffic flow and road improvements; show buffers, landscaped areas, and open space.
- D. Supply tabulations of total gross acreage in the proposed development, the percentage of total acreage to be devoted to each proposed use, height, and intensity of use identified through Floor Area Ratio calculations and/or projected number of housing units proposed by dwelling type.
- E. Supply a phasing plan or general schedule of the development.
- F. Supply standards for height, open space, building density, and parking area.
- G. Include a narrative in which you cite specifically how this project meets the intent and goals of the Planned Development Zoning District, including any "community enhancements".

- H. Show the general façade and overall architectural design scheme; explain building orientation, if applicable.
- I. Describe any Green Building or Low Impact Development (LID) design techniques that will be used.
- J. Supply a copy of any draft deed restrictions, protective covenants, and other statements or devices which will be used to control the use, development and maintenance of the land and improvements thereon, including those areas which are to be commonly owned and maintained.
- K. Supply any additional information identified at the preapplication conference, at concept approval, or requested by the Zoning Official or Building and Growth Management Director prior to submittal of the rezoning application.

**18. ADJACENT PROPERTY OWNERS INFORMATION:**

Provide an *electronic text file (.txt)* that includes the names and addresses of all property owners within 200 feet of the subject property (excluding street right-of-ways), and a map indicating which properties are included in the address list. The Adjacent Property Owner List must be based upon the latest available property records of the Property Appraiser's Office. The list shall include property owner's name, mailing address, and parcel(s) or lot(s) description or account number so each parcel can be referenced on the Adjacent Property Owner Map. Refer to the Geographic Information System Internet site for mapping and owner information at <http://www.ccgis.com/>. (Use a buffer of 250 feet or larger in order to account for right-of-ways, canals, etc.) Every property owner within 200 feet of every parcel of land involved will be notified of the schedule of public hearings

**FORM A. PROPERTY OWNER AUTHORIZATION TO APPLICANT** N/A

I, the undersigned, being first duly sworn, depose and say that I am the owner of the property described and which is the subject matter of the proposed hearing.

I give authorization for \_\_\_\_\_ to be the applicant for this REZONING.

STATE OF \_\_\_\_\_, COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by

\_\_\_\_\_ who is personally known to me or has/have produced

\_\_\_\_\_ as identification and who did/did not take an oath.

\_\_\_\_\_  
Notary Public Signature

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Notary Printed Signature

\_\_\_\_\_  
Printed Signature of Owner

\_\_\_\_\_  
Title

\_\_\_\_\_  
Address

\_\_\_\_\_  
Commission Code

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Telephone Number

**FORM B. APPLICANT AUTHORIZATION TO AGENT**

I, the undersigned, being first duly sworn, depose and say that I am the applicant for the REZONING of the property described and which is the subject matter of the proposed hearing.

I give authorization for Robert H. Berntsson to be my agent for this application.

STATE OF FLORIDA, COUNTY OF CHARLOTTE

The foregoing instrument was acknowledged before me this 4<sup>th</sup> day of January, 2024, by

Alois Rommer who is personally known to me or has/have produced  
as identification and who did/did not take an oath.

M. Reimann  
Notary Public Signature

Alois Rommer  
Signature of Applicant

Marika Reimann  
Notary Printed Signature

Alois Rommer  
Printed Signature of Applicant

Notary Public  
Title

33241 Washington Loop Rd  
Address

HH 48379  
Commission Code

Punta Gorda, FL 33982  
City, State, Zip

941-916-7032  
Telephone Number



## AFFIDAVIT A

I, the undersigned, being first duly sworn, depose and say that I am the owner or agent of the property described and which is the subject matter of the proposed hearing; 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, and that if I am not the owner of the property I have attached a notarized authorization from the owner(s) to submit this application. I acknowledge that all items listed in the application must be submitted concurrent at the time the County accepts the application. I swear that the attached list of adjacent property owners is complete, including all property owners within 200 feet of the subject properties (excluding right-of-ways), that it is correct, providing addresses as listed in the County Tax Roll.

STATE OF Florida, COUNTY OF Charlotte

The foregoing instrument was acknowledged before me this 11<sup>th</sup> day of January, 2024, by

Robert H. Berntsson who is personally known to me or has/have produced  
\_\_\_\_\_ as identification and who did/did not take an oath.

Kailene Holmes

Notary Public Signature

Robert H. Berntsson

Signature of Applicant or Agent

Notary Printed Signature

Robert H. Berntsson

Printed Signature of Applicant or Agent

3195 S. Access Road

Title

Address

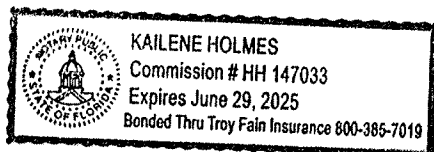
Englewood, FL 34224

Commission Code

City, State, Zip

941-627-1000 x5

Telephone Number







## NARRATIVE FOR LARGE SCALE PLAN AMENDMENT AND PLANNED DEVELOPMENT (PD) REZONING

### TAG Lakeside, LLC

The TAG Lakeside, LLC Multi-Family project is located in northeastern Charlotte County, east of the Peace River on U.S. Highway 17. The consists of approximately 139 acres of project site area.

The majority of the proposed site is currently zoned as a Planned Development (PD) with a Future Land Use of Low Density Residential. There is also a small commercial parcel that was not included in the original PD. The proposal is to amend the prior PD to add the commercial parcel, and change the product from manufactured homes to multi-family apartments. There is a companion Comprehensive Plan Amendment to change from Low Density Residential and Commercial to Medium Density Residential. The center portion of the project is environmentally sensitive, and will be managed through a management plan.

The proposed project consists of 1,188 multi-family units, amenity center, parking, roadway, and stormwater lakes. Primary accesses will be provided off US 17 and Turbak Drive. Water and Wastewater services will be provided by CSWR-Florida Utility Operating Company.

This request meets the zoning standards of approval as follows:

1. The proposed change is consistent with the comprehensive plan with the amendment proposed.
2. The proposed Concept plan is consistent with the existing land use pattern in adjacent areas. Proposed buffering will ensure compatibility with surrounding uses. US 17 is to the east, single-family homes are located to the north, to the south across Turbak Drive, and to the west, west of the railroad line.
3. There is sufficient capacity in all of the public infrastructure facilities and services to serve the project. The site offers excellent access to US 17 and I-75 for residents to go to work.
4. The proposed change will not adversely affect living conditions or property values in the adjacent areas. Proposed buffering can be insured through the PD rezoning.
5. The proposed Concept Plan under the PD zoning will have no negative effect on public safety. There are adequate public facilities to serve the development.

Based on the foregoing, it is respectfully requested the large-scale plan amendment, PD rezoning and concept plan be approved as presented.

December 28, 2023

/s/ Robert H. Berntsson

Robert H. Berntsson

November 1, 2023

Mr. Ravi Kamarajugadda, GISP  
Project Manager  
Charlotte County Public Works Department  
7000 Florida Street  
Punta Gorda, Florida 33950

■  
Suite 1400  
201 North Franklin Street  
Tampa, Florida  
33602

Re: Duncan Road Multi-Family  
Charlotte County, Florida  
Traffic Impact Statement

Dear Mr. Kamarajugadda:

This Traffic Impact Statement (TIS) has been prepared for the proposed Duncan Road Multi-Family development, generally located in the northwest quadrant of the intersection of US 17 & Turbak Drive in Charlotte County, Florida. A methodology was submitted for the proposed development to Charlotte County staff on July 6, 2023, and approved by Charlotte County staff on July 18, 2023. The proposed development is anticipated to consist of up to 1,188 multifamily (mid-rise) dwelling units. The general site location map is provided in Figure 1.

The conceptual site plan is attached and indicates that access to the site is to be provided through the following proposed access connections:

- Two (2) right-in/right out only access connections on US 17
- One (1) full access connection on Turbak Drive

This report identifies the estimated trip generation potential of the proposed residential development and the anticipated traffic impacts on the study area roadway segments in accordance with the Charlotte County Engineering Design Manual Part 7 *Traffic Impact Statement*.

## Traffic Impact Statement (TIS)

Project Trip Generation: Trip generation for the proposed residential development was based on the Institute of Transportation Engineer's (ITE) *Trip Generation Manual*, 11<sup>th</sup> Edition, for land use code (LUC) 221 (Multifamily (Mid-Rise)).

The proposed development is anticipated to generate 464 net, new p.m. peak-hour trips (283 entering/181 exiting). The anticipated trip generation potential for the p.m. peak-hour period is identified in Table 1. Pass-by and internal capture rates were not considered for this analysis due to the nature of the land use.

Table 1: P.M. Peak-Hour Project Trip Generation Potential

ITE TRIP GENERATION CHARACTERISTICS					DIRECTIONAL DISTRIBUTION		NET, NEW EXTERNAL TRIPS		
Land Use	ITE Edition	ITE Code	Scale	ITE Units	Percent		In	Out	Total
					In	Out			
Multifamily Housing (Mid-Rise)	11	221	1,188	DU	61%	39%	283	181	464

Scheduled Improvements: The Work Programs for Charlotte County, Florida Department of Transportation (FDOT) District 1, developer committed improvements, and the Capital Improvement Program (CIP) for Charlotte County were reviewed for capacity enhancing improvements, which are currently planned and funded for construction within the immediate vicinity of the project site. Based upon this review, there are no anticipated improvements within the study impact area. The existing lane geometry will be used in the analysis of existing and future roadway conditions for all study roadway segments.

Project Trip Distribution: The project traffic attributed to the development was distributed to the roadway network from the project site. Trip distribution and assignment was based upon the results of the select zone analysis using the FDOT District One Florida Standard Union Transportation Model Structure (FSUTMS) planning model, specifically the Existing plus Committed (E+C) network. The trip distribution model output is provided for reference. The project distribution is shown in Figure 2. The p.m. peak-hour project trips are shown in Figure 3.

Study Area: The study area roadway segments are those that are defined as significantly impacted roadways, with the project traffic representing 5.0% or greater of the available roadway capacity within a five-mile radius of the project site, per the *Charlotte County: 2022 Roadway Level of Service Data* report.

As identified in Table 2, the following study area roadway segments were included in the analysis:

- US 17 from Peace River Shores Boulevard to Washington Loop Road South
- Turbak Drive from The Proposed Access Connection to US 17

Table 2: Study Area Determination

ROADWAY	FROM	TO	SERVICE VOLUMES		PROJECT VOLUMES		STUDY NETWORK DETERMINATION	
			EXISTING + COMMITTED LANEAGE	LOS D SERVICE VOLUME	PROJECT TRAFFIC ASSIGN.	PROJECT TRAFFIC VOLUME	PROJECT TRAFFIC % OF SERVICE VOLUME	WITHIN STUDY NETWORK?
				PEAK-HOUR TWO-WAY VOLUME				
US 17	Constitutional Avenue	I-75	6	5,390	34%	158	2.93%	N
	Washington Loop Road S.	Constitutional Avenue	6	5,390	39%	181	3.36%	N
	Peace River Shores Boulevard	Washington Loop Road S.	4	3,222	44%	204	6.34%	Y
	DeSoto County Line	Peace River Shores Boulevard	4	3,222	34%	158	4.90%	N
Turbak Drive	Proposed Access Connection	US 17	2	1,215 <sup>1</sup>	52%	241	19.86%	Y
Source: Charlotte County: 2022 Roadway Level of Service Data								
<sup>1</sup> LOS Calculations are based on FDOT Generalized LOS Tables								

Existing Traffic Conditions: In accordance with Part 7 (Traffic Impact Statement) of the *Charlotte County Engineering Design Manual*, existing traffic conditions were evaluated within the study network. The existing roadway conditions analysis was conducted for the study area roadway segments.

Service volumes and existing p.m. peak hour counts included in the *Charlotte County: 2022 Roadway Level of Service Data* report were utilized in the analysis of existing roadway conditions. The roadway segment of Turbak Drive from the proposed access connection to US 17 is not included in Charlotte County's *2022 Roadway Level of Service Data* report. Therefore, vehicle turning movement volume counts were collected at the intersection of US 17 & Turbak Drive on Tuesday, July 18, 2023 during the p.m. peak period (4:00 p.m. to 6:00 p.m.) to quantify existing p.m. peak-hour conditions. The vehicle counts at the intersection were adjusted to reflect peak season conditions. This modification was performed using the most recent FDOT peak season conversion factors (PSCF) for Charlotte County. The p.m. peak-hour peak season existing traffic volumes are illustrated in Figure 4.

The results of the existing roadway conditions analysis are summarized in Table 3 and indicate that the study area roadway segments currently operate at an acceptable level of service relative to the LOS D service volume standard.

Table 3: Existing Peak-Hour Roadway Conditions

ROADWAY	FROM	TO	SERVICE VOLUMES		EXISTING TRAFFIC VOLUMES	PEAK-HOUR VOLUMES EXCEED LOS D SERVICE VOLUME?
			EXISTING LANEAGE	LOS D SERVICE VOLUME	PEAK-HOUR PEAK SEASON EXISTING VOLUMES	
				PEAK-HOUR TWO WAY VOLUMES		
US 17	Peace River Shores Boulevard	Washington Loop Road S.	4D	3,222	1,481	No
Turbak Drive	Proposed Access Connection	US 17	2U	1,215 <sup>1</sup>	51 <sup>2</sup>	No

Source: Charlotte County: 2022 Roadway Level of Service Data  
<sup>1</sup>LOS Calculations are based on FDOT Generalized LOS Tables  
<sup>2</sup>Developed using intersection turning movement volume counts collected at the intersection of US 17 & Turbak Drive

**Future Background Traffic Conditions:** A future background roadway conditions analysis was undertaken on the previously identified roadway segments. Future background traffic is defined as a growth of existing traffic forecasted to the buildout year of the proposed development by applying a growth factor to the roadway segments. Future background traffic conditions were evaluated for the study area roadway segments during the p.m. peak-hour. For the purposes of this analysis, 2035 was considered the buildout year for the development and thus, 2035 conditions were evaluated as the “future” year scenario. A growth rate of 2.0% was utilized to grow existing volumes to future background volumes based on information found in the *Charlotte County 2022 Roadway Level of Service Data*. The p.m. peak-hour background traffic volumes are illustrated in Figure 5.

The results of the roadway analysis are summarized in Table 4 and indicate that the study roadway segments are anticipated to operate acceptably during the future background conditions scenario.

Table 4: Future Background Peak-Hour Roadway Conditions

ROADWAY	FROM	TO	SERVICE VOLUMES		EXISTING TRAFFIC VOLUMES	BACKGROUND TRAFFIC VOLUMES		PEAK-HOUR VOLUMES EXCEED LOS D SERVICE VOLUME?
			EXISTING LANEAGE	LOS D SERVICE VOLUME	PEAK-HOUR PEAK SEASON EXISTING VOLUMES	GROWTH RATE	2035 FUTURE BACKGROUND PEAK-HOUR VOLUMES	
				PEAK-HOUR TWO WAY VOLUMES				
US 17	Peace River Shores Boulevard	Washington Loop Road S.	4D	3,222	1,481	2%	1,878	No
Turbak Drive	Proposed Access Connection	US 17	2U	1,215 <sup>1</sup>	51 <sup>2</sup>	2%	65	No

Source: Charlotte County: 2022 Roadway Level of Service Data

<sup>1</sup> LOS Calculations are based on FDOT Generalized LOS Tables

<sup>2</sup> Developed using intersection turning movement volume counts collected at the intersection of US 17 & Turbak Drive

**Future Total Traffic Conditions:** A roadway analysis was undertaken on the previously identified study roadway segments for future total traffic conditions. The analysis procedures for this evaluation were consistent with those used to evaluate existing and background traffic roadway conditions. The p.m. peak-hour project traffic was added to the background volumes found in Table 5 to obtain the p.m. peak-hour future total volumes for the study area roadway segment. The p.m. peak-hour future total traffic volumes are provided in Figure 6.

The results of the roadway analysis are summarized in Table 5 and indicate that the study roadway segments are anticipated to operate at an acceptable level of service based upon buildout conditions.

Table 5: Future Total Peak-Hour Roadway Conditions

ROADWAY	FROM	TO	SERVICE VOLUMES		BACKGROUND TRAFFIC VOLUMES	PROJECT VOLUMES		BUILDOUT TRAFFIC VOLUMES	PEAK-HOUR VOLUMES EXCEED LOS D SERVICE VOLUME?
			EXISTING LANEAGE	LOS D SERVICE VOLUME	2035 FUTURE BACKGROUND PEAK-HOUR VOLUMES	PROJECT TRAFFIC ASSIGN.	PROJECT TRAFFIC VOLUME	2035 FUTURE BUILDOUT PEAK-HOUR VOLUMES	
				PEAK-HOUR TWO WAY VOLUMES					
US 17	Peace River Shores Boulevard	Washington Loop Road S.	4D	3,222	1,878	44%	204	2,082	No
Turbak Drive	Proposed Access Connection	US 17	2U	1,215 <sup>1</sup>	65	52%	241	306	No
Source: Charlotte County: 2022 Roadway Level of Service Data									
<sup>1</sup> LOS Calculations are based on FDOT Generalized LOS Tables									

**Conclusion:** This TIS provides an evaluation of the transportation impacts of the proposed Duncan Road Multi-Family development in accordance with the Charlotte County Engineering Design Manual Part 7 *Traffic Impact Statement*. The proposed development is located in the northwest quadrant of the intersection of US 17 & Turbak Drive in Charlotte County, Florida. The proposed development is anticipated to consist of up to 1,188 multifamily (mid-rise) dwelling units.

Access to the site is provided through the following proposed access connections:

- Two (2) right-in/right out only access connections on US 17
- One (1) full access connection on Turbak Drive

Based upon the results of the roadway analysis, the study area roadway segments are anticipated to operate with an acceptable LOS during the p.m. peak-hour, following buildout of the proposed development.

In accordance with the Charlotte County Engineering Design Manual and methodology comments from Charlotte County staff, a turn lane analysis at all proposed project driveways and a signal warrant analysis at the intersection of US 17 & Turbak Drive will be included in a subsequent report as part of the future site plan application.

After your review of this TIS, please let us know if you have any questions or comments.

Very truly yours,

KIMLEY-HORN AND ASSOCIATES, INC.



Becca Bond, P.E.  
Transportation Engineer



Joanna Herbert, E.I.  
Transportation Analyst

Attachments:

- Methodology Approval
- Conceptual Site Plan
- Figure 1: Project Location Map
- Figure 2: Project Trip Distribution
- Figure 3: P.M. Peak-Hour Project Traffic
- Figure 4: P.M. Peak-Hour Peak Season Existing Traffic
- Figure 5: P.M. Peak-Hour Background Traffic
- Figure 6: P.M. Peak-Hour Total Traffic
- FSUTMS Model Output
- Raw Turning Movement Counts and Peak Season Factor Report
- Roadway Segment Analysis Documentation
- Growth Rate Calculations
- Volume Development Intersection Worksheets

Bond, Becca

---

From: Kamarajugadda, Ravi Shankar <Ravi.Kamarajugadda@charlottecountyfl.gov>  
Sent: Tuesday, July 18, 2023 8:22 AM  
To: Bond, Becca; Fakhri, Robert  
Cc: Dean, Taylor  
Subject: RE: Duncan Road Lakeside Village - Transportation Methodology

Categories: External

Good Morning Becca,

We do not have any comments on the submitted methodology for the rezoning application. However, for the site plan approval process, include signal warrant analysis at the intersection of US 17 at Turbak and also Turn Lane analysis at all the driveways.

Thank You,



Ravi Kamarajugadda, GISP  
Project Manager  
Charlotte County Public Works – Transportation Engineering  
941-575-3668  
941-626-3642 cell  
[CharlotteCountyFL.gov](mailto:Ravi.Kamarajugadda@charlottecountyfl.gov)  
*Delivering Exceptional Service*

---

From: Bond, Becca <Becca.Bond@kimley-horn.com>  
Sent: Thursday, July 6, 2023 11:34 AM  
To: Kamarajugadda, Ravi Shankar <Ravi.Kamarajugadda@charlottecountyfl.gov>; Fakhri, Robert <Robert.Fakhri@CharlotteCountyFL.Gov>  
Cc: Dean, Taylor <Taylor.Dean@kimley-horn.com>  
Subject: Duncan Road Lakeside Village - Transportation Methodology

**Caution – This email originated from outside of our organization. Please do not open any attachments or click on any links from unknown sources or unexpected email.**

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Good Morning!

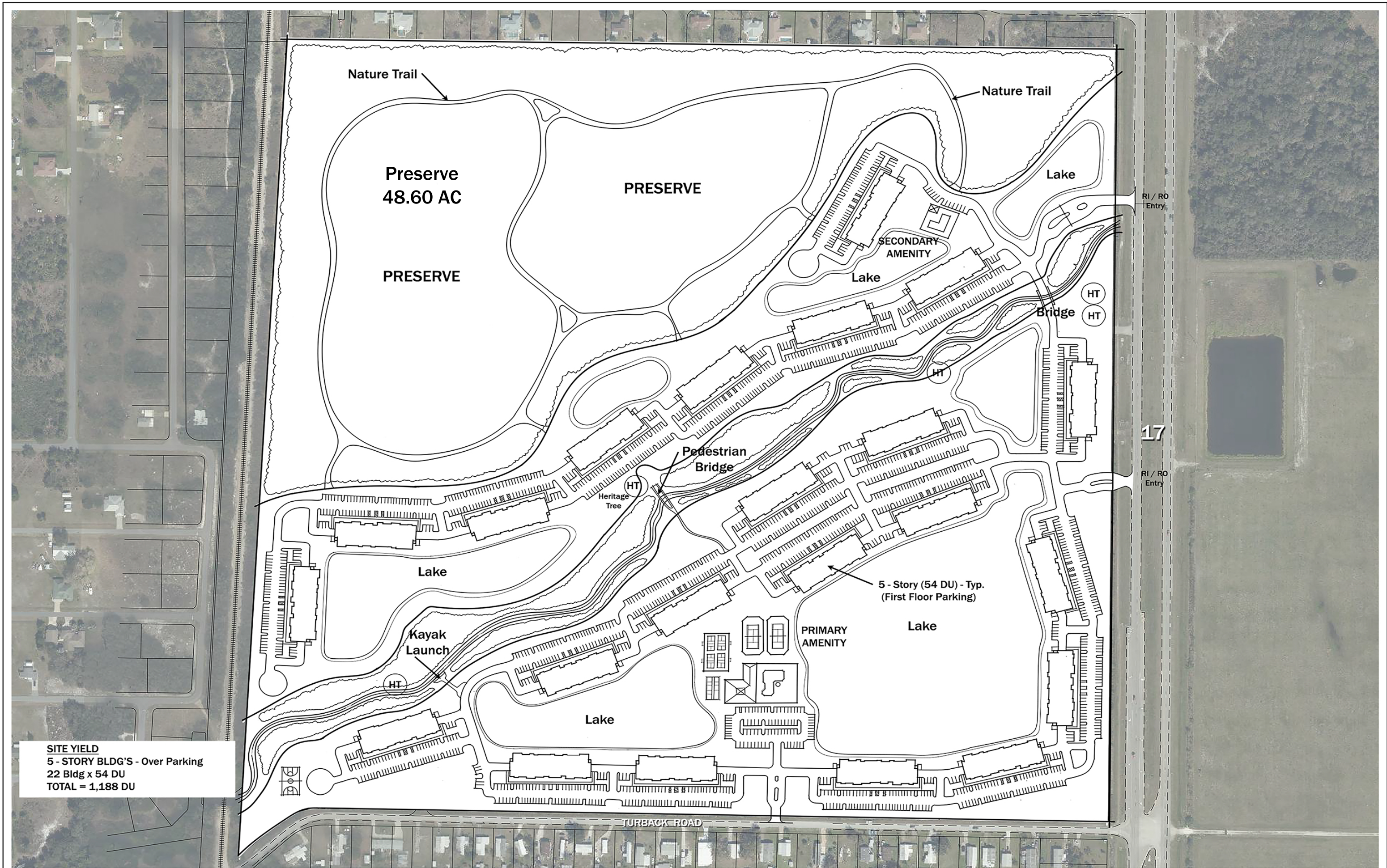
I'm reaching out to submit a transportation methodology for a proposed multifamily development. The subject parcel is located north of Turback Drive and west of US 17 in Charlotte County, Florida. The transportation methodology is associated with a rezoning application. Please let us know if you have any questions or comments.

Thank you,

**Becca Bond, P.E. (FL, TX)**  
**Kimley-Horn** | 201 N Franklin St Suite 1400, Tampa, FL 33602  
Direct: 813 278 6911 | Main: 813 620 1460

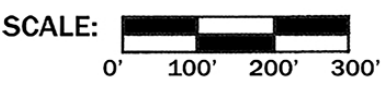
Celebrating 16 years as one of FORTUNE's 100 Best Companies to Work For





**Concept Plan - Apartment Community - Turback Road and SR 17, Charlotte Co., FL - ALT ONE**

3706 - 7/26/22







**Legend**

Project Site

↔ Project Access

**Kimley»Horn**

© 2023 Kimley-Horn and Associates, Inc.  
 201 North Franklin St, Suite 1400, Tampa, FL 33602  
 Phone: (813) 620 1460  
[www.kimley-horn.com](http://www.kimley-horn.com)

Project Location Map

**DUNCAN ROAD LAKESIDE VILLAGE  
 CHARLOTTE COUNTY, FLORIDA**

Project No: 145476000

Scale: As Noted

November 2023

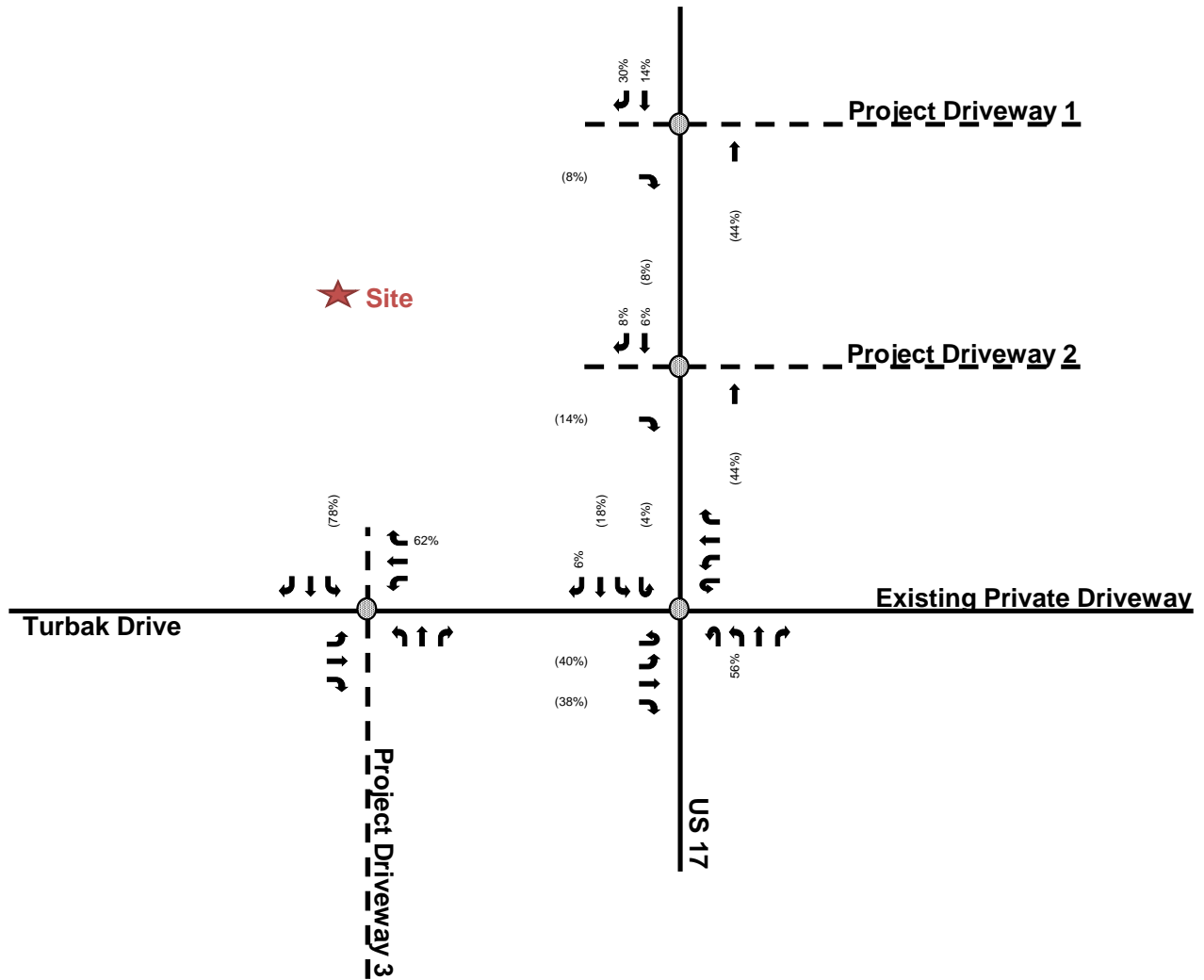
Attachment 1



NOT TO SCALE

### Legend

- Roadway
- - - Project Access
- Study Intersection
- XX% Entering Project Traffic Distribution
- (XX%) Exiting Project Traffic Distribution

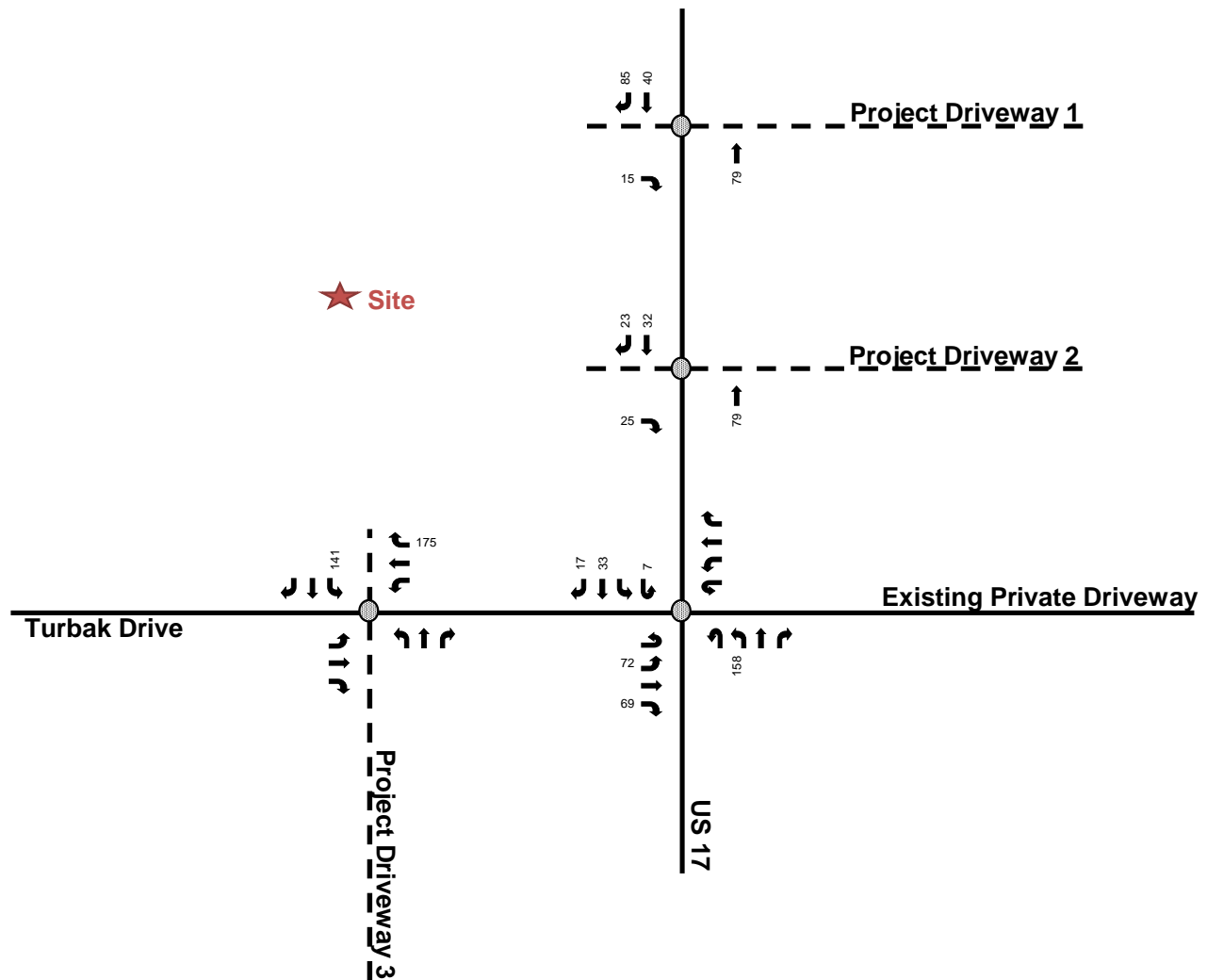




NOT TO SCALE

### Legend

- Roadway
- Project Access
- Study Intersection
- XX P.M. Peak-Hour Project Traffic Volumes



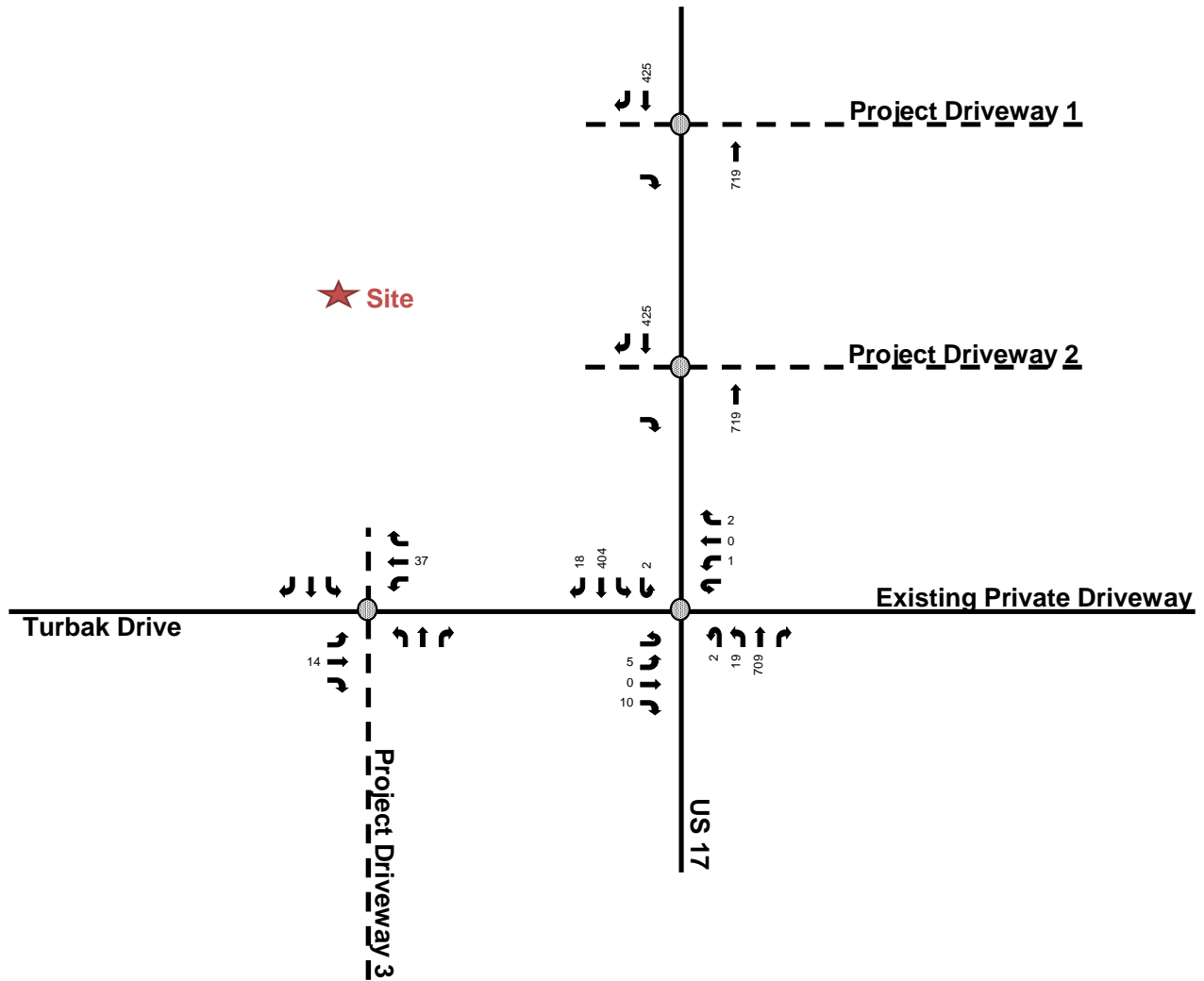




NOT TO SCALE

### Legend

- Roadway
- Project Access
- Study Intersection
- XX P.M. Peak-Hour Existing Traffic Volumes

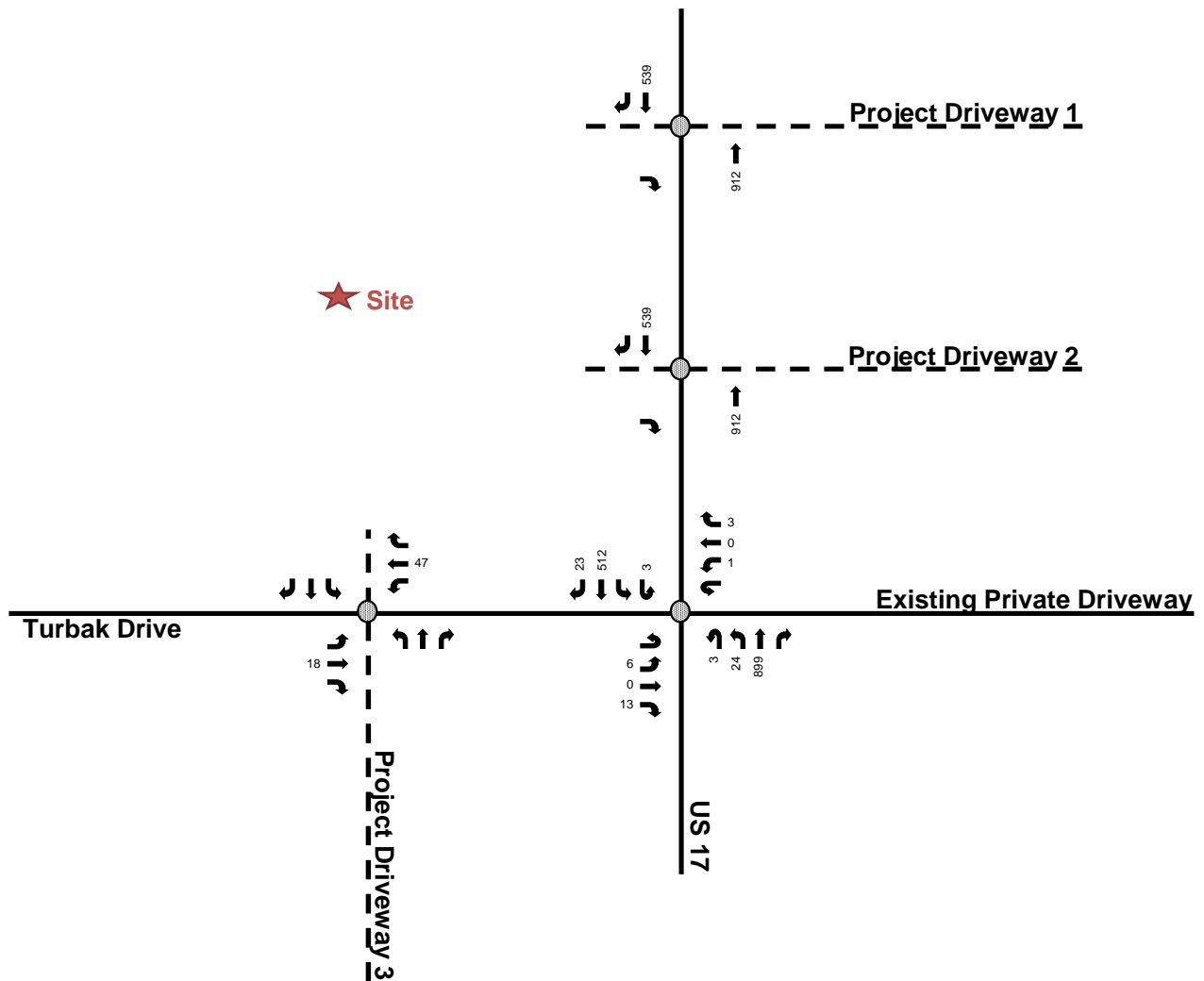




NOT TO SCALE

### Legend





- Roadway
- Project Access
- Study Intersection
- XX P.M. Peak-Hour Background Traffic Volumes

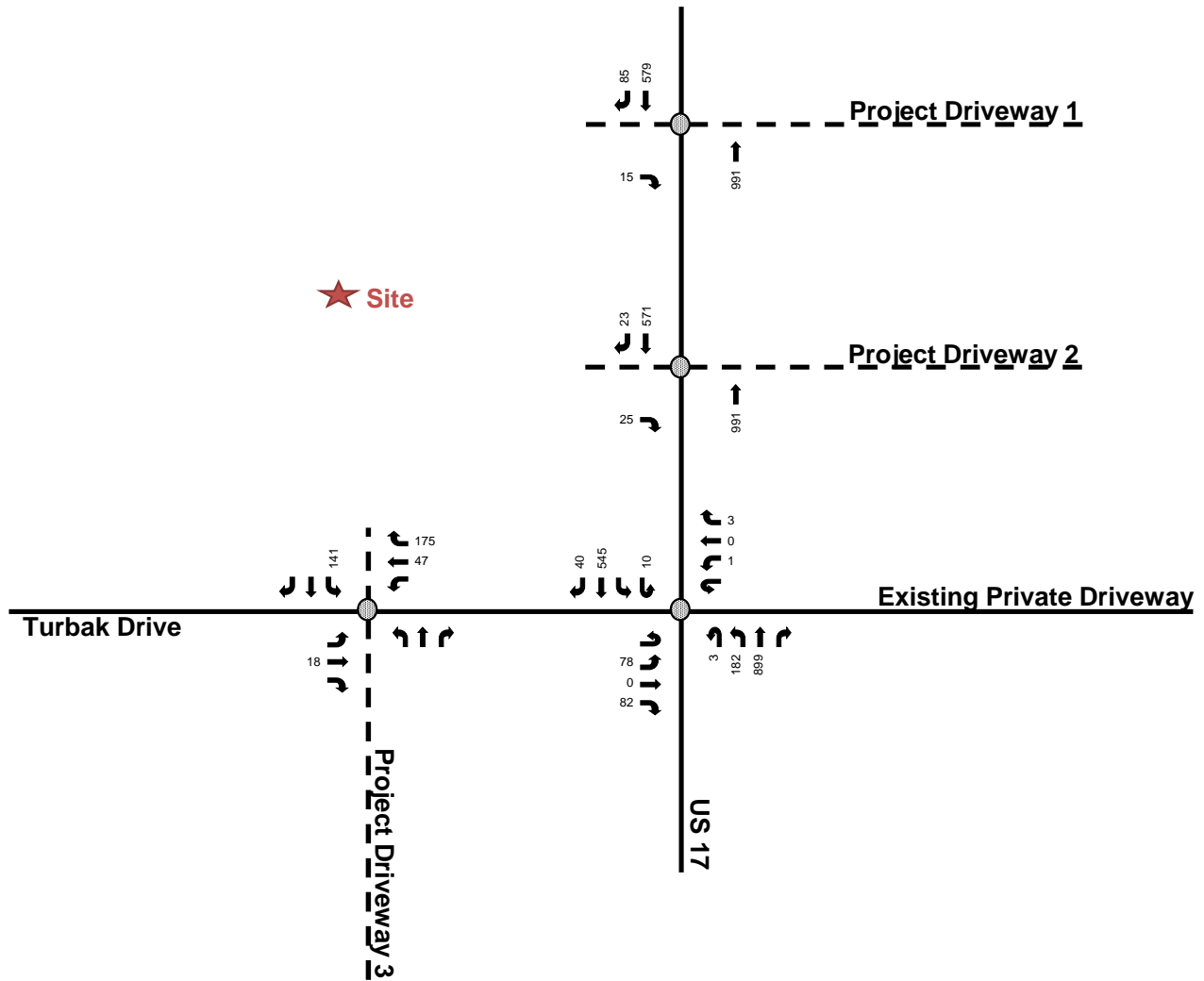


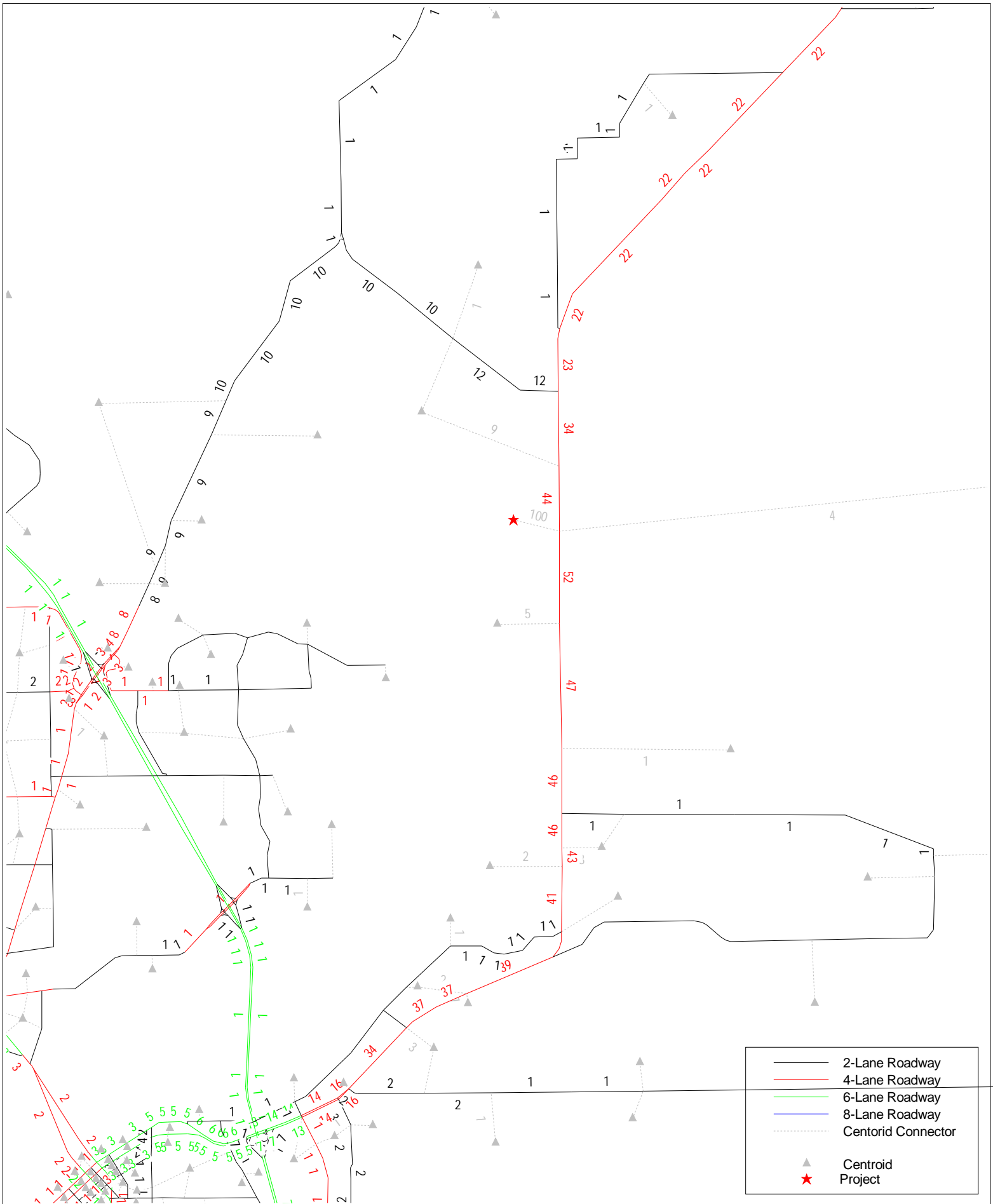


NOT TO SCALE

**Legend**

-  Roadway
-  Project Access
-  Study Intersection
-  P.M. Peak-Hour Total Traffic Volumes





DISTRICT 1 REGIONAL PLANNING MODEL - 2023 EXISTING PLUS COMMITTED NETWORK  
 SELECT ZONE ANALYSIS - DUNCAN ROAD MULTIFAMILY  
 JUNE 2023





[Click here for Map](#)

## Peak Hour Turning Movement Count

Punta Gorda, FL



Tuesday, July 18, 2023	
Period	1600 - 1800
Peak Hour	1615 - 1715

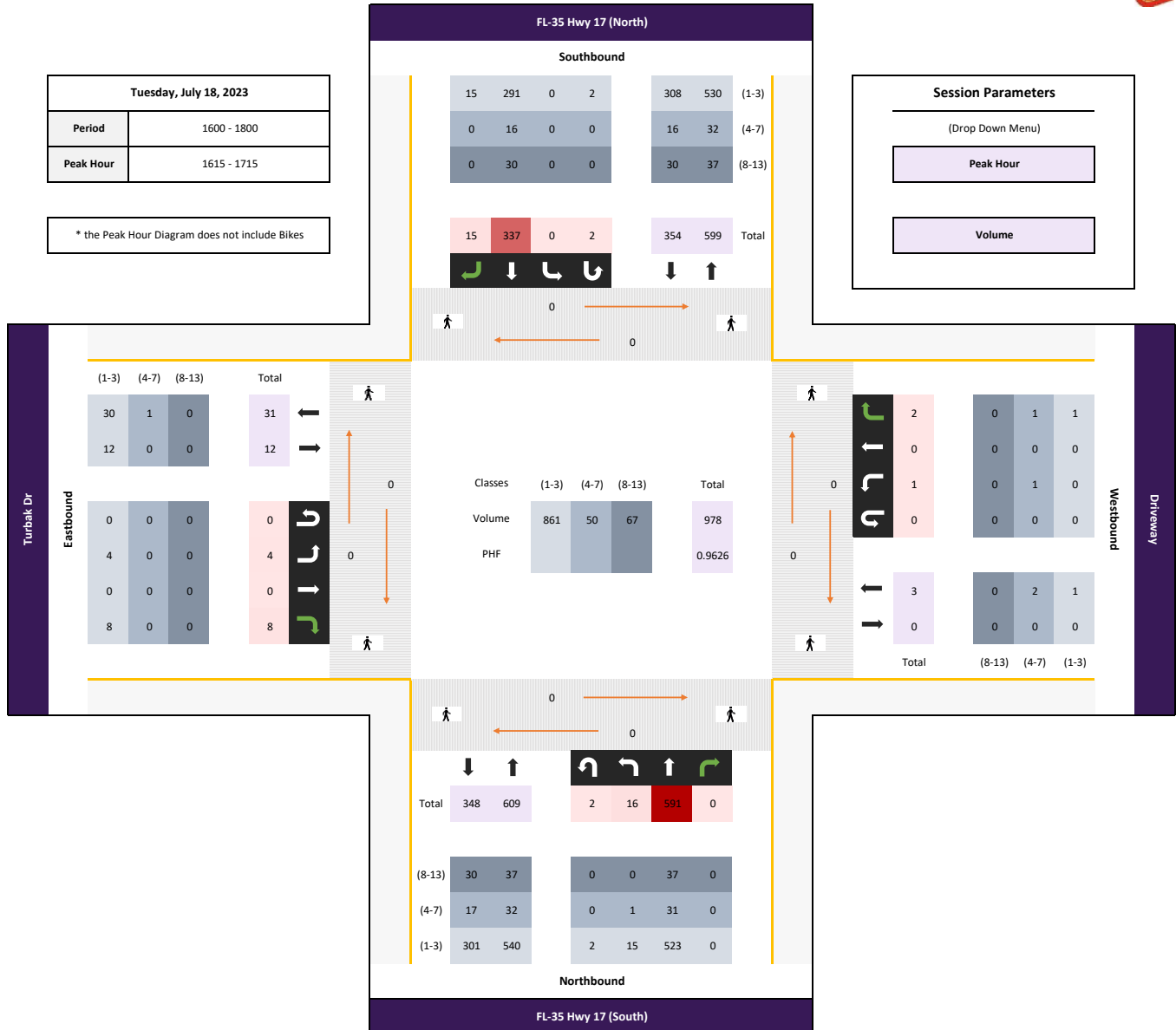
\* the Peak Hour Diagram does not include Bikes

### Session Parameters

(Drop Down Menu)

Peak Hour

Volume



2022 PEAK SEASON FACTOR CATEGORY REPORT - REPORT TYPE: ALL  
 CATEGORY: 0100 COUNTYWIDE

WEEK	DATES	SF	MOCF: 0.91 PSCF
1	01/01/2022 - 01/01/2022	1.02	1.12
2	01/02/2022 - 01/08/2022	1.00	1.10
3	01/09/2022 - 01/15/2022	0.99	1.09
4	01/16/2022 - 01/22/2022	0.97	1.07
* 5	01/23/2022 - 01/29/2022	0.95	1.04
* 6	01/30/2022 - 02/05/2022	0.93	1.02
* 7	02/06/2022 - 02/12/2022	0.91	1.00
* 8	02/13/2022 - 02/19/2022	0.89	0.98
* 9	02/20/2022 - 02/26/2022	0.89	0.98
*10	02/27/2022 - 03/05/2022	0.88	0.97
*11	03/06/2022 - 03/12/2022	0.88	0.97
*12	03/13/2022 - 03/19/2022	0.88	0.97
*13	03/20/2022 - 03/26/2022	0.89	0.98
*14	03/27/2022 - 04/02/2022	0.90	0.99
*15	04/03/2022 - 04/09/2022	0.92	1.01
*16	04/10/2022 - 04/16/2022	0.93	1.02
*17	04/17/2022 - 04/23/2022	0.95	1.04
18	04/24/2022 - 04/30/2022	0.96	1.05
19	05/01/2022 - 05/07/2022	0.98	1.08
20	05/08/2022 - 05/14/2022	1.00	1.10
21	05/15/2022 - 05/21/2022	1.02	1.12
22	05/22/2022 - 05/28/2022	1.03	1.13
23	05/29/2022 - 06/04/2022	1.04	1.14
24	06/05/2022 - 06/11/2022	1.06	1.16
25	06/12/2022 - 06/18/2022	1.07	1.18
26	06/19/2022 - 06/25/2022	1.07	1.18
27	06/26/2022 - 07/02/2022	1.08	1.19
28	07/03/2022 - 07/09/2022	1.08	1.19
29	07/10/2022 - 07/16/2022	1.08	1.19
30	07/17/2022 - 07/23/2022	1.09	1.20
31	07/24/2022 - 07/30/2022	1.09	1.20
32	07/31/2022 - 08/06/2022	1.10	1.21
33	08/07/2022 - 08/13/2022	1.10	1.21
34	08/14/2022 - 08/20/2022	1.11	1.22
35	08/21/2022 - 08/27/2022	1.12	1.23
36	08/28/2022 - 09/03/2022	1.14	1.25
37	09/04/2022 - 09/10/2022	1.15	1.26
38	09/11/2022 - 09/17/2022	1.17	1.29
39	09/18/2022 - 09/24/2022	1.13	1.24
40	09/25/2022 - 10/01/2022	1.09	1.20
41	10/02/2022 - 10/08/2022	1.04	1.14
42	10/09/2022 - 10/15/2022	1.00	1.10
43	10/16/2022 - 10/22/2022	1.00	1.10
44	10/23/2022 - 10/29/2022	1.00	1.10
45	10/30/2022 - 11/05/2022	1.00	1.10
46	11/06/2022 - 11/12/2022	1.00	1.10
47	11/13/2022 - 11/19/2022	1.00	1.10
48	11/20/2022 - 11/26/2022	1.00	1.10
49	11/27/2022 - 12/03/2022	1.01	1.11
50	12/04/2022 - 12/10/2022	1.02	1.12
51	12/11/2022 - 12/17/2022	1.02	1.12
52	12/18/2022 - 12/24/2022	1.00	1.10
53	12/25/2022 - 12/31/2022	0.99	1.09

\* PEAK SEASON

23-FEB-2023 09:11:17

830UPD

1\_0100\_PKSEASON.TXT

**CHARLOTTE COUNTY: 2022 ROADWAY LEVEL OF SERVICE DATA**

VV SNO	Roadway	Station	From	To	Speed	Fed. Func. Class.	Lanes	2023 AADT	Sugg. Gr. Rate	Level of Service Calculations <sup>1</sup>								
										K100	100 <sup>th</sup> Hr Vol.	Level of Service Limits (Pk. Hr. Two-way Vol.)				Level of Service		Percent (%) Capacity Used
												B	C	D	E	Adopted	Current	
207	Tucker's Grade	188	U.S. 41	I-75	45	MA	4D	12,317	5.00%	0.091	1,121	-	3078	3222	*	D	C	35%
208	US Highway 17	286	E of Nesbit					14,005		0.091		-						
209	US Highway 17	182	I-75	Marlympia Way	45	PA	6D	21,750	2.00%	0.091	1,979	-	5250	5390	*	D	C	37%
210	US Highway 17	183	Constitution Avenue	I-75	45	PA	6D	34,789	2.00%	0.091	3,166	-	5250	5390	*	D	C	59%
211	US Highway 17	284	Washington Loop Rd. S	Constitutional Ave.	45	PA	6D	23,776	2.00%	0.091	2,164	-	5250	5390	*	D	C	40%
212	US Highway 17	112	Peace River Shores Blvd.	Washington Loop Rd. S	45	PA	4D	16,273	2.00%	0.091	1,481	-	3078	3222	*	D	C	46%
213	US Highway 17	115	DeSoto Co Line	Peace River Shores Blvd.	55	PA	4D	12,202	2.00%	0.091	1,110	-	3078	3222	*	D	C	34%
214	US Highway 41	189	Lee County Line	Tuckers Grade	50	PA	4D	47,582	2.00%	0.091	4,330	-	3078	3222	*	D	E	134%
215	US Highway 41	328	Tuckers Grade	Taylor Rd.	45	PA	4D	48,435	2.00%	0.091	4,408	-	3420	3580	-	D	C	123%
216	US Highway 41	185	Taylor Rd	Burnt Store Rd.	45	PA	4D	17,708	2.00%	0.091	1,611	-	3078	3222	*	D	C	50%
217	US Highway 41	288	Burnt Store Rd.	Aqui Esta Dr.	45	PA	4D	30,848	2.00%	0.091	2,807	-	3078	3222	*	D	C	87%
218	US Highway 41	184	N of Aqui Esta		45	PA	4D	27,040	2.00%	0.091	2,461	-	3078	3222	*	D	C	76%
219	US Highway 41	290	at Gilcrest Bridge		45	PA	4D	25,469	2.00%	0.091	2,318	-	3078	3222	*	D	C	72%
220	US Highway 41	277	Harborview Rd.	Kings Highway	45	PA	6D	41,902	2.00%	0.091	3,813	-	5250	5390	*	D	C	71%
221	US Highway 41	278	Hancock Ave. (Beaver Ln.)	Harborview Rd./Edgewater Dr.	45	PA	6D	38,464	2.00%	0.091	3,500	-	5250	5390	*	D	C	65%
222	US Highway 41	285	Harbor Blvd.	Easy St.	45	PA	6D	45,487	2.00%	0.091	4,139	-	5250	5390	*	D	C	77%
223	US Highway 41	287	Olean Blvd.	Harbor Blvd.	45	PA	6D	39,811	2.00%	0.091	3,623	-	5250	5390	*	D	C	67%
224	US Highway 41	295	Forrest Nelson Blvd.	Midway Blvd.	45	PA	6D	50,802	2.00%	0.091	4,623	-	5250	5390	*	D	D	86%
225	US Highway 41	297	Carrousel Mall	Forrest Nelson Blvd.	45	PA	6D	48,721	2.00%	0.091	4,434	-	5250	5390	*	D	D	82%
226	US Highway 41	97	Murdock Circle	Cochran Blvd	45	PA	6D	39,610	2.00%	0.091	3,604	-	5250	5390	*	D	C	67%
227	US Highway 41	20	S.R. 776	Murdock Circle	45	PA	6D	32,174	2.00%	0.091	2,928	-	5250	5390	*	D	C	54%
228	US Highway 41	21	Enterprise Dr.	S.R. 776	45	PA	6D	31,311	2.00%	0.091	2,849	-	5250	5390	*	D	C	53%
229	US Highway 41	23	Toledo Blade Blvd.(N) (CR 39)	Enterprise Dr.	45	PA	6D	32,437	2.00%	0.091	2,952	-	5250	5390	*	D	C	55%
230	US Highway 41	22	Flamingo Blvd.	Toledo Blade Blvd. (N)	45	PA	6D	26,166	2.00%	0.091	2,381	-	5250	5390	*	D	C	44%
231	US Highway 41	17	Chamberlain Blvd.	Flamingo Blvd.	45	PA	6D	29,674	2.00%	0.091	2,700	-	5250	5390	*	D	C	50%
232	Veterans Blvd	89	US-41	Murdock Circle	45	MA	4D	27,311	5.00%	0.091	2,485	-	3078	3222	*	D	C	77%
233	Veterans Blvd	280	Murdock Circle	Cochran Blvd	45	MA	4D	26,738	5.00%	0.091	2,433	-	3078	3222	*	D	C	76%
234	Veterans Blvd	282	Cochran Blvd	Harbor Blvd.	55	MA	4D	24,873	5.00%	0.091	2,263	-	3078	3222	*	D	C	70%
235	Veterans Blvd	26	Harbor Blvd.	Loveland Blvd.	55	MA	4D	24,400	5.00%	0.091	2,220	-	3078	3222	*	D	C	69%
236	Veterans Blvd	258	Loveland Blvd.	Kings Highway	45	MA	4D	24,439	5.00%	0.091	2,224	-	3078	3222	*	D	C	69%
237	Veterans Blvd	308	Kings Highway	Peachland Blvd.	40	MA	4D	21,657	5.00%	0.091	1,971	-	3078	3222	*	D	C	61%
238	Westchester Blvd	99	Gardner Dr.	Beacon Dr.	30	L	2U	5,777	2.00%	0.091	526	-	594	1197	1269	D	C	44%
239	Westchester Blvd	98	Beacon Dr.	Kings Highway	30	L	2U	6,512	2.00%	0.091	593	-	594	1197	1269	D	C	50%
240	Wilmington Blvd	216	Coliseum Blvd.	Gondelier Waterway	40	RMC	2U	1,062	5.00%	0.091	97	-	1359	1440	*	D	C	7%
241	Wilmington Blvd	42	Gondelier Waterway	S.R. 776	40	RMC	2U	2,550	5.00%	0.091	232	-	1359	1440	*	D	C	16%
242	Winchester Blvd	310	S.R. 776	Sarasota Co Line	50	RMC	4D	8,445	5.00%	0.091	768	-	3078	3222	*	D	C	24%
243	Winchester Blvd	314	S.R.776	Apple Valley Ave	45	RMC	4D	7,225	5.00%	0.091	657	-	3078	3222	*	D	C	20%
244	Zemel Road	307	Burnt Store Rd.	County Landfill	45	L	2U	2,491	5.00%	0.091	227	-	1359	1440	*	D	C	16%
245	Zemel Road	257	County Landfill	U.S. 41	45	L	2U	2,935	5.00%	0.091	267	-	1359	1440	*	D	C	19%
	Notes and Assumptions for the LOS Computations: 1. LOS Calculations are based on 2020 FDOT Generalized LOS Tables (TABLE 4)																	

# TRAFFIC VOLUMES AT STUDY INTERSECTION

INTERSECTION: US 17 & Turbak Drive  
COUNT DATE: July 18, 2023  
TIME PERIOD: 4:15 p.m. - 5:15 p.m.  
PEAK HOUR FACTOR: 0.96

"EXISTING TRAFFIC"		EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBU	SBL	SBT	SBR
Raw Turning Movements			4	0	8		1	0	2	2	16	591		2		337	15
Peak Season Correction Factor		1.200	1.200	1.200	1.200	1.200	1.200	1.200	1.200	1.200	1.200	1.200	1.200	1.200	1.200	1.200	1.200
EXISTING CONDITIONS			5	0	10		1	0	2	2	19	709		2		404	18
"BACKGROUND TRAFFIC"		EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBU	SBL	SBT	SBR
Years To Buildout		12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12
Yearly Growth Rate		2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%
BACKGROUND TRAFFIC GROWTH			1	0	3		0	0	1	1	5	190		1		108	5
NON-PROJECT TRAFFIC			6	0	13		1	0	3	3	24	899		3		512	23
"PROJECT TRAFFIC"																	
LAND USE	TYPE	EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBU	SBL	SBT	SBR
Trips	Net New		72		69						158			7		33	17
TOTAL PROJECT TRAFFIC			72	0	69		0	0	0	0	158	0		7		33	17
TOTAL TRAFFIC			78	0	82		1	0	3	3	182	899		10		545	40

# TRAFFIC VOLUMES AT STUDY INTERSECTION

INTERSECTION: US 17 & Project Driveway 1  
COUNT DATE: July 18, 2023  
TIME PERIOD: 4:15 p.m. - 5:15 p.m.  
PEAK HOUR FACTOR: 0.96

"EXISTING TRAFFIC"		EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBU	SBL	SBT	SBR
Raw Turning Movements												599				354	
Peak Season Correction Factor		1.200	1.200	1.200	1.200	1.200	1.200	1.200	1.200	1.200	1.200	1.200	1.200	1.200	1.200	1.200	1.200
EXISTING CONDITIONS												719				425	
"BACKGROUND TRAFFIC"		EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBU	SBL	SBT	SBR
Years To Buildout		12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12
Yearly Growth Rate		2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%
BACKGROUND TRAFFIC GROWTH												193				114	
NON-PROJECT TRAFFIC												912				539	
"PROJECT TRAFFIC"		EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBU	SBL	SBT	SBR
LAND USE	TYPE																
Trips	Net New				15							79				40	85
TOTAL PROJECT TRAFFIC					15							79				40	85
TOTAL TRAFFIC					15							991				579	85

# TRAFFIC VOLUMES AT STUDY INTERSECTION

INTERSECTION: US 17 & Project Driveway 2  
COUNT DATE: July 18, 2023  
TIME PERIOD: 4:15 p.m. - 5:15 p.m.  
PEAK HOUR FACTOR: 0.96

"EXISTING TRAFFIC"		EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBU	SBL	SBT	SBR
Raw Turning Movements												599				354	
Peak Season Correction Factor		1.200	1.200	1.200	1.200	1.200	1.200	1.200	1.200	1.200	1.200	1.200	1.200	1.200	1.200	1.200	1.200
EXISTING CONDITIONS												719				425	
"BACKGROUND TRAFFIC"		EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBU	SBL	SBT	SBR
Years To Buildout		12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12
Yearly Growth Rate		2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%
BACKGROUND TRAFFIC GROWTH												193				114	
NON-PROJECT TRAFFIC												912				539	
"PROJECT TRAFFIC"		EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBU	SBL	SBT	SBR
LAND USE	TYPE																
Trips	Net New				25							79				32	23
TOTAL PROJECT TRAFFIC					25							79				32	23
TOTAL TRAFFIC					25							991				571	23

# TRAFFIC VOLUMES AT STUDY INTERSECTION

INTERSECTION: Turbak Drive & Project Driveway 3  
COUNT DATE: July 18, 2023  
TIME PERIOD: 4:15 p.m. - 5:15 p.m.  
PEAK HOUR FACTOR: 0.96

"EXISTING TRAFFIC"		EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBU	SBL	SBT	SBR
Raw Turning Movements				12				31									
Peak Season Correction Factor		1.200	1.200	1.200	1.200	1.200	1.200	1.200	1.200	1.200	1.200	1.200	1.200	1.200	1.200	1.200	1.200
EXISTING CONDITIONS				14				37									
"BACKGROUND TRAFFIC"		EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBU	SBL	SBT	SBR
Years To Buildout		12	12	12	12	12	12	12	12	12	12	12	12	12	12	12	12
Yearly Growth Rate		2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%
BACKGROUND TRAFFIC GROWTH				4				10									
NON-PROJECT TRAFFIC				18				47									
"PROJECT TRAFFIC"		EBU	EBL	EBT	EBR	WBU	WBL	WBT	WBR	NBU	NBL	NBT	NBR	SBU	SBL	SBT	SBR
LAND USE	TYPE																
Trips	Net New								175						141		
TOTAL PROJECT TRAFFIC				0				0	175						141		
TOTAL TRAFFIC				18				47	175						141		



November 27, 2023

Alois Rommer  
TAG Lakeside LLC  
33241 Washington Loop Road  
Punta Gorda, Florida 33982

**Re: Willingness to Serve**

Dear Mr. Rommer:

CSWR-Florida Utility Operating Company ("CSWR-Florida") was appointed as the Receiver for of the North Charlotte Waterworks Inc. water and wastewater system in Charlotte County (Case No. 21000148CA). As Receiver, CSWR-Florida is responsible for providing water and wastewater services to meet the current and future demand of the North Charlotte service area. In this role, CSWR-Florida has recently contacted Charlotte County with a request that it provide North Charlotte with water supplied by Peace River Manasota Regional Water Supply Authority through Charlotte County facilities and an interconnection provided by CSWR-Florida.

You recently asked that CSWR-Florida provide a letter indicating a willingness to provide water services to a planned development called Lakeside Village. As part of this request, you also provided anticipated demand for the Lakeside Village development. CSWR-Florida has combined the anticipated demand for Lakeside Village with the demand for the current customer base. CSWR-Florida has submitted that combined demand to Charlotte County with a request for it to provide wholesale water service to North Charlotte. To date, CSWR-Florida has not had a response back from Charlotte County.

Assuming that Charlotte County indicates a willingness to provide a sufficient capacity of water service to North Charlotte to meet not only current demand, but also future demands, CSWR-Florida will happily provide regulated water service to the planned development at Lakeside Village.

Please let me know if you have any questions.

Sincerely,



Todd Thomas  
Sr. Vice-President  
CSWR-Florida Utility Operating Company

cc:





December 14, 2023

Alois Rommer  
TAG Lakeside LLC  
33241 Washington Loop Road  
Punta Gorda, Florida 33982

**Re: Willingness to Serve**

Dear Mr. Rommer:

CSWR-Florida Utility Operating Company ("CSWR-Florida") was appointed as the Receiver for the North Charlotte Waterworks Inc. water and wastewater system in Charlotte County (Case No. 21000148CA). As Receiver, CSWR-Florida is responsible for providing water and wastewater services to meet the current and future demand of the North Charlotte service area. You recently asked that CSWR-Florida provide a letter indicating a willingness to provide water and wastewater services to a planned development called Lakeside Village.

With regard to water service, CSWR-Florida has recently contacted Charlotte County with a request that it provide North Charlotte with water supplied by Peace River Manasota Regional Water Supply Authority through Charlotte County facilities and an interconnection provided by CSWR-Florida. As part of that request, CSWR-Florida included not only its current demand for water but also the projected demand provided by you for Lakeside Village. To date, CSWR-Florida has not had a response back from Charlotte County. Assuming that Charlotte County indicates a willingness to provide a sufficient capacity of water service to North Charlotte to meet not only current demand, but also future demands, CSWR-Florida will happily provide regulated water service to the planned development at Lakeside Village.

With regard to wastewater service, the current wastewater treatment facility is located on land that is neither owned by nor leased to North Charlotte Waterworks. Given this, CSWR-Florida is attempting to procure land, either through a customer contribution or a long-term lease, on which it can construct a wastewater treatment facility. Assuming that CSWR-Florida is able to locate such land and is able to permit and construct a wastewater treatment facility, CSWR-Florida will also be willing to provide regulated wastewater service to the planned development at Lakeside Village.

Please note that, while CSWR-Florida indicates a willingness to serve, such service must be consistent with Public Service Commission approved rules, regulations and tariffs including the Commission's extension of main policy.

Sincerely,

Todd Thomas - Sr. Vice-President  
CSWR-Florida Utility Operating Company

# **NATIVE HABITAT MANAGEMENT PLAN AND WETLAND CLASSIFICATION**

**LAKE SIDE DUNCAN  
Charlotte County, Florida**

**May 2024**

**Prepared by:**



**22102 Kimble Avenue, Port Charlotte, FL 33952  
(941) 457-6272  
[www.IVAenvironmental.com](http://www.IVAenvironmental.com)**

## **INTRODUCTION**

This submittal and any associated management plan(s) have been prepared to be consistent with Charlotte County's current HCP and associated scrub jay regulations, but are being tendered under protest as to the County HCP's fee structure and minimization measures, consistent with, and without prejudice to, the legal issues asserted in its lawsuit against the County in Case Nos.: 21-886-CA and 6D23-2112.

The following Native Habitat Management Plan has been prepared to address the long-term management of the wetland and upland preservation areas for the proposed development. In addition, the on-site wetlands have been classified in accordance with Charlotte County Comprehensive Plan Natural Resources Element Policy ENV 3.1.1 – Identification and Categorization of Wetlands.

The subject property is located in Sections 1 & 12, Township 40S, and Range 23E. Please refer to the attached Location Map.

The native habitats onsite have been delineated relative to the purpose for preservation. The 48.90 acres of scrub jay preserve, 1.70 acres of wetland (creek) preserve and 10.07 acres of creek upland buffer preserve are illustrated on the attached Habitat Management

## **NATIVE HABITAT PRESERVATION AREA MANAGEMENT PLAN (SCRUB JAY PRESERVE)**

The 49.8 acres of scrub jay preserve area will be placed under a conservation easement. In accordance with the provisions of the Charlotte County Florida Scrub Jay Habitat Conservation Plan (HCP), all management activities will be conducted by Charlotte County, as stipulated in the conservation easement.

## **NATIVE HABITAT PRESERVATION AREA MANAGEMENT PLAN (UPLAND BUFFER AND WETLAND PRESERVE)**

An aggressive maintenance plan shall be implemented to ensure that the preserve areas remain relatively free (<5% aerial coverage) of exotic and nuisance vegetative species and maintain a minimum of 80% aerial coverage by desirable native vegetative species. The maintenance plan will consist of an initial exotic/nuisance vegetation treatment and removal event, with scheduled maintenance events to ensure that regrowth of exotic and nuisance vegetation is limited. All maintenance activities will be conducted via a combination of hand removal and in-place treatment in conjunction with spray application of approved aquatic herbicides which can be used to selectively treat undesirable vegetation. No herbicide treatment of desirable native species is permitted.

### **Prohibited Activities**

Filling, excavating, alteration, trimming or removal of native vegetation within the preservation area will be prohibited. Except as provided in the next paragraph and required for habitat enhancement of the Florida scrub jay preservation area, only activities necessary to implement the maintenance plan described above will be allowed within the preservation area.

### **Measures to Protect Wildlife and Integrity of the Native Habitat**

Entrance to the preservation area will be limited to the homeowners and guests of the homeowners for purposes of viewing the area or performing maintenance activities, and contractors hired to perform maintenance activities required or permitted by this plan. Public access to the preservation area will not be permitted. In the case of any entrance to the preservation area, care shall be taken to protect wildlife and the integrity of the habitat. Habitat for wildlife, as well as overall increase in the ecological value of the preservation areas will be ensured through implementation of the maintenance plan.

## **Monitoring Plan**

To ensure that the preservation areas meet the success criteria described above, a Time Zero Monitoring Event will be conducted within 45 days of the initial exotic removal event. Subsequent monitoring events will be conducted annually for a period of no less than 3 years. If, at the end of three years, the preserve areas have met or exceeded the success criteria described above, monitoring requirements for the preserve areas shall be suspended. However, additional monitoring may be required if the success criteria of native or invasive/nuisance plant coverage has not been achieved.

If assessment of the preserve areas demonstrates that the success criteria have been achieved, the responsible party shall provide written certification by an Environmental Scientist, Biologist, registered Engineer, or Landscape Architect that the maintenance efforts have met applicable success criteria. If certification of success is not submitted or is not approved by the County, then annual monitoring shall continue until the criteria has been met and deemed successful. The monitoring program and any corrective actions to maintain the preserve areas shall be at the sole expense of the property owner(s) or developer.

The results of these monitoring events will be compiled in monitoring reports which will include:

- Qualitative overview of vegetative species present
- Percent coverage by exotic/nuisance vegetation
- Wildlife observations
- Permanent fixed-point photo stations
- Discussion of ongoing maintenance activities
- Identification of insufficiencies and recommendations for future remediation

Such monitoring report must be provided to the County within 45 days of monitoring inspection event, unless an extension by the County is granted.

## **WETLAND CLASSIFICATION**

The Charlotte County Comprehensive Plan requires that all wetlands within a parcel under development review be categorized as either Category I or Category II wetlands. Additional scrutiny is afforded to impacts proposed within wetlands which qualify as Category I. For the purposes of this analysis, all wetlands on site have been consolidated based on FLUCCS code into a single category (as illustrated on the attached Protected Species Assessment Map) due to both wetlands containing a direct hydrologic surface water connection to Charlotte Harbor. In order to qualify as a Category I wetland, a wetland must have no more than 30% undesirable vegetation and meet at least two of the following criteria:

1. Any wetland of any size that has a permanent surface water connection to natural surface waterbodies with special water classifications, such as an Outstanding Florida Water, an Aquatic Preserve, or Class I or II waters. A natural hydrological connection that has been enhanced by human technology will be considered a connection under this category.

**The subject wetland meets this criterion due to a tributary surface water connection to the Peace River.**

2. Any wetland of any size that has a direct connection to the Floridan aquifer by way of an open sinkhole or spring.

**The subject wetland does not meet this criterion.**

3. Any wetland of any size that has functioning hydroperiods with minimal human disturbance and provides critical habitat for listed species.

**The wetland is an existing natural creek that exhibits hydrology consistent with a natural hydrologic regime. Therefore, the wetland meets this criterion.**

4. Any wetland of any size whose functioning hydroperiods are connected via a direct natural surface water connection to parks or conservation lands.

**The subject wetland meets this criterion due to the direct connection to state owned lands adjacent to the Peace River.**

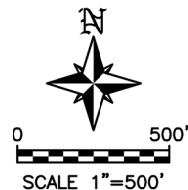
5. Any wetland of any size where downstream or other hydrologically connected habitats are significantly dependent on discharges from the wetland.

**The subject wetland does not meet this criterion.**

During site inspections conducted in July 2023, exotic species, primarily Peruvian primrose willow (*Ludwigia peruviana*) and torpedo grass (*Panicum repens*), comprised less than 5% coverage within this habitat.

As such, the subject wetland appears to meet three of the five criteria above and the presence of exotic vegetation is less than the 30% threshold. Therefore, the wetland falls within the definition of Category I wetlands.

SECTIONS 01 & 12; TOWNSHIP 40S; RANGE 23E

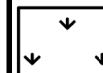


## LEGEND



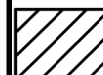
FLORIDA SCRUB JAY PRESERVE  
CONSERVATION EASEMENT

48.90±



CREEK PRESERVE

1.70±



CREEK UPLAND BUFFER  
PRESERVE

10.07±

### NOTES:

1. FOR PERMIT USE ONLY, NOT FOR CONSTRUCTION.
2. PROJECT BOUNDARY IS APPROXIMATE AND WAS OBTAINED FROM CHARLOTTE COUNTY GIS.
3. MAPPING APPROXIMATE AND BASED ON INTERPRETATION OF 2017 AERIAL PHOTOGRAPHY AT 1"=500' SCALE.
4. THE DELINEATION OF ANY ON-SITE WETLANDS, SURFACE WATERS, AND/OR OTHER SURFACE WATERS IS PRELIMINARY AND SUBJECT TO REVIEW/APPROVAL BY APPLICABLE REGULATORY AGENCIES.

23-189 / MAY 6, 2024

## LAKESIDE DUNCAN HABITAT MANAGEMENT PLAN MAP

**I V A**  
Ian Vincent & Associates  
Environmental Consulting Services

# **PROTECTED SPECIES ASSESSMENT**

**Lakeside Duncan  
Charlotte County, Florida**

**July 2023**

**Prepared by:**



4050 Rock Creek Drive □ Port Charlotte, FL 33948  
(941) 457-6272  
[www.IVAenvironmental.com](http://www.IVAenvironmental.com)

## **INTRODUCTION**

The following assessment has been prepared to identify onsite vegetative communities and address wildlife species listed by the Florida Fish and Wildlife Conservation Commission (FWC) and U.S. Fish and Wildlife Service (FWS) as endangered, threatened, or species of special concern which may be utilizing the subject property.

The subject property is located in Sections 01 & 12, Township 40S, Range 23E within Punta Gorda, Florida. Please refer to the attached Location Map.

## **SITE CONDITIONS**

A site inspection was conducted by qualified staff ecologists in July 2023. During the inspection, temperatures ranged from 88° - 95° F, winds were 1-7 mph, and skies were clear.

## **VEGETATIVE COMMUNITIES**

Field observations, in conjunction with the Charlotte County Soil Survey and aerial photographs, were used to develop a map of the vegetative communities onsite. The vegetative communities were identified and classified utilizing the Florida Land Use Cover and Forms Classification System (FLUCCS). The following table displays the vegetative associations found on the subject property. A description of the communities is also included. Please refer to the attached Protected Species Assessment Map.

<b>FLUCCS ID</b>	<b>FLUCCS DESCRIPTION</b>	<b>ACREAGE</b>
321	Palmetto Prairie	28.06
411	Pine Flatwoods	13.74
416	Scrubby Pine Flatwoods	22.00
421	Xeric Oak	56.82
438	Mixed Hardwoods	6.65
510	Creek	1.74
510D	Ditch	N/A
740	Disturbed Land	10.24
740M	Mesic Disturbed Land	0.64
<b>TOTAL</b>		<b>139.89</b>

### **FLUCCS 321 – Palmetto Prairie**

This upland association is dominated by dense groundcover of saw palmetto (*Serenoa repens*). The canopy and mid-story is sparsely distributed and primarily comprised of slash pine (*Pinus elliottii*), live oak (*Quercus virginiana*), sand live oak (*Quercus geminata*), myrtle oak (*Quercus myrtifolia*), and staggerbush (*Lyonia spp.*). Additional groundcover species include wiregrass (*Aristida stricta*), runner oak (*Quercus pumila*), pennyroyal (*Piloblephis rigida*), broomsedge (*Andropogon virginicus*), and shiny blueberry (*Vaccinium myrsinites*).



#### FLUCCS 411 – Pine Flatwoods

This upland association is dominated by dense groundcover of saw palmetto with a significant canopy of slash pine. Additional canopy and mid-story species include live oak, wax myrtle (*Myrica cerifera*), and staggerbush. Additional groundcover species include wiregrass, runner oak, broomsedge, shiny blueberry, and grapevine (*Vitis sp.*).

#### FLUCCS 416 – Scrubby Pine Flatwoods

This upland association is similar to the Pine Flatwoods (FLUCCS 411) habitat described above, but displays a more sparsely distributed canopy of slash pine and mid-story containing significant coverage of xeric oak species, primarily sand live oak and myrtle oak.

#### FLUCCS 421 – Xeric Oak

This upland association is dominated by a groundcover of saw palmetto and dense mid-story of xeric oak species, primarily sand live oak, myrtle oak, and Chapman oak (*Quercus chapmanii*). Additional canopy and mid-story species include slash pine, live oak, and rusty staggerbush (*Lyonia ferruginea*). Additional groundcover species include wiregrass, runner oak, shiny blueberry, gopher apple (*Licania michauxii*), coontie (*Zamia pumila*), greenbrier (*Smilax sp.*), and grapevine.

#### FLUCCS 438 – Mixed Hardwoods

This upland association is dominated by a groundcover of saw palmetto and dense canopy and mid-story comprised of live oak, laurel oak (*Quercus laurifolia*), pignut hickory (*Carya glabra*), pop ash (*Fraxinus caroliniana*), red bay (*Persea borbonia*), and wax myrtle. Additional dominant vegetative species include fetterbush (*Lyonia lucida*), beautyberry (*Callicarpa americana*), bracken fern (*Pteridium aquilinum*), greenbrier, and grapevine.

#### FLUCCS 510 – Creek

This seasonally dry surface water is a natural drainage feature, displaying steep side-slopes and approximately 15 feet wide on average, spanning through the entire property from northeast to southwest. This surface water/wetland association is dominated by wax myrtle, Virginia chainfern (*Woodwardia virginica*), swamp fern (*Blechnum serrulatum*), and lizard's tail (*Saururus cernuus*). Additional vegetative species present include laurel oak, cabbage palm (*Sabal palmetto*), red bay, Peruvian primrose willow (*Ludwigia peruviana*), saw palmetto, royal fern (*Osmunda regalis*), cinnamon fern (*Osmunda cinnamomea*), leather fern (*Acrostichum danaeifolium*), poison ivy (*Toxicodendron radicans*), greenbrier, and grapevine.

#### FLUCCS 510D – Ditch

There are several man-made drainage ditches, considered to be other surface water associations, located within the subject property. The largest ditch is located along the western property boundary. This seasonally dry other surface water, spanning the entire western property boundary, displays steep side-slopes and is approximately 15 feet wide and 10 feet deep on average. The next largest ditch, spanning the majority of the northern property boundary, appears to be seasonally wet, displays gradual side slopes, and is approximately 8 feet wide and 2 feet deep on average. Both of these ditches are primarily comprised of torpedo grass (*Panicum repens*), creeping seedbox (*Ludwigia repens*), frog-fruit (*Phyla nodiflora*), water-hyssop (*Bacopa monnieri*), smartweed (*Polygonum punctatum*), pennywort (*Hydrocotyle umbellata*), cattail (*Typha sp.*), and Peruvian primrose willow. A third drainage feature is located within the northern half of the subject property and drains from north to south. This ditch appears to typically be completely dry, only conveying water during extreme rain events. This drainage

feature displays steep side slopes, is approximately 5 feet wide and 2 feet deep on average, and is primarily comprised of wax myrtle and saw palmetto.

#### FLUCCS 740 – Disturbed Land

This upland association appears to have previously been cleared of native vegetation and the natural soils disturbed. As a result, these areas are dominated by opportunistic vegetative species. Dominant vegetative species within these areas include leadtree (*Leucaena leucocephala*), Brazilian pepper (*Schinus terebinthifolius*), winged sumac (*Rhus copallinum*), beautyberry, Caesarweed (*Urena lobata*), dogfennel (*Eupatorium capillifolium*), broomsedge (*Andropogon spp.*), blackberry (*Rubus sp.*), ragweed (*Ambrosia artemisiifolia*), cogongrass (*Imperata cylindrica*), bahia grass (*Paspalum notatum*), rosary pea (*Abrus precatorius*), greenbrier, and grapevine.

#### FLUCCS 740M – Mesic Disturbed Land

This area is located along the southern property boundary and is similar to the Disturbed Land (FLUCCS) habitat described above, but is dominated by facultative and hydrophytic opportunistic vegetative species. As such, it is currently unclear whether this area would be classified as an upland or wetland community by applicable regulatory agencies. Dominant vegetative species within this area include gallberry (*Ilex glabra*), broomsedge, wiregrass, yellow-eyed grass (*Xyris sp.*), hat-pins (*Syngonanthus sp.*), and roadgrass (*Eleocharis baldwinii*). Slash pine saplings and wax myrtle are also present.

### **LISTED SPECIES SURVEY METHODOLOGY**

To provide approximately 80 percent coverage of the site, both linear and nonlinear overlapping transects were completed across the parcel per FWC guidelines. Transects were spaced approximately 20-40 feet apart depending on the visibility within the vegetative association being surveyed. Evidence of protected species was gathered through both direct observation and through observation of signs such as tracks, nests, burrows, and fecal material. If evidence of utilization by a protected species which may require permitting prior to development of the subject property was observed, an aerial photograph was marked depicting the approximate location. In addition, a search of available online resources was conducted to reveal the previously documented presence of listed species which may be utilizing the subject property. These resources included, but were not limited to, the following: Audubon Eagle Nest Locator Database; Charlotte County Natural Resources Department Scrub Jay Territory Search Database; FWS Crested Caracara Consultation Area Map(s); FWS Red-cockaded Woodpecker Consultation Area Map(s); FWS Panther Consultation Area Map(s); FWS Bonneted Bat Consultation Area Map(s); and FWS Wood Stork Colony Map(s). In the event that the site contained suitable habitat for a protected species, or if the site is within close proximity to a verified sighting or consultation area for a protected species, additional scrutiny was given during the inspection relative to that specific species.

### **LISTED SPECIES ASSESSMENT RESULTS**

Search of available online resources revealed that the subject property is located within an 18.6-mile radius designated as Core Foraging Area of several wood stork (*Mycteria americana*) nesting colonies. The closest of the documented colonies are greater than a half mile from the subject property. Under current regulations, the proximity of the off-site nesting colonies is not likely to affect the future development of the subject property. However, any impacts to suitable on-site wood stork foraging habitat (wetland and/or surface water habitat) may require systematic review and approval by the FWS prior to such impacts.

Search of available online resources revealed that the subject property is located within the Consultation Area of the crested caracara (*Caracara cheriway*). No evidence of nesting activity or utilization by the crested caracara was observed onsite. The crested caracara is not anticipated to be nesting within the subject property, and therefore, is not likely to affect the future development of the subject property. However, applicable environmental regulatory agencies may require a species specific survey relative to the crested caracara prior to development of the property.

Search of available online resources revealed that the subject property is located within the Consultation Area of the red-cockaded woodpecker (*Picoides borealis*). The nearest documented red-cockaded woodpecker (RCW) sighting is greater than a mile from the subject property. In accordance with FWC survey guideline protocol, suitable pine trees were inspected for the presence of RCW nesting cavities. No evidence of nesting or utilization by the species was observed. The red-cockaded woodpecker is not anticipated to be utilizing the subject parcel, and therefore, is not likely to affect the future development of the property. However, applicable environmental regulatory agencies may require a species specific survey relative to the red-cockaded woodpecker prior to development of the property.

Search of available online resources revealed that the subject property is located within the Consultation Area of the Florida scrub jay (*Aphelocoma coerulescens*). Review of the Charlotte County Natural Resources Department Florida Scrub Jay Territory Search Database revealed that the subject parcel is a scrub jay review area parcel. Mitigation fees in accordance with approved Habitat Conservation Plan (HCP) fee structure table will be required. Additionally, all clearing and tree removal will be prohibited during the scrub jay nesting season (March 1 – June 30).

Search of the Audubon Society Bald Eagle Nest Locator website revealed no nests within a quarter mile radius of the subject property. No eagles or nests were observed on or around the subject property. Bald eagle should therefore not likely affect the future development of the subject property.

The subject parcel is located within the FWS Consultation Area of the Florida bonneted bat (*Eumops floridanus*). No evidence of utilization by the Florida bonneted bat was observed onsite during the site inspection. The Florida bonneted bat is not anticipated to be utilizing the subject property, and therefore, is not likely to affect the future development of the property. However, applicable environmental regulatory agencies may require a species specific survey relative to the Florida bonneted bat prior to development of the property.

Search of available online resources did not reveal documentation of any other listed wildlife species currently utilizing the subject property.

The subject site contains upland habitats which are being utilized by the gopher tortoise (*Gopherus polyphemus*). Two-hundred and fifty-four (254) potentially occupied gopher tortoise burrows were observed on the parcel. A 100% gopher tortoise survey and relocation permit from the Florida Fish and Wildlife Conservation Commission will be required prior to development of the site if gopher tortoise burrows cannot be avoided during construction.

No other protected species or evidence of protected species utilization which would require permits from the FWC or FWS were observed onsite during the site inspection.



# SECTIONS 01 & 12; TOWNSHIP 40S; RANGE 23E

NOT TO SCALE



CHARLOTTE COUNTY, FLORIDA



LOCATION MAP

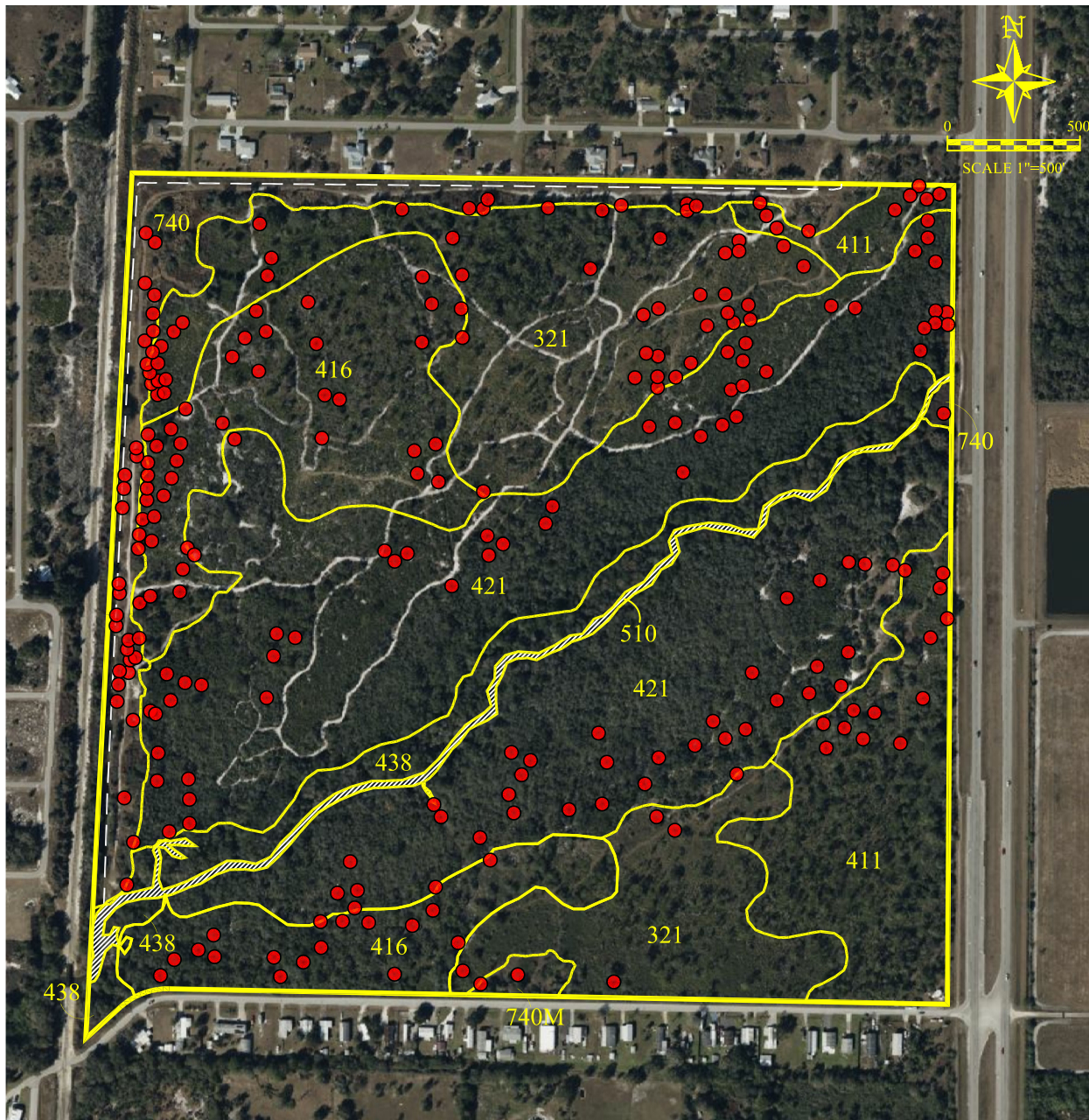
23-189 / JULY 6, 2023

LAKESIDE DUNCAN  
LOCATION MAP

**I V A**  
**Ian Vincent & Associates**  
Environmental Consulting Services



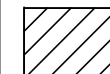
# SECTIONS 01 & 12; TOWNSHIP 40S; RANGE 23E



## LEGEND

FLUCCS	DESCRIPTIONS	ACREAGE
321	PALMETTO PRAIRIE	28.06±
411	PINE FLATWOODS	13.74±
416	SCRUBBY PINE FLATWOODS	22.00±
421	XERIC OAK	56.82±
438	MIXED HARDWOODS	6.65±
510	CREEK	1.74±
510D	DITCH — — — —	N/A
740	DISTURBED LAND	10.24±
740M	MESIC DISTURBED LAND	0.64±
TOTAL		139.89±

● POTENTIALLY OCCUPIED GOPHER  
GOPHER TORTOISE BURROW ( 254 )



SURFACE WATER

1.74±

### NOTES:

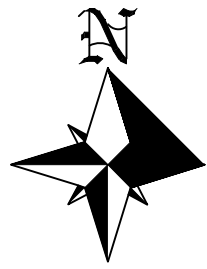
1. FOR PERMIT USE ONLY, NOT FOR CONSTRUCTION.
2. PROJECT BOUNDARY IS APPROXIMATE AND WAS OBTAINED FROM CHARLOTTE COUNTY GIS.
3. MAPPING APPROXIMATE AND BASED ON INTERPRETATION OF 2017 AERIAL PHOTOGRAPHY AT 1"=500' SCALE.
4. THE DELINEATION OF ANY ON-SITE WETLANDS, SURFACE WATERS, AND/OR OTHER SURFACE WATERS IS PRELIMINARY AND SUBJECT TO REVIEW/APPROVAL BY APPLICABLE REGULATORY AGENCIES.

23-189 / JULY 6, 2023

LAKESIDE DUNCAN  
PROTECTED SPECIES ASSESSMENT MAP

**IWA**  
Ian Vincent & Associates  
Environmental Consulting Services





# SURVEY PLAT

A PARCEL OF LAND LYING IN  
SECTIONS 1 & 12, TOWNSHIP 40 SOUTH, RANGE 23 EAST,  
CHARLOTTE COUNTY, FLORIDA

## LEGEND

- SET 5/8" I.R. #LB6690
- WOOD UTILITY POLE
- GUY WIRE ANCHOR
- TELEPHONE PEDESTAL
- FND. FOUND
- LB LICENSED BUSINESS
- LS LAND SURVEYOR
- O.R. OFFICIAL RECORDS BOOK  
CHARLOTTE COUNTY PUBLIC RECORDS
- PG. AT PAGE
- ± MORE OR LESS
- CONC. CONCRETE
- C.M. CONCRETE MONUMENT
- I.R. IRON ROD
- I.P. IRON PIPE
- O/H- OVERHEAD UTILITY LINES
- EOP EDGE OF PAVEMENT
- TOB TOP OF BANK - DRAINAGE DITCH
- (M) AS MEASURED
- (D) AS PER DESCRIPTION
- P.B. PLAT BOOK  
CHARLOTTE COUNTY PUBLIC RECORDS
- S.R. STATE ROAD
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- (C) CALCULATED BASED ON MEASUREMENTS
- FIBER OPTIC CABLE WARNING MARKER
- ELECTRIC SERVICE BOX

## LINE TABLE

Line	Bearing	Distance
L1	N.00°33'09"E	150.01(M)
L1	N.00°19'43"E	150.00(D)
L2	N.88°51'24"W	50.43(M)
L2	N.88°55'19"W	50.00(D)
L3	S.88°51'24"E	46.08
L4	N.47°48'25"E	158.97
L5	S.03°03'24"W	177±
L6	N.47°48'25"E	139.24

## CURVE TABLE

NO.	RADIUS	DELTA	ARC	TANGENT	CHORD	CHORD BEARING
1	150.00'	43°20'12"	113.45'	59.60'	110.77'	N.69°28'30"E
2	210.00'	43°20'12"	158.84'	83.43'	155.08'	N.69°28'30"E

## NOTES:

THIS PLAT WAS PREPARED AS A BOUNDARY SURVEY.

THIS SURVEY BASED ON THE DESCRIPTIONS AS PROVIDED BY THE CLIENT, THE RECORD PLATS OF PEACE RIVER SHORES AND EXISTING MONUMENTATION.

BEARINGS ARE BASED ON THE WEST LINE OF STATE ROAD 35 AS BEARING N.00°28'49"E, AS PER FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAPS.

ELEVATIONS ARE BASED ON NATIONAL GEODETIC VERTICAL DATUM OF 1929, DERIVED FROM NATIONAL GEODETIC SURVEY BENCHMARK Q260, ELEVATION +10.51 FEET.

THE MEAN HIGH WATER ELEVATION AS SHOWN HEREON WAS EXTENDED FROM FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION MEAN HIGH WATER IDENTIFICATION POINT NUMBER 286, AS PER THE LAND BOUNDARY INFORMATION SYSTEM INTERNET WEBSITE.

UNDERGROUND IMPROVEMENTS, IF ANY, NOT LOCATED.

INTERIOR IMPROVEMENTS, IF ANY, NOT LOCATED.

THIS SURVEY WAS NOT INTENDED TO DELINEATE OR DEFINE ANY WETLANDS, ENVIRONMENTALLY SENSITIVE AREAS, WILDLIFE HABITATS, OR JURISDICTIONAL LINE OF ANY FEDERAL, STATE, REGIONAL OR LOCAL AGENCY, BOARD, COMMISSION OR OTHER ENTITY.

OVERALL PARCEL CONTAINS 6093409 SQUARE FEET, OR 139.88 ACRES, MORE OR LESS.

PARCEL AREA OF LEE BRANCH AND CONNECTED DITCH BELOW MEAN HIGH WATER ELEVATION IS 39354 SQUARE FEET, OR 0.90 ACRES, MORE OR LESS AS OF 03-23-2006.

LAST DAY OF FIELDWORK: FEBRUARY 04, 2014.

## DESCRIPTION

(PROVIDED BY THE CLIENT)

PARCEL DESCRIBED IN O.R. 2162, PG. 1133:

PARTS OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 1, AND THE NORTH 1/2 OF THE NORTHEAST 1/2 OF SECTION 12, TOWNSHIP 40 SOUTH, RANGE 23 EAST, CHARLOTTE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 1; THENCE NORTH 89°07'22" WEST ALONG THE NORTH LIMIT OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 1, 52.29 FEET TO THE WEST LIMIT OF U.S. HIGHWAY 17 AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE NORTH 89°07'22" WEST ALONG THE NORTH LIMIT OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 1, 2,466.03 FEET, MORE OR LESS, TO THE EASTERLY LIMIT OF THE RIGHT-OF-WAY OF THE SEABOARD COASTLINE RAILROAD; THENCE SOUTH 03°02'35" WEST ALONG THE LAST MENTIONED LIMIT, 2,219.0 FEET, MORE OR LESS, TO THE CENTER LINE OF LEE'S BRANCH; THENCE NORTHEASTERLY ALONG SAID CENTER LINE OF LEE'S BRANCH, 3,109.0 FEET, MORE OR LESS TO THE WEST RIGHT-OF-WAY LIMIT OF U.S. HIGHWAY 17; THENCE NORTH 0°28'49" EAST ALONG THE LAST MENTIONED LIMIT 573.34 FEET, MORE OR LESS TO THE POINT OF BEGINNING. SUBJECT TO RESTRICTIONS, RESERVATIONS, AND EASEMENTS OF RECORD.

ALSO

PARCEL A

A PARCEL OF LAND LYING WITHIN SECTION 1, TOWNSHIP 40 SOUTH, RANGE 23 EAST, CHARLOTTE COUNTY, FLORIDA, BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS: FROM THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 40 SOUTH, RANGE 23 EAST, BEAR NORTH 00 DEGREES 19' 45" EAST, ALONG THE EAST LINE OF SECTION 12, A DISTANCE OF 150.00 FEET; THENCE SOUTH 88 DEGREES 55' 19" WEST, A DISTANCE OF 50.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 17, (STATE ROAD 35); THENCE NORTH 00 DEGREES 19' 45" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE 1174.68 FEET TO THE SOUTH LINE OF SECTION 1 AND TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00 DEGREES 23' 02" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 300.00 FEET; THENCE NORTH 89 DEGREES 36' 58" WEST, A DISTANCE OF 200.00 FEET, THENCE NORTH 00 DEGREES 23' 02" EAST, TO A POINT IN THE CENTER OF LEE BRANCH CREEK, THENCE SOUTHWESTERLY MEANDERING THE CENTER OF SAID CREEK, TO THE SOUTH LINE OF SAID SECTION 1; THENCE EASTERLY, ALONG THE SOUTH LINE OF SAID SECTION 1 TO THE SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 17 AND TO THE POINT OF BEGINNING.

AND

PARCEL B

A PARCEL OF LAND IN SECTIONS 1 AND 12, TOWNSHIP 40 SOUTH, RANGE 23 EAST, DESCRIBED AS FOLLOWS: COMMENCE AT THE S.E. CORNER OF THE NE 1/4 OF THE NE 1/4 OF SAID SECTION 12; THENCE N 0 DEGREES 19' 45" EAST, ALONG THE EAST LINE OF SECTION 12, FOR A DISTANCE OF 150.00 FEET; THENCE S 88 DEGREES 55' 19" W. 50.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF STATE ROAD NO. 35 (U.S. HIGHWAY 17); FOR A POINT OF BEGINNING; THENCE N 0 DEGREES 19' 45" E, ALONG SAID RIGHT-OF-WAY LINE 1174.68' TO THE NORTH LINE OF SAID SECTION 12; THENCE N 0 DEGREES 23' 02" E, CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 35, FOR A DISTANCE OF 300.00'; THENCE LEAVING SAID RIGHT-OF-WAY LINE, N 89 DEGREES 36' 58" W. 200.00 FEET; THENCE N 0 DEGREES 23' 02" E TO A POINT IN THE CENTERLINE OF LEE BRANCH; THENCE SOUTHWESTERLY MEANDERING SAID CENTERLINE OF LEE BRANCH TO THE WESTERLY BOUNDARY OF THE NE 1/4 OF SAID SECTION 12; THENCE SOUTHERLY ALONG SAID WESTERLY BOUNDARY OF THE NE 1/4 OF SECTION 12 FOR A DISTANCE OF 300 FEET MORE OR LESS TO THE SW CORNER OF THE NW 1/4 OF THE NE 1/4 OF SECTION 12; THENCE S 88 DEGREES 55' 19" E, ALONG THE SOUTH LINE OF SAID NW 1/4 OF THE NE 1/4 OF SECTION 12 TO THE SOUTHEASTERLY RIGHT-OF-WAY OF COUNTY ROAD (TURBACK ROAD - 60' R/W); THENCE RIGHT-OF-WAY (RIGHT-OF-WAY); THENCE NORTHEASTERLY AND EASTERLY ALONG THE SOUTHERLY RIGHT-OF-WAY OF SAID TURBACK ROAD TO THE WEST RIGHT-OF-WAY OF SAID STATE ROAD NO. 35 AND THE POINT OF BEGINNING.

LESS R/W FOR SEABOARD COASTLINE RAILROAD R/W IN THE NW 1/4 OF THE NE 1/4 OF SAID SECTION 12. LESS ALSO THE 60' R/W FOR TURBACK ROAD.

AND SUBJECT TO RESERVATION IN T.I.L.F. DEED IN SECTION 1 AND 12 ALONG THE EASTERLY 50' ALONG STATE ROAD NO. 35. ALL LYING AND BEING IN SECTIONS 1 AND 12, TOWNSHIP 40 SOUTH, RANGE 23 EAST, CHARLOTTE COUNTY, FLORIDA.

LESS AND EXCEPT THE FOLLOWING PARCEL:

A PARCEL OF LAND LYING WITHIN SECTION 1, TOWNSHIP 40 SOUTH, RANGE 23 EAST, CHARLOTTE COUNTY, FLORIDA, BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS: FROM THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 40 SOUTH, RANGE 23 EAST, BEAR NORTH 00 DEGREES 19' 45" EAST, ALONG THE EAST LINE OF SECTION 12, A DISTANCE OF 150.00 FEET; THENCE SOUTH 88 DEGREES 55' 19" WEST, A DISTANCE OF 50.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 17, (STATE ROAD 35); THENCE NORTH 00 DEGREES 19' 45" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE 1174.68 FEET TO THE SOUTH LINE OF SECTION 1 AND TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00 DEGREES 23' 02" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 300 FEET; THENCE NORTH 89 DEGREES 36' 58" WEST, A DISTANCE OF 200.00 FEET, THENCE NORTH 00 DEGREES 23' 02" EAST, TO A POINT IN THE CENTER OF LEE BRANCH CREEK, THENCE SOUTHWESTERLY MEANDERING THE CENTER OF SAID CREEK; TO THE SOUTH LINE OF SAID SECTION 1; THENCE EASTERLY, ALONG THE SOUTH LINE OF SAID SECTION 1 TO THE SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 17 AND TO THE POINT OF BEGINNING.

PARCELS A AND B CAN ALSO BE DESCRIBED AS:

A PARCEL OF LAND IN SECTIONS 1 AND 12, TOWNSHIP 40 SOUTH, RANGE 23 EAST, DESCRIBED AS FOLLOWS:

COMMENCE AT THE S.E. CORNER OF THE NE 1/4 OF THE NE 1/4 OF SAID SECTION 12; THENCE N 0 DEGREES 19' 45" EAST, ALONG THE EAST LINE OF SECTION 12, FOR A DISTANCE OF 150.00'; THENCE S 88 DEGREES 55' 19" W. 50.00' TO THE WEST R/W LINE OF STATE ROAD NO. 35 (U.S. 17); FOR A POINT OF BEGINNING; THENCE N 0 DEGREES 19' 45" E, ALONG SAID R/W, 1174.68' TO THE NORTH LINE OF SAID SECTION 12; THENCE N 0 DEGREES 23' 02" E, CONTINUING ALONG SAID WESTERLY R/W LINE OF STATE ROAD NO. 35, FOR A DISTANCE OF 300.00'; THENCE LEAVING SAID R/W N 89 DEGREES 36' 58" W. 200.00'; THENCE N 0 DEGREES 23' 02" E TO A POINT IN THE CENTERLINE OF LEE BRANCH; THENCE SOUTHWESTERLY MEANDERING SAID CENTERLINE OF LEE BRANCH TO THE WESTERLY BOUNDARY OF THE NE 1/4 OF SAID SECTION 12; THENCE SOUTHERLY ALONG SAID WESTERLY BOUNDARY OF THE NE 1/4 OF SECTION 12 FOR A DISTANCE OF 300' MORE OR LESS TO THE SW CORNER OF THE NW 1/4 OF THE NE 1/4 OF SECTION 12; THENCE S 88 DEGREES 55' 19" E, ALONG THE SOUTH LINE OF SAID NW 1/4 OF THE NE 1/4 OF SECTION 12 TO THE SOUTHEAST R/W OF COUNTY ROAD (TURBACK ROAD - 60' R/W); THENCE NORTHEASTERLY AND EASTERLY ALONG THE SOUTHERLY R/W OF SAID TURBACK ROAD TO THE WEST RAP OF SAID STATE ROAD NO. 35 AND THE POINT OF BEGINNING.

LESS R/W FOR SEABOARD COASTLINE RAILROAD R/W IN THE NW 1/4 OF THE NE 1/4 OF SAID SECTION 12. LESS ALSO THE 60' R/W FOR TURBACK ROAD.

AND SUBJECT TO RESERVATION IN T.I.L.F. DEED IN SECTION 1 AND 12 ALONG THE EASTERLY 50' ALONG STATE ROAD NO. 35. ALL LYING AND BEING IN SECTIONS 1 AND 12, TOWNSHIP 40 SOUTH, RANGE 23 EAST, CHARLOTTE COUNTY, FLORIDA.

AND

LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 3897, PAGE 795

A CERTAIN PARCEL OF LAND LYING IN SECTION 1, TOWNSHIP 40 SOUTH, RANGE 23 EAST, LYING AND BEING IN CHARLOTTE COUNTY, FLORIDA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TAKE FOR A POINT OF REFERENCE THE INTERSECTION OF THE SOUTH LINE OF AFORESAID SECTION 1 AND THE WEST RIGHT-OF-WAY LINE OF US HWY NO.17; GO THENCE N 0°21'30"E, ALONG SAID WEST RIGHT-OF-WAY LINE 308.73 FEET TO A POINT OF BEGINNING; CONTINUE ALONG THE SAME LINE 372 FEET TO A POINT; GO THENCE N 0°28'00"E, CONTINUING ALONG THE WESTERLY RIGHT-OF-WAY LINE OF US HWY NO. 17 FOR 78 FEET TO THE CENTERLINE OF LEE BRANCH; GO THENCE MEANDERING SOUTHWESTERLY ALONG SAID CENTERLINE 340 FEET MORE OR LESS TO A POINT; GO THENCE S 0°21'30"W FOR 236 FEET, MORE OR LESS, TO A POINT; GO THENCE S 89°38'30"E FOR 200 FEET TO THE POINT OF BEGINNING, LESS AND EXCEPT ANY ROAD RIGHT-OF-WAY FOR HIGHWAY NO.17.

## SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, THAT THIS PLAT OF THE HEREON DESCRIBED PROPERTY IS A TRUE REPRESENTATION OF A FIELD SURVEY MADE UNDER MY DIRECTION AND MEETS THE STANDARDS OF PRACTICE SET FORTH IN CHAPTER: 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

*Richard M. Ritz*  
RICHARD M. RITZ, R.L.S.  
FLORIDA CERTIFICATION NO. 4009  
DATE ISSUED: 02-05-2014

- ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
- THIS CERTIFICATION IS ONLY FOR THE LANDS DESCRIBED HEREON.
- IT IS NOT A CERTIFICATION OF TITLE, ZONING, SETBACKS, OR FREEDOM OF ENCUMBRANCES.
- THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF ABSTRACT AT TITLE.
- ALL MATTERS OF TITLE SHOULD BE REFERRED TO AN ATTORNEY AT LAW.

## Banks Engineering

ENGINEERING, SURVEYING & LAND PLANNING

FLORIDA BUSINESS CERTIFICATION NUMBER LB 6690

12663 SW CRIBB, SUITE B

LAKE SUZY, FLORIDA 34689

(941) 625-1165 PHONE (941) 625-1149 FAX

BOUNDARY SURVEY PREPARED FOR:  
TAG CONSULTANTS, LLC  
CHARLOTTE COUNTY, FLORIDA

DATE	PROJECT NO.	DRAWING	DRAWN	CHECKED	SCALE	FILE NO. (S-T-R)
1-5-2006	3154/3700	3154CS	KT		1"=150'	1&12-40-23

## PROPERTY INFORMATION REPORT

**Certified to: Charlotte County**

ORDER DATE: January 11, 2024

SEARCH DATE: 30 years up to June 1<sup>st</sup>, 2023

LEGAL DESCRIPTION : See Exhibit "A"

PARCEL I.D. NO.: 402301451001, 402312226001, 402312201001, 402301476002, 402301476001

### APPARENT TITLE HOLDER & ADDRESS OF RECORD:

TAG Lakeside, LLC, a Florida limited liability company and, as disclosed in the Public Records, has been since September 2, 2014.

### AND SAID PROPERTY IS SUBJECT TO THE FOLLOWING ENCUMBRANCES, IF ANY:

Drainage Easement dated March 25, 2000, given by Ramanarenddy V. Sadda and Sarala R. Sadda, husband and wife, in favor of Charlotte County, a political subdivision of the State of Florida recorded in OR Book 1784, Page 789, on April 14, 2000, as subject to Resolution No. 2000-002, dated January 11, 1999, and recorded in Official Records Book 1764, Page 1148, the Public Records of Charlotte County, Florida. (affects Parcel 1 & 1-a)

Amend Street and Drainage Resolution No. 91-135 for Franchise Cable as recorded in Official Records Book 1166, Page 806, of the Public Records of Charlotte County, Florida.

Ordinance Number 2002-23, to units; dated June 17, 2002, and recorded on June 25, 2002, in Official Records Book 2058, Page 1017, as further amended by Ordinance Number 2004-25, as recorded on May 25, 2004 in Official Records Book 2473, Page 644, in the Public Records of Charlotte County, Florida. (N 1/2 of Section 12, Township 40 South, Range 23 East; Parcel 1-a, Parcel 2).

Ordinance Number 2006-067 Amendment to County Zoning Atlas, dated July 21, 2006, and recorded on July 28, 2006, in Official Records Book 3009, Page 1763, of the Public Records of Charlotte County, Florida.

Ordinance Number 2007-073, for amendment to the Future Land Use Map (FLUM) dated October 22, 2007, in Official Records Book 3226, Page 2013, in the Public Records of Charlotte County, Florida. (affect Parcel 3)

Ordinance Number 2014-018 Amending County Zoning Atlas from PD to PUD, dated May 28, 2014, in Official Records Book 3872, Page 248, of the Public Records of Charlotte County, Florida.

Declaration of Restrictive Covenant made by Tag Lakeside, LLC, a Florida limited liability company affecting the Department of Transportation access Permit for Duncan Road as recorded on September 2, 2016, in Official Records Book 4118, Page 1338, of the Public Records of Charlotte County, Florida. (Parcel 4 only)

This is to certify that the legal description and the above information is correct as required under Chapter 197 Florida Statutes. This report is not title insurance. Pursuant to s. [627.7843](#), Florida Statutes, the maximum liability of the issuer of this property information report for errors or omissions in this property information report is limited to the amount paid for this property information report, and is further limited to the person(s) expressly identified by name in the property information report as the recipient(s) of the property information report.

**WIDEIKIS, BENEDICT & BERNTSSON LLC**

**3195 S. ACCESS ROAD**

**ENGLEWOOD, FLORIDA 34224**

Phone: 941-627-1000 Fax 941-255-0684

**THE BIG W LAW FIRM**

Countersigned:

By:   
Robert H. Berntsson

Date: January 11, 2024



EXHIBIT "A"

(PROVIDED BY THE CLIENT)

PARCEL DESCRIBED IN O.R. 2162, PG. 1131:

PARTS OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 1, AND THE NORTH 1/2 OF THE NORTHEAST 1/2 OF SECTION 12, TOWNSHIP 40 SOUTH, RANGE 23 EAST, CHARLOTTE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 1; THENCE NORTH 89°07'22" WEST ALONG THE NORTH LIMIT OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SAID SECTION 1, 52.29 FEET TO THE WEST LIMIT OF U.S. HIGHWAY 17 AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL, THENCE NORTH 89°07'22" WEST ALONG THE NORTH LIMIT OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF SECTION 1, 2,466.03 FEET, MORE OR LESS, TO THE EASTERLY LIMIT OF THE RIGHT-OF-WAY OF THE SEABOARD COASTLINE RAILROAD; THENCE SOUTH 03°02'35" WEST ALONG THE LAST MENTIONED LIMIT, 2,219.0 FEET, MORE OR LESS, TO THE CENTER LINE OF LEE'S BRANCH; THENCE NORTHEASTERLY ALONG SAID CENTER LINE OF LEE'S BRANCH, 3,108.0 FEET, MORE OR LESS TO THE WEST RIGHT-OF-WAY LIMIT OF U.S. HIGHWAY 17; THENCE NORTH 0°28'49" EAST ALONG THE LAST MENTIONED LIMIT 573.34 FEET, MORE OR LESS TO THE POINT OF BEGINNING. SUBJECT TO RESTRICTIONS, RESERVATIONS, AND EASEMENTS OF RECORD.

ALSO

PARCEL A

A PARCEL OF LAND LYING WITHIN SECTION 1, TOWNSHIP 40 SOUTH, RANGE 23 EAST, CHARLOTTE COUNTY, FLORIDA, BEING MORE SPECIFICALLY DESCRIBED AS FOLLOWS: FROM THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 12, TOWNSHIP 40 SOUTH, RANGE 23 EAST, BEAR NORTH 00 DEGREES 19' 45" EAST, ALONG THE EAST LINE OF SECTION 12, A DISTANCE OF 150.00 FEET; THENCE SOUTH 88 DEGREES 55' 19" WEST, A DISTANCE OF 50.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF US HIGHWAY 17, (STATE ROAD 35); THENCE NORTH 00 DEGREES 19' 45" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE 1174.68 FEET TO THE SOUTH LINE OF SECTION 1 AND TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 00 DEGREES 23' 02" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 300.00 FEET; THENCE NORTH 89 DEGREES 36' 58" WEST, A DISTANCE OF 200.00 FEET; THENCE NORTH 00 DEGREES 23' 02" EAST, TO A POINT IN THE CENTER OF LEE BRANCH CREEK, THENCE SOUTHWESTERLY, MEANDERING THE CENTER OF SAID CREEK, TO THE SOUTH LINE OF SAID SECTION 1; THENCE EASTERLY, ALONG THE SOUTH LINE OF SAID SECTION 1 TO THE SAID WEST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 17 AND TO THE POINT OF BEGINNING.

AND

PARCEL B

A PARCEL OF LAND IN SECTIONS 1 AND 12, TOWNSHIP 40 SOUTH, RANGE 23 EAST, DESCRIBED AS FOLLOWS: COMMENCE AT THE S.E. CORNER OF THE NE 1/4 OF THE NE 1/4 OF SAID SECTION 12: THENCE N 0 DEGREES 19' 45" EAST, ALONG THE EAST LINE OF SECTION 12, FOR A DISTANCE OF 150.00 FEET; THENCE S 88 DEGREES 55' 19" W, 50.00 FEET TO THE WEST RIGHT-OF-WAY LINE OF STATE ROAD NO-35 (U.S. HIGHWAY 17) FOR A POINT OF BEGINNING; THENCE N 0 DEGREES 19' 45" E, ALONG SAID RIGHT-OF-



EXHIBIT "A"

WAY LINE, 1174.68' TO THE NORTH LINE OF SAID SECTION 12; THENCE N 0 DEGREES 23' 02" E, CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 35, FOR A DISTANCE OF 300.00'; THENCE LEAVING SAID RIGHT-OF-WAY LINE, N 89 DEGREES 36' 58" W, 200.00 FEET; THENCE N 0 DEGREES 23' 02" E TO A POINT IN THE CENTERLINE OF LEE BRANCH; THENCE SOUTHWESTERLY MEANDERING SAID CENTERLINE OF LEE BRANCH TO THE WESTERLY BOUNDARY OF THE NE 1/4 OF SAID SECTION 12; THENCE SOUTHERLY ALONG SAID WESTERLY BOUNDARY OF NE 1/4 OF SECTION 12 FOR A DISTANCE OF 300 FEET MORE OR LESS TO THE SW CORNER OF THE NW 1/4 OF THE NE 1/4 OF SECTION 12; THENCE S 88 DEGREES 55' 19" E, ALONG THE SOUTH LINE OF SAID NW 1/4 OF THE NE 1/4 OF SECTION 12 TO THE SOUTHEASTERLY RIGHT-OF-WAY OF COUNTY ROAD (TURBAK ROAD - 60 FOOT RIGHT-OF-WAY); THENCE NORTHEASTERLY AND EASTERLY ALONG THE SOUTHERLY RIGHT-OF-WAY OF SAID TURBAK ROAD TO THE WEST RIGHT-OF-WAY OF SAID STATE ROAD NO. 35 AND THE POINT OF BEGINNING.

LESS R/W FOR SEABOARD COASTLINE RAILROAD R/W IN THE NW 1/4 OF THE NE 1/4 OF SAID SECTION 12. LESS ALSO THE 60' R/W FOR TURBAK ROAD.

AND SUBJECT TO RESERVATION IN T.I.I.F. DEED IN SECTION 1 AND 12 ALONG THE EASTERLY 50' ALONG STATE ROAD NO 35. ALL LYING AND BEING IN SECTIONS 1 AND 12, TOWNSHIP 40 SOUTH, RANGE 23 EAST, CHARLOTTE COUNTY, FLORIDA.

LESS AND EXCEPT THE FOLLOWING PARCEL:

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PARCELS A AND B CAN ALSO BE DESCRIBED AS:

A PARCEL OF LAND IN SECTIONS 1 AND 12, TOWNSHIP 40 SOUTH, RANGE 23 EAST, DESCRIBED AS FOLLOWS:

COMMENCE AT THE S.E. CORNER OF THE NE 1/4 OF THE NE 1/4 OF SAID SECTION 12: THENCE N 0 DEGREES 19' 45" EAST, ALONG THE EAST LINE OF SECTION 12, FOR A DISTANCE OF 150.00'; THENCE S 88 DEGREES 55' 19" W, 50.00' TO THE WEST R/W LINE OF STATE ROAD NO. 35 (U.S. 17) FOR A POINT OF BEGINNING; THENCE N 0 DEGREES 19' 45" E, ALONG SAID R/W, 1174.68' TO THE NORTH LINE OF SAID SECTION 12; THENCE N 0 DEGREES 23' 02" E, CONTINUING ALONG SAID WESTERLY R/W LINE OF STATE ROAD NO: 35, FOR A DISTANCE OF 300.00' THENCE LEAVING SAID R/W N 89 DEGREES 36' 58" W, 200.00';

EXHIBIT "A"

THENCE N 0 DEGREES 23' 02" E TO A POINT IN THE CENTERLINE OF LEE BRANCH; THENCE SOUTHWESTERLY MEANDERING SAID CENTERLINE OF LEE BRANCH TO THE WESTERLY BOUNDARY OF THE NE 1/4 OF SAID SECTION 12; THENCE SOUTHERLY ALONG SAID WESTERLY BOUNDARY OF NE 1/4 OF SECTION 12 FOR A DISTANCE OF 300' MORE OR LESS TO THE SW CORNER OF THE NW 1/4 OF THE NE 1/4 OF SECTION 12; THENCE S 88 DEGREES 55' 19" E, ALONG THE SOUTH LINE OF SAID NW 1/4 OF THE NE 1/4 OF SECTION 12 TO THE SOUTHEASTERLY R/W OF COUNTY ROAD (TURBAK ROAD - 60' R/W); THENCE NORTHEASTERLY AND EASTERLY ALONG THE SOUTHERLY R/W OF SAID TURBAK ROAD TO THE WEST RAP OF SAID STATE ROAD NO. 35 AND THE POINT OF BEGINNING.

LESS R/W FOR SEABOARD COASTLINE RAILROAD R/W W IN THE NW 1/4 OF THE NE 1/4 OF SAID SECTION 12. LESS ALSO THE 60' R/W FOR TURBAK ROAD.

AND SUBJECT TO RESERVATION IN T.I.I.F. DEED IN SECTION 1 AND 12 ALONG THE EASTERLY 50' ALONG STATE ROAD NO 35. ALL LYING AND BEING IN SECTIONS 1 AND 12, TOWNSHIP 40 SOUTH, RANGE 23 EAST, CHARLOTTE COUNTY, FLORIDA.



# Charlotte County Government

"To exceed expectations in the delivery of public services."

[www.CharlotteCountyFL.gov](http://www.CharlotteCountyFL.gov)

07/27/2023

TO: Tag Lakeside LLC

RE: Charlotte County Scrub Jay HCP Review

Charlotte County Parks and Natural Resources staff has reviewed each of the parcels listed below as it pertains to the Charlotte County Scrub Jay Habitat Conservation Plan (HCP). Should the applicant choose to participate in the countywide HCP the following fees and minimization measures would apply to each parcel as shown below for calendar year 2024.

PID# 402301451001	PID# 402312201001	PID#402312226001
66.343 acres	17.406 acres	47.479 acres
HCP fee = \$492,959	HCP fee = \$118,527	HCP fee = \$492,959
PID# 402301476002	PID# 402301476001	
7.237 acres	1.492 acres	
HCP fee = \$118,527	HCP fee = \$19,780	

## MINIMIZATION MEASURES:

### Parcels 3-20 acres within the Targeted Reserve

- No clearing during nesting season - March 1<sup>st</sup> through June 30<sup>th</sup>.
- Require planting of native scrub oaks.
- Where proposed development will occur on a parcel within the reserve; preservation of at least 50% of the parcel and 50% of the scrub habitat onsite will be preserved through a conservation easement, where feasible.

### Parcels 3-20 acres within the Targeted Reserve

- No clearing during nesting season - March 1<sup>st</sup> through June 30<sup>th</sup>.
- Require planting of native scrub oaks.
- All scrub habitat must be mapped and preserved to the greatest extent possible through a conservation easement.
- Preservation of at least 50% of the parcel or 100% of the scrub habitat onsite will be preserved through a conservation easement, where feasible.

## COMMUNITY SERVICES

### Parks and Natural Resources

514 E. Grace Street | Punta Gorda, FL 33950  
Phone: 941.613.3220 | Fax: 941.833.3821

All of the parcels identified are located within the HCP reserve design therefore the county has the ability to offer a reduction in the established HCP fees only if the required minimization area is dedicated to the county through a conservation easement. The dedicated conservation easement areas would need to include the ±9.07 acres located along the creek, also shown as preserve on the 2014 PD concept plan submitted to Charlotte County. In addition, the ±48.90 acres located along the northwest portion of the site containing Immokalee Sand would need to be included in the conservation easement for a total of ±57.97 acres. See pages 3 and 4 for supporting documents provided by the applicant which incorporate staff edits identifying the preservation areas to be placed into a conservation easement.

The remainder of the acreage located outside of the preserve areas would only be charged the HCP fee based upon the total acreage (For example: 20-acre site; 15 acres to be placed into a CE therefore the 5.00 remaining acres would be charged \$43,398 as defined in the HCP development fee chart). The county-wide HCP is a voluntary program therefore you always reserve the right to request a review and written determination from the U.S. Fish and Wildlife Service.

Should the applicant be interested in selling any of the listed parcels to the county, Parks and Natural Resources can request and provide funding for a private party appraisal as negotiated by the county's Real Estate Services Department. One stipulation to note is that the county is only able to make an offer based on the property's value as identified by the appraisal.

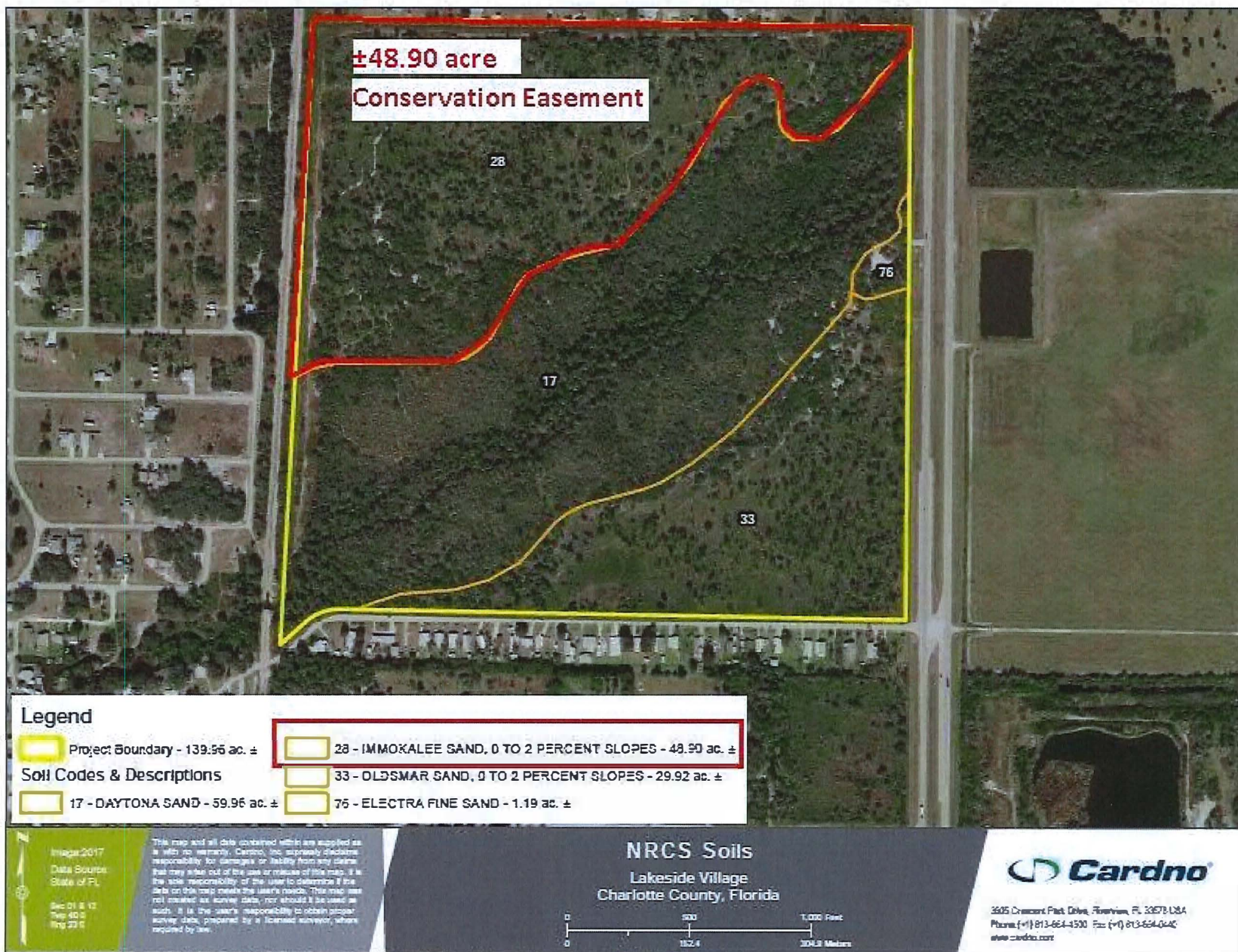
Should you have any additional questions concerning this letter or in regards to the county-wide HCP program please don't hesitate to contact me.

Tina Powell  


Parks and Natural Resources Division Manager

Community Services Department







**ALL ±9.07 acres must be placed into a conservation easement**

